



**LAS VEGAS
CITY COUNCIL**

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City Manager

DEPARTMENT OF PLANNING

SETH T. FLOYD

DIRECTOR OF
COMMUNITY DEVELOPMENT

CITY HALL

495 S. MAIN ST.

3RD FLOOR

LAS VEGAS, NV 89101

702.229.6301 | VOICE

702.464.2545 | FAX

711 | TTY



cityoflasvegas
lasvegasnevada.gov

December 21, 2022

Kyle Sutherland
Wyandotte Holdings LLC
299 Park Avenue 42nd Floor
New York, New York 10171

**RE: 22-0442-ZON1, 22-0442-SUP1, 22-0442-SUP2, 22-0442-VAC1 AND
22-0442-TMP1
CITY COUNCIL MEETING OF DECEMBER 21, 2022**

Dear Applicant:

The City Council at a regular meeting held on *December 21, 2022* voted to **APPROVE** the following Land Use Entitlement project requests on 18.67 acres at the southeast corner of Richfield Boulevard and Wilmington Way (APNs Multiple), Ward 3 (Diaz).

22-0442-ZON1 - REZONING - FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: C-2 (GENERAL COMMERCIAL)

22-0442-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 200-FOOT TALL BUILDING WITHIN THE 175-FOOT AIRPORT OVERLAY DISTRICT

22-0442-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED MIXED-USE DEVELOPMENT

22-0442-VAC1 - VACATION - PETITION TO VACATE PUBLIC RIGHT-OF-WAY

22-0442-TMP1 - TENTATIVE MAP - VEGAS RISING - FOR A PROPOSED FOUR-LOT COMMERCIAL SUBDIVISION

This approval is subject to the following conditions:

22-0422-ZON1 is APPROVED with no conditions.

22-0442-SUP1 CONDITIONS

Planning

1. Approval of a General Plan Amendment (22-0441-GPA1) and Rezoning (22-0442-ZON1) and approval of and conformance to the Conditions of Approval for Special Use Permit (22-0442-SUP2), Petition to Vacate (22-0442-VAC1), and Tentative Map (22-0442-TMP1) shall be required, if approved.

2. This approval shall be void four 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. Prior to or at the time of submittal for any building permit, the applicant shall provide written verification by the FAA and/or the Clark County Department of Aviation of the following:
 - a. Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Clark County Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Clark County Department of Aviation;
 - b. No Building Permit or other construction permit shall be issued for any structure greater than 35 feet above the surface of land that, based upon the FAA's 7460 airspace determination (the outcome of filing the FAA Form 7460-1) would (a) constitute a hazard to air navigation, (b) would result in an increase to minimum flight altitudes during any phase of flight (unless approved by the Department of Aviation), or (c) would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.
 - c. Applicant is advised that FAA's airspace determinations are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0442-SUP2 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for Mixed-Use.
2. Approval of a General Plan Amendment (22-0041-GPA1) and Rezoning (22-0042-ZON1) and approval of and conformance to the Conditions of Approval for Special Use Permit (22-0042-SUP1), and Petition to Vacate (22-0442-VAC1 shall be required, if approved.
3. The Development Agreement is to be approved and adopted by the City Council prior to the submittal of any building plans.
4. This approval shall be void four 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.
5. 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.
6. 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.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0442-VAC1 CONDITIONS

1. The limits of this Petition of Vacation shall be defined as all of Trona Street and Jamestown Way with portions of Palm Springs Way and Milo Way as shown on the vacation exhibits date stamped 8/18/2022.
2. The Order of Vacation shall record prior to or concurrently with a Final Map for 22-0442-TMP1.

3. Prior to the Order of Vacation, the applicant shall meet with the Sanitary Sewer Section of the Department of Public Works to determine if any Sewer Easements must be granted or reserved. Comply with the recommendations of the Sanitary Sewer Section.
4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by 22-0442-TMP1 may be used to satisfy this requirement provided that it addresses the area to be vacated.
5. The Order of Vacation shall reserve easements for the facilities of all City of Las Vegas Franchise Holders unless written verifiable letters of consent without reservation are received prior to recordation.
6. All public improvements adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. This includes retuning City assets to the City of Las Vegas West yard.
7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
8. All development shall be in conformance with code requirements and design standards of all City Departments.
9. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

10. If the Order of Vacation is not recorded within four (4) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Director of Community Development, then approval will terminate and a new petition must be submitted.

22-0442-TMP1 CONDITIONS

Planning

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
2. Approval of General Plan Amendment (22-0441-GPA1), Rezoning (22-0442-ZON1), Special Use Permit (22-0442-SUP1), Special Use Permit (22-0442-SUP2), Petition to Vacate (22-0442-VAC1) shall be required, if approved.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants, and water supply, shall be installed and shall be functioning prior to the construction of any combustible structures.
5. The Final Map shall contain a note granting perpetual common access and parking across the entire subdivision.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Prior to and concurrent with the recordation of a Final Map for this site, a Petition of Vacation, such as 22-0442-VAC1, shall be recorded to eliminate the public right-of-way in conflict with this proposed site. If 22-0442-VAC1 is not approved, then this Tentative Map shall be null and void and a new Tentative Map shall be submitted for review.

8. Dedicate Rigel Avenue and the re-aligned portion of Milo Way on the Final Map for this site. Additionally, grant Public Pedestrian Access Easements for all public sidewalks located outside of public right-of-way.
9. Construct off-site improvements per the Vegas Rising Development Standards for each lot prior to or concurrent with the development of each lot. Such improvements must be guaranteed prior to the issuance of permits for each lot.
10. Extend Public Sewer in Rancho Drive from Sahara Avenue to the edge of the proposed Vegas Rising Master development, at the size required per the approved Vegas Rising (Wyandotte Apartments) Master Sanitary Sewer Study.
11. Prior to the submittal of construction drawings for this site, submit an update to the Vegas Rising (Wyandotte Apartments) Master Sanitary Sewer Study showing the discharge point of this district of the Vegas Rising Master Development and how it affects the flows downstream on Rancho Drive.
12. As applicable for each lot, all notes explained under the Unified Development Code (UDC) Section 19.16.060.W subsections (1), (2), and (3) regarding driveway access, on-site sewer system and inter-site common drainage rights are required and shall appear on the recorded Final Map.
13. 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.
14. Prior to or concurrent with the submittal of a Final Map for this site, an update to the previously approved Traffic Impact Analysis (TIA76156) must be submitted and approved by the Department of Public Works.
15. Development of this site shall comply with the terms and requirements of the Vegas Rising Development Agreement.
16. 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.

17. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

The Notice of Final Action was filed with the Las Vegas City Clerk on December 22, 2022.

Sincerely,



Seth T. Floyd
Director of Community Development
Department of Planning

STF:PL:nl

cc:

Kyle Sutherland
Fisher Brothers Las Vegas LLC
299 Park Avenue 42nd Floor
New York, New York 10171

Jennifer Lazovich
Kaempfer Crowell
1980 Festival Plaza Drive Suite 650
Las Vegas, Nevada 89135