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092418

May 25, 2007

Mr. Todd Fink
REI Neon, LLC
40900 Woodward Avenue, Suite #130
Bloomfield Hills, Michigan 48304

RE: SDR-21175 - SITE DEVELOPMENT PLAN REVIEW

Dear Mr. Fink:

Your request for a Site Development Plan Review FOR A PROPOSED MIXED-USE DEVELOPMENT INCLUDING 1,500 RESIDENTIAL CONDOMINIUM UNITS, 1,600 TIME SHARE DEVELOPMENT UNITS, 6,000 HOTEL ROOMS, PRIVATE SPORTS ARENA, 1,235,000 SQUARE FEET OF COMMERCIAL SPACE AND 300,000 SQUARE FEET OF NON-RESTRICTED GAMING SPACE WITH WAIVERS OF THE DOWNTOWN BUILD-TO-LINE REQUIREMENT AND DOWNTOWN ARCHITECTURAL DESIGN STANDARDS at the southwest corner of Charleston Boulevard and Main Street (APNs Multiple), M (Industrial), C-M (Commercial/Industrial) and C-2 (General Commercial) Zones [PROPOSED: C-2 (General Commercial)], Ward 3 (Reese), was considered by the Planning Commission on May 24, 2007.

The Planning Commission voted to recommend **APPROVAL** of your request, subject to the following:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for ZON-21165, ZON-21166, SUP-21168, SUP-21169, SUP-21171, SUP-21172, and VAC-21173 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 Overall Site Plan (Sheet 1) dated stamped 04/10/07, Setbacks and Circulation Plan (Sheet 2) dated stamped 04/10/07, Landscape Plan (Sheet 4) date stamped 05/03/07, Phasing and Building Setback (Sheet 5) date stamped 05/03/07, Phase 1 Plan Area (Sheet 7) date stamped 04/10/07 and Building Elevations (Sheet 8 and 9) date stamped 05/03/07, except as amended by conditions herein.

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

4. This application constitutes approval of the parent site plan and Phase I of the development, subject to an approved Traffic Impact Analysis. Prior to the issuance of building permits for the Phase I development, the applicant shall submit the following revised documents for administrative review and approval by City staff: A revised site plan, showing all building setbacks, all points of pedestrian and vehicular ingress and egress, and any modifications to the site plan required by the Traffic Impact Analysis; revised elevations, showing all fenestration, wall articulation, shading devices, and detailed materials information; and detailed floor plans, showing the configuration of the parking structure(s), the location of all service areas, all exterior entrances, and the use of all rooms. A separate Site Development Plan Review application shall be required for each subsequent Phase of the development to assess compliance with the parent site plan and code requirements.
5. A Waiver from the 70% build-to line requirement is hereby approved, to allow a 105-foot setback for the arena structure on the north side of the development, to allow setbacks of up to 10 feet along the east side of the development, and to allow setbacks between 20 feet and 50 feet along the south side of the development.
6. A public sidewalk with a minimum width of 10 feet and a five-foot deep amenity zone directly adjacent to the curb is required along all street frontages in accordance with the Downtown Centennial Plan. The sidewalk shall include a decorative paving treatment at the intersections.
7. Palm trees shall be installed in the public right-of-way on north/south streets at a maximum spacing of 35 feet on center (30 feet on center preferred) in accordance with the Downtown Centennial Plan. The palm trees shall have a minimum height of 25 feet upon installation, as measured to the top of the brown trunk. Shade trees, in single or double rows, may be provided alternately between the required palm trees.
8. Shade trees shall be installed in the public right-of-way on east/west streets at a maximum spacing of 30 feet on center (15-20 feet on center preferred) in accordance with the Downtown Centennial Plan. Minimum tree size shall be a 24-inch box; a 36-inch box size is preferred.
9. New street light fixtures, benches, and trash receptacles shall be installed in public rights-of-way abutting the site in accordance with specifications provided by the Public Works Department, and shall conform to the design of the light fixtures and street furniture in the Downtown Centennial Plan area.

