



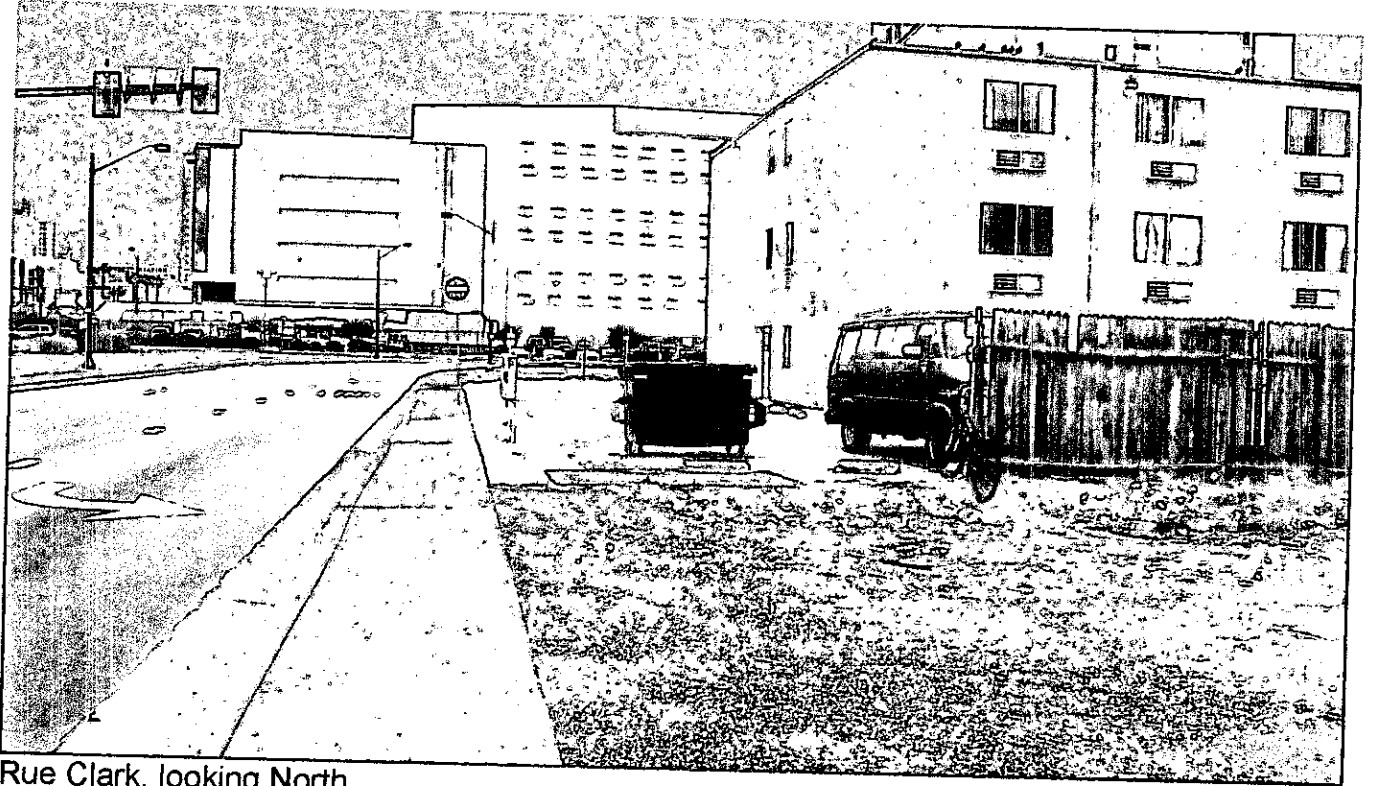
Casino Center Blvd., looking North



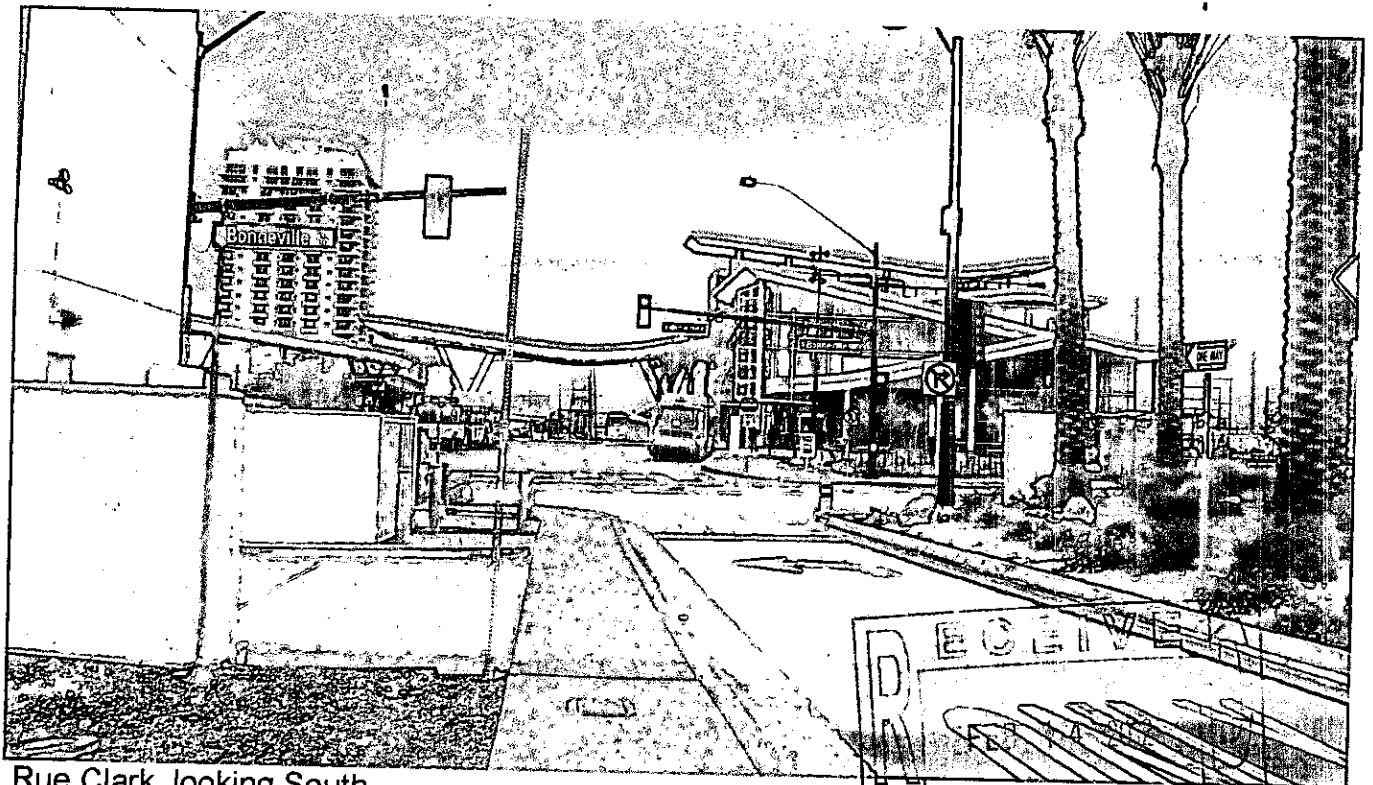
Casino Center Blvd., looking South



AMETRINE PARKING LOT



Rue Clark, looking North



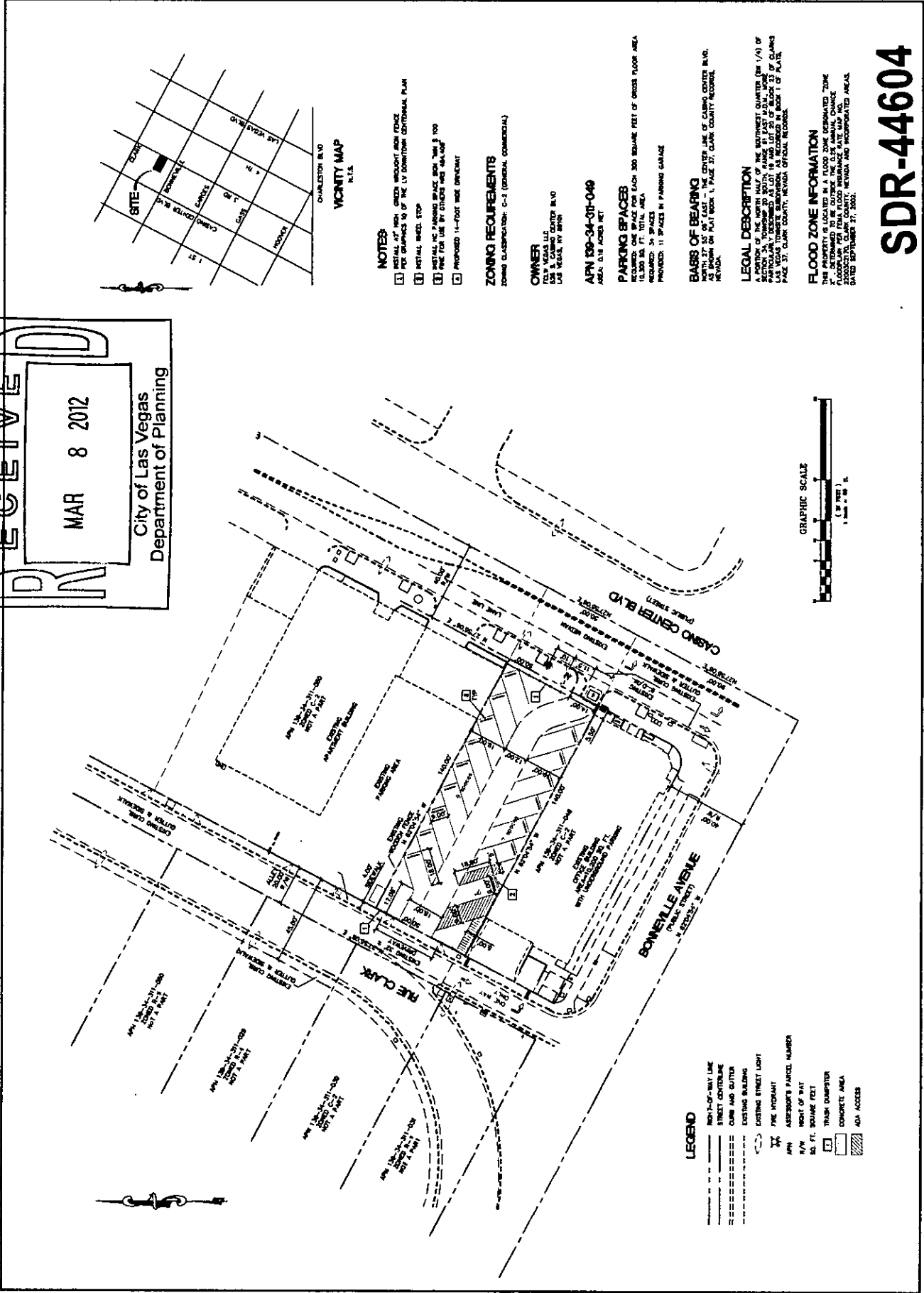
Rue Clark, looking South

City of Las Vegas
Department of Planning

SDR-44604

RECEIVED
 MAR 8 2012
 City of Las Vegas
 Department of Planning

AMETRINE PARKING LOT SITE PLAN AND LANDSCAPE PLAN 526 S. CASINO CENTER BLVD LAS VEGAS, NEVADA		DESIGNED BY: ME CHECKED BY: ME DATE: 04/07/13 JOB #: 13-001-001-001 SCALE: 1" = 30' SHEET: 1 OF 1	BALOVA ENGINEERING 6130 ELTON AVENUE LAS VEGAS, NV 89107 702-216-6001 TEL 702-216-6001 FAX
--	--	--	--



