



February 21, 2006

LAS VEGAS CITY COUNCIL

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CITY MANAGER

Mr. Todd L. Kessler
The Henry Brent Company, LLC
450 Fremont Street, Suite #310
Las Vegas, Nevada 89101

RE: SDR-10490 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF FEBRUARY 15, 2006
RELATED TO SUP-10491

Dear Mr. Kessler:

The City Council at a regular meeting held February 15, 2006 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 8,700 SQUARE FOOT EXPANSION OF AN EXISTING HOTEL/CASINO WITH A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETScape REQUIREMENTS; A WAIVER OF THE REQUIRED PARKING STRUCTURE SETBACK ALONG 4TH STREET; AND A WAIVER OF THE BUILD-TO REQUIREMENT ALONG OGDEN AVENUE on 3.12 acres at 206 North 3rd Street and 220 North 4th Street (APNs 139-34-510-019 AND 030) C-2 (General Commercial). The Notice of Final Action was filed with the Las Vegas City Clerk on February 16, 2006. This approval is subject to:

Planning and Development

1. A Special Use Permit (SUP-10491) to allow the expansion of the non-restricted gaming use approved by the City of Las Vegas.
2. 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
3. All development shall be in conformance with the site plan and building elevations, date stamped 11/29/05, except as amended by conditions herein.
4. A Waiver from the Downtown Centennial Plan streetscape requirements is hereby approved, to allow reduced sidewalk width along the Stewart Avenue and Ogden Avenue frontages, and to allow the use of concrete planters in place of street trees along the Ogden Avenue frontage, in accordance with the submitted landscape plan.

CITY OF LAS VEGAS
2 STEWART AVENUE
LAS VEGAS, NEVADA 89101

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5. A Waiver from the Downtown Centennial Plan parking structure setback requirement is hereby approved, to allow the proposed parking structure to be built directly at the property line at Fourth Street in accordance with the submitted site plan.
6. A Waiver from the Downtown Centennial Plan build-to line requirement is hereby approved, to allow a reduction in the 70% frontage requirement along Ogden Avenue in accordance with the submitted site plan.
7. The exterior of the pedestrian bridge shall be reconfigured so as to improve visibility of the historic Post Office building from the Third Street corridor.
8. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Plan Standards for all improvements not required to be constructed at this time as a result of the requested streetscape Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits for this site.
9. All encroachments into public rights-of-way, including the soffit and columns on the Ogden Avenue frontage and the marquee sign structure on the north side of the tower building, shall require the approval of an encroachment agreement. Failure to obtain approval of the encroachments shall require those elements to be redesigned and resubmitted to the Planning and Development Department for review.
10. New street light fixtures shall be installed in public rights-of-way abutting the site in accordance with specifications provided by the Public Works Department, and shall conform to the design of the fixtures in the Downtown Centennial Plan area.
11. All new palm trees installed in the public rights-of-way shall have a minimum brown trunk height of 25 feet in accordance with the Downtown Centennial Plan.
12. 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.
13. 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.
14. The ground-level elevations of the proposed parking structure and mechanical plant structure shall include additional architectural features and/or articulation, and revised elevations shall be submitted to Planning and Development Department staff for review and approval prior to consideration by City Council.

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15. Reflective glazing at the pedestrian level is prohibited. Any new glazing above the pedestrian level shall be limited to a maximum reflectance of 22% (as defined by the National Institute of Standards and Technology).
16. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
17. 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.
18. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
19. Signage shall be permitted in accordance with Title 19.06.100 and Title 19.14 of the Las Vegas Municipal Code.
20. 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.
21. All City Code requirements and design standards of all City departments must be satisfied.

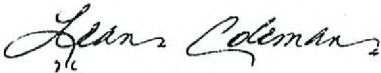
Public Works

22. Dedicate a 10 foot radius on the southwest corner of Stewart Avenue and Fourth Street prior to the issuance of any permits. This condition shall not be enforced if the applicant provides proof of existing private improvements that are intended to remain within the area to be dedicated throughout the development of this site.
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. Vacate the existing Public Sewer Easement in the alley between Third Street and Fourth Street or provide a sewer abandonment and relocation plan acceptable to the Collection System Planning Section of the Department of Public Works showing how public on-site sewer will be maintained prior to the issuance of any building permits for this site.
25. Landscape and maintain all unimproved rights-of-way, if any, on Fourth Street, Stewart Avenue, and Ogden Avenue adjacent to this site.

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26. Submit an Encroachment Agreement for all landscaping, if any, located in the Fourth Street, Stewart Avenue, and Ogden Avenue public rights-of-way adjacent to this site prior to the issuance of a Certificate of Occupancy for this site.
27. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

Sincerely,



Lean Coleman
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

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

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