



**LAS VEGAS
CITY COUNCIL**

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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

George Ross
Copper Cart LLC
985 White Drive Suite 110
Las Vegas, Nevada 89119

RE: 22-0615-ZON1, 22-0615-ZON1, 22-0615-MOD1, 22-0615-SUP1, 22-0615-SUP2, 22-0615-SUP3, 22-0615-SUP4, 22-0615-SDR1 AND 22-0615-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 6.33 acres at the northwest corner of Centennial Parkway and Durango Drive (APNs 125-20-402-008, 013 and 015; and 125-20-499-004, 005, 007 and 012), Ward 4 (Allen-Palenske).

22-0615-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: T-C (TOWN CENTER) [125-20-499-004, 007 AND 012]

22-0615-MOD1 - MAJOR MODIFICATION - TO SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL TOWN CENTER LAND USE DESIGNATION [125-20-499-004, 007 AND 012]

22-0615-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 4,000 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE [RESTAURANT] WITH A 2,098 SQUARE-FOOT PATIO AREA AND A WAIVER TO ALLOW SUCH USE ON A PARCEL CONSISTING OF 6.33 ACRES WHERE 50 ACRES IS REQUIRED FOR THE SERVICE COMMERCIAL SPECIAL TOWN CENTER LAND USE DESIGNATION

22-0615-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED 3,000 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE [RESTAURANT] WITH A 1,430 SQUARE-FOOT PATIO AREA AND A WAIVER TO ALLOW SUCH USE ON A PARCEL CONSISTING OF 6.33 ACRES WHERE 50 ACRES IS REQUIRED FOR THE SERVICE COMMERCIAL SPECIAL TOWN CENTER LAND USE DESIGNATION

22-0615-SUP3 - SPECIAL USE PERMIT - FOR A PROPOSED 2,450 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE [RESTAURANT] WITH A 975 SQUARE-FOOT PATIO AREA AND A WAIVER TO ALLOW SUCH USE ON A PARCEL CONSISTING OF 6.33 ACRES WHERE 50 ACRES IS REQUIRED FOR THE SERVICE COMMERCIAL SPECIAL TOWN CENTER LAND USE DESIGNATION

22-0615-SUP4 - SPECIAL USE PERMIT - FOR A PROPOSED 1,600 SQUARE-FOOT ALCOHOL, ON-PREMISE BEER/WINE USE

22-0615-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 21,753 SQUARE-FOOT ADDITION TO AN EXISTING SHOPPING CENTER WITH WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS

22-0615-TMP1 - TENTATIVE MAP - CENTENNIAL PARKWAY AND DURANGO DR. - FOR A ONE-LOT COMMERCIAL SUBDIVISION

This approval is subject to the following conditions:

22-0615-ZON1 is APPROVED with no conditions.

22-0615-MOD1 is APPROVED with no conditions.

22-0615-SUP1 CONDITIONS

Planning

1. Conformance to all minimum Requirements under Town Center Development Standards Manual for a Liquor Establishment (Tavern) [now Alcohol, On-Premise Full] use.
2. Approval of Rezoning (22-0615-ZON1) and Major Modification (22-0615-MOD1); and approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0615-SDR1) shall be required, if approved.
3. Conformance to the approved conditions for Special Use Permit (20-0139-SUP1, SUP2 and SUP3) and Site Development Plan Review (20-0139-SDR1).
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. A Waiver from the Town Center Development Standards Manual is hereby approved, to allow an Alcohol, On-Premise Full use [formerly Liquor Establishment (Tavern) use] on a parcel consisting of 6.33 acres where 50 acres is required.
6. 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.

**22-0615-ZON1, 22-0615-ZON1, 22-0615-MOD1, 22-0615-SUP1, 22-0615-SUP2, 22-0615-SUP3, 22-0615-SUP4, 22-0615-SDR1 AND 22-0615-TMP1 - Page Three
December 21, 2022**

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

22-0615-SUP2 CONDITIONS

Planning

1. Conformance to all minimum Requirements under Town Center Development Standards Manual for a Liquor Establishment (Tavern) [now Alcohol, On-Premise Full] use.
2. Approval of Rezoning (22-0615-ZON1) and Major Modification (22-0615-MOD1); and approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0615-SDR1) shall be required, if approved.
3. Conformance to the approved conditions for Special Use Permit (20-0139-SUP1, SUP2 and SUP3) and Site Development Plan Review (20-0139-SDR1).
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. A Waiver from the Town Center Development Standards Manual is hereby approved, to allow an Alcohol, On-Premise Full use [formerly Liquor Establishment (Tavern) use] on a parcel consisting of 6.33 acres where 50 acres is required.
6. 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.

**22-0615-ZON1, 22-0615-ZON1, 22-0615-MOD1, 22-0615-SUP1, 22-0615-SUP2, 22-0615-SUP3, 22-0615-SUP4, 22-0615-SDR1 AND 22-0615-TMP1 - Page Four
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7. 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.
8. Approval of this Special Use Permit does not constitute approval of a liquor license.
9. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
10. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0615-SUP3 CONDITIONS

Planning

1. Conformance to all minimum Requirements under Town Center Development Standards Manual for a Liquor Establishment (Tavern) [now Alcohol, On-Premise Full] use.
2. Approval of Rezoning (22-0615-ZON1) and Major Modification (22-0615-MOD1); and approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0615-SDR1) shall be required, if approved.
3. Conformance to the approved conditions for Special Use Permit (20-0139-SUP1, SUP2 and SUP3) and Site Development Plan Review (20-0139-SDR1).
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. A Waiver from the Town Center Development Standards Manual is hereby approved, to allow an Alcohol, On-Premise Full use [formerly Liquor Establishment (Tavern) use] on a parcel consisting of 6.33 acres where 50 acres is required.
6. 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.

