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May 10, 2023

Ben Moshe
B M Home Inc
8360 West Sahara Avenue Suite 260
Las Vegas, Nevada 89117

**RE: 23-0121 [VAR1 AND SDR1]
PLANNING COMMISSION MEETING OF MAY 9, 2023**

Dear Applicant:

The Planning Commission at a regular meeting held on *May 9, 2023* voted to **APPROVE** the following Land Use Entitlement project requests on 0.86 acres at the northeast corner of Cheyenne Avenue and Hualapai Way (APN 138-07-413-002), PD (Planned Development) Zone [NC (Neighborhood Commercial) Lone Mountain Special Land Use Designation], Ward 4 (Allen-Palenske)

23-0121-VAR1 - VARIANCE - TO ALLOW NO ADDITIONAL LOADING ZONE SPACE WHERE ONE IS REQUIRED

23-0121-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 6,424 SQUARE-FOOT COMMERCIAL PAD DEVELOPMENT INCLUDING GENERAL RETAIL TENANT SPACE AND A RESTAURANT WITH DRIVE THROUGH

This approval is subject to the following conditions:

23-0121-VAR1 Conditions:

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (23-0121-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 Building and Safety Division.

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.

23-0121-SDR1 Conditions:

Planning

1. Conformance to the approved conditions for Site Development Plan Review (SDR-2612) shall be required, except as amended herein.
2. Approval of and conformance to the Conditions of Approval for Variance (23-0121-VAR1) 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 development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/15/23, except as amended by conditions herein.
5. All proposed planting materials shall comply with the Lone Mountain Plant Palette.
6. An Exception from Title 19.08.110 is hereby approved, to allow five interior parking area trees where seven are 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 Building and Safety Division.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
9. 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.
10. 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.

11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. In accordance with Section 2.2 of the City's Vision Zero Action Plan, 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.
13. 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 702-229-6594 or emailed at ece@lasvegasnevada.gov.
14. 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.
15. An update to the previously approved Master 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 or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved update to the 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.
16. Queues for the overall shopping center shall not extend into the public right-of-way as a result of the drive-thru operations on this site.
17. 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 whichever may occur first. Provide and improve all drainage ways as recommended.

This action by the Planning Commission on May 9, 2023 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 Community Development at 702.229.6301 after May 22, 2023. 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,

A handwritten signature in black ink, appearing to read "Nicole Eddowes", written in a cursive style.

Nicole Eddowes
Community Development Coordinator
Case Planning Division

NE:ew

cc:

Moe Momeni
3110 South Durango Suite 205
Las Vegas, Nevada 89117

Rene Rolin
3110 South Durango Drive Suite 205
Las Vegas, Nevada 89117