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January 14, 2008

Mr. Mike Bosa
Solterra Holdings Nevada, LLC
460 Fraser View Place
Delta, British Columbia, Canada V3M6H4

RE: SDR-25265 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF JANUARY 9, 2008
RELATED TO SUP-25267 AND SUP-25268

Dear Mr. Bosa:

The City Council at a regular meeting held January 9, 2008 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 50-STORY MIXED USE DEVELOPMENT INCLUDING 15,000 SQUARE FEET OF COMMERCIAL SPACE AND 700 RESIDENTIAL CONDOMINIUM UNITS on 0.72 acres at the southeast corner of 1st Street and Gass Avenue (APNs 139-34-410-023, 024, 025 and 139-34-310-028), C-M (Commercial/Industrial) Zone [PROPOSED: C-2 (General Commercial) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on January 10, 2008. This approval is subject to:

Planning & Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-25069) and Special Use Permits (SUP-25267 and SUP-25268) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. The existing chain link construction fence must be brought into conformance with the Construction Standards outlined in Subsection VII.C.8 of the Downtown Centennial Plan.
4. All development shall be in conformance with the site plan and landscape plan, date stamped 12/05/07, and building elevations, date stamped 11/07/07 and 11/20/07, except as amended by conditions herein.
5. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a tentative map, to reflect the changes herein. Specifically, the streetscape and off-site improvements at the intersection of 1st Street and Gass Avenue and along South 1st Street must comply with Graphic 5 of Section V of the Downtown Centennial Plan.

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6. 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. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: tabulate all tree heights along with the quantities and sizes of all trees and shrubs.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. 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.
12. 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.
13. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
14. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
15. 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.
16. Prior to the submittal of a building permit application, 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.

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17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
18. A revised west elevation plan shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a tentative map, to reflect the changes herein. Specifically, the revised elevation shall make the necessary changes to reflect the 1st Street parking entrance as referenced on the site plan, date stamped 12/05/07.

Public Works

19. Dedicate a 10-foot radius on the southeast corner of 1st Street and Gass Avenue adjacent to this site prior to the issuance of any permits.
20. Coordinate with the City Surveyor to determine whether a Merger and Re-Subdivision Map or other map is necessary; comply with the recommendations of the City Surveyor.
21. 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. All new improvements shall be constructed to the Downtown Centennial Plan Standards, unless specifically allowed otherwise through conditions herein. Include an offsite Geotechnical Pavement Design recommendation for all asphalt pavement required for completion of this project.
22. Coordinate with the Collection System Planning Section of the Department of Public Works to determine an appropriate location for public sewer connection to this site, prior to the issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. 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.
23. A Traffic Impact Analysis that includes a queuing analysis for the proposed driveways 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

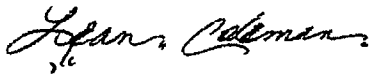
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recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

24. A Drainage Plan and Technical Drainage Study for all of the parcels Rezoned with ZON-25069, 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.
25. Landscape and maintain all unimproved rights-of-way, if any, on First Street and Gass Avenue adjacent to this site. All private improvements 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.
26. Submit an Encroachment Agreement for all landscaping, if any, located in the First Street and Gass Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
27. 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,



Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

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

Ms. Kristen Neuman
APTUS Architecture
1200 South 4th Street, Suite #206
Las Vegas, Nevada 89104

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