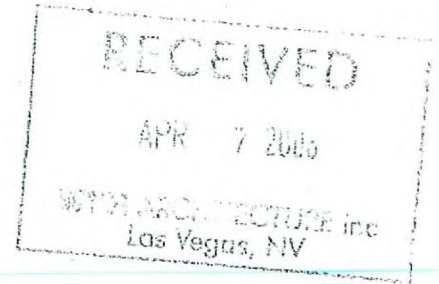




March 17, 2006



LAS VEGAS CITY COUNCIL

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DOUGLAS A. SELBY
CITY MANAGER

Mr. Meir Moas
Elite Tower, LLC
101 Convention Center Drive, Suite #820
Las Vegas, Nevada 89109

RE: SDR-11240 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF MARCH 15, 2006
RELATED TO SUP-11245 AND SUP-11249

Dear Mr. Moas:

The City Council at a regular meeting held March 15, 2006 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 45-STORY MIXED USE DEVELOPMENT, CONSISTING OF 451 RESIDENTIAL UNITS AND 7,940 SQUARE FEET OF RETAIL FLOOR SPACE; AND WAIVERS OF THE STEPBACK AND BUILD-TO-LINE STANDARDS OF THE DOWNTOWN CENTENNIAL PLAN on 0.80 acres at 801, 805, 809 and 815 South Casino Center Boulevard (APNs 139-34-410-066 through 069), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on March 16, 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. All development shall be in conformance with the site plan and building elevations, date stamped 02/17/06, except as amended by conditions herein.
3. Waivers from the Downtown Centennial Plan development standards for building step backs and build-to lines are hereby approved, to allow the building to be located five feet from the property line along Casino Center Boulevard and two feet from the Gass Avenue property line, and to have no building setbacks where the Plan calls for setbacks at the 4th, 11th and 18th floors.
4. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC&R's.



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04-16-08 CC

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5. All requirements and conditions related to Special Use Permits (SUP-11245 and SUP-11249) shall be met.
6. Along Casino Center Boulevard, the applicant shall provide for a public sidewalk with a minimum width of eight feet and a five-foot deep amenity zone directly adjacent to the curb, in lieu of the 11-foot sidewalk and five-foot amenity zone normally required along all north-south street frontages in accordance with Graphic 7 of Subsection DS4.2 of the Downtown Centennial Plan. The sidewalk and amenity zone along Gass Avenue shall meet the standards for east-west street frontages in accordance with Graphic 8 of Subsection DS4.2 of the Downtown Centennial Plan. All sidewalks shall include a decorative paving treatment at the intersections.
7. Palm trees shall be installed in the public right-of-way (Casino Center Boulevard) in accordance with Downtown Centennial Plan standards, 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. The site/landscape plan shall be revised to reflect these standards, to the satisfaction of the Planning and Development Department, prior to the issuance of any permits.
8. Shade trees shall be installed in the public right-of-way (Gass Avenue) in accordance with Downtown Centennial Plan standards and shall have a minimum 36-inch box trees spaced at 20 feet. The site/landscape plan shall be revised to reflect these standards, to the satisfaction of the Planning and Development Department, prior to the issuance of any permits.
9. All new developments shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan.
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. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance of 22% (as defined by the National Institute of Standards and Technology).

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23. 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 drainage ways as recommended.
24. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, 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 also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
25. Landscape and maintain all unimproved rights-of-way, if any, on Gass Avenue and Casino Center Boulevard adjacent to this site.
26. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Gass Avenue and Casino Center Boulevard public rights-of-way adjacent to this site prior to occupancy of this site.
27. 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.
28. 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 public 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 II for
Barbara Jo Ronemus, City Clerk

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

Mr. Doug Walton
WPH Architecture, Inc.
105 East Reno Avenue, Suite #6
Las Vegas, Nevada 89119

Mr. Robert Draskovich
815 South Casino Center Boulevard
Las Vegas, Nevada 89101

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