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March 21, 2019

Ms. Liz Ortenberger
Safe Nest Temporary Assistance for Domestic Crisis
3900 Meadows Lane
Las Vegas, Nevada 89107

**RE: ABEYANCE – SDR-75327 [PRJ-75268] – SITE DEVELOPMENT
PLAN REVIEW RELATED TO VAR-75324, SUP-75325 AND SUP-
75326
CITY COUNCIL MEETING OF MARCH 20, 2019**

Dear Ms. Ortenberger:

The City Council at a regular meeting held on March 20, 2019 voted to **APPROVE** a request for a Site Development Plan Review FOR A PROPOSED 191-UNIT SENIOR CITIZEN APARTMENTS DEVELOPMENT WITH WAIVERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ON THE NORTH AND WEST PROPERTY LINES WHERE 15 FEET IS THE MINIMUM REQUIRED AND A ZERO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE EAST PROPERTY LINE WHERE EIGHT FEET IS THE MINIMUM REQUIRED; ALSO TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE NORTH AND WEST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED ADJACENT TO THE CONVENIENCE STORE on 5.33 acres adjacent to the south side of Smoke Ranch Road, approximately 175 feet east of Decatur Boulevard (APN 139-19-101-002), C-1 (Limited Commercial) Zone, Ward 5 (Crear) [PRJ-75268].

This approval is subject to the following conditions:

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-75324), Special Use Permit (SUP-75325) and Special Use Permit (SUP-75326) shall be required, if approved.
2. 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.

3. All development shall be in conformance with the site plan date stamped 02/20/19, building elevations date stamped 12/17/18; and landscape plan date stamped 01/10/19, except as amended by conditions herein.
4. A Waiver from Title 19.08.070 is hereby approved, to allow a zero-foot landscape buffer on the north and west property lines where 15 feet is the minimum required and a zero-foot landscape buffer along a portion of the east property line where eight feet is the minimum required; also to allow a zero-foot landscape buffer along a portion of the north and west property line where eight feet is required adjacent to the convenience store.
5. An Exception from Title 19.08.040 is hereby approved, to allow 79 perimeter landscape buffer trees, where 90 trees are required and to allow 27 parking lot islands and end caps, where 32 are required.
6. 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.
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
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. Installed landscaping shall not impede visibility of any traffic control device.
9. 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.
10. Prior to or at the time of submittal for any building permit, the applicant shall provide written verification by the FAA and/or the Clark County Department of Aviation of the following:

- a. Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Clark County Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Clark County Department of Aviation;
 - b. No Building Permit or other construction permit shall be issued for any structure greater than 35 feet above the surface of land that, based upon the FAA's 7460 airspace determination (the outcome of filing the FAA Form 7460-1) would (a) constitute a hazard to air navigation, (b) would result in an increase to minimum flight altitudes during any phase of flight (unless approved by the Department of Aviation), or (c) would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.
 - c. Applicant is advised that FAA's airspace determinations are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments.
 - d. Applicant is advised that the FAA's airspace determinations include expiration dates and that the separate airspace determinations will be needed for construction cranes or other temporary equipment.
 - e. Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged. Additionally, the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998 and funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.
11. Prior to the submittal of a building permit application, the applicant shall meet with 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.
 12. Sign and record a deed restriction with language determined to be satisfactory by the City Attorney which restricts the use of the site to an age-restricted community for those persons 55 years of age or older, to the full extent of the law.
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13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Grant a Public Pedestrian Access Easement for the portions of the public sidewalk located outside of the public rights-of-way.
15. Construct all incomplete half-street improvements on Smoke Ranch Road and Decatur Boulevard per complete street standards. 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.
16. This site shall connect to the public sewer located in Smoke Ranch Road.
17. 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.
18. 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.
19. Submit a License Agreement for landscaping and private improvements in the Smoke Ranch Road and Decatur Boulevard public rights-of-way prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License 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 property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).

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20. 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.
21. 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 drainage ways 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.

The Notice of Final Action was filed with the Las Vegas City Clerk on March 21, 2019.

Sincerely,



Robert Summerfield, AICP^{FR}
Director
Department of Planning

RTS:PL:clb

cc: Mr. Vince Schettler
Colliers International
3960 Howard Hughes Parkway, Suite #150
Las Vegas, Nevada 89169

Mr. Jodi Jorjorian
Baughman & Turner, Inc.
1210 Hinson Street
Las Vegas, Nevada 89102