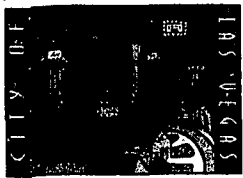


PLANNING & DEVELOPMENT



DEVELOPMENT SERVICES CENTER

731 S Fourth Street
Las Vegas, NV 89101

Voice: 702-229-6301

Fax: 702-474-0352

TTY: 702-386-9108

www.lasvegasnevada.gov

November 30, 2007

Mr. Jay Dapper
2301 East Sahara LLC
985 White Drive
Las Vegas, Nevada 89119

RE: ABEYANCE - SDR-23545 - SITE DEVELOPMENT PLAN REVIEW

Dear Mr. Dapper:

Your request for a Site Development Plan Review FOR A PROPOSED 6,170 SQUARE FOOT RETAIL ESTABLISHMENT WITH WAIVERS OF PERIMETER LANDSCAPE BUFFERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE EAST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED, A FIVE-FOOT LANDSCAPE BUFFER ALONG THE WEST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED, A FOUR-FOOT LANDSCAPE BUFFER ALONG THE NORTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED AND AN EIGHT-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE FIFTEEN FEET IS REQUIRED on 0.71 acres at 2301 East Sahara Avenue (APN 162-01-401-010), C-1 (Limited Commercial) Zone, Ward 3 (Reese), was considered by the Planning Commission on November 29, 2007.

The Planning Commission voted to recommend **APPROVAL** of your request, subject to the following:

Planning and Development

1. Conformance to the conditions for Variance (VAR-23547), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. 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 landscape plan dated 11/28/07 and building elevations date stamped 07/31/07, except as amended by conditions herein.
4. A Waiver from Title 19.12 Landscape and Buffer Standards is hereby approved, to allow a zero foot landscape buffer along the east property line, a five foot landscape buffer along the west property line, a four foot landscape buffer along the north property line and a eight foot landscape buffer along the south property line.
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, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications:

Mayor
Oscar B. Goodman

City Council
Gary Reese
(Mayor Pro Tem)
Larry Brown
Steve Wolfson
Lois Tarkanian
Steven D. Ross
Ricki Y. Barlow

City Manager
Douglas A. Selby



6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. 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.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

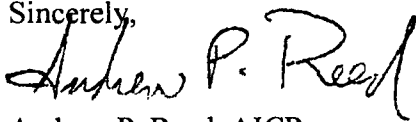
Public Works

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
14. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the driveway accessing this site from Sahara Avenue. The driveway shall also receive approval from the Nevada Department of Transportation.

15. 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.
16. Provide a copy of a recorded Joint Access Agreement between this site and Assessor's Parcel Number 162-01-401-005 prior to the issuance of any permits.
17. Landscape and maintain all unimproved right-of-way, if any, on Sahara Avenue adjacent to this site. All private improvements and landscaping 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.
18. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site.
19. 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 recordation of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

This item will be considered by the City Council on **January 9, 2008**, at 1:00 P.M. in the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada. ***The Council requires that you or your representative be present at this meeting.*** If you or your representative chooses not to attend, the City Council may act in your absence without your input.

Sincerely,



Andrew P. Reed, AICP
Planning Supervisor
Current Planning Division

AR:clb

cc: Mr. John Burke
John David Burke Architect
3471 West Oquendo Road, Suite #301
Las Vegas, Nevada 89118