



February 21, 2008

Mr. Paul Murad
Gateway Las Vegas, LLC
P.O. box 93033
Las Vegas, Nevada 89193-3033

RE: SDR-26013 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF FEBRUARY 20, 2008
RELATED TO SUP-26015 AND SUP-26073

Dear Mr. Murad:

The City Council at a regular meeting held February 20, 2008 APPROVED the request for a Major Amendment to an approved Site Development Plan Review (SDR-10785) FOR A PROPOSED 41-STORY MIXED-USE DEVELOPMENT INCLUDING 442 CONDOMINIUM UNITS AND 3,370 SQUARE FEET OF COMMERCIAL USES on 0.43 acres at 401 East Charleston Boulevard (APN 139-34-410-138), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on February 21, 2008. This approval is subject to:

Planning & Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-10785), Special Use Permit (SUP-10782), Special Use Permit (SUP-26073), and Special Use Permit (SUP-26015) shall be required, except as amended by conditions herein.
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. All development shall be in conformance with the site plan, landscape plan, and building elevations date stamped 01/10/08, except as amended by conditions herein.
4. 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.

LAS VEGAS CITY COUNCIL

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov



5. 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.
6. 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).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. 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.
10. 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.
12. 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.
13. 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.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

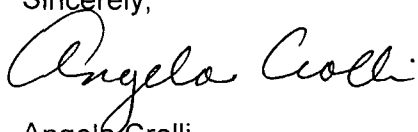
16. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary; comply with the recommendations of the City Surveyor.
17. Dedicate appropriate right-of-way or provide proof of an existing total half-street width of 50 feet on Charleston Boulevard adjacent to this site prior to the issuance of any permits.
18. 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 Standards concurrent with development of this site, unless otherwise allowed through approved waivers.
19. The proposed driveway accessing this site from Charleston Boulevard shall receive approval from the Nevada Department of Transportation.
20. The proposed Valet Parking area as shown is permitted at this time, however, the City reserves the right to require relocation of the Valet Parking area further interior to the site if traffic patterns occur that adversely impact the public right-of-way on Charleston Boulevard or 4th Street as determined by the City Traffic Engineer.
21. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
22. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard and Fourth Street public rights-of-way adjacent to this site.
23. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
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

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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. 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 drainageways as recommended.
26. Grant pedestrian access easements for all sidewalks located outside of public street right-of-way prior to the issuance of any permits.
27. No portion of the proposed building shall encroach into public street right-of-way.
28. A minimum clear height of 12 feet shall be maintained for the proposed pedestrian walkways that lie within the building envelope.

Sincerely,



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

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

Ms. Karen McCalister
METROPLEX Group
930 South 4th Street, 2nd Floor
Las Vegas, Nevada 89101