SDR-44604
REVISED



March 22, 2012

Mr. Eric Louttit
FC/LW Vegas, LLC
50 Public Square, Suite 1000-B
Cleveland, Ohio 44113

**RE: SDR-44604 - MINOR SITE DEVELOPMENT PLAN REVIEW
ADMINISTRATIVE CYCLE - MARCH 2012**

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STAVROS S. ANTHONY
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
BOB COFFIN

ELIZABETH N. FRETWELL
CITY MANAGER

Dear Mr. Louttit:

Your request for a Minor Site Development Plan Review FOR A TEMPORARY PARKING LOT WITH A WAIVER OF ALL INTERIOR LANDSCAPING REQUIREMENTS at 526 South Casino Center Boulevard (APN 139-34-311-049), C-2 (General Commercial) Zone, Ward 3 (Coffin), has been considered administratively by the Planning and Development Department staff.

The Department of Planning Staff has administratively **APPROVED** your request subject to the following:

Planning

1. 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.
2. All development shall be in conformance with the landscape plan and building elevations, date stamped 02/14/12, and the site plan date stamped 03/08/12, except as amended by conditions herein.
3. A Waiver from the Downtown Centennial Plan is hereby approved, to allow no interior landscaping where a minimum of one shade tree and five shrubs are required for every six parking spaces provided.
4. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 03/08/12. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.
5. The use of the site as a temporary parking lot shall be limited to no more than 36 months after issuance of a permit for onsite improvements.
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.

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
DEVELOPMENT SERVICES CENTER
333 NORTH RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NEVADA 89106

VOICE 702.229.6301

FAX 702.474.0352

TTY 702.386.9108

www.lasvegasnevada.gov



Mr. Eric Louttit
FC/LW Vegas, LLC
SDR-44604 - Page Two
March 22, 2012

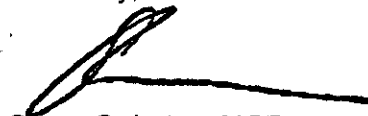
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application 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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. In accordance with code requirements of Title 13.56, remove all substandard sidewalk improvements, if any, and replace with new sidewalk improvements meeting Current City Standards concurrent with development of this site. 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.
11. Driveways shall meet the approval of the City Traffic Engineer.

This action by the Department of Planning staff on March 22, 2012 is final unless a written appeal is filed with the Director of the Department of Planning within ten days of the date of this letter.

Sincerely,



Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

SG:clb

cc: Mr. Rodney Ballard
ADKD Holdings, LLC
5113 Alpine Place
Las Vegas, Nevada 89107

Ms. Petya Balova
Balova Engineering
6130 Elton Avenue
Las Vegas, Nevada 89107

City of Las Vegas

AGENDA MEMO - PLANNING

ADMINISTRATIVE REVIEW DATE: MARCH 2012

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: ADKD HOLDINGS, LLC -- OWNER: FC/LW
VEGAS, LLC

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SDR-44064	Staff Administratively APPROVES, subject to conditions:	

**** CONDITIONS ****

SDR-44064 CONDITIONS

Planning

1. 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.
2. All development shall be in conformance with the landscape plan and building elevations, date stamped 02/14/12, and the site plan date stamped 03/08/12, except as amended by conditions herein.
3. A Waiver from the Downtown Centennial Plan is hereby approved, to allow no interior landscaping where a minimum of one shade tree and five shrubs are required for every six parking spaces provided.
4. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 03/08/12. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.
5. The use of the site as a temporary parking lot shall be limited to no more than 36 months after issuance of a permit for onsite improvements.

YK

Conditions Page Two
March 2012 - Administrative Review Meeting

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

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10. In accordance with code requirements of Title 13.56, remove all substandard sidewalk improvements, if any, and replace with new sidewalk improvements meeting Current City Standards concurrent with development of this site. 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.
11. Driveways shall meet the approval of the City Traffic Engineer.

Staff Report Page One
March 2012 - Administrative Review Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for the development of a temporary parking lot (up to 36 months) in order to provide additional parking spaces for the office building adjacent to the south perimeter. The applicant has requested a waiver of the Downtown Centennial Plan development standards, and as a result, this use will only be allowed for 36 months from the date it is exercised. Since the Downtown Centennial Plan allows for the development of temporary parking lots and this proposal meets all of the conditions associated with its development, staff has administratively approved this request with conditions.

ISSUES

- Temporary Parking lots (up to 36 months) in the Downtown Centennial Plan can be developed with interior landscaping requirements waived via the approval of a Site Development Plan Review, Minor.
- The use of the site as a temporary parking lot shall be limited to no more than 36 months after issuance of a permit for onsite improvements.

BACKGROUND INFORMATION

<i>Related/Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved a request for rezoning from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic), to C-2 (General Commercial) on 230 acres on property bounded by Main Street to the west, Bonanza Road to the north, Las Vegas Boulevard to the east, and Charleston Boulevard to the south. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
07/18/11	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
No related building or business licenses on file.	

Staff Report Page Two
March 2012 - Administrative Review Meeting

Pre-Application Meeting	
01/19/12	Staff met with the applicant and reviewed the requirements for a commercial parking lot for the site. It was determined that a temporary parking lot for up to 36 months would be developed since the Downtown Centennial Plan allows the waiver of landscape requirements for temporary parking lots.

Neighborhood Meeting
No neighborhood meeting is required, nor was one held.

Field Check
03/01/12 Staff visited the site and found a vacant, undeveloped lot.

Details of Application Request	
Site Area	
Net Acres	0.16

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	C (Commercial)	C-2 (General Commercial)
North	Apartments	C (Commercial)	C-2 (General Commercial)
South	Office	C (Commercial)	C-2 (General Commercial)
East	Parking Lot	PF (Public Facility)	C-V (Civic)
West	Undeveloped	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	Yes	No	Compliance
Master Plan Area	X		
Downtown Centennial Plan (Office Core)	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts	X		
Downtown Centennial Plan Overlay District	X		Y
A-O (Airport Overlay) District 200-Feet	X		N/A
Live/Work Overlay District	X		N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

YK

Staff Report Page Four
March 2012 - Administrative Review Meeting

DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Casino Center Boulevard	Secondary Collector	Master Plan of Streets and Highways	80	Y
Rue Clark (alley)	N/A	N/A	20	Y

Pursuant to the Downtown Centennial Plan the following standards apply:

<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Sidewalks	10 foot wide	10 foot wide	Y
Trees	One Deglet-Noor Date Palm @ 25 feet in height	One Deglet-Noor Date Palm @ 25 feet in height	Y

<i>Parking Requirement - Downtown</i>						
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Base Parking Requirement</i>		<i>Provided</i>		<i>Compliance</i>
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>	
			Regular	Handi-capped	Regular	Handi-capped
Parking, Commercial	N/A	N/A	N/A			
TOTAL SPACES REQUIRED			N/A		16	
Regular and Handicap Spaces Required			N/A	N/A	15	1

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

<i>Waivers</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Provide one shade tree for every six parking spaces.	To provide no shade trees in the parking lot.	Approval

Staff Report Page Five
March 2012 - Administrative Review Meeting

ANALYSIS

The applicant is requesting the approval of a temporary parking lot. The Downtown Centennial Plan permits temporary parking lots for use up to 36 months with waivers of many of the design standards. Since the use is temporary, extensions beyond the 36 months will not be permitted without bringing the parking lot up to current code standards. One waiver is being requested with this application, to allow the parking lot to be developed without the required shade trees and shrubs for every six parking spaces. Staff supports this waiver and the application since it will improve this lot substantially, improve the air quality and relieve the parking shortage for the office building to the south. The applicant is aware that this is only a temporary approved parking lot and if they want to continue using it beyond the 36 months, all required improvements for a permanent commercial parking lot must be installed and a new Site Development Plan Review application will have to be submitted and approved.

FINDINGS (SDR-44064)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed parking lot is a compatible use in the area and adjacent developments.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed temporary parking lot is consistent with the Downtown Centennial Plan. The project also conforms to Title 19 zoning requirements where applicable and is consistent with Downtown Redevelopment Area policies.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site has accessed off Casino Center Boulevard, an 80-foot wide right-of-way. Additional access is available along a 20-foot wide alley right-of-way along the west perimeter. Site access will not negatively impact adjacent roadways or neighborhood traffic.

Staff Report Page Six
March 2012 - Administrative Review Meeting

4. Building and landscape materials are appropriate for the area and for the City;

The materials fit into the context of an office-oriented neighborhood. Landscape materials match the specifications of the Downtown Centennial Plan for Streetscape Design and are appropriate for the area.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed temporary commercial parking lot is harmonious and compatible in scale with professional office development and civic uses in the area.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The site will be subject to inspection and will therefore not compromise the public health, safety, and general welfare.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



March 13, 2012

Mr. Eric Louttit
FC/LW Vegas, LLC
50 Public Square, Suite 1000-B
Cleveland, Ohio 44113

**RE: SDR-44604 - MINOR SITE DEVELOPMENT PLAN REVIEW
ADMINISTRATIVE CYCLE - MARCH 2012**

Dear Mr. Louttit:

Your request for a Minor Site Development Plan Review FOR A TEMPORARY PARKING LOT WITH A WAIVER OF ALL INTERIOR LANDSCAPING REQUIREMENTS at 526 South Casino Center Boulevard (APN 139-34-311-049), C-2 (General Commercial) Zone, Ward 3 (Coffin), will be considered administratively by the Planning and Development Department staff.

