

DS #: 3985

APN: 139-34-111-039 & -040

PROJECT: GOLDEN NUGGET TOWER EXPANSION

SUBMITTAL: MEMO REVISION

SCANNED BY/DATE: _____

CHECKED BY/DATE: _____



CITY OF LAS VEGAS		DATE: REVISION
INTER-OFFICE MEMORANDUM		August 10, 2011 <i>AS</i>
TO: Land Development Services Department of Public Works		FROM: Albert Sung, P.E. Flood Control Section Department of Public Works
SUBJECT: Drainage Study for: Golden Nugget Tower Expansion – Update #7		COPIES TO: Martin & Martin Civil Engineers
Cross Streets:	NWC of First Street & Bridger Avenue	GNLV
File Number:	F:\Depot\DSMemos\DS3985K-REV.doc	Bart Anderson, P.E., DevCo
Parcel Number:	139-34-111-039 & 139-34-111-040	
Zoning Action:	VAC-8589; SDR-11705; SUP-11711 & SUP-11713	
FEMA Flood Zone	YES NO X	
Proposed Storm Drain	YES X NO	

HISTORY	DATE RECEIVED	DATE REVIEWED	COMMENTS	REVIEW FEES	FEES PAID Transaction #
1 st Submittal	4/5/2006	4/19/2006	Not Approved	\$400.00	42914: \$400
2 nd Submittal & Supplemental	6/8/2006 & 6/28/2006	6/30/2006	Approved	\$400.00	47317: \$400
3 rd Submittal	12/14/2006	12/27/2006	Approved	\$100.00	59515: \$100
4 th Submittal	8/13/2007	8/27/2007	Not Approved	\$100.00	75565: \$100
5 th Submittal	9/7/2007 & 11/13/2007	11/13/07	Conditionally Approved	\$100.00	77309: \$100
6 th Submittal	3/23/2009	4/2/2009	Approved	\$100.00	117746: \$100
7 th Submittal	6/24/2009	6/26/2009	Approved	\$100.00	124164: \$100
8 th Submittal	8/25/2009	9/8/2009	Approved	\$100.00	128192: \$100
9 th Submittal	11/3/2009	11/12/2009	Conditionally Approved	\$100.00	132851: \$100
Revision	11/18/2009	11/18/2009	Approved	N/C	N/C
10 th Submittal	11/19/2009	11/24/2009	Approved	\$100.00	133832: \$100
Memo Revision	8/10/2011	8/10/2011	See Comments Below	N/C	N/C
TOTAL FEES (LDDRS):				\$1,600.00	----

REMARKS:

Memo Revision: A previous required Maintenance Bond is removed from the approval conditions

10th Submittal: Update #7 to rehabilitate an existing alley west of the Golden Nugget parking garage

Revision: Revised Comment #4

9th Submittal: Update #6 to address reduced width (8'-wide) of a public drainage easement in Golden Nugget Tower Expansion (aka Tower II) in response to the Golden Nugget Tower Addition Hearing

8th Submittal: Update #5 to Re-Validate Update #2 which was approved more than a year ago

7th Submittal: Update #4 for connecting roof drain with sump pump to back of an existing drop inlet on Carson Avenue.

6th Submittal: Update #3 for minor grading change at the porte cochere entrance at the northwest corner of Carson Avenue and First Street

4th & 5th Submittals: Update #2 to (i) Relocate an existing onsite storm drain system and (ii) To construct a new tower at the northwest corner of *First Street* and *Carson Avenue*.

3rd Submittal: Update #1 to revise proposed storm drain system in *First Street*

The Drainage Study for the subject project has been reviewed and:

X	is approved subject to conformance to all City standards and the following conditions:
	must be resubmitted or supplemented including the following:
	is conditionally approved subject to Clark County Regional Flood Control District concurrence.
	is conditionally approved subject to the following conditions:

The following conditional comments must be satisfied prior to the final approval of the drainage study Update #6 and the improvement plans:

1. A 3'-wide public drainage easement (privately maintained) as indicated in the improvement plans must be granted to the *City of Las Vegas* by *Golden Nugget* and recorded prior to the final approval of the improvement plans.
2. A 5'-wide public drainage easement (privately maintained) as indicated in the improvement plans must be granted to the *City of Las Vegas* by *Pioneer Club* and recorded prior to the final approval of the improvement plans.
3. Provide a copy of an agreement, signed by *Golden Nugget* and *Pioneer Club*, for the maintenance responsibilities of either or both parties. The agreement must be provided to *Flood Control* prior to final approval of the improvement plans.
4. A *Maintenance & Liability Agreement* must be executed by *Golden Nugget* to release the *City of Las Vegas* of any maintenance and liability responsibilities of the 8'-wide combined drainage easement. This M&L Agreement must be executed prior to the final approval of the improvement plans.

