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DEPARTMENT OF
COMMUNITY DEVELOPMENT

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July 19, 2023

Andrew Frank
The Residences at Melody LLC
1768 Willow Trail Suite 1
Las Vegas, Nevada 89108

**RE: 23-0135 [VAC1, VAR1 AND SDR1]
CITY COUNCIL MEETING OF JULY 19, 2023**

Dear Applicant:

The City Council at a regular meeting held on *July 19, 2023* voted to **APPROVE** the following Land Use Entitlement project requests on 0.97 acres at 3900 Melody Lane, and 1768 and 1774 Willow Trail (APNs 139-19-802-002 and 005), R-3 (Medium Density Residential) Zone, Ward 5 (Crear).

23-0135-VAR1 - VARIANCE - TO ALLOW 37 PARKING SPACES WHERE 40 ARE REQUIRED

23-0135-VAC1 - VACATION - PETITION TO VACATE A PORTION OF THE EAST SIDE OF WILLOW TRAIL BETWEEN MELODY LANE AND SPRING ROAD

23-0135-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR THE ADDITION OF A PROPOSED TWO-STORY, 12-UNIT MULTI-FAMILY RESIDENTIAL BUILDING AND SITE IMPROVEMENTS TO AN EXISTING MULTI-FAMILY RESIDENTIAL DEVELOPMENT CONTAINING FOUR-UNIT AND NINE-UNIT BUILDINGS

This approval is subject to the following conditions:

23-0135-VAR1 CONDITIONS

Planning

1. A Variance is hereby approved to allow 37 parking spaces where 40 spaces are required.
2. Approval of and conformance to the Conditions of Approval for a Petition to Vacate (23-0135-VAC1) and Site Development Plan Review (23-0135-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.

23-0135-VAC1 CONDITIONS

Planning

1. The limits of this Petition of Vacation shall be defined as the eastern five feet of public right-of-way on Willow Trail between Melody Lane and 1800 Willow Trail (roughly 353 feet).
2. An appropriate radius for the northeast corner of Melody Lane and Willow Trail shall be dedicated by separate document and/or reserved through the Order of Vacation. Dedication, if any, shall be recorded prior to recordation of this Order of Vacation.
3. The Order of Vacation shall record prior to or concurrent with the issuance of a permit for this site or the recordation of a map, whichever may occur first.
4. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties so that an un-maintained “no-man’s land” area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first. A mapping action may be used to satisfy this condition.

5. All public improvements, if any, 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.
6. 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.
7. All development shall be in conformance with code requirements and design standards of all City departments.
8. 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.
9. If the Order of Vacation is not recorded within two (2) years 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.

23-0135-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for a Variance (23-0135-SDR1) and Petition to Vacate (23-0135-VAC1) shall be required, if approved.
2. All parking shall occur on a paved surface.

3. A fire access gate shall be provided on the southeast corner of the property along Melody Lane.
4. 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.
5. All development shall be in conformance with the site plan and landscape plan, date stamped 05/16/23 and building elevations date stamped 03/16/23, except as amended by conditions herein.
6. An Exception from Title 19.06.040 is hereby approved, to allow zero, 24-inch box trees in the perimeter buffer along the east property line where 11 trees are required.
7. An Exception from Title 19.08.110 is hereby approved, to allow six parking lot trees where 13 trees are required and one non-standard parking lot island.
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. 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.
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. 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Prior to or concurrent with the recordation of a mapping action or the issuance of permits, whichever may occur first for this site, a Petition of Vacation, such as 23-0135-VAC1, shall be recorded to eliminate the right-of-way in conflict with this proposed site.
16. A deviation from standards for the non-standard street section design for Willow Trail and Melody Lane is hereby approved as shown on the approved site plan to allow construction of the improvements shown provided that Dust Control and Flood Control requirements are met. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
17. If not already in place, sign a Covenant Running with Land agreement for the possible future installation of half-street improvements per urban Standards (including curb and gutter, sidewalks, street lighting, permanent paving and possibly fire hydrants and sewers) on Willow Trail and Melody Lane adjacent to Assessor's Parcel Number 139-19-802-002. The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City prior to the issuance of permits or the recordation of a Final Map for this site, whichever may occur first.
18. 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. No new walls or fencing is allowed within the public right-of-way.

19. Submit a License Agreement for landscaping and private improvements (such as existing fencing) in the public rights-of-way adjacent to this site prior to the issuance of permits. If requested by the City, the applicant shall remove private property and improvements 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 (702-229-4836).

20. 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 [or the submittal of a map for this site], whichever may occur first. Provide and improve all drainage ways as recommended.

The Notice of Final Action was filed with the Las Vegas City Clerk on July 20, 2023.

Sincerely,



Seth T. Floyd
Director of Community Development

STF:PL:nl

cc:

Elizabeth Sorokac
RSNVLAW
8965 South Eastern Avenue Suite 382
Las Vegas, Nevada 89108