Staff will determine within thirty (30) days of the date of this letter whether or not your request will be approved as submitted.. We will notify you in writing as to our determination after we have reviewed the details of the request.

If you have any questions or need additional information please do not hesitate to contact me at (702) 229-6301.

Sincerely,

Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

SG:clb

cc: Mr. Rodney Ballard
ADKD Holdings, LLC
5113 Alpine Place
Las Vegas, Nevada 89107

Ms. Petya Balova
Balova Engineering
6130 Elton Avenue
Las Vegas, Nevada 89107

LAS VEGAS CITY COUNCIL

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CITY MANAGER

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
DEVELOPMENT SERVICES CENTER
333 NDRTH RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NEVADA 89106

VOICE 702.229.6301

FAX 702.474.0352

TTY 702.386.9108

www.lasvegasnevada.gov



Memorandum

City of Las Vegas
Department of Public Works
Development Coordination

To: Department of Planning and Development
From: Bart Anderson, Manager, Development Coordination, Department of Public Works *BA*
CC: Nancy Almanzan, Right-of-Way; Dennis Moyer, Land Development; O. C. White, Traffic Engineering; Alan Riekk, Survey (FM, PM, & A's only)
Date: March 12, 2012
Re: **SDR-44604** ADKD Holdings, LLC 526 S. Casino Center Blvd.
Request for a Site Development Plan Review for a proposed temporary parking lot

CONDITIONS OF APPROVAL:

1. In accordance with code requirements of Title 13.56, remove all substandard sidewalk improvements, if any, and replace with new sidewalk improvements meeting Current City Standards concurrent with development of this site. 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.
2. Driveways shall meet the approval of the City Traffic Engineer.

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM REQUEST FOR COMMENT

FROM: DEPARTMENT OF PLANNING

SDR-44604

HAND DELIVERED

*DEVELOPMENT COORDINATION (DPW)	ROGER BAILEY	DSC - 7 th Floor
FIRE ENGINEERING	KEN MILLER	DSC - 5 th Floor
*FLDOD CONTROL (DPW)	OH-SANG KWON	DSC - 7 th Floor
*LAND DEVELOPMENT (DPW)	DAVID GUERRA	DSC - 2 nd Floor
PERMITS/ INSPECTIONS	ROD CLARK	DSC - 1 st Floor
*RIGHT-OF-WAY (DPW)	MARY WULFF	DSC - 8 th Floor
*SANITARY SEWERS (DPW)	JOE PEÑA	DSC - 7 th Floor
*SURVEY (DPW)	ALAN RIEKKI	DSC - 8 th Floor
*TEFO (DPW)	REBECCA WHITLOCK	WSC-3001 RONEMUS
*TRAFFIC ENGINEERING (DPW)	RICK SCHROEDER	DSC - 8 th Floor

ROUTED ELECTRONICALLY / US MAIL

<CCSD>	LINDA PERRI	4190 MCLEOD DRIVE, 2 ND FLOOR
METRO	BRIAN O'CALLAGHAN	7 th FLOOR CITY HALL
OFFICE OF BUSINESS DEVELOPMENT	TOM BURKART	2 ND FLOOR CITY HALL EXPANSION
NEIGHBORHOOD SERVICES	ANNE KILPONEN	2 ND FLOOR CITY HALL
*STREETS & SANITATION (DPW)	JERRY WALKER	DSC
*PARKS & OPEN SPACES (DPW)	JOHN BLACK	DSC
*SID (DPW)	PATRICK MURPHY	DSC - 9 th Floor
<EMBARQ> (SDPR only)	SANDRA HOLLEY	330 VALLEY VIEW BOULEVARD
LAS VEGAS VALLEY WATER DISTRICT (NO PLANS)	HEIDI DEXHEIMER ENGINEERING DESIGN DIVISION	100 CITY PARKWAY, SUITE #700 (HAND DELIVERY ADDRESS ONLY)
CLARK COUNTY (IT) (NO PLANS)	JAMIE McKEOWN (INFORMATION TECHNOLOGY DEPT)	500 GRAND CENTRAL PARKWAY, 4 th FLOOR
NELLIS AFB (NO PLANS)	DEBORAH MACNEILL	4430 GRISSOM AVENUE, BUILDING 11, SUITE 103D

*** ONLY THOSE INDICATED WITH A STAR ARE TO BE ROUTED TO ROGER BAILEY, SR. ENG. ASSOC. ALL OTHER DIVISIONS PLEASE ROUTE YOUR COMMENTS DIRECTLY TO THE PLANNING AND DEVELOPMENT DEPARTMENT< US MAIL DELIVERY>**

CITY OF LAS VEGAS

DEVELOPMENT REVIEW COMMENT FORM



Planning and Development Department

Current Planning Division

731 South Fourth Street

Las Vegas, Nevada 89101

(702) 229-6301 phone (702) 385-7268 fax

SDR-44604 - SITE DEVELOPMENT PLAN REVIEW - ADMINISTRATIVE - APPLICANT: ADKD HOLDINGS, LLC - OWNER: FC/LW VEGAS, LLC - For possible action on a request for a Minor Site Development Plan Review FOR A TEMPORARY PARKING LOT WITH WAIVERS TO ALLOW NO SCREENING ALONG PUBLIC STREETS WHERE ORNAMENTAL SCREEN AND LANDSCAPING IS REQUIRED, TO ALLOW NO SHADE TREES WHERE ONE SHADE TREE PER EVERY SIX PARKING SPACES IS REQUIRED AND TO ALLOW NO SOLID SIX FOOT WALL ALONG THE NORTH PERIMETER WHERE ONE IS REQUIRED ADJACENT TO A RESIDENTIALLY ZONED PARCEL at 526 South Casino Center Boulevard (APN 139-34-311-049), C-2 (General Commercial) Zone, Ward 3 (Coffin).

MINOR REVIEW ADMINISTRATIVE: **MARCH 15, 2012**

PLANNING SUPERVISOR: **STEVE GEBEKE**



ADMINISTRATIVE

Comments Due: **ASAP**

Comments not returned by the due date will not be incorporated into the staff report for this case. Comments may be submitted either on this sheet and routed via interoffice mail, U.S. mail, fax, or e-mailed to **Carman Burney (cburney@lasvegasnevada.gov)**, the Agenda Tech responsible for this case. If you desire to meet with the case planner you may schedule an appointment by calling (702) 229-6301.

LIST COMMENTS BELOW:

THIS ITEM WILL BE CONSIDERED
ADMINISTRATIVELY AND WILL NOT
APPEAR ON A PLANNING COMMISSION
AGENDA

Report Date 02/15/2012 05:20 PM

Submitted By

Page 1

A/P # 44604 SITE DEVELOPMENT PLAN REVIEW

Application Information

Stages

	Date / Time	By		Date / Time	By
Processed	02/14/2012 14:36	984387	Temp COO		
Approved			COO Issued		
Final			Expires		

Associated Information

Type of Work	# Plans	0	Declared Valuation	0.00
Dept of Commerce	# Plans	0	Calculated Valuation	0.00
Priority	☒ Auto Reviews	Bill Group	Actual Valuation	0.00

Description of Work

SDR-44604 - SITE DEVELOPMENT PLAN REVIEW - ADMINISTRATIVE - APPLICANT: ADKD HOLDINGS, LLC. OWNER: FC/LW VEGAS, LLC. - For possible action on a request for a Minor Site Development Plan Review FOR A TEMPORARY PARKING LOT WITH WAIVERS TO ALLOW NO SCREENING ALONG PUBLIC STREETS WHERE ORNAMENTAL SCREEN AND LANDSCAPING IS REQUIRED, TO ALLOW NO SHADE TREES WHERE ONE SHADE TREE PER EVERY SIX PARKING SPACES IS REQUIRED AND TO ALLOW NO SOLID SIX FOOT WALL ALONG THE NORTH PERIMETER WHERE ONE IS REQUIRED ADJACENT TO A RESIDENTIALLY ZONED PARCEL at 526 South Casino Center Boulevard (APN 139-34-311-049), C-2 (General Commercial) Zone, Ward 3 (Coffin).

Parent A/P #

Project # 44604 Project/Phase Name AMETRINE PARKING Phase #
Size/Area 0.16 ACRE Size Description Subdivision Code
Proposed Start Proposed Stop % Completed 0.00
% Complete Formula

Property/Site Information

Parcel 13934311049

Location

Owner/Tenant

Contact ID AC1925858 Name F C L W VEGAS L L C Organization % G VERMEYS
Mailing Address 3773 HOWARD HUGHES PKWY #400N State/Province NV
City LAS VEGAS Country
ZIP/PC 89169-5956 Evening Phone
Day Phone Mobile #
Fax

☐ Foreign

A/P Linked Addresses

No Addresses are linked to this Application

Linked Addresses

526 S CASINO CENTER BLVD
LAS VEGAS, 89101-

A/P Addresses

No Other Addresses are associated to this Application

Linked Parcels

No Parcels are linked to this Application

A/P Linked Parcels

Report Date 02/15/2012 05:20 PM

Submitted By

Page 2

A/P Linked Parcels

13934311049

Applicants/Contacts

Primary	N	Capacity	OWNER	Contact ID	AC1925858 ☐ Foreign
Effective		Expire			
Name	F C L W VEGAS L L C				
Day Phone		Eve Phone	Organization	% G VERMEYS	
Pager		PIN #	Position	% GREENBERG TRAUIG LLP	
Fax		Mobile	Profession		
E-Mail					
Address	3773 HOWARD HUGHES PKWY #400N LAS VEGAS, NV 89169-5956				
Seasonal Addr					

Valid From To

Comments application signed by Eric J Louttit there is five degrees of separation see all documents

CONTACT ADDITIONAL

WORKCARD: Work Card # 0
Expiration Date

CONTACT REQUIREMENTS

License # Percent Owned Waiver Health Card Director Letter Original Transcripts
Orientation Attended