10. 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.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
12. 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.
13. Revised elevations shall be submitted to the Planning and Development Department as part of the subsequent Site Development Plan Review applications that will be required for each of the phases of the development.
14. 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).
15. Handicap parking spaces and loading spaces shall be provided in accordance with code requirements.
16. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
17. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with the Downtown Centennial Plan. Meters, electrical cabinets, transformers and switchgear shall be located within the building they serve. Ground-mounted utility vaults and detector check valves shall be screened with walls or features that are consistent with the architecture of the principal structure; in no case shall utility equipment be located within view of the frontage lines of the development parcel.

18. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
19. 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.
20. Any proposed water features shall be subject to the water feature regulations contained in LVMC Title 14.
21. 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.
22. A Master Sign Plan shall be submitted for approval by the City of Las Vegas prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
23. 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.
24. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

25. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.
26. A Petition of Vacation, such as VAC-21173, shall record prior to the issuance of any permits for this site to eliminate all rights-of-way in conflict with this site.
27. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Main Street adjacent to those parcels comprising this site that currently have a half street width of 40 feet prior to the issuance of any permits. Additional right-of-way dedications for

possible roadway widening and/or realignment may be required to support full build out of this site; the required Traffic Impact Analysis shall address site access issues and recommend onsite and offsite roadway widening and/or realignment needed to mitigate the traffic generated by this development. If such widening and/or realignment of public rights-of-way triggers the requirement for a Master Plan of Streets and Highways (MPSH) update, then a MPSH amendment shall be submitted and acted upon by the City Council prior to the issuance of any permits for this site or the submittal of any construction drawings for this site, whichever may occur first. Development of this site may be required to be "phased" in conjunction with offsite infrastructure improvements as identified in the approved Traffic Impact Analysis.

28. Coordinate with the City Engineer's Office to determine final alignment and right-of-way requirements on Wyoming Avenue and Industrial Road in accordance with anticipated public improvement projects and the Master Plan of Streets and Highways prior to the submittal of any construction drawings or the submittal of a Map subdividing this site. In addition, contact the City Engineer's Office to coordinate the development of this project with the "ITS Communication Infrastructure Phase 1B" and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer. All improvements within the Charleston Boulevard alignment shall be approved by the Nevada Department of Transportation (N.D.O.T.) prior to the issuance of any permits or the submittal of a Map subdividing this site, whichever may occur first.
29. Construct full width or half street improvements as appropriate for all public roadways adjacent or internal to this site concurrent with development of this site. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan standards concurrent with development of this site; unless otherwise approved by conditions herein.
30. 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. The Traffic Impact Analysis shall include a Phasing Plan identify phasing requirements that link the site build out to the adjacent public street capacity, and shall recommend specific measures to mitigate the impacts of the traffic generated by this development. 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; additional updates to the approved Traffic Impact Analysis may be required prior to construction of each phase of development. 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site.

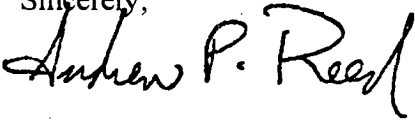
31. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and 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 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.
32. Prior to the submittal of a Tentative Map or civil construction drawings for this site, whichever occurs first, a sewer relocation and abandonment plan for all public sewers in conflict with this site shall be submitted to and approved by the Collection Systems Section of the Department of Public Works. All existing public sewer easements in conflict with this site shall be vacated prior to the recordation of a Final Map for this site and new public sewer easements granted as necessary. Sewer service to existing downstream parcels shall be maintained during relocation.
33. 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.
34. Landscape and maintain all unimproved rights-of-way, if any, on public rights-of-way adjacent to or internal to this site.

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35. Submit an Encroachment Agreement to the City of Las Vegas for all landscaping and private improvements within public rights-of-way adjacent or internal to this site. Also, obtain an Occupancy Permit from the Nevada Department of Transportation for any private improvements within the Charleston Boulevard right-of-way prior to the issuance of any building or grading permits.
36. Site development to comply with all applicable conditions of approval for ZON-21165 and all other site-related actions.

This item will be considered by the City Council on **June 20, 2007**, at 1:00 P.M. in the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada. ***The Council requires that you or your representative be present at this meeting.*** If you or your representative chooses not to attend, the City Council may act in your absence without your input.

Sincerely,



Andrew P. Reed, AICP
Planning Supervisor
Current Planning Division

AR:clb

cc: Ms. Jill Ferrari
145 East Harmon Avenue, Suite #02-711
Las Vegas, Nevada 89109