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April 10, 2013

Mr. Frank Pankratz
SH Northeast Land Company
9755 West Charleston Boulevard
Las Vegas, Nevada 89117

**RE: SDR-48469 - SITE DEVELOPMENT PLAN REVIEW RELATED TO
MSP-48470
PLANNING COMMISSION MEETING OF APRIL 9, 2013**

Dear Mr. Pankratz:

Your request for a Site Development Plan Review FOR A PROPOSED 219,100 SQUARE-FOOT SHOPPING CENTER WITH A WAIVER TO ALLOW A ZERO-FOOT PERIMETER LANDSCAPE BUFFER ALONG A PORTION OF THE WEST AND SOUTH PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 18.11 acres adjacent to the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way (APN 163-06-416-006), C-1 (Limited Commercial) Zone, Ward 2 (Beers), was considered by the Planning Commission on April 9, 2013.

The Planning Commission voted to **APPROVE** your request, subject to the following:

Planning

1. Approval of and conformance to the Conditions of Approval for a Master Sign Plan (MSP-48470) 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 and landscape plan, date stamped 03/27/13 and building elevations, date stamped 02/21/13 and 02/28/13, except as amended by conditions herein.
4. A Waiver from Title 19.08.070 is hereby approved, to allow a zero-foot perimeter landscape buffer along a portion of the west and south property lines where an eight-foot buffer is required.

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
DEVELOPMENT SERVICES CENTER
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5. An Exception from Title 19.08.040 is hereby approved, to allow 10 trees within portions of the south and west perimeter buffers where 51, 24-inch box trees spaced 20 feet on center are required.
6. If the sewer line and easement along the eastern property line are not relocated as required by the Department of Public Works, thereby eliminating the ability to provide sufficient landscaped visual screening from adjacent residential properties, the applicant shall work with Department of Planning staff to determine an acceptable solution.
7. An Exception from Title 19.08.040 is hereby approved, to allow 15-gallon or 24-inch box trees within the east perimeter buffer where 24-inch box trees are required.
8. An Exception from Title 19.08.110 is hereby approved, to allow zero trees where one 24-inch box tree is required at the end of each parking row (12 missing), and to allow zero trees where one 24-inch box tree is required within each parking lot landscape island (15 missing).
9. A revised conceptual landscape plan shall be submitted to and approved by the Department of Planning, prior to the time application is made for a building permit, to provide a minimum of 15 24-inch box trees and seven (7) 24-inch box trees within the streetscape amenity zones along Sahara Avenue and Hualapai Way, respectively.
10. 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.
11. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
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, 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. The technical landscape plan shall incorporate the streetscape changes required for the revised conceptual landscape plan.

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13. 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.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Grant Pedestrian Walkway Easements for all sidewalks not located within the existing public right of way prior to occupancy of this site.
17. Remove and replace any substandard offsite improvements concurrent with development of this site.
18. A Petition of Vacation to vacate portions of the existing Drainage Easement, which crosses this site, shall be submitted and acted upon prior to the submittal of construction drawings, the issuance of any building permits, or the recordation of a map for this site, whichever may occur first. If the Petition of Vacation is not approved, this Site Plan shall be void and a new Site Plan shall be submitted.
19. Relocate the existing public sewer line along the east side of the site and grant a new public sewer easement in a location which will allow drivable access to all public sewer manholes as required by the Sanitary Sewer Section of the Department of Public Works. The new sewer line shall be fully operational and inspected prior to the abandonment of the existing sewer line. Alternatively, submit a vacation application, acceptable to the Sanitary Sewer Planning Section of the Department of Public Works, for the easterly portions of the existing sewer easement where trees three feet or higher will be planted and grant a new Public Sewer Easement to maintain a minimum 20-foot sewer easement width. In either case, drivable access to the existing sewer manholes must be maintained and no trees or vegetation taller than three feet and no structures shall be allowed within the public sewer easements.
20. The design and layout of all interior drive aisles shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

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21. Extend the median north on Hualapai Way to a location acceptable the City Traffic Engineer concurrent with on-site development activities. The northern driveway on Hualapai Way and the western driveway on Sahara Avenue shall not be allowed to have left out access. The eastern driveway on Sahara Avenue may be signalized provided that warrants are met and the developer funds the signal as required in the approved Traffic Study.
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.
23. Submit an Encroachment Agreement for landscaping and private improvements, if any, in the Hualapai Way and Sahara Avenue 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 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 property 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 improvements 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. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (229-4836).
24. 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, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. 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. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such

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devices shall be granted prior to the issuance of permits for this 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.

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, submittal of any construction drawings or the submittal of a Map subdividing this site, 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 development of this site.

This action by the Planning Commission on **April 9, 2013** 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 please access <http://www.lasvegasnevada.gov/CheckStatus/DevelopmentApp.htm>, or contact the Department of Planning and Development at 702.229.6301 after **April 22, 2013**. 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.

Sincerely,



Peter Lowenstein, AICP
Planning Supervisor
Case Planning Division

PL:clb