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October 3, 2019

Mr. Eran Gold
Gold LT, LLC #6
9159 West Flamingo Road, Suite #102
Las Vegas, Nevada 89147

**RE: SDR-76698 [PRJ-75934] – SITE DEVELOPMENT PLAN REVIEW
GPA-75954, ZON-75955, VAR-76696 AND VAR-76697
CITY COUNCIL MEETING OF OCTOBER 2, 2019**

Dear Mr. Gold:

The City Council at a regular meeting held on October 2, 2019 voted to **APPROVE** a request for a Site Development Plan Review FOR A PROPOSED 7,632 SQUARE-FOOT GENERAL RETAIL BUILDING AND A 1,400 SQUARE-FOOT RESTAURANT WITH DRIVE THROUGH LANE WITH WAIVERS TO ALLOW THE BUILDING NOT TO BE ORIENTED TO THE STREET FRONTAGE WHERE SUCH IS REQUIRED; A FIVE-FOOT LANDSCAPE BUFFER ALONG THE NORTH AND EAST PROPERTY LINES WHERE EIGHT FEET IS REQUIRED; A SIX-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; AND A 10-FOOT LANDSCAPE BUFFER ALONG THE WEST PROPERTY LINE WHERE 15 FEET IS REQUIRED on 1.06 acres at 5445 North Rainbow Boulevard (APN 125-35-101-007), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony) [PRJ-75934].

This approval is subject to the following amended conditions:

Planning

1. The hours of operation shall be from 6AM to 9PM for the drive through restaurant.
2. Approval of General Plan Amendment (GPA-75954) and Rezoning (ZON-75955), and conformance to the Conditions of Approval for Variance (VAR-76696) and Variance (VAR-76697) shall be required, if approved.
3. 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.

4. All development shall be in conformance with the site plan and landscape plan stamped 08/13/19 except as amended by conditions herein.
5. A Waiver from Title 19.08.040(B) is hereby approved, to allow a building that is not oriented to the street frontage.
6. A Waiver from Title 19.08.070 is hereby approved, to allow a five-foot landscape buffer along the north and east property lines where eight feet is required; a six-foot landscape buffer along the south property line where eight feet is required; and a 10-foot landscape buffer along the west property line where 15 feet is required.
7. 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.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
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. Installed landscaping shall not impede visibility of any traffic control device.
10. 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.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. Correct all American's with Disabilities Act (ADA) deficiencies, if any, on the sidewalk along Rainbow Boulevard adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site.

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13. 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.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
15. 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, whichever may occur first. 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the 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.

The Notice of Final Action was filed with the Las Vegas City Clerk on October 3, 2019.

Sincerely,



Robert Summerfield, AICP
Director
Department of Planning

RTS:PL:clb

cc: Mr. James P. Smith
9159 West Flamingo Road, Suite #102
Las Vegas, Nevada 89147