



003736



November 3, 2000

Mr. Stanley Hoffman
Hermes Associates Limited on behalf of Developers Diversified Realty Corporation
455 East 500 South, Garden Level
Salt Lake City, Utah 84111

RE: Z-0053-74(1) - SITE DEVELOPMENT PLAN REVIEW

Dear Mr. Hoffman:

Your request for a Site Development Plan Review and a Waiver of the Required Landscaping FOR A PROPOSED 27,040 SQUARE FOOT COMMERCIAL DEVELOPMENT on 2.03 Acres on the northwest corner of Charleston Boulevard and Maryland Parkway (APN's: 139-34-813-005 through 008, 017 and 018), C-2 (General Commercial), Ward 5 (Weekly), was considered by the Planning Commission on November 2, 2000.

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

Planning and Development

1. The applicant shall submit, for staff review and possible approval, a Master Sign Plan and revised elevation drawings that depict enhance compatibility between the retail buildings and Burger King prior to the issuance of any building permits.
2. Conformance to the setback requirements of the Zoning Code unless V-0071-00 is approved.

Public Works

3. A Reversionary Map shall be recorded for the purpose of eliminating all existing lot lines in conflict with this proposed action prior to the issuance of any building or grading permits.
4. Dedicate an additional 30 feet of right-of-way for a total radius of 54 feet on the northwest corner of Charleston Boulevard and Maryland Parkway, and dedicate a 25-foot radius at the northeast corner of Charleston Boulevard and 11th Street prior to the issuance of any permits for this site.
5. Remove all substandard public street improvements, public alley 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.

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

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6. 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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. The proposed driveway on Charleston Boulevard shall also meet Nevada Department of Transportation standards.
7. 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 for this site. 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 include an exhibit for delivery truck turning templates. 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 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 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. 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.
8. 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 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 contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.

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9. Landscape and maintain all unimproved right-of-way on 11th Street adjacent to this site. (Public Works)
10. Submit an Encroachment Agreement for all landscaping and private improvements located in the 11th Street public right-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works. (Public Works)
11. Provide additional right-of-way or easement behind the sidewalk for a Bus Shelter in accordance with Standard Drawing 234.2 prior to the issuance of building or grading permits for this site. (Public Works)

Standard Conditions

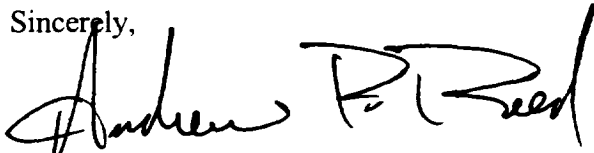
12. All development shall be in conformance with the Site Development plan and building elevations as amended by the above conditions.
13. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
14. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.
15. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).
16. All City Code requirements and design standards of all City departments must be satisfied.
17. 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.
18. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet.

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19. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.
20. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

This item will be considered by the City Council on December 20, 2000, 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 choose not to attend, the City Council may act in your absence without your input.

Sincerely,



Andrew P. Reed, Senior Planner
Planning and Development Department
Current Planning Division

APR:sd

cc: Mr. Stanley Hoffman
Developers Diversified Realty Corporation
455 East 500 South, Garden Level
Salt Lake City, Utah 84111

Mr. Harold Foster
3230 Polaris Avenue, Suite 23
Las Vegas, Nevada 89103