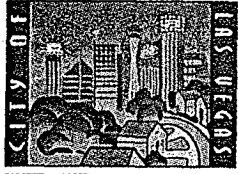


PLANNING & DEVELOPMENT



DEVELOPMENT SERVICES CENTER

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October 22, 2010

Mr. Terry Bratton
Clark County Legal Services Program
800 South Eighth Street
Las Vegas, Nevada 89101

**RE: SDR-39457 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-39458
PLANNING COMMISSION MEETING OF OCTOBER 21, 2010**

Dear Mr. Bratton:

Your request for a Site Development Plan Review FOR A THREE-STORY, 33-FOOT TALL PARKING GARAGE WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW ZERO FEET ALONG THE SOUTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED, ZERO FEET ALONG THE NORTH AND EAST PERIMETERS WHERE 15 FEET IS REQUIRED on 0.98 acres at the southwest corner of Gass Avenue and 8th Street (APNs 139-34-410-244 and 245), C-1 (Limited Commercial) Zone, Ward 3 (Reese), was considered by the Planning Commission on October 21, 2010.

The Planning Commission voted to **APPROVE** your request, subject to the following:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-39458) shall be required, if approved.
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 site plan, landscape plan, and building elevations, date stamped 9/24/10, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow for zero landscape buffers on the east, west, north and south property lines.
5. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 9/24/10. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

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



6. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
8. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
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. All mechanical equipment and trash areas shall be fully screened from views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. 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.
13. 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.
14. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.

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

Public Works

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.
17. Landscape and maintain all unimproved right-of-way adjacent to this site. 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.
18. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the 8th Street public right-of-way adjacent to this site prior to occupancy of this site.

This action by the Planning Commission on **October 21, 2010** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision as allowed by code or there is a review action filed by the City Council within the same time period. For additional information on appeals or review requests please access <http://www.lasvegasnevada.gov/CheckStatus/DevelopmentApp.htm>, or contact the Department of Planning and Development at 702.229.6301 after **November 1, 2010**. No building permits or business licenses related to these items shall be issued prior to the expiration of the required ten day waiting period, or until any filed appeal is resolved pursuant to LVMC Title 19.18.

Sincerely,



Steve Gebeke
Planning Supervisor
Case Planning Division

SG:clb

cc: Mr. Russell Rowe
The Capitol Company
10100 West Charleston Boulevard, Suite #200
Las Vegas, Nevada 89135