

December 11, 2007

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

RE: Gateway Las Vegas Project – Special Use Permit (SUP) 26073

This statement acknowledges our understanding of the Urban Lounge Minimum Special Use Permit requirements:

1. The use is limited to the area located within the boundaries of the Las Vegas Arts District, as described in the Downtown Centennial Plan and as amended from time to time.
2. For each seat provided at the bar of the establishment, there must be a minimum of two (2) seats within a lounge area located away from the bar.
3. The use is subject to the provisions of Chapter 6.40 relating to gaming and Chapter 6.50 relating to liquor control.
4. Requirements regarding parking were reviewed during the Pre-Application Conference.

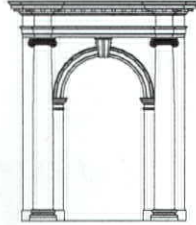
Sincerely,
Nir Buras, Ph.D., AIA, ICA & CA
Nir Buras, LLC
502 D Street S.E.
Washington, DC 20003

On Behalf Of

Mr. Paul Murad
METROPLEX Group
900 South Fourth Street, Suite 211
Las Vegas, Nevada 89101

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**RE: Justification
Gateway Las Vegas Project – Special Use Permit (SUP) 26073**

We have been proceeding diligently in developing this project over the past two years and are preparing to begin construction in January 2009. Please accept this application for the Gateway Las Vegas (Gateway) Project Urban Lounge. .

The intended use of the property, how the project meets/supports existing City policies and regulations and other issues are described below:

- a. A Site Development Plan Review Amendment to SDR 10785;
- b. An Extension of Time for SUP 10782, and
- c. An application for a Special Use Permit for an Urban Lounge with Gaming for the Project.

The (Gateway) Project is located at 401 East Charleston Boulevard within the Downtown Centennial Plan and the Arts District. This mixed-use project includes 442 residential units with amenities, and about 3,000 square feet of commercial area. The building is 41 stories, with first floor retail, floors 2- 10 parking, floors 11-39 residential units and two floors of mechanical. The overall height is 460 feet, as approved by the FAA. The project is located within the Downtown Centennial Plan and is located within the Arts District.

The amenities provided by this project are the same as in the SDR and include:

- Meditation Space;
- Gym;
- Spa;
- Pool;
- Entertainment/ Club Room.

While the upper levels will have incredible views, the Club Level atop the parking podium will provide a sheltered recreational environment. The arcaded ground level will house the Urban Lounge and small retail amenities as well as some office space.

The Urban Lounge conforms to the planning direction for the Arts District and is proposed to include a lounge area of 2,980SF, 16 bar stools and 32 lounge chairs as well as five (5) gaming machines.

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The reason for applying for this permit prior to the completion of the building is that the Lounge is intended to provide additional revenues to the project and is therefore an important added value to the financial pro forma presented at this time to financial institutions.

In preparation for the execution of this project, we have sought and found an architecture design suitable for and expressive of the concept of a Gateway to Downtown Las Vegas.

In summary, we have chosen to develop a landmark structure built on classical lines containing a Gateway motif that appears at several levels in the design.

This motif communicates the urban role of the Project from its ground level gateways that denote entry to the building for pedestrians and motorists alike, from its mid-level gateways visible to people driving a few blocks away from the building, and from its top which symbolically embodies its role as a Gateway landmark to Downtown Las Vegas.

On several counts this is a forward-looking design. The unit mix is designed to easily accommodate shifts in the marketplace. It is designed for enduring quality, and will be built using skills and materials that have withstood the test of time. It avoids the vicissitudes of fashion by choosing a style that is constantly loved by all. Rather than a tribute to its designers and builders, the Gateway is an acknowledgment of the growth of Downtown Las Vegas.

The design is intended to convey a pleasant sustainability and reflect the building's long term "green" contribution to environment. Its timelessness ensures that it will look good when weathered and its forms will never become obsolete. Belonging to the same tradition as the Old Post Office, Fifth Street Elementary School and Las Vegas High School, the Gateway will promote the type of personal and collective memories that underpin the city of Las Vegas' community and culture. Beautiful units and comfortable amenities will promote residents' health, while its beautiful form will empower the community.

The proposed materials are brick or stucco or EIFS for the body of the building; stone or cast stone trim; cast iron balcony rails; and standing seam metal for the building's traditional roof which creates a statement of shelter to its users and comfort to passers by. The building might also feature an illuminated sign with the name of the building at its top, announcing the resurgence of Downtown Las Vegas.

The new design is consistent with the approvals of the original entitlement.

1. We are maintaining all of the amenities zones, sidewalks and landscaping as approved in the SDR 10785.

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2. We are maintaining the setback as in the SDR at the top of the tenth story.
3. We are providing the required building setback along Charleston Boulevard and are proposing to have it be a covered pedestrian arcade or colonnade. Furthermore we are continuing this feature along Fourth Street. While providing amenities to passers by as well as an outdoor patio for residents and guests, the building also meets the Downtown Architectural Design Standards that require 70% of the structure to be located on the build-to-line with this feature.
4. To make the space commodious we are providing a 12-foot deep colonnade wider than the required 10 foot setback along Charleston Boulevard.
5. We are proposing to nearly double the valet parking capacity as shown in the previous SDR and are absorbing much of this expanded amenity within the building line.
6. We are adding an additional floor of parking.

Therefore, the Special Use Permit, Site Development Plan Review as well as Urban Lounge with Gaming application as submitted meet the intent and purpose of Chapter 19.18.050 as the proposed project is:

1. Consistent with the General Plan, Title 19, and the Downtown Centennial Plan Design Standards and the City of Las Vegas Zoning Code;
2. Contributes to the long-term attractiveness of the City;
3. Contributes to the Economic Vitality of the Community; and,
4. Contributes to public safety, health and the general welfare.

We believe that the Gateway building will complement the fundamental planning, development and land use concepts championed by the City of Las Vegas and detailed in the Las Vegas *Downtown Centennial Plan* as well as the *2020 Master Plan*.

Furthermore, we believe that the project will be of benefit to both the City and building residents. During construction, a significant number of jobs will be created. After construction, careers will be offered to maintain and operate the luxury residential tower. Gateway will provide the premier architectural design and serve as a destination for tourists, residents and business people. Its unique image will stimulate a resurgence of activity in the Downtown area and enhance where people live, work and play.

As the North Strip becomes the epicenter for multibillion-dollar developments, the intersection of Las Vegas Boulevard and Sahara promises to rival major intersections farther south on the Strip. Thus, the corner of Las Vegas Boulevard and Charleston is indeed the Gateway to the Arts District and the redevelopment area of Downtown.

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In summary, the Gateway (including the Urban Lounge) will add jobs to the area, increase the property tax base, stimulate economic growth and create an architecturally pleasing project that will provide a **Gateway** to Downtown Las Vegas.

Thank you for your full consideration and approval of this request a Special Use Permit (SUP) 26073 regarding the Urban Lounge.

Sincerely,
Nir Buras, Ph.D., AIA, ICA & CA
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