NOTE: Any future changes to the proposed design (or design assumptions) as outlined in the approved drainage study and attached preliminary grading plan which affect drainage must be addressed in a Drainage Study Amendment and accepted by the *City of Las Vegas Flood Control Section*. Additionally, conditional acceptance of a drainage study is valid for a period of one (1) year. If the proposed construction has not been completed in that time period, the *City of Las Vegas* reserves the right to require additional conditions and/or submission and acceptance of a complete drainage study update prior to further construction of a project.

NOTE: Please be advised that all land surface area disturbances over 1 acre or any area adjacent to a water way must submit to the Nevada Division of Environmental Protection a "Notice of Intent" to discharge that certifies a stormwater pollution prevention plan has been developed and is maintained on site; for inclusion in the Stormwater General Permit No. NVR100000. A phased construction unit in a contiguous subdivision is considered under construction until all stripped or disturbed surface areas have been covered by paving, building construction or planting. For more information, including forms and applications see <http://ndep.nv.gov/bwpc/storm01.htm> or call (775) 687-9429.

END OF REMARKS
Ays/PBJ/OSK

T/R/S: T20S/R61E/34
AREA M-34

Albert Sung

From: Robert Welch
Sent: Tuesday, August 09, 2011 4:33 PM
To: Bart Anderson
Cc: John S. Ridilla; Lucien Paet; Randy Fultz; Albert Sung
Subject: RE: 25 Fremont easement and maintenance bond

We will revise the drainage study memo and remove the requirement for the maintenance bond.

From: Bart Anderson
Sent: Tuesday, August 09, 2011 3:40 PM
To: Robert Welch
Cc: John S. Ridilla; Lucien Paet; Randy Fultz
Subject: RE: 25 Fremont easement and maintenance bond

Rob:

I spoke with Randy about the maintenance bond requirement from the Drainage Study approval, and the applicant's request for a review of the requirement. It seems that the bond requirement was recommended by staff because of the unusually narrow width of the drainage easement, and skepticism about its ongoing maintenance. However, some preliminary research seems to indicate that non-standard public drainage easements (with private maintenance) are typically accepted without a maintenance bond requirement, and that perhaps this case could be similarly treated. Randy agreed, and directed that the DS approval memo be revised to be consistent with typical private-maintenance public easements – that is - allow the drainage easement to be privately maintained, without an ongoing maintenance bond.

Please let me know if you have any questions or comments.

bart

From: Andrew Platt [<mailto:aplatt@woodserickson.com>]
Sent: Monday, August 01, 2011 3:39 PM
To: Bart Anderson
Cc: John S. Ridilla
Subject: 25 Fremont easement and maintenance bond

Mr. Anderson, hello.

I spoke with Landry's counsel (the Golden Nugget's parent company) at the end of last week and he did not seem to know the status of the maintenance agreement. Are you able to discuss with me whether the discussions have been with Golden Nugget directly? In my conversation with Mr. Ridilla, it seems that the current situation is a good case for not requiring a performance bond as the GNLV and Pioneer Club properties are the primary beneficiaries of the easement and all the permits and all the work for GNLV's drainage have been completed without bond. My understanding that this type of perpetual bond would not be made through a bond company but would come out of GNLV's pocket—with no hope of refund. Thus in the interest of fairness and speed, we would like to see the recordation of the easement proceed without any need for a bond.

I would like to be part of the conversation because, through the mechanism of the settlement agreement, we are in a position to oversee GNLV's timely compliance with all of the obligations towards the City.

Thank you,
Andrew

TRANSACTION REPORT

P. 01

AUG-10-2011 WED 03:51 PM

FOR: CITY OF LAS VEGAS

7023828551

SEND

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
AUG-10	03:50 PM	2488070	38"	2	FAX TX	OK	861	

TOTAL : 38S PAGES: 2

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