



**LAS VEGAS
CITY COUNCIL**

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April 13, 2022

Mr. Timothy Herbst
Herbst HC LLC
5195 S. Las Vegas Boulevard
Las Vegas, Nevada 89119

**RE: 21-0590-SUP1 AND 21-0590-SDR1
PLANNING COMMISSION MEETING OF APRIL 12, 2022**

Dear Applicant:

The Planning Commission at a regular meeting held on **April 12, 2022** voted to **APPROVE** the following Land Use Entitlement project requests on 0.31 acres at 333 South Main Street and 14 Lewis Avenue (APNs 139-34-210-006 and 024), C-M (Commercial/Industrial) and C-2 (General Commercial) Zones, Ward 3 (Diaz).

21-0590-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 3,050 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE [APN 139-34-210-006]

21-0590-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 3,050 SQUARE-FOOT CONVENIENCE STORE AND 187 SQUARE-FOOT STORAGE BUILDING WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS AREA 1 DEVELOPMENT STANDARDS

This approval is subject to the following conditions:

21-0590-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Beer/Wine/Cooler Off-Sale Establishment use.
2. Approval of and conformance to the Conditions of Approval Site Development Plan Review (21-0590-SDR1) shall be required, if approved.

3. 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.
4. 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.
5. 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.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

21-0590-SDR1 CONDITIONS

Planning

1. Approval of conformance to the Conditions of Approval Special Use Permit (21-0590-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 building elevations, date stamped 02/14/22, except as amended by conditions herein.
4. A Waiver from Appendix F Interim Downtown Las Vegas (Area 1) Architectural Design Standards is hereby approved to allow extensions of more than 10 feet of blank, expressionless walls at the street level where such is not allowed.
5. A Waiver from Appendix F Interim Downtown Las Vegas (Area 1) Architectural Design Standards is hereby approved to allow the architectural details are not carried on all sides of the building where such is required.

6. A Waiver from Appendix F Interim Downtown Las Vegas (Area 1) Architectural Design Standards is hereby approved to allow the proposed structures to not be built up to the front and corner side yard property lines where such is required.
7. 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.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
9. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
10. All utility or mechanical equipment shall comply with the provisions of the Interim Downtown Las Vegas Development Standards, unless approved by a separate Waiver.
11. 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.
12. 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.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works


14. The sidewalk 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 needed to complete this requirement.

15. Landscape and maintain all unimproved right-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.
16. Submit a License Agreement for landscaping and private improvements in the public rights 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 (229-4836).
17. 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 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.
18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

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This action by the Planning Commission on **April 12, 2022** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision as allowed by code or there is a review action filed by the City Council within the same time period. For additional information on appeals or review requests submitted please access <https://www.lasvegasnevada.gov/Business/Permits-Licenses/Building-Permits/Permit-Application-Status>, or contact the Department of Planning and Development at 702.229.6301 after **April 25, 2022**. No building permits or business licenses related to these items shall be issued prior to the expiration of the required ten day waiting period, or until any filed appeal is resolved pursuant to LVMC Title 19.18.

Sincerely,



Eric McCammond
Senior Management Analyst
Case Planning Division

EM:nl

cc:

Mr. Bob Laszcik
Terrible Herbst, Inc.
5195 S. Las Vegas Boulevard
Las Vegas, Nevada 89119

Mr. Chris Richardson
Richardson Wetzels Architects
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