There are no items in this list

Primary	N	Capacity	OTHER	Other	REP	Contact ID	AC1937267 ☐ Foreign
Effective		Expire					
Name	BALOVA ENGINEERING						
Day Phone	(702)216-0330 x			Eve Phone	Organization		
Pager		PIN #	Position				
Fax	(702)216-6001			Mobile	Profession		
E-Mail							
Address	6130 ELTON AVENUE LAS VEGAS, NV 89107						
Seasonal Addr							

Valid From To

Comments No Comments

Report Date 02/15/2012 05:20 PM

Submitted By

Page 3

CONTACT ADDITIONAL

WORKCARD: Work Card # 0
Expiration Date

CONTACT REQUIREMENTS

License # Percent Owned Waiver Health Card Director Letter Original Transcript
Orientation Attended

There are no items in this list

Primary	Y	Capacity	APPL	Contact ID	AC1989258	☐ Foreign
Effective		Expire				
Name	ADKD HOLDING LLC					
Day Phone	(702)338-8397 x					
Pager		Eve Phone		Organization		
Fax	(702)878-8087	PIN #		Position		
E-Mail		Mobile		Profession		
Address	5113 ALPINE PLANCE LAS VEGAS, NV 89107					
Seasonal Addr						

Valid From To

Comments No Comments
CONTACT ADDITIONAL

WORKCARD: Work Card # 0
Expiration Date

CONTACT REQUIREMENTS

License # Percent Owned Waiver Health Card Director Letter Original Transcript
Orientation Attended

There are no items in this list

Report Date 02/15/2012 05:20 PM

Submitted By

Page 4

Contractors

No Contractors

Item Description

Item Status

Check Fees	Fees Successful
PROCESSING FEE (\$500.00)	Paid
Check Inspections	Inspections Successful
Check Reviews	Reviews Successful
Check Conditions	Conditions Successful
Check Alert Conditions	Alert Conditions Successful
Check Licenses	Not Checked
Check Children Status	Children Successful
Check Open Cases	0
Pre-Check Conditions Added:	0
Inspections Added:	0
Reviews Added:	12
DEVCO	
B&S PLAN	
FLOOD	
ROW	
TRAFFIC	
TEFO	
SURVEY	
SID	
SEWER	
LAND DEV	
FIRE ENG	
ENGDESIGN	
Fees Added:	0
Conditions Added:	0
Periodic Inspection Schedules Added:	0

Fees	Status	Paid Date	Amount
PROCESSING FEE	P	02/14/2012 14:39	500.00
Total Unpaid	0.00	Total Paid	500.00

Inspections

There are no Inspections for this Report

Review Activities

Review #	Review Type	#	Status	Waived	Issued	Started	Completed	Comp. By
484342	DEVCO	1	Incomplete	☐	02/15/2012 17:10			
484343	B&S PLAN	1	Incomplete	☐	02/15/2012 17:10			
484344	FLOOD	1	Incomplete	☐	02/15/2012 17:10			
484345	ROW	1	Incomplete	☐	02/15/2012 17:10			
484346	TRAFFIC	1	Incomplete	☐	02/15/2012 17:10			

Report Date 02/15/2012 05:20 PM

Submitted By

Page 5

Review Activities Review # Comments	Review Type	#	Status	Waived	Issued	Started	Completed	Comp By
484347	TEFO	1	Incomplete	☐	02/15/2012 17:10			
484348	SURVEY	1	Incomplete	☐	02/15/2012 17:10			
484349	SID	1	Incomplete	☐	02/15/2012 17:10			
484350	SEWER	1	Incomplete	☐	02/15/2012 17:10			
484351	LAND DEV	1	Incomplete	☐	02/15/2012 17:10			
484352	FIRE ENG	1	Incomplete	☐	02/15/2012 17:10			
484353	ENGDESIGN	1	Incomplete	☐	02/15/2012 17:10			

Activity Review Details

Detail SUBMITTAL CHECKLIST (SDR)

Modified By MREX

Modified Date/Time 02/14/2012 14:36

Comments

No Comments

SUBMITTAL CHECKLIST

Indicate if item is being submitted

- | | |
|--|--|
| Y Pre-Application Conference Checklist | Y Site Plans (6 Folded Blue Lines, 1 Rolled Color) |
| Y Application/Petition Form | Y Landscape Plan (1 Folded, 1 Rolled Color) |
| Y Deed and Legal Description | Y Building Elevations (1 Folded, 1 Rolled Color) |
| Y Justification Letter | Y Floor Plan (1 Folded, 1 Rolled) |
| Y Color and Material Board | Y Laser Print Site Plan |
| N DINA (Not Always Required) | Y Laser Print Floor Plan |
| Y Statement of Financial Interest | Y Laser Print Elevation |

Y Business Licensing Requirements Met

N Business License Exempt

Check Conditions Condition	Approval Supervisor Required	Approved By Comments	Approved Date	Applied By	Applied Date	Assigned
-------------------------------	---------------------------------	-------------------------	---------------	------------	--------------	----------

No Conditions

Project #	AP Type	Status	Stage	Relation
-----------	---------	--------	-------	----------

No children exist for this project

Planning Condition	Description	Effective	Expire	Comments
--------------------	-------------	-----------	--------	----------

There is no planning condition for this project.

Report Date 02/15/2012 05:20 PM

Submitted By

Page 6

SITE PLAN REVIEW

N DINA Required? N Project of Regional Significance?

Entitlement Exercised?

N Parent Project link required?

Sustainable Component?

N Will this go to the City Council?

Hearing Type

Public, Non-Public, Admin ADMIN

Is there a condition of approval for a Required Review?

Staff Recommendation

If yes, when does it need to be reviewed?

Meeting Information

Meeting Info
Meeting Date
Comments
Added By

Meeting Type

Add Date

Meeting Status

Modified By

Modified Date

YES Votes

NO Votes

ABSTENTIONS

02/15/2012

ADMIN

SCHEDULED

0

0

0

MREX

02/14/2012

Template Type A/P #

A/P Type

Status

Stage

No children exist for this project

Employee
Employee ID

Last

First

MI

Comments

No Employee Entries

Log
Action
Comments

Description

Entered By

Start

Stop

Hours

PAYMNT CO NAME WHO PICKED UP CONTACT# 984640
PETYA BALOVA; ADKD HOLDINGS LLC; CK#0173; 702-216-6000

02/14/2012 14:40

0.00

No Model Home Details



DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Parking Lot minor SDR

Project Address (Location) 526 South Casino Center Boulevard

Project Name Ametrine Parking Lot Proposed Use Comm. Parking Lot

Assessor's Parcel #(s) 13934311049 Ward #

General Plan: existing proposed Zoning: existing C-2 proposed

Commercial Square Footage N/A Floor Area Ratio N/A

Gross Acres 0.16 Lots/Units 1 Density

Additional Information

PROPERTY OWNER FC/LW Vegas, LLC Contact Eric J. Louttit

Address 50 Public Square, Suite 1000-B Phone: (216) 416-3740 Fax: (216) 479-2446

City Cleveland State OH Zip 44113

E-mail Address ericlouttit@forestcity.net

APPLICANT ADKD Holdings, LLC Contact Rodney Ballard

Address 5113 Alpine Place Phone: 338-8397 Fax: 878-8087

City Las Vegas, State NV Zip 89107

E-mail Address rodneymballard@gmail.com

REPRESENTATIVE Balova Engineering Contact Petya Balova

Address 6130 Elton Ave Phone: 682-1706 Fax: 216-600

City Las Vegas State NV Zip 89107

E-mail Address petya@balovaengineering.com

Property Owner Signature* Eric J. Louttit

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Eric J. Louttit

Subscribed and sworn before me Eric J. Louttit

This and day of February, 2012

Lila J. Nagel - Notary Public State of NV

Notary Public in and for said County and State

Revised 10/27/08

Lila J. Nagel
my commission expires 12/1/13

FOR DEPARTMENT USE ONLY

Case #	<u>SDR-44604</u>
Meeting Date:	<u>2/15/2012</u>
Total Fee:	<u>\$1500.00</u>
Date Received:	<u>2/14/2012</u>
Received By:	<u>M REX</u>

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

f:\depot\Application Packet\Application Form.pdf



DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-44604** APN: 13934311049

Name of Property Owner: FC/LW Vegas, LLC

Name of Applicant: ADKD Holdings, LLC

Name of Representative: Petya Balova

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

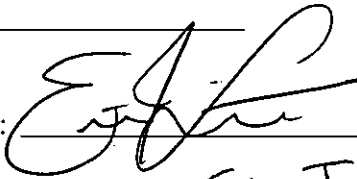
☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

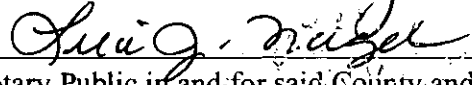
APN: _____

Signature of Property Owner: 

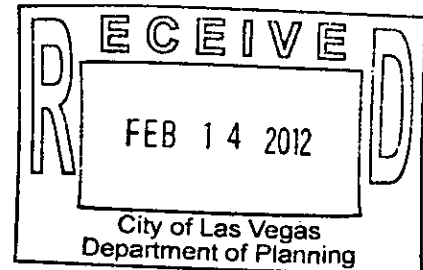
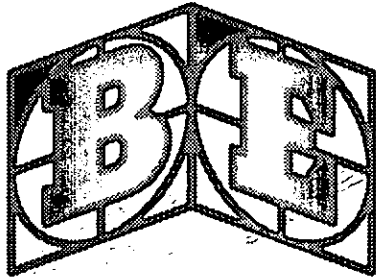
Print Name: Eric J. Louthit

Subscribed and sworn before me Eric J. Louthit

This 2nd day of February, 2012


Notary Public in and for said County and State

Lila J. Nagel - Notary Public State of Ohio
my commission expires 12/1/13



February 6, 2012

City Las Vegas
Planning and Zoning Department
333 Rancho Drive
Las Vegas, NV 89101

Re: **AMETRINE COMMERCIAL PARKING LOT (TEMPORARY, UP TO 36 MONTHS)**
APN 139-34-311-049

The purpose of this letter is to request a Minor Site Development Plan Review for a Temporary Parking Lot in the Downtown Centennial Plan Overlay. The parcel is located on 526 South Casino Center Boulevard, Las Vegas, NV 89101, APN 139-34-311-049. It is currently zoned C-2 (General Commercial District).

