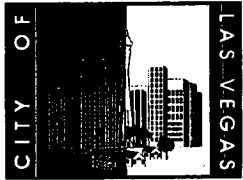


PLANNING &
DEVELOPMENT



Development
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Las Vegas, NV 89101

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041799

November 7, 2003

Mr. Mark McKinley
BMK Enterprises
2603 West Charleston Boulevard
Las Vegas, Nevada 89102

RE: ABEYANCE - SDR-2952 - SITE DEVELOPMENT PLAN REVIEW

Dear Mr. McKinley:

Your request for a Site Development Plan Review, A REDUCTION IN THE AMOUNT OF REQUIRED PERIMETER AND PARKING LOT LANDSCAPING, A ZERO FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, AND WAIVERS OF THE COMMERCIAL DEVELOPMENT STANDARDS FOR A PROPOSED 7,307 SQUARE-FOOT, ONE-STORY OFFICE BUILDING AT 2605 WEST CHARLESTON BOULEVARD; AND FOR MINOR EXTERNAL IMPROVEMENTS TO AN EXISTING 8,573 SQUARE-FOOT, ONE-STORY OFFICE BUILDING at 2603 West Charleston Boulevard (APN: 162-05-512-006 and 007), C-D (Designed Commercial) Zone, Ward 1 (Moncrief), was considered by the Planning Commission on November 6, 2003.

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

Planning and Development

1. Approval of this Site Development Plan Review is contingent upon the approval of a variance to the handicap location requirement of Title 19.10.010.G.3.c that requires that handicap parking stalls shall be within three feet of a building's primary accessible entrance.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The trash enclosure shall be covered and screened as required by the Commercial Design Standards. Waivers for the proposed zero-foot side-yard setback where a 10-foot setback is required, and for reductions in perimeter and parking lot landscaping, as indicated on revised site plans submitted by the applicant, are granted as part of this approval.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Mayor
Oscar B. Goodman
City Council
Gary Reese
(Mayor Pro-Tem)
Larry Brown
Lynette Boggs McDonald
Lawrence Weekly
Michael Mack
Janet Moncrief

City Manager
Douglas A. Selby



5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. All mechanical equipment and air conditioners shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. 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.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of construction drawings for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. New driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Any new driveways or modifications to existing driveways shall receive approval from the Nevada Department of Transportation. We note the proposed driveway for this parcel does not meet the minimum 24-foot width to allow for two-way vehicular traffic.
15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits or occupancy, whichever may occur first.
16. 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 or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or 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.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

Mr. McKinley
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17. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.
18. An Occupancy Permit from the Nevada Department of Transportation must be obtained for all improvements in the Charleston Boulevard public right-of-way.

This item will be considered by the City Council on *December 3, 2003*, 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,



Gary M. Leobold, Senior Planner
Planning and Development Department
Current Planning Division

GML:clc

cc: Mr. Giovanni Pezzi
Lucchesi, Galati Architects
500 Pilot Road, Suite A
Las Vegas, Nevada 89119