



**LAS VEGAS
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cityoflasvegas
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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 – SUP-75326 [PRJ-75268] – SPECIAL USE PERMIT
RELATED TO VAR-75324, SUP-75325 AND SDR-75327
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 Special Use Permit FOR A 53-FOOT TALL BUILDING WHERE THE AIRPORT OVERLAY DISTRICT LIMITS THE HEIGHT TO 35 FEET 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. Conformance to all Minimum Requirements under Title 19.10.080 for a project in the Airport Overlay District.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-75324), Special Use Permit (SUP-75325) and Site Development Plan Review (SDR-75327) shall be required.
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 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.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
 6. 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.
 7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
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The Notice of Final Action was filed with the Las Vegas City Clerk on March 21, 2019.

Sincerely,



Robert Summerfield, AICP
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