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January 9, 2009

Mr. John Dibella
Dibella Living Trust
2021 West Charleston Boulevard
Las Vegas, Nevada 89102

RE: SDR-31595 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF JANUARY 7, 2009
RELATED TO GPA-29565 AND ZON-29566

Dear Mr. Dibella:

The City Council at a regular meeting held January 7, 2009 APPROVED the request for a Site Development Plan Review FOR A 5,105 SQUARE-FOOT RETAIL DEVELOPMENT WITH WAIVERS OF THE BUILDING PLACEMENT AND ORIENTATION STANDARDS, TO ALLOW A FIVE-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE EAST PERIMETER AND TO ALLOW A FOUR-FOOT LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.76 acres at the southwest corner of Charleston Boulevard and Pahor Drive (APN 162-04-110-001, 002 and 162-04-101-010), R-1 (Single Family Residential), P-R (Professional Office and Parking) and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on January 8, 2009. This approval is subject to:

Planning & Development

1. A gate shall be provided on Pahor Drive that meets approval by the Department of Fire and Rescue. The gate shall be closed and secured between the hours of 7:00 p.m. to 6:00 a.m.
2. The landscaping along Pahor Drive will be twice the density of the City's normal standards.
3. 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.
4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/30/08, except as amended by conditions herein.

5. A Waiver from Title 19.12.040(A) is hereby approved to allow a four-foot wide landscape buffer along the west property line where eight feet is required.
6. A Waiver from Title 19.12.040(A) is hereby approved to allow a five-foot wide landscape buffer along a portion of the east property line where eight feet is required.
7. A Waiver from Title 19.08.050(D)(2) is hereby approved, to allow the building to be offset from the front and corner side setback.
8. 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: Provide a minimum of one, 24-inch box shade tree and four, five-gallon shrubs per parking lot landscape island in accordance with the requirements of Title 19.10.010(J)(11); The landscape plan shall be revised to reflect palm tree heights of 15 feet minimum within required landscape buffers.
9. 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.
10. 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).
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. 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.

14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

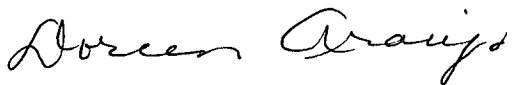
Public Works

16. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.
17. Dedicate an additional 10 feet of right-of-way for a total radius of 25 feet on the southwest corner of Charleston Boulevard and Pahor Drive prior to the issuance of any permits.
18. 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.
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. Landscape and maintain all unimproved rights-of-way, if any, on Charleston Boulevard and Pahor Drive adjacent to this site.
21. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
22. Submit an Encroachment Agreement for all landscaping, if any, located in the Pahor Drive public right-of-way adjacent to this site prior to occupancy of this site.
23. 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 Charleston Boulevard.
24. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the ITS Communication Infrastructure Phase 1B project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

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25. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
26. Meet with the Flood Control Section of the Department of Public Works for assistance

Sincerely,

A handwritten signature in cursive script, reading "Doreen Araujo".

Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Baughman & Turner Inc.
Mr. David Turner
1210 Hinson Street
Las Vegas, Nevada 89102