



**LAS VEGAS  
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September 13, 2023

Adam Fouladbakhsh  
KLA CAPITAL SERIES 6 LLC  
7980 Castle Pines Avenue  
Las Vegas, Nevada 89113

**RE: 23-0366 [SUP1 AND SDR1]  
PLANNING COMMISSION MEETING OF SEPTEMBER 12, 2023**

Dear Applicant:

The Planning Commission at a regular meeting held on *September 12, 2023* voted to **APPROVE** the following Land Use Entitlement project requests on 0.45 acres at 1561 South Commerce Street (APN 162-03-201-004), C-M (Commercial/Industrial) Zone, Ward 3 (Diaz).

**23-0366-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 11,010 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITH AN 8,600 SQUARE-FOOT PLAZA AREA**

**23-0366-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED TWO-STORY, 11,010 SQUARE-FOOT COMMERCIAL DEVELOPMENT WITH AN 8,600 SQUARE FOOT OUTDOOR PLAZA AREA**

This approval is subject to the following conditions:

**23-0366-SUP1 CONDITIONS**

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Alcohol, On-Premise Full use.
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. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

#### **23-0366-SDR1 CONDITIONS**

##### Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (23-0366-SUP1) 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, landscape plan, and building elevations, date stamped 08/14/23, except as amended by conditions herein.
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 utility or mechanical equipment shall comply with the provisions of the Interim Downtown Las Vegas Development Standards, unless approved by a separate Waiver.
7. 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: (1) all trees and planting materials shall be drought-tolerant as reflected by R-43-2022 (Resolution forming the City of Las Vegas Urban Forestry program), (2) the shrubs shall be a minimum size of five-gallons, and (3) the trees shall be a minimum size of 24-inch box trees.
8. Revised elevations shall be submitted to and approved by the Department of Community Development prior to the time application is made for a building permit to reflect: (1) an articulated roofline/cornice shall be included on all new buildings that is continuous on all sides, and (2) roofs and rooftops shall be designed with consideration of minimization of the Urban Heat Island effect. Light color paint or materials with albedo of 0.50 or higher shall be used for rooftops.
9. 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.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

#### Public Works

11. 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.

12. 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).
13. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the Wyoming Avenue: Industrial Road to Las Vegas Boulevard project (MWA461) and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
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 Traffic Impact Analysis or other information acceptable to the City Traffic Engineer 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.
16. Queues for the overall shopping center shall not extend into the public right-of-way as a result of the opening and closing of gates.
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, or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

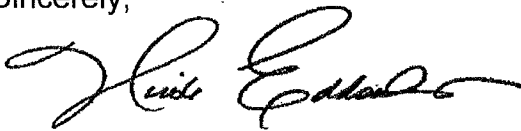
#### Fire Safety

18. Applicant shall install an approved fire sprinkler system in all buildings units in accordance with 2021 IFC Section 903 as amended.

19. Ensure that all portions of each the building's exterior are within 150 feet of fire lane, or provide an acceptable mitigation to Fire Safety prior to final approval of civil plans.

This action by the Planning Commission on **September 12, 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 September 25, 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,



Nicole Eddowes  
Community Development Coordinator  
Case Planning Division

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