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April 21, 2006

Mr. Demetrius McWhorter
Big Mama's Rib Shack
2230 West Bonanza Road
Las Vegas, Nevada 89106

RE: SDR-11707 – VARIANCE
CITY COUNCIL MEETING OF APRIL 19, 2006
RELATED TO VAR-11712 AND VAR-11714

Dear Mr. McWhorter:

The City Council at a regular meeting held April 19, 2006 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 12-STORY MIXED-USE DEVELOPMENT CONSISTING OF 300 RESIDENTIAL UNITS AND 10,000 SQUARE FEET OF COMMERCIAL SPACE, WITH WAIVERS TO ALLOW A REDUCTION OF PERIMETER LANDSCAPE REQUIREMENTS, AND TO ALLOW A TEN-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 540 FEET IS THE MINIMUM SETBACK REQUIRED on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on April 20, 2006. This approval is subject to:

Planning and Development

1. Related Variances (VAR-11712 and 11714) approved by the City Council.
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 date stamped 03/06/06, and building elevations and landscape plans date stamped 02/07/06, except as amended by conditions herein.
4. Approval of this request shall expunge all previous related approvals for mixed-use development on the site.
5. Waivers from Perimeter Landscaping and Residential Adjacency Standards are hereby approved to allow a reduction of perimeter buffering along the east and west property lines, to allow 39 perimeter trees where 57 are required, and a 2.3-foot Residential Adjacency setback, where 580 feet is required.

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6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for building permit, to reflect an eight-foot screen wall along the north and east property lines.
7. The conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a Pedestrian Path along Bonanza Road as required by the Transportation Trails Element of the City of Las Vegas 2020 Master Plan. The path should consist of a five-foot path in the right-of-way, and a five-foot landscaped transition strip on the subject site. The property owner will be responsible for the maintenance of the trail.
8. Additional review of the proposed signage will be required when a more detailed signage plan is available for the site. All signage must comply with Title 19.14 of the Las Vegas Municipal Code.
9. 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.
10. 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.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
12. The elevations shall be approved by Planning and Development Department staff, prior to the time application is made for a building permit, to ensure that the proposed color palette is in conformance with the Commercial Development Standards outlined in Title 19.08. Buildings shall be finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds. Black, white and bright colors are not acceptable except as trim or accent colors on architectural details. Fluorescent colors are prohibited.
13. 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).
14. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

16. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
17. 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.
18. 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.
19. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

20. Coordinate with the City Surveyor to determine the appropriate mapping method for this site prior to the issuance of any permits or the submittal of a Map subdividing this site; comply with the recommendations of the City Surveyor. Grant a traffic signal chord easement on the northeast corner of Dike Lane and Bonanza Road.
21. Construct all incomplete half-street improvements on Dike Lane adjacent to this site 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. Also, 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.
22. Clarify the 20-foot wide easement shown on the east edge of this site plan; to whom is it granted and for what purpose. If it is existing, show book and page of the instrument which granted it.
23. Landscape and maintain all unimproved rights-of-way, if any, on Bonanza Road and Dike Lane adjacent to this site.
24. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Bonanza Road and Dike Lane public rights-of-way adjacent to this site prior to occupancy of this site.

25. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Bonanza Road public right of way adjacent to this site prior to the issuance of any permits.
26. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine offsite relief sewer requirements in Bonanza Road necessary to meet the demands of this development. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
27. 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.
28. 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

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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.

29. Site development to comply with all applicable conditions of approval for ZON-6510 and all other applicable site-related actions.
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 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.

Sincerely,

Angela Crolli
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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