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COMMUNITY DEVELOPMENT

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cityoflasvegas  
lasvegasnevada.gov

July 25, 2023

Joseph A. Kennedy  
Harris Capital Management LLC  
3755 Breakthrough Way, Ste. 250  
Las Vegas, Nevada 89135

**RE: 23-0191-SDR1 - ADMINISTRATIVE SITE DEVELOPMENT PLAN  
REVIEW  
ADMINISTRATIVE CYCLE - JUNE 2023**

Dear Applicant:

Your Land Use Entitlement project request FOR A PROPOSED 950 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH AND A 300 SQUARE-FOOT OUTDOOR PATIO AREA on 0.96 acres on the west side of Nellis Boulevard approximately 700 feet south of Washington Avenue (APN 140-29-716-006), C-1 (Limited Commercial) Zone, Ward 3 (Diaz), was considered administratively by the Department of Community Development staff.

The Department of Community Development has administratively **APPROVED** your request subject to the following:

**Planning**

1. 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.
2. All development shall be in conformance with the site plan and landscape plan date stamped 06/06/23, and the building elevations, date stamped 05/23/23, except as amended by conditions herein. List the most recent plan with date(s). Make sure to indicate all the different dates if necessary.
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. 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: replace the Bottle Tree, and the Compact Texas Ranger, Grey Desert Spoon, New Gold Lantana, Little Ollie Olive, and Blonde Ambition Grass shrubs, with an equal or greater number of 24-inch box trees and five-gallon shrubs that are suggested by the Southern Nevada water-smart Regional Plant List.
6. 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.
7. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

### **Public Works**

8. 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.
9. 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](mailto:ece@lasvegasnevada.gov).
10. 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.

11. 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.
12. 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 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.
13. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all driveways, if any, in the Nellis Boulevard public right-of-way adjacent to this site prior to constructing any improvements within NDOT or CCPW jurisdictions.
14. 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.
15. 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 Department of Community Development staff on **July 25, 2023** is final unless a written appeal is filed with the Director of the Department of Community Development within ten days of the date of this letter.

Sincerely,



Nicole Eddowes  
Community Development Coordinator  
Case Planning Division

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**July 25, 2023**

NE:nl

c.c.:

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