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November 6, 2009

Ms. Maria Enamorado
MFE, Inc.
955 Temple View Drive
Las Vegas, Nevada 89110

RE: SDR-32534 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF NOVEMBER 4, 2009

Dear Ms. Enamorado:

The City Council at a regular meeting held November 4, 2009 APPROVED the request for a Major Amendment to an approved Site Development Plan Review (SDR-5893) FOR A PROPOSED 3,600 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND 1,300 SQUARE FEET OF RETAIL WITH WAIVERS OF THE TOWN CENTER COMMERCIAL DEVELOPMENT, LANDSCAPE AND STREETScape STANDARDS WHERE A 3,500 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS WAS APPROVED on 1.12 acres at the southwest corner of Tenaya Way and Azure Drive (APN 125-27-222-009), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross). NOTE: THIS APPLICATION HAS BEEN AMENDED FOR A PROPOSED 3,334 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND 1,665 SQUARE FEET OF RETAIL WHERE A 3,500 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS WAS APPROVED. The Notice of Final Action was filed with the Las Vegas City Clerk on November 5, 2009. This approval is subject to:

Planning and Development

1. No outdoor pay phones shall be installed on-site.
2. All signage facing Tenaya Way shall be back-lighted.
3. Any other lighting on the east elevation of the building shall be shielded and directed downward.
4. No outdoor public address system shall be installed beyond the system customarily installed with the fuel pumps.
5. The site shall be chemically treated to reduce the number of insects prior to grading.

6. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0076-98), Site Development Plan Review [Z-0076-98(20)], Special Use Permits (SUP-5894, SUP-10422 and SUP-10423) and Site Development Plan Review (SDR-5893) shall be required, except as amended herein.
7. 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.
8. All development shall be in conformance with the site plan, date stamped 08/17/09 as well as the landscape plan, and building elevations, date stamped 08/07/09, except as amended by conditions herein.
9. 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.
10. 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.
11. 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).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. 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.

15. 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.
16. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

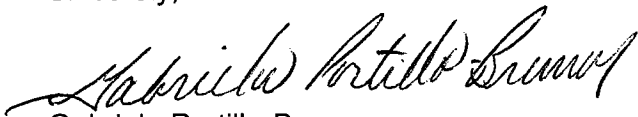
Public Works

18. All additional rights-of-way required by Standard Drawing #234.3 for a bus stop shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in an approved Traffic Impact Analysis.
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. 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 and Town Center Standards concurrent with development of this site of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
21. 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 and abutting street intersections.
22. 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.

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23. Unless otherwise authorized by the City Engineer, grant an appropriate Multi-use Transportation Trail easement overlying the existing trail alignments prior to the issuance of any permits for this site. Alternatively, provide proof of an existing grant of easement for the trail.
24. Site development to comply with all applicable conditions of approval for Z-76-98(20), the Montecito East Commercial Subdivision and all other applicable site-related actions.

Sincerely,



Gabriela Portillo-Brenner
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

cc: Ms. Gemie Knisely
GK3 Architecture
2111 Edgewood Avenue
Las Vegas, Nevada 89102