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CITY COUNCIL**

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February 21, 2024

Kyle Sutherland
Southern NV Rental Holdings, LLC
299 Park Avenue 42nd Floor
New York, New York
10171

**RE: 23-0591 [ZON1, SUP1, VAC1 AND TMP1]
CITY COUNCIL MEETING OF FEBRUARY 21, 2024**

Dear Applicant:

The City Council at a regular meeting held on *February 21, 2024* voted to **APPROVE** the following Land Use Entitlement project requests on 18.67 acres at the southeast corner of Richfield Boulevard and Wilmington Way (APNs Multiple), Ward 3 (Diaz).

23-0591-ZON1 - REZONING - FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: C-2 (GENERAL COMMERCIAL) [APN 162-08-610-071]

23-0591-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED MIXED-USE DEVELOPMENT [APN 162-08-610-071]

23-0591-VAC1 - VACATION - PETITION TO VACATE PUBLIC RIGHT-OF-WAY

23-0591-TMP1 - TENTATIVE MAP - REVISED VEGAS RISING - FOR A PROPOSED TWO-LOT COMMERCIAL SUBDIVISION

This approval is subject to the following conditions:

23-0591-SUP1 Conditions:

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for Mixed Use.
2. Approval of a General Plan Amendment (23-0567-GPA1) and Rezoning (23-0591-ZON1) and Approval of and conformance to the Conditions of Approval for Special Use Permit (23-0591-SUP1) and Site Development Plan Review (23-0591-SDR1) shall be required, if approved.
3. Conformance to the approved conditions for Special Use Permit (22-0442-SUP2).

4. This approval shall be void four 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 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.
6. 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.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0591-VAC1 Conditions:

1. The limits of this Petition of Vacation shall be defined as portions of Milo Way, Jamestown Way, and Trona Street as depicted in the vacation exhibit date stamped 11/15/2023 and as shown on Richfield Village Unit 4-A as shown in Book 7, Page 78 of Plats. Portions of Rigel Avenue that overlap with Jamestown Way shall be excluded from the Order of Vacation so as to allow the City to maintain prior rights in this area.
2. The Order of Vacation shall record prior to and concurrently with a Final Map for 23-0591-TMP1.
3. Prior to the Order of Vacation, the applicant shall meet with the Sanitary Sewer Section of the Department of Public Works to determine if any Sewer Easements must be granted or reserved. Comply with the recommendations of the Sanitary Sewer Section.
4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by 23-0591-TMP1 may be used to satisfy this requirement provided that it addresses the area to be vacated.
5. All existing streetlight circuits shall remain operational and re-circuited as necessary. All unused streetlights and signs must be returned to City of Las Vegas. The Developer is responsible for coordination and relocation of all small cell sites on existing City of Las Vegas streetlight infrastructure.
6. The Order of Vacation shall reserve easements for the facilities of all City of Las Vegas Franchise Holders unless written verifiable letters of consent without reservation are received prior to recordation.
7. All public improvements 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. This includes retuning City assets to the City of Las Vegas West yard.

8. 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.
9. All development shall be in conformance with code requirements and design standards of all City Departments.
10. 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.
11. If the Order of Vacation is not recorded within four (four) year 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.

23-0591-TMP1 Conditions:

Planning

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
2. Approval of General Plan Amendment (23-0567-GPA1), Rezoning (23-0591-ZON1), Special Use Permit (23-0591-SUP1), and Petition to Vacate (23-0591-VAC1) shall be required, if approved.
3. Prior approval of Tentative Map (23-0442-TMP1) is hereby expunged.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

6. Prior to and concurrent with the recordation of a Final Map for this site, a Petition of Vacation, such as 23-0591-VAC1, shall be recorded to eliminate the public right-of-way in

conflict with this proposed site. If 23-0591-VAC1 is not approved, then this Tentative Map shall be null and void and a new Tentative Map shall be submitted for review.

7. Dedicate Rigel Avenue and the re-aligned portion of Milo Way on the Final Map for this site. Additionally, grant Public Pedestrian Access Easements for all public sidewalks located outside of public right-of-way.
8. Construct off-site improvements per the Vegas Rising Development Standards for each lot prior to or concurrent with the development of each lot. Such improvements must be guaranteed prior to the issuance of permits for each lot.
9. Connect to Public Sewer at a size, depth, and location acceptable to the City of Las Vegas Public Works Sanitary Sewer Engineering. Sewer design and required capacity should adhere to the requirements of the approved Wyandotte Apartments (Vegas Rising) Master Sanitary Sewer Study.
10. As applicable for each lot, all notes explained under the Unified Development Code (UDC) Section 19.16.060.W subsections (1), (2), and (3) regarding driveway access, on-site sewer system and inter-site common drainage rights are required and shall appear on the recorded Final Map.
11. 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. Site Visibility Restriction Zones shall be calculated for design speed based on the American Association of State Highway and Transportation Officials (AASHTO) guide at each intersection.
12. Development of this site shall comply with the TIA76156 revised acceptance letter and any subsequent updates.
13. Development of this site shall comply with the terms and requirements of the Vegas Rising Development Agreement.
14. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. The drainage study required by 23-0591-VAC1 may be used to satisfy this requirement provided that it addresses the area to be developed.

15. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

The Notice of Final Action was filed with the Las Vegas City Clerk on February 21, 2024.

Sincerely,



Seth T. Floyd
Director of Community Development
Department of Planning

STF:PL:jr
cc:

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