



September 20, 2023

**LAS VEGAS
CITY COUNCIL**

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Mayor Pro Tem

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City Manager

DEPARTMENT OF
COMMUNITY DEVELOPMENT

SETH T. FLOYD
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CITY HALL
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Doron Gerby
Gerby Investments II LLC
2770 Tenaya Way
Las Vegas, Nevada 89117

**RE: 23-0109 [SUP1 AND SDR1]
CITY COUNCIL MEETING OF SEPTEMBER 20, 2023**

Dear Applicant:

The City Council at a regular meeting held on *September 20, 2023* voted to **APPROVE** the following Land Use Entitlement project requests on 0.80 acres at 105 West Wyoming Avenue (APNs 162-04-609-007 and 008), M (Industrial) Zone, Ward 3 (Diaz).

23-0109-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 5,885 SQUARE-FOOT ALCOHOL ON-PREMISE FULL USE WITH A 6,694 SQUARE-FOOT OUTDOOR PLAZA AREA

23-0109-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR THE PROPOSED CONVERSION OF AN EXISTING 5,885 SQUARE-FOOT MAJOR AUTO REPAIR GARAGE INTO A RESTAURANT DEVELOPMENT WITH A PROPOSED 6,694 SQUARE-FOOT OUTDOOR PLAZA

This approval is subject to the following conditions:

23-0109-SUP1 Conditions:

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Alcohol On-Premise Full use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (23-0109-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.



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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.

23-0109-SDR1 Conditions:

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (23-0109-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 and building elevations, date stamped 06/14/23, 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. 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.
7. 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.
8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Fire Department

9. Prior to Building permit submittal a Fire Protection Report is required to be submitted and approved for the proposed building use. This report shall be submitted directly to Las Vegas Fire & Rescue Fire Engineering.

Public Works

10. 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.
11. 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.
12. Prior to the submittal of any construction drawings, contact the Sanitary Sewer Planning Section of the Department of Public Works to discuss possible NV Energy conflicts with the proposed grease interceptor and points of connection to the public sewer. If required, enter a Commissary or Servicing Depot Agreement per Southern Nevada Health District (SNHD) Mobile Food Establishment Regulation 10-702 to allow a waste disposal alternative to a public sewer service connection. Comply with the recommendations of the Sanitary Sewer Planning Section.
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 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. 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.

16. Queues for the overall commercial center shall not extend into the public right-of-way as a result of the operations on this site.

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

Sincerely,



Seth T. Floyd
Director of Community Development
Department of Planning

STF:PL:ew

cc:

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