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

22-0615-SUP4 CONDITIONS

Planning

1. Conformance to all minimum Requirements under Town Center Development Standards Manual for a Beer/Wine/Cooler/On-Sale Establishment [now Alcohol, On-Premise Beer/Wine] use.
2. Approval of Rezoning (22-0615-ZON1) and Major Modification (22-0615-MOD1); and approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0615-SDR1) shall be required, if approved.
3. Conformance to the approved conditions for Special Use Permit (20-0139-SUP1, SUP2 and SUP3) and Site Development Plan Review (20-0139-SDR1).
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. Approval of this Special Use Permit does not constitute approval of a liquor license.

8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0615-SDR1 CONDITIONS

Planning

1. Approval of Rezoning (22-0615-ZON1) and Major Modification (22-0615-MOD1) 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 development shall be in conformance with the site plan and landscape plan date stamped 11/07/22; and building elevations date stamped 10/24/22, except as amended by conditions herein.
4. A Waiver from The Town Center Development Standards is hereby approved, to allow a 10-foot rear yard setback where 20 feet is required.
5. A Waiver from The Town Center Development Standards is hereby approved, to allow a zero-foot wide landscape buffer adjacent to a portion of Kevin Way where 15 feet is required.
6. A Waiver from the Town Center Development Standards is hereby approved, to allow a portion of the northern landscape buffer to be reduced to one-foot where 15 feet is required.
7. A Waiver from the Town Center Development Standards is hereby approved, to allow a 14-foot wide landscape buffer adjacent to Durango Drive (east) where 15 feet is required.
8. A Waiver from the Town Center Development Standards is hereby approved, to allow a zero-foot wide landscape buffer adjacent to a portion of Kevin Way (west) where 15 feet is required.

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. 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.
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:
 - Where applicable, the plant palette specified in the Town Center Development Standards Manual shall be complied with.
 - All shade trees shall be 36-inch box in size, and palm trees shall have a minimum trunk height of 15 feet.
 - Four, 5-gallon shrubs shall be planted for every required tree.
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. All Town Center Development Standards, City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Concurrent with development, construct all incomplete half street improvements on Kevin Way. If needed, dedicate appropriate right-of-way to accommodate construction of the public street cul-de-sac to meet current City standards.

16. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
17. The sidewalk on Durango Drive 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.
18. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the "Gowan Road North El Capitan Branch - Ann Road to Centennial Parkway", the "Centennial Parkway - Alpine Ridge Way to Durango Drive" project, and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
19. Prior to the issuance of a Certificate of Occupancy, a commercial subdivision map must record to consolidate the parcel comprising this site. A Final Map related to 22-0615-TMP1 may be used to satisfy this condition.
20. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors 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.
21. No trees or landscaping over 3-feet tall shall be allowed within the existing public sewer easement. All existing trees located within the easement shall be removed concurrent with onsite development.
22. 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.

23. Submit a License Agreement for landscaping and private improvements in the adjacent right-of-way, if any, prior to the issuance of permits for these improvements. 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).
24. 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 section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes 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.
25. 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.

22-0615-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 Rezoning (22-0615-ZON1) and Major Modification (22-0615-MOD1) 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 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 the submittal of a Final Map for review a legal parcel boundary must be established for the overall site.
8. Per Title 19.16.060.W.1, provide a note on the Final Map that states "All parcels created through this map shall have perpetual unobstructed access to all driveways servicing the overall subdivision unless incompatible uses can be demonstrated to the satisfaction of the City Engineer."

9. Per Title 19.16.060 W.2, Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate note shall appear on the face of the Tentative Map and recorded Final Map.
 - a) A public sewer, with a minimum pipe diameter of eight inches, located within dedicated public sewer easements which are a minimum of twenty feet wide.
 - b) On-site sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - c) On-site sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
10. Per Title 19.16.060.W.3, provide a note on the Final Map that states "all subdivided parcels comprising this Subdivision shall provide perpetual inter-site common drainage rights across all existing and future parcel limits."
11. As per Unified Development Code (UDC) 19.16.060.G, all requirements must be complied with or such future compliance must be guaranteed by an approved performance security method in accordance with UDC sections 19.02.130.
12. 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

**22-0615-ZON1, 22-0615-ZON1, 22-0615-MOD1, 22-0615-SUP1, 22-0615-SUP2, 22-0615-SUP3, 22-0615-SUP4, 22-0615-SDR1 AND 22-0615-TMP1 - Page Twelve
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STF:PL:nl

cc:

George Ross
Dapper Development
985 White Drive Suite 110
Las Vegas, Nevada 89119

Nate Ellerd
GCW Inc
1555 South Rainbow Boulevard
Las Vegas, Nevada 89146