



November 9, 2007

LAS VEGAS CITY COUNCIL

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Mr. Kenneth Landfield
Tamares Real Estate Holdings, Inc
1500 Broadway, 24th Floor
New York, New York 10036

RE: SDR-23097 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF SEPTEMBER 19, 2007
RELATED TO SUP-23096

Dear Mr. Landfield:

The City Council at a regular meeting held September 19, 2007 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 32-STORY MIXED-USE DEVELOPMENT INCLUDING 28,791 SQUARE FEET OF COMMERCIAL SPACE AND 537 MULTI-FAMILY RESIDENTIAL UNITS WITH WAIVERS OF THE DOWNTOWN CENTENNIAL BUILD-TO-LINE AND LOADING STANDARDS on 2.75 acres at 902 and 916 East Fremont Street (APNs 139-34-612-060 and 075), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 20, 2007. This approval is subject to:

Added Condition:

- A. There shall be a security guard patrolling the exterior of the site from 7:00 p.m. to 7:00 a.m. until a permit to demolish the building has been exercised.

Planning & Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-23106) 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. All development shall be in conformance with the site plan date stamped 9/07/07, landscape plan, and building elevations date stamped 7/10/07, except as amended by conditions herein.
4. A Waiver from the Downtown Centennial Plan [Subsection VII (I.1.a)] is hereby approved, to allow zero percent of the first story façade along the front and corner side property line where 70% is required.
5. Deleted at City Council.

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6. Handicap parking spaces shall be re-stripped to meet Title 19.10 Handicap Parking Requirements, which state that dimensions shall be at least nine feet wide and shall have an adjacent access aisle (a minimum of five feet wide in width) on each side.
7. 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: Palm Trees shall be replaced with Shade Trees along the Ogden Avenue and Fremont Street (east/west streets) and one Shade Tree shall be added to Ogden Avenue.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
9. 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.
10. 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).
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
13. 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.
14. 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.

15. 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.
16. 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.
17. 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.
18. 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.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

20. Coordinate with the City Surveyor regarding recordation of a Reversionary Map for this site; comply with the recommendations of the City Surveyor.
21. Dedicate a 25-foot radius on the southeast corner of 9th Street and Ogden Avenue, a 25-foot radius on the southwest corner of 10th Street and Ogden Avenue, a 25-foot radius on the northeast corner of 9th Street and Fremont Street, and a 25-foot radius on the northwest corner of 10th Street and Fremont Street prior to the issuance of any permits.
22. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting Downtown Centennial Plan Standards concurrent with development of this site, except as amended by conditions herein. 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.
23. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the driveways accessing this site.
24. Deleted at City Council.

25. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine public sewer connection and abandonment requirements prior to the submittal of any construction drawings for this site; comply with the recommendations of Collection System Planning. Submit a Petition of Vacation for the existing utility easement overlying the sewer to be abandoned.
26. Landscape and maintain all unimproved rights-of-way on 9th Street, 10th Street, Ogden Avenue, and Fremont Street adjacent to this site.
27. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site. 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. 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.
29. 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

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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 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.

30. 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.

Sincerely,



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



M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Kevin Joy
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