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February 9, 2022

Mr. Aaron Hansen
BARTSAS MARY 14 LLC
601 South Rancho Dr., Ste. C23
Las Vegas, Nevada 89106

**RE: ABEYANCE - 21-0665-VAR1, 21-0665-SUP1 AND 21-0665-SDR1
PLANNING COMMISSION MEETING OF FEBRUARY 8, 2022**

Dear Applicant:

The Planning Commission at a regular meeting held on *February 8, 2022* voted to recommend **APPROVAL** of the following Land Use Entitlement project requests on 3.75 acres on the west side of Eastern Avenue, approximately 160 feet south of Sunrise Avenue (APN 139-35-804-002), C-1 (Limited Commercial) Zone, Ward 3 (Diaz).

21-0665-VAR1 - VARIANCE - TO ALLOW 163 PARKING SPACES WHERE 350 ARE REQUIRED

21-0665-SUP1 - SPECIAL USE PERMIT - FOR A MULTI-FAMILY RESIDENTIAL USE

21-0665-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 224-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF BUILDING PLACEMENT AND PERIMETER LANDSCAPE BUFFER STANDARDS

This approval is subject to the following conditions:

21-0665-VAR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (21-0665-SUP1) and Site Development Plan Review (21-0665-SDR1) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

21-0665-SUP1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (21-0665-VAR1) and Site Development Plan Review (21-0665-SDR1) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

21-0665-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (21-0665-VAR1) and Special Use Permit (21-0665-SUP1) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan date stamped 11/16/21 and building elevations, date stamped 11/18/21, except as amended by conditions herein.
4. A Waiver from Title 19.08.040 is hereby approved, to allow the multi-family building to be set back and parking located at the front of the site where buildings should be placed at the setback line and parking in the rear or sides of the property.
5. A Waiver from Title 19.08.070 is hereby approved, to allow a five-foot perimeter landscape buffer along the east property line (Eastern Ave) where 15 feet is required and to allow a zero-foot perimeter landscape buffer along a portion of the south property line where eight feet is required.
6. An Exception from Title 19.08.110.C.12 is hereby approved, to allow 27 trees in the parking lot where 32 trees are required.
7. The minimum distance between buildings shall be 10 feet.
8. Revised elevations shall be submitted for review pursuant to Title 19.16.100 prior to the issuance of a building permit for construction.
9. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
10. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
11. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.

12. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - Trees in the parking lot shall consist of 24-inch box shade trees. Palm trees shall not be counted toward the required number of shade trees.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

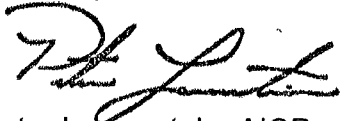
16. Dedicate and construct a right turn lane/bus turn out per standard drawing #234.4, unless otherwise required in the approved Traffic Impact Analysis. Grant the associated Bus Shelter Pad Easement to the Regional transportation Commission prior to the issuance of any permits or the recordation of a map, whichever may occur first.
17. The sidewalks along Eastern Avenue adjacent to this site shall meet Public Right of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement, if any, needed to complete this requirement.
18. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptors, sand/oil interceptors, or separator mitigation in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-2338 or emailed at ece@lasvegasnevada.gov.

19. Prior to construction, coordinate a point of connection to the public sewer system at a size and location acceptable to the Sanitary Sewer Section of the Department of Public Works.
20. Landscape and maintain all unimproved rights-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. Submit a License Agreement for landscaping and private improvements in the Eastern Avenue public right-of-way, if any, prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property within the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).
22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. The Traffic Impact Analysis shall include a section addressing Standard Drawings #201.1, #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for exclusive right turn lanes, dual left turn lanes, and bus turnouts adjacent to this site, if any. All required additional rights-of-way shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. The Traffic Impact Analysis shall also include a pedestrian circulation/access plan to identify nearby pedestrian attractors and recommend measures to accommodate pedestrians, such as but not limited to pedestrian access, crosswalk, pedestrian activated flashers and temporary sidewalks. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

23. Prior to the submittal of any construction drawings, coordinate with the City of Las Vegas Flood Control Section of the Department of Public Works regarding the Charleston/Maryland Parkway storm drain project. See sheets SD14 and SD64 of plans library drawing #107V7367 for proposed storm drain drop inlets that may affect the site.
24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

This item will be considered by the City Council on March 16, 2022. This meeting will be held at 9:00 A.M. at the Council Chambers of City Hall, 495 South Main Street, Las Vegas, Nevada. ***The Council requires that you or your representative be present at this meeting.*** If you or your representative chooses not to attend, the City Council may act in your absence without your input.

Sincerely,



Peter Lowenstein, AICP
Deputy Planning Director
Department of Planning

PL:nl

cc:

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