



February 24, 2006

Mr. Paul Freed
Garces Venture, LLC
101 Convention Center Drive, Suite #1150
Las Vegas, Nevada 89109

RE: SDR-9153 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF JANUARY 18, 2006
RELATED TO SUP-9159

Dear Mr. Freed:

The City Council at a regular meeting held January 18, 2006 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 55-STORY, 833 SQUARE-FOOT MIXED-USE DEVELOPMENT, CONSISTING OF 349 RESIDENTIAL UNITS AND 6,000 SQUARE FEET OF COMMERCIAL SPACE, AND WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN STEPBACK REQUIREMENTS, STREETScape REQUIREMENTS, AND BUILD-TO-LINE REQUIREMENTS on 1.10 acres at the northwest corner of Las Vegas Boulevard and Garces Avenue (APNs 139-34-311-140, 141, 142 and 143), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on January 19, 2006. This approval is subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
2. The elevations are for a 668 foot high, 44 story building. All development shall be in conformance with the site plan and building elevations, date stamped 11/08/05, except as amended by conditions herein.
3. A Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, to allow a single stepback at the tenth story of the building.
4. A Waiver from the Downtown Centennial Plan build-to line requirement is hereby approved.

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5. A Waiver from the Streetscape requirements is hereby approved, except for the loading area along Garces Avenue shall be removed and replaced with sidewalk and shade trees subject to approval by the Planning and Development Department.
6. All requirements and conditions related to Special Use Permit (SUP-9159) shall be met.
7. A public sidewalk with a minimum width of 10 feet and a five-foot deep amenity zone directly adjacent to the curb is required along all street frontages in accordance with Graphic 7 and Graphic 8 of Subsection DS4.2 of the Downtown Centennial Plan. The sidewalk shall include a decorative paving treatment at the intersections. All streetscape treatments shall conform to match the Fourth Street improvements installed by the City of Las Vegas.
8. Palm trees shall be installed in the public right-of-way (Las Vegas Boulevard) as depicted on the landscape plan, and shall have a minimum height of 25 feet upon installation, as measured to the top of the brown trunk. Shade trees, in single or double rows, may be provided alternately between the required palm trees.
9. Shade Trees shall be installed in the public right-of-way (Garces Avenue) as depicted on the landscape plan and shall have a minimum 36-inch box trees spaced at 20 feet.
10. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
11. 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. The landscape plan shall include irrigation specifications.
12. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
13. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity. The overall building design and colors to be modified prior to the City Council meeting, subject to review and approval by the Planning and Development Department.
14. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j.

15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
16. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department 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.
17. 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.
18. Clark County Aviation written approval with no change in flight paths shall be submitted to the City of Las Vegas prior to issuance of building permits.
19. All City Code requirements and design standards of all City departments must be satisfied.
20. This development shall not exceed a height of 2,700 feet above Mean Sea Level.

Public Works

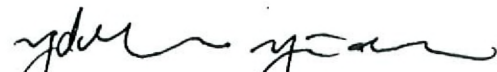
21. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary; comply with the recommendations of the City Surveyor.
22. Dedicate an additional five feet of right-of-way for a total half-street width of 45 feet on Las Vegas Boulevard adjacent to this site and a 10-foot radius on the northwest corner of Garces Avenue and Las Vegas Boulevard
23. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
24. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a. All structures and landscaping 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.

25. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.
26. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. ~~The Traffic Impact Analysis shall 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 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.
27. Landscape and maintain all unimproved rights-of-way, if any, on Las Vegas Boulevard and Garces Avenue adjacent to this site.
28. Submit an Encroachment Agreement for the proposed landscaping located in the Las Vegas Boulevard and Garces Avenue public rights-of-way adjacent to this site prior to occupancy of this site. No portion of the building may encroach into the right-of-way either at ground level or above.
29. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
30. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or

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construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

Sincerely,



Ydoleena Yturralde
Deputy City Clerk for
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP
Director
Planning and Development Department

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

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