



**LAS VEGAS
CITY COUNCIL**

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City Manager

DEPARTMENT OF
COMMUNITY DEVELOPMENT

SETH T. FLOYD
DIRECTOR

CITY HALL
495 S. MAIN ST.
1ST FLOOR
LAS VEGAS, NV 89101
702.229.6301 | VOICE
702.464.2545 | FAX
711 | TTY

June 21, 2023

Dan Bliss
Bliss Development 6 LLC
9811 West Charleston Boulevard Suite 2-505
Las Vegas, Nevada 89117

**RE: 23-0088 [VAR1, VAR2, SUP1, SUP2, SUP3, SUP4 AND SDR1]
CITY COUNCIL MEETING OF JUNE 21, 2023**

Dear Applicant:

The City Council at a regular meeting held on *June 21, 2023* voted to **APPROVE** the following Land Use Entitlement project requests on 1.75 acres at the northeast corner of Charleston Boulevard and Mohawk Street (APNs 138-36-803-001, 002, 015 and 016), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen).

23-0088-VAR1 - VARIANCE - TO ALLOW 36 PARKING SPACES WHERE 66 ARE REQUIRED

23-0088-VAR2 - VARIANCE - TO ALLOW A FIVE-FOOT FRONT AND SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED AND A RESIDENTIAL ADJACENCY MATCHING SETBACK OF FIVE FEET WHERE 14 FEET IS REQUIRED

23-0088-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED DRIVE THROUGH USE

23-0088-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED DRIVE THROUGH USE

23-0088-SUP3 - SPECIAL USE PERMIT - FOR A PROPOSED AUTO REPAIR GARAGE, MINOR USE

23-0088-SUP4 - SPECIAL USE PERMIT - FOR A PROPOSED 3,085 SQUARE-FOOT ALCOHOL, OFF-PREMISE BEER/WINE USE

23-0088-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 9,967 SQUARE-FOOT COMMERCIAL DEVELOPMENT INCLUDING A CONVENIENCE STORE WITH FUEL PUMPS AND CANOPY, TWO RESTAURANTS WITH DRIVE THROUGHS AND A MINOR AUTO REPAIR GARAGE WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS



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This approval is subject to the following conditions:

23-0088-VAR1 CONDITIONS

Planning

1. A Variance (23-0088-VAR1) is hereby approved to allow 36 parking spaces where 65 are required.
2. Approval of and conformance to the Conditions of Approval for Variance (23-0088-VAR2), Special Use Permits (23-0088-SUP1 through SUP4) and Site Development Plan Review (23-0088-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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0088-VAR2 CONDITIONS

Planning

1. A Variance (23-0088-VAR2) is hereby approved to allow a residential adjacency matching setback of 10 feet where 14 feet is required.
2. Approval of and conformance to the Conditions of Approval for Variance (23-0088-VAR1), Special Use Permits (23-0088-SUP1 through SUP4) and Site Development Plan Review (23-0088-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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0088-SUP1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variances (23-0088-VAR1 and VAR2), Special Use Permits (23-0088-SUP2 through SUP4) and Site Development Plan Review (23-0088-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, as well as submitted as part of any business license application.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0088-SUP2 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variances (23-0088-VAR1 and VAR2), Special Use Permits (23-0088-SUP1, SUP3 and SUP4) and Site Development Plan Review (23-0088-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, as well as submitted as part of any business license application.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0088-SUP3 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variances (23-0088-VAR1 and VAR2), Special Use Permits (23-0088-SUP1, SUP2 and SUP4) and Site Development Plan Review (23-0088-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, as well as submitted as part of any business license application.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0088-SUP4 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Alcohol, Off-Premise Beer/Wine use.
2. Approval of and conformance to the Conditions of Approval for Variances (23-0088-VAR1 and VAR2), Special Use Permits (23-0088-SUP1 through SUP3) and Site Development Plan Review (23-0088-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 Building and Safety Division.
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.

23-0088-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variances (23-0088-VAR1 and VAR2) and Special Use Permits (23-0088-SUP1 through SUP4) 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 06/12/23 and landscape plan date stamped 06/15/23, except as amended by conditions herein.
4. A Waiver from Title 19.08.070 is hereby approved, to allow a 10-foot wide landscape buffer along a portion of the north perimeter where 15 feet is required.
5. A Waiver from Title 19.08.070 is hereby approved, to allow a six-foot wide landscape buffer along a portion of the south perimeter where 15 feet is required.
6. A Waiver from Title 19.08.070 is hereby approved, to allow a 10-foot wide landscape buffer along the west perimeter where 15 feet is required.
7. A Waiver from Title 19.08.070 is hereby approved, to allow a five-foot wide landscape buffer along the east perimeter where eight feet is required.
8. 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.
9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

10. 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.
11. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.
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.
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. Prior to the submittal of a building permit application, the applicant shall meet with Department of Community Development staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Per Title 13.12, dedicate the appropriate right-of-way on Mohawk Street and Alpine Place such that a 60-foot right-way is maintained on both streets with a 15-foot radius at the southeast corner of Mohawk Street and Alpine Place prior to the issuance of permits for the site or concurrent with a mapping action for this site, whichever may occur first.
17. 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.
18. 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.
19. 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.
20. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the "Meadows-Charleston Storm Drain" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
21. Construct a median in Charleston Boulevard to limit the driveway on Charleston Boulevard to rights in/ rights out and limit the Mohawk Street access to rights in/rights out and lefts in, unless otherwise allowed by the City Traffic Engineer. Driveway geometry may change based on these access requirements. Compliance with this condition may be modified through coordination with the "Meadows-Charleston Storm Drain" project.

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. 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, in accordance with Section 2.2 of the City's Vision Zero Action Plan, 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. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. The Traffic Impact Analysis shall also include a pedestrian circulation/access plan, in accordance with Section 2.2 of the City's Vision Zero Action 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.
24. Queues for the overall shopping center shall not extend into the public right-of-way as a result of the operations on 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.

23-0088 [VAR1, VAR2, SUP1, SUP2, SUP3, SUP4 AND SDR1] – Page Ten
June 21, 2023

The Notice of Final Action was filed with the Las Vegas City Clerk on June 22, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Floyd', with a stylized flourish at the end.

Seth T. Floyd
Director of Community Development

STF:nl

cc:

Devon Sansone
VAC Development
6623 South Las Vegas Boulevard Suite F-340

Sheldon Colen
2525 West Horizon Ridge Parkway Suite 230
Henderson, Nevada 89052