



March 22, 2007

Mr. Justen Martinez  
585 Camino Montebello  
Santa Fe, New Mexico 887501

LAS VEGAS CITY COUNCIL

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MAYOR

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WARD 5 (VACANT)

DOUGLAS A. SELBY  
CITY MANAGER

RE: SDR-18638 – SITE DEVELOPMENT PLAN REVIEW  
CITY COUNCIL MEETING OF FEBRUARY 21, 2007  
RELATED TO SUP-18637

Dear Mr. Martinez:

The City Council at a regular meeting held February 21, 2007 APPROVED the request for a Site Development Plan Review FOR A 40-STORY, 395-UNIT CONDOMINIUM DEVELOPMENT WITH 15,892 SQUARE FEET OF RETAIL SPACE AND 9,050 SQUARE FEET OF OFFICE SPACE AND WAIVERS OF THE DOWNTOWN BUILDING STEPBACK, PARKING STRUCTURE STEPBACK, AND DOWNTOWN STREETScape REQUIREMENTS on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on February 22, 2007. This approval is subject to:

Planning and Development

1. This approval shall be void one year 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.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/08/06, except as amended by conditions herein.
3. A Waiver from the Downtown Centennial Plan is hereby approved, to allow for no stepback at the 4th, 11th and 18th levels.
4. A Waiver from the Downtown Centennial Plan is hereby approved, to allow for no parking structure stepback.
5. A Waiver from the Downtown Centennial Plan Streetscape is hereby approved, to allow for 10 trees on 8th Street where 14 are required, to allow for 4 trees on Carson Avenue where 5 are required, to allow a 9'-6" wide sidewalk and amenity area where 16' wide is required on Fremont Street, to allow a 9'-7" wide sidewalk and amenity area where 16' wide is required on Carson Avenue and to allow an 14'-6" wide sidewalk and amenity area where 16' wide is required on 8th Street.

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

VOICE 702.229.6011  
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**EOT-37464**  
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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 as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
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. 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 Master Sign Plan shall be submitted for approval by the City of Las Vegas Downtown Entertainment Overlay Design Review Committee for all proposed signage prior to being issued a sign permit.
13. 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.
14. 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.
15. 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.

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16. 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.
17. 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.
18. Aerial encroachment agreements must be secured from the City of Las Vegas Public Works Department for the three proposed metal canopies that extend over the sidewalks on Fremont and 8th Street.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
20. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/08/06, except as amended by conditions herein.

Public Works

21. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; comply with the recommendations of the City Surveyor.
22. Dedicate a 10-foot radius on the southwest corner of Fremont Street and Eighth Street and dedicate a 10-foot radius on the northwest corner of Eighth Street and Carson Avenue.
23. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Downtown Centennial Design Standards (except as amended by conditions herein) 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.
24. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Fremont Street Pedestrian Improvements" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
25. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
26. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site. The proposed building shall be designed and constructed such that there are no balconies or other permanent structures within or overlying the public right-of-way adjacent to this site.

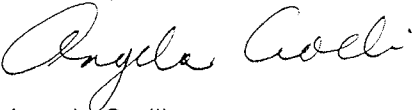
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27. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
28. Coordinate with the Collection System Planning Section of the Department of Public Works to determine public sewer connection requirements prior to the issuance of any permits or the submittal of a map for this site. 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.
29. 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.
30. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.
31. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
32. 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.

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33. 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 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,



Angela Crolli  
Deputy City Clerk II for  
Beverly K. Bridges, CMC, Acting City Clerk



M. Margo Wheeler, AICP  
Director  
Planning and Development Department

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

Mr. Justen Martinez  
1729 Wandering Winds Way  
Las Vegas, Nevada 89128

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