The parcel is bound by Casino Center Boulevard (80 feet wide right-of-way) to the east, Rue Clark (45 feet wide right-of-way) to the west, an office building to the south, and a motel to the north. Currently, the parcel is vacant and has existing driveways on Rue Clark and on Casino Center Blvd., as shown on the attached site plan. There are existing buildings with a zero setback to the north and south. The property to the north is an existing motel, which is also zoned C-2. The property to the south is owned and operated by the applicant, Alberto Delapaz as Ametrine Executive Suites. The office building has underground parking garage with 11 spaces, and the owner would like to add more parking spaces for use by the clients of the businesses in the Executive Suites. The owner of the office building will enter into a lease agreement with the owner of the vacant parcel to be used as a parking lot.

The proposed development will include 17 parking spaces at a 45 degree angle, including one ADA accessible space). Wheel stops will be installed at each parking space. A Green Wrought Iron Fence (per Downtown Centennial Plan detail) will be installed along the public streets in order to provide parking lot screening.

The width of the existing driveway along Rue Clark will be adjusted by the installation of the fence. The width of the existing driveway on Casino Center Blvd will be increased to accommodate one way traffic and avoid conflict with the existing amenities in the sidewalk.

We will work with the CLV Traffic Department to adjust the width.

Due to space limitation, we would like to request the following waivers:

- landscape buffer along the public streets and the parking lot landscaping
- setback requirement for a parking lot
- solid block wall along the northerly property line

We believe, that the proposed use is compatible with the adjacent developments and will not be detrimental to the health, safety or welfare of the community, nor will substantially increase traffic in the area.

Attached is a Site Plan and pictures of the existing improvements in the surrounding area.

If you require further information, please feel free to contact me at (702) 216-0330.

Sincerely,



Petya Balova, P.E.
Balova Engineering



SDR-44604

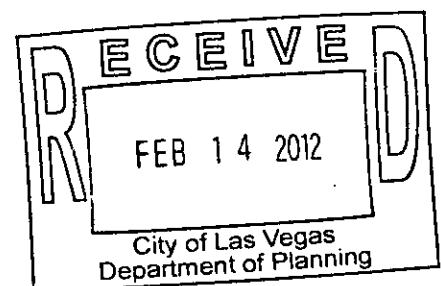
APN 139-34-311-049
F C L W VEGAS LLC

LEGAL DESCRIPTION

THAT PORTION OF THE NORTH HALF (N ½) OF THE SOUTHWEST QUARTER (SW ¼)
OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M., DESCRIBED AS
FOLLOWS:

LOTS 19 AND 20 IN BLOCK 10 OF CLARKS LAS VEGAS TOWNSITE SUBDIVISION,
RECORDED IN BOOK 1 OF PLATS, PAGE 37 OF CLARK COUNTY, NEVADA OFFICIAL
RECORDS.

CONTAINING 0.16 ACRES, MORE OR LESS.



3c

Inst #: 201107180001907

Fees: \$16.00

N/C Fee: \$25.00

07/18/2011 01:34:58 PM

Receipt #: 847519

Requestor:

AM PM LEGAL SOLUTIONS

Recorded By: BJB Pgs: 3

DEBBIE CONWAY

CLARK COUNTY RECORDER

APNs# 139-34-311-001, 002, 003, 007, 008,
009, 010, 011, 012, 013, 014, 015,
016, 017, 018, 019, 020, 021, 022,
023, 024, 025, 026, 027, 028, 029,
030, 031 and 049
139-34-302-009
139-34-210-014, 015, 017 and 018

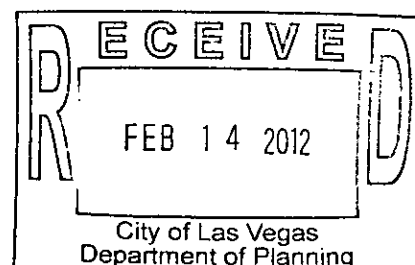
Recording Requested by and Return to:

Name Gregg R. Vermeys, Esq.
Greenberg Traurig, LLP
Address 3773 Howard Hughes Parkway, Suite 400N
City/State/Zip Las Vegas, NV 89169

**State of Delaware Certificate of Merger of Domestic
Limited Liability Companies**
(Title on Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2 (Additional recording fee applies).

This cover page must be typed or printed clearly in black ink only.



**STATE OF DELAWARE
CERTIFICATE OF MERGER OF
DOMESTIC LIMITED LIABILITY COMPANIES**

Pursuant to Title 6, Section 18-209 of the Delaware Limited Liability Act, the undersigned limited liability company executed the following Certificate of Merger:

FIRST: The name of the surviving limited liability company is

FC/LW Vegas, LLC
and the name of the limited liability company being merged into this surviving limited liability company is L/W TIC Successor LLC

SECOND: The Agreement of Merger has been approved, adopted, certified, executed and acknowledged by each of the constituent limited liability companies.

THIRD: The name of the surviving limited liability company is
FC/LW Vegas, LLC

FOURTH: The merger is to become effective on February 28, 2011

FIFTH: The Agreement of Merger is on file at 50 Public Square, #1360
Cleveland, OH 44113
the place of business of the surviving limited liability company.

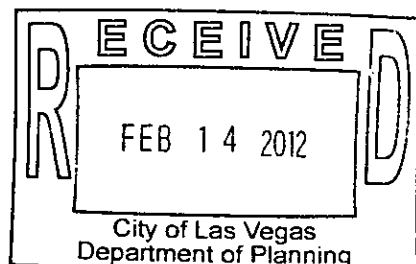
SIXTH: A copy of the Agreement of Merger will be furnished by the surviving limited liability company on request, without cost, to any member of the constituent limited liability companies.

IN WITNESS WHEREOF, said limited liability company has caused this certificate to be signed by an authorized person, the 28th day of February, A.D.,
2011

By: Layton McCown
Authorized Person

Name: Layton McCown
Print or Type

Title: Exec VP and Asst. Sec on behalf of Member



Delaware

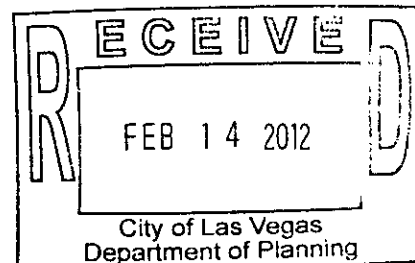
PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"L/W TIC SUCCESSOR LLC", A DELAWARE LIMITED LIABILITY COMPANY,

WITH AND INTO "FC/LW VEGAS, LLC" UNDER THE NAME OF "FC/LW VEGAS, LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-EIGHTH DAY OF FEBRUARY, A.D. 2011, AT 3:01 O'CLOCK P.M.



4878892 8100M

110235111

You may verify this certificate online
at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 8593223

DATE: 03-01-11

FC VEGAS 20, LLC

Business Entity Information			
Status:	Active	File Date:	6/07/2007
Type:	Domestic Limited-Liability Company	Entity Number:	E0401542007-0
Qualifying State:	NV	List of Officers Due:	6/30/2012
Managed By:	Managing Members	Expiration Date:	
NV Business ID:	NV20071089686	Business License Exp:	6/30/2012

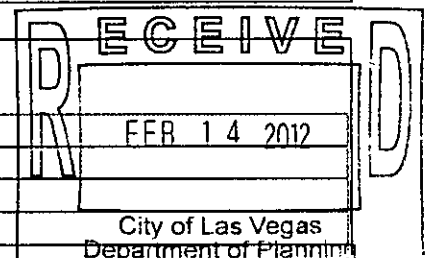
Additional Information	
Central Index Key:	

Registered Agent Information			
Name:	THE CORPORATION TRUST COMPANY OF NEVADA	Address 1:	311 S DIVISION ST
Address 2:		City:	CARSON CITY
State:	NV	Zip Code:	89703
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	NV
Mailing Zip Code:			
Agent Type:	Commercial Registered Agent - Corporation		
Jurisdiction:	NEVADA	Status:	Active

Financial Information	
No Par Share Count:	0
Capital Amount:	\$ 0
No stock records found for this company	

Officers		☐ Include Inactive Officers
Managing Member - CANTON CENTRE MALL LIMITED PARTNERSHIP		
Address 1:	50 PUBLIC SQUARE	Address 2:
City:	CLEVELAND	State:
Zip Code:	44113	Country:
Status:	Active	Email:
Managing Member - ROLLING ACRES PROPERTIES CO., LIMITED PARTNERSHIP		
Address 1:	50 PUBLIC SQUARE, SUITE 1360	Address 2:
City:	CLEVELAND	State:
Zip Code:	44113	Country:
Status:	Active	Email:

Actions\Amendments			
Action Type:	Articles of Organization		
Document Number:	20070397309-70	# of Pages:	1
File Date:	6/07/2007	Effective Date:	
(No notes for this action)			



FC/LW VEGAS, LLC**Business Entity Information**

Status:	Active	File Date:	2/02/2011
Type:	Foreign Limited-Liability Company	Entity Number:	E0061272011-1
Qualifying State:	DE	List of Officers Due:	2/29/2012
Managed By:		Expiration Date:	
NV Business ID:	NV20111079798	Business License Exp:	2/29/2012

Additional Information

Central Index Key:	
--------------------	--

Registered Agent Information

Name:	THE CORPORATION TRUST COMPANY OF NEVADA	Address 1:	311 S DIVISION ST
Address 2:		City:	CARSON CITY
State:	NV	Zip Code:	89703
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	NV
Mailing Zip Code:			
Agent Type:	Commercial Registered Agent - Corporation		
Jurisdiction:	NEVADA	Status:	Active

Financial Information

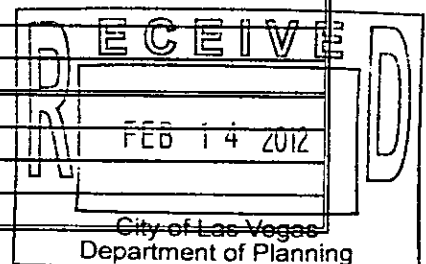
No Par Share Count:	0	Capital Amount:	\$ 0
---------------------	---	-----------------	------

No stock records found for this company**Officers**☐ Include Inactive Officers**Managing Member - FC VEGAS 20, LLC**

Address 1:	50 PUBLIC SQUARE, SUITE 1360	Address 2:	
City:	CLEVELAND	State:	OH
Zip Code:	44113	Country:	
Status:	Active	Email:	

Actions\Amendments

Action Type:	Application for Foreign Registration		
Document Number:	20110086886-50	# of Pages:	1
File Date:	2/02/2011	Effective Date:	
(No notes for this action)			
Action Type:	Initial List		
Document Number:	20110338981-66	# of Pages:	1
File Date:	5/05/2011	Effective Date:	
(No notes for this action)			



ARTUS INC.

