



**LAS VEGAS
CITY COUNCIL**

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July 14, 2021

Daryn Davis
Atlantic Capital Holdings, LLC
50 Portland Pier, Ste. 400
Portland, ME 04101

**RE: 21-0265-VAR1, 21-0265-SUP1 AND 21-0265-SDR1
PLANNING COMMISSION MEETING OF JULY 13, 2021**

Dear Applicant:

The Planning Commission at a regular meeting held on **July 13, 2021** voted to **APPROVE** the following Land Use Entitlement project requests on 0.21 acres at 1755 East Charleston Boulevard (APN 139-35-413-168), C-2 (General Commercial) Zone, Ward 3 (Diaz).

21-0265-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED ALTERNATIVE PARKING STANDARD TO ALLOW 51 PARKING SPACES WHERE 103 ARE REQUIRED

21-0265-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 723 SQUARE-FOOT RESTAURANT WITH DRIVE THROUGH DEVELOPMENT WITH A WAIVER TO ALLOW A 20-FOOT RESIDENTIAL ADJACENCY SETBACK FOR A PROPOSED TRASH ENCLOSURE WHERE 50 FEET IS REQUIRED

This approval is subject to the following conditions:

21-0265-SUP1 CONDITIONS

Planning

1. An Alternative Parking Standard is hereby approved to allow 51 parking spaces where 103 are required.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (21-0265-SDR1) 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 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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

21-0265-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (21-0265-SUP1) 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, landscape plan, and building elevations, date stamped 05/26/21, except as amended by conditions herein.
4. A Waiver from Title 19.08 is hereby approved, to allow a 20-foot residential adjacency setback for a trash enclosure where 50 feet is required.
5. 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.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. A fully operational fire protection system, including fire apparatus roads, fire hydrants, and water supply, shall be installed and shall be functioning prior to the construction of any combustible structures.
8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

9. The sidewalks along Charleston Boulevard adjacent to this site shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement, if any, needed to complete this requirement.
10. Prior to the issuance of any permits, grant a Bus Shelter Pad Easement in conformance with Standard Drawing #234.2 for the existing bus stop on Charleston Boulevard adjacent to this site unless the Regional Transportation Commission (RTC) acknowledges in writing that this easement is not required.
11. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-2338 or emailed at ece@lasvegasnevada.gov.
12. Queuing in the public right-of-way, including the alley, is prohibited.
13. 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 section addressing Standard Drawings #201.1, #234.1 #234.2, and #234.3 to determine additional right-of-way requirements for exclusive right-turn lanes, dual left-turn lanes, and bus turnouts adjacent to this site, if any. All required additional rights-of-way 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. The Traffic Impact Analysis shall also 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.

This action by the Planning Commission on **July 13, 2021** 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 submitted please access <https://www.lasvegasnevada.gov/Business/Permits-Licenses/Building-Permits/Permit-Application-Status>, or contact the Department of Planning and Development at 702.229.6301 after **July 26, 2021**. 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.

The Planning Commission at a regular meeting held on **July 13, 2021** voted to **STRIKE** the following Land Use Entitlement project requests on 0.21 acres at 1755 East Charleston Boulevard (APN 139-35-413-168), C-2 (General Commercial) Zone, Ward 3 (Diaz).

21-0265-VAR1 - VARIANCE - TO ALLOW A 20-FOOT RESIDENTIAL ADJACENCY SETBACK FOR A PROPOSED TRASH ENCLOSURE WHERE 50 FEET IS REQUIRED

This action by the Planning Commission is final. The Notice of Final Action was filed with the Las Vegas City Clerk on July 14, 2019.

Sincerely,



Steve Gebeke, AICP
Planning Supervisor
Department of Planning

SG:nl

cc:

Mr. Victor Knight
KWDG, LLC
6585 Escondido Street, Ste. D
Las Vegas, Nevada 89119