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CITY COUNCIL**

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CITY HALL

495 S. MAIN ST., 3RD FLOOR
LAS VEGAS, NV 89101
702.229.6011 | VOICE
711 | TTY



cityoflasvegas | lasvegasnevada.gov

October 18, 2023

Raghld Kosa
JANKOSA INC
12479 Glenlivet Lawland Avenue
Las Vegas, Nevada 89138

**RE: 23-0314 [VAR1 AND SDR1]
CITY COUNCIL MEETING OF OCTOBER 18, 2023**

Dear Applicant:

The City Council at a regular meeting held on *October 18, 2023* voted to accept the applicant's request to **APPROVE** the following Land Use Entitlement project requests on 0.63 acres at the northeast corner of Vegas Drive and Jones Boulevard (APN 138-24-401-002), C-1 (Limited Commercial) Zone, Ward 5 (Crear).

23-0314-VAR1 - VARIANCE - TO ALLOW A PROPOSED TRASH ENCLOSURE TO BE PLACED FIVE FEET FROM A RESIDENTIAL PROPERTY WHERE 50 FEET IS THE MINIMUM REQUIRED

23-0314-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 233 SQUARE-FOOT GENERAL RETAIL STORE KIOSK WITH FUEL PUMPS AND CANOPY AND WAIVERS OF TITLE 19.08 DEVELOPMENT STANDARDS

This approval is subject to the following conditions:

23-0314 VAR1 Conditions:

Planning

1. A Variance (23-0314-VAR1) is hereby approved to allow a proposed trash enclosure to be placed five feet from a residential property where 50 feet is the minimum required.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (23-0314-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.

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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.

23-0314 SDR1 Conditions:

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (23-0314-VAR1) 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 date and landscape plan date stamped 09/13/23; and building elevations date stamped 07/17/23, except as amended by conditions herein.
4. A Waiver from Title 19.08.040 is hereby approved, to allow a proposed building on a corner lot to not be oriented towards the corner and street fronts where such is required.
5. A Waiver from Title 19.08.040 is hereby approved, to allow a blank expressionless building façade where such is not allowed.
6. A Waiver from Title 19.08.070 is hereby approved, to allow a four-foot perimeter landscape buffer adjacent to right-of-way where 15 feet is the minimum required on the west perimeter.
7. A Waiver from Title 19.08.070 is hereby approved, to allow a four-foot perimeter landscape buffer adjacent to right-of-way where 15 feet is the minimum required on the south perimeter.
8. An Exception from Title 19.08.040 is hereby approved, to allow no trees within the west landscape buffer areas.
9. An Exception from Title 19.08.040 is hereby approved, to allow 21 perimeter landscape buffer trees where 31 perimeter landscape buffer area trees are the minimum required.

10. 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.
11. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for a building permit.
12. 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.
13. 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.
14. 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.
15. 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.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. In accordance with Section 2.2 of the City's Vision Zero Action Plan, the sidewalk and driveways 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. Proposed driveways shall be located as to provide unobstructed sight visibility as per American Association of State Highway and Transportation Officials (AASHTO) "Green Book" standards.

18. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the "Owens Avenue Systems: Vegas, Shadow Mountain to Jones" (MWA703) project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
19. 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.
20. 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.
21. Queues for overall shopping center shall not extend into the public right-of-way as a result of the fueling operations on this site.
22. 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.

Fire & Rescue

23. Applicant shall obtain fire permits for fuel storage and dispensing operations.

The Notice of Final Action was filed with the Las Vegas City Clerk on *October 18, 2023*.

Sincerely,



Seth T. Floyd
Director of Community Development
Department of Planning

STF:PL:bp

cc:

MARK ELLIS
SMITHS FOOD & DRUG CENTERS, INC
1550 South Redwood Road
Salt Lake, Utah 84104

Troy Wolverton
AWA
2010 North Redwood Road
Salt Lake, Utah 84116