UNANIMOUS WRITTEN CONSENT OF THE BOARD OF DIRECTORS IN LIEU OF ANNUAL MEETING

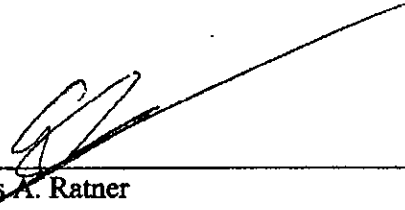
The undersigned, being all of the directors of Artus Inc., an Ohio corporation (the "Corporation"), pursuant to Section 1701.54 of the Revised Code of Ohio, and in lieu of the scheduled annual meeting for 2011, do hereby consent, ratify and agree that the following resolutions be, and they hereby are, adopted by unanimous written consent of the Board of Directors of the Corporation effective as of December 15, 2011:

RESOLVED, that the following persons are elected to the offices of the Corporation set forth opposite their respective names, each to serve in accordance with the Amended and Restated Code of Regulations of the Corporation and at the discretion of the directors until his successor shall have been duly elected and shall have qualified:

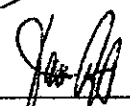
James A. Ratner	Chairman of the Board and President
Layton McCown	Vice President and Assistant Secretary
Robert G. O'Brien	Vice President
Judith A. Wolfe	Vice President
Duane F. Bishop, Jr.	Vice President
James W. Finnerty	Vice President – Tax
Linda M. Kane	Treasurer
Geralyn M. Presti	Secretary

FURTHER RESOLVED, that the undersigned hereby waive all formal requirements, including the necessity of holding a formal meeting, and any requirement that the notice of such meeting be given.

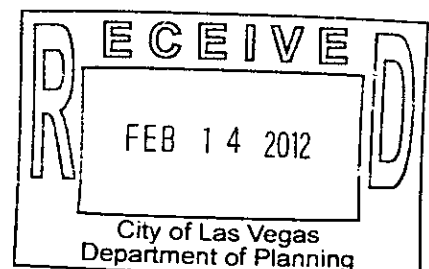
DATED: January 10, 2012



Charles A. Ratner



James A. Ratner



CERTIFICATE OF
SECOND AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF
ARTUS INC.

RECEIVED

JAN 25 2000

J. KENNETH BLACKWELL
SECRETARY OF STATE

David J. LaRue, who is Vice President and D. Layton McCown who is Assistant Secretary of the above named Ohio corporation for profit do hereby certify that in a writing signed by all the shareholders who would be entitled to a notice of a meeting held for that purpose, the following Second Amended and Restated Articles of Incorporation were adopted to supersede and take the place of the existing Articles and all amendments thereto.

FIRST: The name of the corporation (the "Corporation") is ARTUS INC.

SECOND: The address of the Corporation's principal business office in the State of Ohio is Terminal Tower, 50 Public Square, Suite 1160, City of Cleveland, County of Cuyahoga, Ohio 44113.

THIRD: The purpose for which the Corporation is organized is limited to serving as the general partner of Rolling Acres Properties Co. Limited Partnership, the owner of the Property and the exercise of any lawful act which may required in furtherance of the foregoing.

FOURTH: The aggregate number of shares which the Corporation is authorized to have outstanding is 500 shares of Common Stock, no par value, ("Common Stock").

FIFTH: For all purposes of these Second Amended and Restated Articles of Incorporation, the terms defined in this Article Fifth have the meanings assigned to them in this Article Fifth and include the plural as well as the singular.

"Affiliate" means, as to any Person, any other Person that, directly or indirectly, is in control of, is controlled by or is under common control with such Person or is a director or officer of such Person or of an Affiliate of such Person.

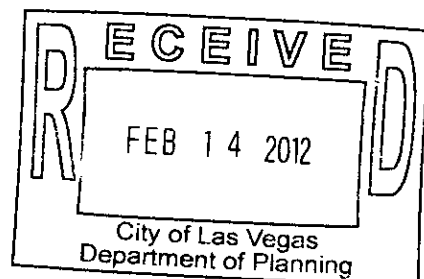
"Beneficiary" means the beneficiary as defined under the Deed of Trust or any subsequent holder of the Note.

"Borrower" means Rolling Acres Properties Co. Limited Partnership, or any entity which bears the obligation under the Note (as defined herein).

"Common Stock" has the meaning set forth in Article Fourth.

"Debt" means the outstanding principal amount set forth in, and evidenced by, the Note, together with all interest accrued and unpaid thereon and all other sums due to Beneficiary in respect of the Loan, including the Yield Maintenance Premium and any sums due under the Note, the Loan Agreement, the Deed of Trust or in any other Loan Document.

"Deed of Trust, Assignment of Leases and Rents and Security Agreement" (the "Deed of Trust") means the Deed of Trust between the Corporation and Nomura Asset Capital



Corporation, as such agreement may be amended or assigned from time to time in accordance with the amendment provisions set forth therein.

"Grantor" means the grantor as defined under the Deed of Trust (as defined herein) subsequent owner or owners of the Property or any part thereof or interest therein.

"Independent Director" means a Person who shall not have been at the time of such individual's appointment, and may not have been at any time during the preceding five years (i) a shareholder of, or an officer or employee of, the Corporation, the Borrower or any of its shareholders, subsidiaries or affiliates, (ii) a customer of, or supplier to the Corporation or any of its shareholders, subsidiaries or affiliates, (iii) a person or other entity controlling any such shareholder, supplier or customer, or (iv) a member of the immediate family of any such shareholder, officer, employee, supplier or customer of any other director of the Corporation or the Borrower. As used herein, the term "control" means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a person or entity, whether through ownership of voting securities, by contract or otherwise.

"Loan Documents" means any Note (as defined herein), any Deed of Trust (as defined herein), the security agreement, if any, between Grantor (as defined herein) and Beneficiary (as defined herein), the assignment of leases and rents, if any, made by Grantor to Beneficiary, the assignment of contracts, if any, made by Grantor to Beneficiary, and any other agreement, instrument, affidavit or document executed by Grantor and delivered to any Beneficiary in connection with any loan, as such Loan Documents may be assigned and assumed.

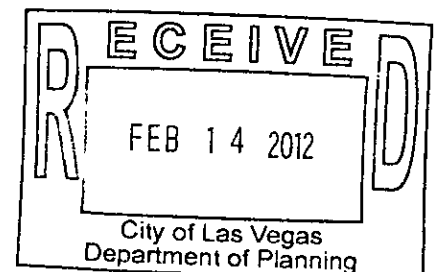
"Person" means any individual, corporation, association, company, joint-stock company, business trust, partnership, joint venture, limited liability company, unincorporated organization or government or agency or political subdivision thereof.

"Property" shall mean that certain parcel of real property and improvements thereon encumbered by the Deed of Trust, together with all rights pertaining to such property and improvements, as more particularly described in the Granting Clauses of the Deed of Trust and referred to therein as the "Property" or the "Mortgaged Property", as the case may be, and commonly known as Tucson Place Shopping Center in Tucson, Arizona.

"Solvent" means both (i) that the financial condition of such entity is such that the sum of such entity's debts is less than the aggregate, at fair valuation, of all of such entity's property (exclusive of property transferred, concealed or removed with intent to hinder, delay or defraud the corporation's creditors) and (ii) that such entity is paying its debts as such debts become due, unless such debts are the subject of a bona fide dispute.

SIXTH: At least one member of the Board of Directors shall be an Independent Director. Elections of directors need not be by written ballot except and to the extent provided in the Code of Regulations of the Corporation.

SEVENTH: Notwithstanding any other provision of these Second Amended and Restated Articles of Incorporation and any provision of law that otherwise so empowers the Corporation, the Corporation shall not, without the unanimous affirmative vote of the members of the Board of Directors, which vote must include the vote of the Independent Director, do any of the following:



(a) amend, alter, change or repeal Article Third, Article Fifth, Article Sixth, Article Seventh, Article Eighth, Article Tenth, or Article Eleventh of these Second Amended and Restated Articles of Incorporation, or amend, alter, change or repeal Section 22 of the limited partnership agreement of the Borrower;

(b) dissolve or liquidate, in whole or in part, consolidate or merge with or into any other entity or convey, sell or transfer its properties and assets substantially as an entirety to any entity, except as otherwise may be permitted under the Deed of Trust, or consent or engage in any of the foregoing for the Borrower;

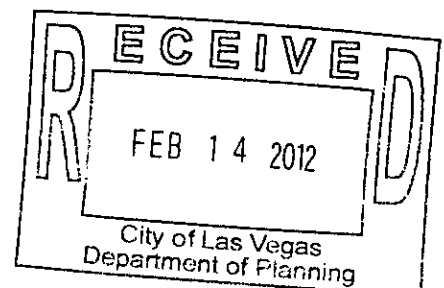
(c) engage in any business or activity other than as set forth in Article Third of these Second Amended and Restated Articles of Incorporation;

(d) file a voluntary petition or otherwise initiate proceedings to be adjudicated insolvent or seeking an order for relief as a debtor under the United States Bankruptcy Code, as amended (11 U.S.C. Section 101 et seq.), or file any petition seeking any composition, reorganization, readjustment, liquidation, dissolution or similar relief under the present or any future federal bankruptcy laws or any other present or future applicable federal, state, or other statute or law relative to bankruptcy, insolvency or other relief for debtors; or seek the appointment of any trustee, receiver, conservator, assignee, sequestrator, custodian, liquidator (or other similar official) of the Corporation or of all or any substantial part of the properties and assets of the Corporation, or make any general assignment for the benefit of creditors or admit in writing its inability to pay its debts generally as they become due, or declare or effect a moratorium on its debt or take any corporate action in furtherance of any such action, or consent or engage in any of the foregoing for the Borrower;

(e) engage in transactions outside of the ordinary course of business with any Affiliate.

