

PLANNING & DEVELOPMENT



DEVELOPMENT SERVICES CENTER

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December 4, 2009

Mr. Paul Thoryk
El Capitan MHP, LLC
2187 Okoa Street
Honolulu, Hawaii 96821

RE: ABEYANCE - SDR-35988 - SITE DEVELOPMENT PLAN REVIEW

Dear Mr. Paul Thoryk:

Your request for a Major Amendment to an approved Site Development Plan Review (SDR-12128) TO ALLOW 315 UNITS WHERE 348 UNITS WERE PREVIOUSLY APPROVED WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW BUFFER WIDTHS OF FIVE FEET ALONG THE NORTH PERIMETER WHERE 10 FEET IS REQUIRED, FIVE FEET ALONG THE EAST AND WEST PERIMETERS WHERE SIX FEET IS REQUIRED, ZERO FEET ALONG THE SOUTH PERIMETER WHERE SIX FEET IS REQUIRED, AND ZERO-FEET BETWEEN THE SIDEWALK AND BACK OF CURB ALONG AN ARTERIAL STREET (BONANZA ROAD) WHERE FIVE FEET IS REQUIRED on 7.27 acres at 4901 East Bonanza Road (APN 140-32-502-002), R-5 (Apartment) Zone, Ward 3 (Reese), was considered by the Planning Commission on December 3, 2009.

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-12127) and Site Development Plan Review (SDR-12128), except as amended herein.
2. 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.
3. All development shall be in conformance with the floor plans and building elevations date stamped 09/11/09, the site plan, building 5 floor plan, and elevation plan date stamped 10/21/09, and the landscape plan date stamped 10/28/09 except as amended by conditions herein.

Mayor
Oscar B. Goodman
City Council
Gary Reese
(Mayor Pro Tem)
Steve Wolfson
Lois Tarkanian
Steven D. Ross
Ricki Y. Barlow
Stavros S. Anthony
City Manager
Elizabeth N. Fretwell



4. Waivers from Title 19.12.040 are hereby approved to allow a five-foot landscape buffer along the north perimeter where 10 feet is the minimum required, five-foot landscape buffers along the east and west perimeters where six feet is the minimum required, and a zero-foot landscape buffer along a portion of the south perimeter where six feet is the minimum required.
5. A Waiver from Title 19.12.040 is hereby approved to allow a zero-foot landscape buffer separating the sidewalk from the back of street curb along Bonanza Road where a five-foot landscape buffer is the minimum required.
6. Exceptions from Title 19.12.040 are hereby approved to allow 15 trees within the landscape buffer along the north perimeter where 25 trees are required, 31 trees within the landscape buffer along the west perimeter where 32 trees are required and nine trees within the landscape buffer along the south perimeter where 25 trees are required.
7. An Exception from Title 19.12.040 is hereby approved to allow 8 parking lot landscape trees where 22 trees are required and 15 parking lot landscape islands where 20 islands are required.
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.
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. Air conditioning units shall not be mounted on rooftops.

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. Remove all substandard public street improvements and unused driveway cuts on Bonanza Road adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
19. Dedicate and construct a deceleration lane at the entrance of this site, unless otherwise directed in writing in the approved Traffic Impact Analysis.
20. Coordinate with the Collection Systems Planning Section of the Department of Public Works to connect the sewer for this site in Bonanza Road at Lillian Street concurrent with development of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Alternatively, provide or obtain documentation showing private sewer access through a private sewer easement in favor of Parcel 140-32-502-002 granted through Parcels 140-32-516-000 and 140-32-517-001 prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

21. 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.
22. 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.
23. 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, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the 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, 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.
24. 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 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.

Mr. Paul Thoryk
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This action by the Planning Commission on *December 3, 2009* is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision or there is a review action filed by the City Council within the same time period. The Notice of Final Action was filed with the Las Vegas City Clerk on *December 4, 2009*.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Gebeke', with a long horizontal line extending to the right.

Steve Gebeke
Planning Supervisor
Case Planning Division

SG:nl

cc: Mr. Robert Lannon
El Capitan MHP, LLC
2187 Okoa Street
Honolulu, Hawaii 96821