

PLANNING & DEVELOPMENT



DEVELOPMENT SERVICES CENTER

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August 24, 2007

Mr. Stuart Apollo
3399 South Durango Drive, Suite #105
Las Vegas, Nevada 89117

RE: ABEYANCE - SDR-22540 - SITE DEVELOPMENT PLAN REVIEW

Dear Mr. Apollo:

Your request for a Site Development Plan Review FOR A 14,028 SQUARE FOOT GENERAL RETAIL STORE AND WAIVER OF THE PERIMETER LANDSCAPE REQUIREMENTS TO ALLOW A ZERO FOOT BUFFER ALONG A PORTION OF THE WEST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED, AND A SIX FOOT BUFFER WHERE EIGHT FEET IS REQUIRED ALONG THE EAST PROPERTY LINE on the north side of Vegas Drive, approximately 275 feet east of Rainbow Boulevard (APN 138-23-401-006), C-1 (Limited Commercial) Zone, Ward 5 (Barlow), was considered by the Planning Commission on August 23, 2007.

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

Planning and Development

1. 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.
2. Conformance to the conditions for Special Use Permit (SUP-22538) and Variance (VAR-23019) if approved.
3. All development shall be in conformance with the site plan, landscape plan, date stamped 08/08/07, and building elevations date stamped 07/17/07, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved to allow a zero foot buffer along 135 lineal feet of the west property line where eight feet is required.
5. An Exception from Title 19.12 is hereby approved to allow one tree along the east property line, no trees along the interior property lines directly adjacent to the existing Las Vegas Valley Water District Pump Station property, and nine trees along the north property line.

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. All perimeter and retaining walls shall conform to Title 19.12.
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, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: (1) Include the use of ten 24-inch box shade trees in place of the California Fan Palm trees proposed within the parking lot finger islands.
8. 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.
9. 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).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. 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.
13. 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

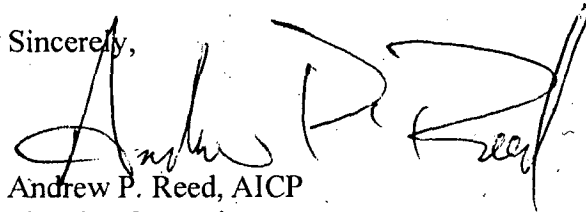
15. Construct all incomplete half-street improvements on Vegas Drive adjacent to this site concurrent with development of this site.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
17. Provide a copy of a new, recorded access easement prior to the issuance of any permits in favor of Assessor's Parcel #138-23-401-002 to ensure legal, usable access is maintained as the site plan submitted is showing the existing 20-foot access easement granted on the Parcel Map (File 80 Page 46) as being blocked off.
18. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the new driveway accessing this site from Vegas Drive.
19. 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.
20. 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. We note that a sign is proposed within the existing Sight Visibility Restriction Zone granted by document #991112:00780, the sign shall be located outside of the S.V.R.Z.
21. 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, submittal of any construction drawings or the submittal of a Map subdividing this site, 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. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be

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determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

This item will be considered by the City Council on **September 19, 2007**, 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. Jon Hardy
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Denver, Colorado 80202

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Las Vegas, Nevada 89109