EIGHTH: The Corporation shall (a) observe all corporate formalities, including the maintenance of current minute books, (b) maintain its own separate and distinct books of account and corporate records, (c) cause its financial statements to be prepared in accordance with generally accepted accounting principles in a manner that indicates the separate existence of the Corporation and its assets and liabilities, (d) pay all its liabilities out of its own funds, (e) in all dealings with the public, identify itself under its own name and as a separate and distinct entity, (f) independently make decisions with respect to its business and daily operations, and (g) maintain an arm's length relationship with Affiliates. The Corporation shall not (i) commingle its assets with those of any other Person, but may participate in the separate cash management system of Forest City Enterprises, Inc. ("FCE"), and may participate in the separate cash management system of Forest City Management, Inc. ("FCM") (FCE and FCM are collectively the "Account Manager") until the Account Manager, or any successor Account Manager becomes insolvent, either of them, or (ii) assume or guarantee the liabilities of any other Person or (iii) acquire obligations or securities of, or make loans or advances to, any Affiliate, other than participation in the Account Manager's cash management system after Borrower pays its monthly debt obligation.

NINTH: To the full extent permitted by the Ohio Revised Code or any other applicable laws presently or hereafter in effect, no director of the Corporation shall be personally liable to



JAN. 25. 2000 2:15PM

FOREST CITY LEGAL

NO. 4373 P. 5

the Corporation or its stockholders for or with respect to any acts or omissions in the performance of his or her duties as a director of the Corporation. Any repeal or modification of this Article Ninth shall not adversely affect any right or protection of a director of the Corporation existing immediately prior to such repeal or modification.

TENTH: Each person who is or was or had agreed to become a director or officer of the Corporation, and each such person who is or was serving or who had agreed to serve at the request of the Board of Directors or an officer of the Corporation as an employee or agent of the Corporation or as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise (including the heirs, executors, administrators or estate of such person), shall be indemnified by the Corporation to the full extent permitted by the Ohio Revised Code or any other applicable laws as presently or hereafter in effect, provided however that such indemnification shall not constitute a claim against the corporation as long as the Debt is outstanding. Any repeal or modification of this Article Tenth shall not adversely affect any right or protection existing hereunder immediately prior to such repeal or modification.

ELEVENTH: The Corporation may not incur any debt, except for liability incurred as a Borrower in the ordinary course of business, while the rated obligations are outstanding.

TWELFTH: These Second Amended and Restated Articles of Incorporation take the place of and supersede the existing Articles of Incorporation as heretofore amended.

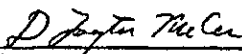
IN WITNESS WHEREOF, the undersigned being the officers hereinabove named, acting for and on behalf of the Corporation, do hereunto subscribe their names on this Second Amended and Restated Articles of Incorporation as of this 25th day of January, 2000.

By:



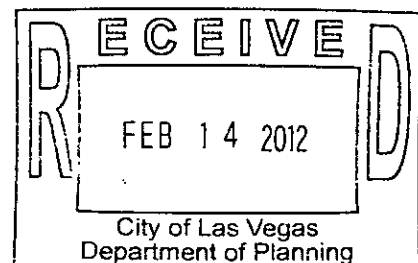
David J. LaRue
Vice President

By:



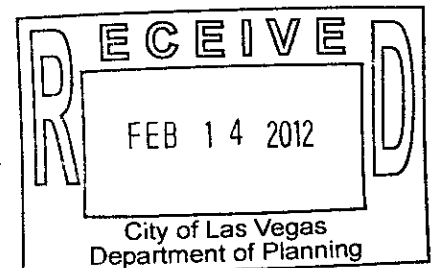
D. Layton McCown
Assistant Secretary

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[Print this report](#)**Corporation Details**

Corporation Details								
Entity Number	568597							
Business Name	ARTUS INC							
Filing Type	CORPORATION FOR PROFIT							
Status	Active							
Original Filing Date	01/30/1981							
Expiry Date								
Location: CLEVELAND	County: CUYAHOGA	State: OHIO						
Agent / Registrant Information								
FCE STATUTORY AGENT, INC. 50 PUBLIC SQUARE, SUITE 1360 CLEVELAND, OH 44113 Effective Date: 09/14/2005 Contact Status: Active								
Incorporator Information								
PERRY TENENBAUM								
Share Information								
	<table border="1"> <thead> <tr> <th>Type</th> <th>Par Value</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>NO PAR COMMON</td> <td>0.00</td> <td>500</td> </tr> </tbody> </table>	Type	Par Value	Total	NO PAR COMMON	0.00	500	
Type	Par Value	Total						
NO PAR COMMON	0.00	500						
Filings								
Filing Type	Date of Filing	Document Number/Image						
DOMESTIC ARTICLES/FOR PROFIT	01/30/1981	E863 0310						
DOMESTIC CONTINUED EXISTENCE LETTER	09/09/1993	000000028543						
DOMESTIC CONTINUED EXISTENCE	10/26/1993	000000028544						
MISCELLANEOUS FILING	03/03/1997	5760 1036						
DOMESTIC/AMENDED RESTATED ARTICLES	03/03/1997	5760 1036						
MERGER/DOMESTIC	03/11/1997	5778 1474						
MISCELLANEOUS FILING	03/11/1997	5778 1474						
DOMESTIC AGENT SUBSEQUENT APPOINTMENT	10/29/1997	6114 0424						
AGENT NAME/ADDRESS TAX UPDATE	04/07/1999	AGNTUPDT						
DOMESTIC AGENT SUBSEQUENT APPOINTMENT	10/20/1999	200001100748						
DOMESTIC/AMENDED RESTATED ARTICLES	01/25/2000	200003100883						
DOMESTIC AGENT ADDRESS CHANGE	09/14/2005	200526301354						





Prescribed by **J. Kenneth Blackwell**

Ohio Secretary of State

Central Ohio: (614) 466-3910

Toll Free: 1-877-SOS-FILH (1-877-767-3453)

Mail Form to:

Ohio Secretary of State

180 E. Broad St, 16th Floor

Attn: Multiple Agent Change

Columbus, OH 43215

www.state.oh.us/sos

e-mail: busserv@sos.state.oh.us

MULTIPLE AGENT NAME AND ADDRESS CHANGE

(For Domestic or Foreign, Profit or Non-Profit)

(1) ☐ Request to standardize address for Statutory Agent on record.

Filing Fee \$125.00

(2) ☒ Change Agent name or address for entities listing the agent indicated below as current Statutory Agent.

Filing Fee \$125.00 plus \$3.00/change

Complete the information in this section for the box checked above

Current Agent Name: FCE Statutory Agent, Inc.

Current Agent Address: 50 Public Square

1160 Terminal Tower

Cleveland

(City)

Ohio

(State)

44113

(Zip Code)

Complete the information in this section if Box (1) is checked

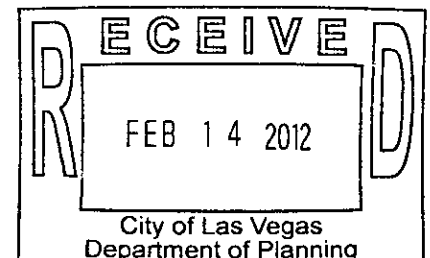
I hereby request the Secretary of State to standardize the name and address for the Statutory Agent indicated above as shown. I acknowledge that entities containing an agent address that are not a variation of the above address will not be changed. I also hereby request that the Secretary of State use the above address for future filings that name the above corporation or person as agent. I agree to use the assigned number issued by the Secretary of State to assist in the standardization process. **Please note: Only active entities can have their agent information updated.**

(Authorized Signature)

(Print Name)

(Date)

2257



Complete the information in this section if Box (2) is checked

Please note that the Name of Agent can only be changed if: The person who is agent has legally changed their name; if the Agent is a corporation whose name has changed through an amendment or a merger, in which they are the survivor and on record with the Secretary of State's office. Only active entities can have their agent information changed.

New Agent Name FCE Statutory Agent, Inc.

(If Applicable)

New Agent Address: 50 Public Square, Suite 1360

Cleveland

(City)

Ohio

(State)

44113

(Zip Code)

☐ I wish to have the Secretary of State produce a listing of all entities for which the name and address given under Current information above is listed as the Statutory Agent.

☒ I wish to have the Secretary of State produce a listing of all entities for the agent named above, regardless of the agent address currently listed.

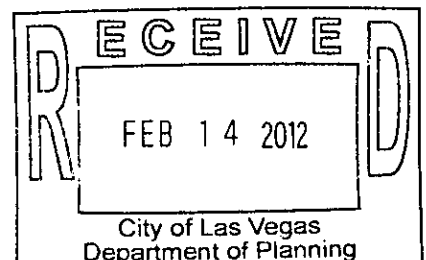
I hereby agree to pay the \$125.00 fee for the listing the Secretary of State will produce as indicated above. I will then review the list, indicate which entities to have the Agent Address information changed and which entities not to change. I will return said listing with a filing fee equal to \$3.00 for every entity address to be changed. I agree to use the assigned number issued by the Secretary of State to assist in the standardization process.


(Authorized Signature)

GERALYN M. PRESTI, President

(Print Name)

1315105
(Date)



**CERTIFIED RESOLUTION OF THE
BOARD OF DIRECTORS OF**

**ARTUS, INC.
an Ohio corporation**

The undersigned as Secretary of Artus, Inc., an Ohio corporation (the "Corporation"), hereby certifies that a special meeting of the Board of Directors of the Corporation duly called and held on the 1st day of November, 2010, at which a quorum was present and acting throughout, the following resolutions were duly adopted by the unanimous vote of all directors present, and the same be and are presently in full force and effect.

WHEREAS, FC/LW Vegas, LLC, a Delaware limited liability company ("FC/LW") has entered into various contracts and agreements for a project known as the City Hall and Las Vegas Land Project (the "Project"); and

WHEREAS, FC Vegas 20, LLC, a Nevada limited liability company ("Vegas 20") is the managing member of FC/LW ; and

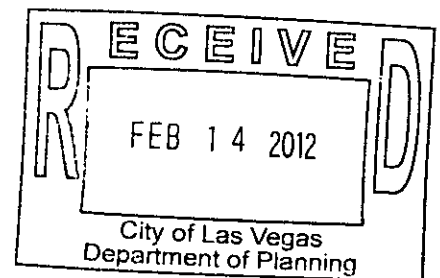
WHEREAS, Rolling Acres Properties Co. Limited Partnership, an Ohio limited partnership ("Rolling Acres") is the managing member of Vegas 20; and

WHEREAS, the Corporation is the general partner of Rolling Acres; and

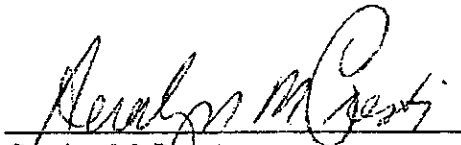
NOW, THEREFORE, BE IT RESOLVED:

RESOLVED, that the Directors hereby approve, consent to and ratify the election of Eric Louttit, as Vice President of the Corporation to execute and enter into all documents and agreements as are necessary for the Project, and Eric Louttit is to serve as such officer until a successor is appointed and qualified. All prior actions taken by Eric Louttit as Vice President for this Corporation are hereby ratified and confirmed; and

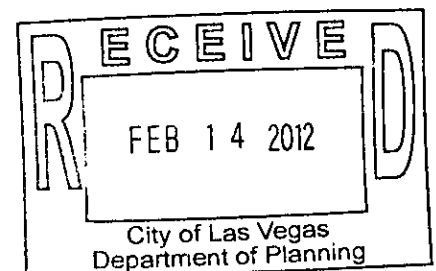
FURTHER RESOLVED, that the undersigned hereby waives all formal requirements, including the necessity of holding a formal meeting, and any requirement that the notice of such meeting be given.



