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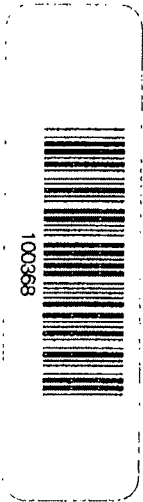
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April 3, 2009

Mr. Luis Gutierrez
c/o Water Street, LLC
7500 West Lake Mead Boulevard #9-232
Las Vegas, Nevada 89128

RE: SDR-32837 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF APRIL 1, 2009

Dear Mr. Gutierrez:

The City Council at a regular meeting held April 1, 2009 APPROVED the request for a Site Development Plan Review FOR A 5,375 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH AND RETAIL BUILDING on 2.59 acres generally located on the south side of Bonanza Road, approximately 450 feet east of Pecos Road (APN 140-31-121-007), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on April 2, 2009. This approval is subject to:

Planning & Development

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-9421) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. 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, landscape plan, and building elevations, date stamped 12/30/08, except as amended by conditions herein.
4. An Exception from Title 19.10.010(J)(11)(e) is hereby approved, to allow a four-foot sidewalk adjacency to the north side of the commercial building and a three-foot sidewalk adjacency to the west side of the commercial building where a five-foot sidewalk, landscape planter, or combination of both is required.
5. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the changes herein. The site plan shall be revised to indicate all locations and dimensions of sidewalks, utility pads, and hardscape areas.

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6. 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, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: The landscape plan shall be revised to clearly indicate all hardscape areas and landscape planters, including the hardscape provided for the proposed utility pad at the rear of the building. Provide a minimum of four, five-gallon shrub for each required tree.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
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. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

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15. Comply with the requirements of Las Vegas Municipal Code Chapter 4.32 Traffic Signal Impact Fee prior to the issuance of permits for this site.
16. No new buildings, permanent structures, or landscaping taller than 30 inches shall be constructed or placed within the existing 20-foot public sewer easement located along the north side of this site.
17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-80-77, the Pecos/Bonanza Plaza commercial subdivision and all other applicable site-related actions.

Sincerely,



Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

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