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CITY COUNCIL**

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cityoflasvegas
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June 3, 2021

Mr. Tom Stull
Pacific Classic, LLC
5699 Happy Canyon Road
Santa Ynez, California 93460

**RE: ABEYANCE - 21-0015-GPA1, 21-0015-ZON1, 21-0015-VAC1 AND
21-0015-SDR1
CITY COUNCIL MEETING OF JUNE 2, 2021**

Dear Mr. Stull:

The City Council at a regular meeting held on **June 2, 2021** voted to **APPROVE** the following Land Use Entitlement project requests on 17.63 acres at the northwest corner of Iron Mountain Road and Skye Village Road (APNs 126-01-801-009, 017, 018 and 019), U (Undeveloped) [PCD (Planned Community Development)] and C-1 (Limited Commercial) Zone, Ward 6 (Fiore).

- **21-0015-GPA1** - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL), (APN 126-01-801-017).
- **21-0015-ZON1** - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATIONS] TO: C-1 (LIMITED COMMERCIAL), (APN 126-01-801-017).
- **21-0015-VAC1** - VACATION - Petition TO VACATE PUBLIC RIGHT-OF-WAY generally located north of Iron Mountain Road, 345 feet west of Skye Village Road.
- **21-0015-SDR1** - SITE DEVELOPMENT PLAN REVIEW - For a Major Amendment to a previously approved Site Development Plan Review (SDR-77387) FOR A PROPOSED 53,039 SQUARE-FOOT FLOOR AREA ADDITION, BUILDING RELOCATION AND PARKING LOT RECONFIGURATION FOR A 161,623 SQUARE-FOOT SHOPPING CENTER WITH A WAIVER TO NOT ORIENT THE BUILDINGS TO THE STREET FRONTAGE WHERE SUCH IS REQUIRED.

21-0015-GPA1 and **21-0015-ZON1** approvals are subject to no conditions:

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21-0115-VAC1 approval is subject to the following conditions:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. The limits of this Petition of Vacation shall be the existing 30-feet of right-of-way on Ruffian Street, north of Iron Mountain Road and the existing 30-feet of right-of-way on Radley Avenue, east of Ruffian Street.
4. This Order of Vacation shall record immediately prior to and concurrent with any mapping action or recording of rights-of-way or easements.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by 20-0015-SDR1 may be used to satisfy this requirement provided that it addresses the area to be vacated.
6. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot-wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

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8. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

21-0015-SDR1 approval is subject to the following conditions:

Planning

1. Prior approvals of Site Development Plan Review (SDR-77387) and Site Development Plan Review (SDR-78659) are hereby expunged.
2. Approval of a General Plan Amendment (20-0015-GPA1) and Rezoning (20-0015-ZON1) and approval of and conformance to the Conditions of Approval for Petition to Vacate (20-0051-VAC1) shall be required, if approved.
3. Conformance to the approved conditions for Special Use Permit (SUP-77385), Special Use Permit (SUP-77386), and Special Use Permit (SUP-78660).
4. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. All development shall be in conformance with the building elevations, date stamped on 01/25/21, and site plan and landscape plan, date stamped on 04/01/21, except as amended by conditions herein.
6. A Waiver from Title 19.08 is hereby approved, to not orient the buildings to the corner of the street frontage where such is required for buildings on corner lots.
7. An Exception from Title 19.08 is hereby approved, to allow 49 trees where 52 are required within the northern perimeter landscape buffer.
8. An Exception from Title 19.08 is hereby approved, to allow 49 trees where 51 are required within the western perimeter landscape buffer.
9. 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 Department of Building and Safety.

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10. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
11. 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.
12. 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, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede the visibility of any traffic control device.
13. A Master Sign Plan shall be submitted for approval by the City of Las Vegas prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
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. A Comprehensive Construction Staging Plan shall be submitted to the Department of Planning 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.
16. Prior to the submittal of a building permit application, the applicant shall meet with the Department of Planning 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. Prior to the issuance of permits, dedicate 40 feet for Iron Mountain Road, 40 feet for Skye Village Road, the appropriate right-of-way for dual left turn lanes per Standard Drawing 201.1, a bus turnout/deceleration lane on Iron Mountain Road, a right turn lane on Skye Village Road, and right turn lanes for driveways on Skye Village Road unless the approved Traffic Impact Analysis specifically states right turn lanes on Skye Village Road is not required. Additionally, grant a Traffic Signal Chord Easement at the northwest corner of Iron Mountain Road and Skye Village Road. Also, dedicate appropriate right-of-way for a cul-de-sac to terminate Radley Avenue at the northwest corner of this site unless that segment of Radley Avenue is approved to be Vacated.
19. Concurrent with development, construct half-street improvements on Iron Mountain Road and Skye Village Road with appropriate overpaving and transition paving. Provide paved, legal access to this site prior to the issuance of any building permits. Additionally, construct traffic signal undergrounds at the northwest corner of Iron Mountain Road and Skye Village Road with turn lanes as required in the approved Traffic Impact Analysis. Construct the portion of the cul-de-sac for Radley Avenue at the northwest corner of this site if this segment of Radley Avenue is not vacated.
20. If not already constructed at the time of development, construct oversized sewer in Iron Mountain Road and Grand Canyon Drive from Oso Blanco Road/Drake Road and contact the Sanitary Sewer Section of the Department of Public Works to enter into an oversizing agreement to be reimbursed the cost difference between constructing an oversized sewer versus an 8-inch sewer.
21. Unless otherwise allowed by the City Engineer, construct a sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with the 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.
22. Landscape and maintain all unimproved rights-of-way adjacent to this site. All landscaping and private improvements 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.

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23. Submit a License Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site. The applicant must carry an insurance policy for the term of the encroachment agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove landscaping and private improvements encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's encroachment agreement. The installation and maintenance of all private structures in the public right-of-way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement.
24. A Traffic Impact Analysis or other information acceptable to the City Traffic Engineer must be submitted to and approved by the Department of Public Works prior to issuance of any building or grading permits. Comply with the recommendation of the City Traffic Engineer. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall include a pedestrian circulation/access plan to identify nearby pedestrian attractors and recommend measures to accommodate pedestrians, such as but not limited to pedestrian access, crosswalk, pedestrian-activated flashers, and temporary sidewalks. 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. 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.
25. 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 or submittal of any construction drawings, 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 the development of this site.

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The Notice of Final Action was filed with the Las Vegas City Clerk on June 3, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Floyd', with a long horizontal flourish extending to the right.

Seth T. Floyd
Director of Community Development
Department of Planning

STF:PL:clb

cc: Mr. Bob Gronauer
Kaempfer Crowell
1980 Festival Plaza Drive, Suite #650
Las Vegas, Nevada 89135