IN WITNESS WHEREOF, the undersigned executed this Certified Resolution of the Board of Directors on the 1st day of November, 2010.



Geralyn M. Presti
Secretary



City Of Las Vegas Department Of Planning Pre-Application Conference Notes

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Project Name: Ametrine Parking Lot

APN(s):	139-34-311-049	Pre-app Date:	01/19/12
Location:	526 South Casino Center Boulevard	Meeting Location:	DSC Conference Room 3E - 333
Ward #:	3 - Coffin	Acres:	.16
		Time:	4:00 p.m.

Ownership Info:	F C L W VEGAS L L C %G VERMEYS %GREENBERG TRAUIG LLP 3773 HOWARD HUGHES PKWY #400N LAS VEGAS NV 89169-5956	Last Change of Ownership Date:	07/18/11
	Phone: (702)-	Fax: (702)-	Email:

Applicant Info:	Phone: (702)-	Fax: (702)-	Email:
------------------------	----------------------	--------------------	---------------

Representative Info:	Petya Balova	Phone: (702)-216-0330	Fax: (702)-	Email:
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Use:	Existing:	vacant
	Proposed:	Commercial Parking Lot (Temporary, up to 36 mos)
General Plan:	Existing:	C (Commercial)
	Proposed:	No change proposed
Zoning:	Existing:	C-2 (General Commercial)
	Proposed:	No change proposed

Special Area, Master Plans, and / or Overlay Districts that Apply:	Airport Overlay 200 Feet, Downtown Centennial Plan-Office Core, LV Redevelopment Plan and Live/Work Overlay
	Special Land Use Designation (per plan, if applicable): N/A

☒ **Meeting**
☐ **Email**
☐ **Conversation Record**
☐ **Telephone Record**

Between CLV Planning Representative: Yorgo Kagafas, Senior Planner (229-6196 Office / 385-7268 Fax / gkagafas@lasvegasnevada.gov), and:

Name	Company/Department	Phone	Fax	Email
1. Petya Balova	Balova Engineering	702-216-0330		
2.				
3.				
4.	CLV - Planning			
5.	CLV - Planning / Business License	229-6321	383-0769	
6.	CLV - PW - Dev Co	229-6578	474-7599	
7.	CLV - PW - Traffic	229-6901 / 6880		
8.	CLV - PW - Flood	229-6541	382-8551	
9.	CLV - Building and Safety	229-6251	382-1731	
10.	CLV - Fire and Rescue	229-0366	229-0124	
11.	CLV - Economic Development	229-6551	385-3128	

OR: ☐ see Meeting Attendance Sheet

-- Please return a copy of this completed form with the original Pre-Application Submittal Checklist --

****Complete Submittal Packets MUST be received by Planning staff no later than 2:00 PM of the Submittal Deadline Date, no exceptions****

City of Las Vegas Department of Planning Pre-Application Conference Notes

Is this project intended to promote Sustainability (i.e. use "Green Building" technology)? ☐ YES ☒ NO
If yes, Please detail how in the justification letter. Refer to <http://www.lasvegasnevada.gov/sustaininglasvegas> for more information on rebates and incentives offered through the City of Las Vegas.

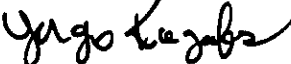
Meeting Notes:

1. This project will require a Site Development Plan Review (Minor) for a Temporary Parking Lot in the Downtown Centennial Plan Overlay.
2. All streetscape amenities must remain. If a streetlight needs to be relocated, it must be relocated on the parcel frontage.
3. The required Green Parking Lot Screening Fence is required along both Rue Clark and Casino Center.
4. This temporary parking lot will expire 36 months after written approval is received.
5. Traffic Engineering will work with the applicant to retain the existing driveway on Casino Center.

Pre-Application Conference		City Of Las Vegas Department Of Planning Submittal Checklist (Cont.)						
Item Required								
YES	NO	APPLICATION PACKET (ALL ITEMS IN THIS SECTION ARE REQUIRED FOR EACH APPLICATION TYPE, unless indicated otherwise)		Fees				
☒	☐	Application(s) signed and notarized by property owner(s) or authorized agent(s) for all subject lots	Visit the CLV website For blank application, SOFI & DINA/PRS forms, and justification letter info @ http://www.lasvegasnevada.gov/ (Follow - "I Want To..." -> "Apply for -> Planning Applications")	Appl. Type	Application	Notification	Recordation	Sub-Total
☒	☐	Statement(s) of Financial Interest (SOFI) signed and notarized by property owner(s) or authorized agent(s) for all subject lots						
☒	☐	Detailed justification letter (the same letter addressing all applications, included with each application)						
☐	☒	Development Impact Notice and Assessment (DINA) / Project of Regional Significance (PRS)						
☒	☐	Grant deed and legal description (from County Assessor; may be available online at: http://www.accessclarkcounty.com/depts/Assessor/Pages/assessor.aspx)						
☒	☐	Meeting notes and checklist signed by city planner (Originals, plus 1 copy for each additional application)						
☐	☒	Copy of Business License(s) – requested, but submittals will be accepted without						
☐	☒	Cop(ies) of approval letter(s) for						
☐	☒	Neighborhood Meeting (see General Plan submittal req's for details) – Add neighborhood meeting fee: Applicant only to notify, add \$0; Mailing labels only, add: \$50; Full notification, add: \$500						
☒	☐	Photo Reproduction of the Color & Materials Board (SDR applications only)						
					Subtotal:		\$ 5000.00	
					Grand Total All Fees:		\$500.00	
REQUIRED DRAWINGS (INCLUDES TOTAL NUMBER REQUIRED FOR ALL APPLICATION TYPES): MUST BE 11" X 17" MINIMUM TO 24" X 36" MAXIMUM PAGE SIZE ALL SUBMITTED PLANS AND ELEVATIONS MUST BE LEGIBLE AND DRAWN TO SCALE (UNLESS OTHERWISE INDICATED)								
☒	☐	SITE PLAN		TOTAL REQUIRED FOR ALL APPLICATIONS				
		North arrow, scale, and vicinity map		Folded Plans (5, plus 1 per application):		6		
		All property lines and present dimensions labeled		Colored, Rolled Plans:		1		
		All building setbacks labeled		Reduced Copy (8-1/2"x11" B/W; 1 per application):		1		
		All adjacent existing land uses and street names labeled		NOTES: Landscape plan may be included with site plan but must be labeled as such.				
		All points of ingress and egress shown						
		ADA accessibility requirements shown/labeled						
		Parking standard(s) utilized:						
		Parking space count and typical dimensions labeled # regular + [30% or less of total] # compact + # handicap = Total						
		For residential subdivisions, provide a connectivity calculation						
		All free-standing sign locations shown and heights and sizes noted						
☒	☐	LANDSCAPE PLAN		TOTAL REQUIRED FOR ALL APPLICATIONS				
		North arrow, scale, and vicinity map		Folded Plans (1 per application):		1		
		All property lines and present dimensions labeled		Colored, Rolled Plans:		1		
		All required perimeter landscape planters shown		Reduced Copy (8-1/2"x11" B/W; 1 per application):		1		
		All required parking lot fingers/islands shown						
		Quantity, size, species/variety of all trees, shrubs, and ground cover						
☐	☒	BUILDING ELEVATIONS		TOTAL REQUIRED FOR ALL APPLICATIONS				
		Scale and building dimensions labeled		Folded Plans (1 per application):		0		
		North, south, east, and west elevations of all buildings		Colored, Rolled Plans:		0		
		All building materials and colors noted		Reduced Copy (8-1/2"x11" B/W; 1 per application):		0		
		All wall sign locations shown and sizes noted		NOTES: Seating Capacity (where applicable)				
☐	☒	FLOOR PLANS		TOTAL REQUIRED FOR ALL APPLICATIONS				
		Scale and building dimensions labeled		Folded Plans (1 per application):		0		
		North arrow and scale		Rolled Plans:		0		
		All building entrances/exits shown		Reduced Copy (8-1/2"x11" B/W; 1 per application):		0		
		Use of all rooms noted/labeled		NOTES: Seating Capacity (where applicable)				
		Maximum Occupancy (per I.B.C.)						
		Seating Capacity (where applicable)						
CONTINUED NEXT PAGE								

Pre-Application Conference	City Of Las Vegas Department Of Planning Submittal Checklist (Cont.)
Item Required	

THIS FORM MUST ACCOMPANY THE APPLICATION SUBMITTAL and is valid for no more than 60 days after the Pre-App date.

APN(s):	139-34-311-049	Application Type:	Site Development Plan Review , Minor Review
Location:	526 S. Casino Center Boulevard	Application Purpose:	Parking Lot, Commercial (Temporary)
Ward:	3 - Coffin	Pre-App. Meeting Date:	01/19/12
Planner's Signature:		Submittal Deadline:	Minor Review - Within 60 Days
Planner:	Yorgo Kagafas, Senior Planner - 229-6196 - 229-	Earliest PC / CC Meeting Dates:	Minor Review

Should this project require a neighborhood meeting or if you choose to have one, please be aware of the following:

In order to use the City to mail the postcard notices for your neighborhood meeting, you must have all information to us no later than 15 days prior to the intended meeting date. Submitting the required information for the neighborhood meeting when making your application submittal is often best. Therefore, if you want the City to mail the notices for your neighborhood meeting, please ensure that we get all required information and that the request is made at least 15 days before you are scheduling the meeting, otherwise you must make other arrangements for getting the notices mailed.