



047236



May 28, 2004

Mr. Frank Nielsen  
MTC-118, Inc.  
6600 West Charleston Boulevard, Suite #126  
Las Vegas, Nevada 89146

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

LARRY BROWN  
LAWRENCE WEEKLY  
MICHAEL MACK  
JANET MONCRIEF

RE: SDR-3764 - SITE DEVELOPMENT PLAN REVIEW  
CITY COUNCIL MEETING OF APRIL 7, 2004  
Related to MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769  
SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777  
SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783, SUP-3785  
SUP-3786, SUP-3788 & SUP-3789

DOUGLAS A. SELBY  
CITY MANAGER

Dear Mr. Nielsen:

The City Council at a regular meeting held April 7, 2004 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 587,750 SQUARE-FOOT MIXED-USE COMMERCIAL DEVELOPMENT on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001 and 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Land Use Designations] and U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Town Center Land Use Designation]. The Notice of Final Action was filed with the Las Vegas City Clerk on April 8, 2004. This approval is subject to:

Planning and Development

1. A Major Modification (MOD-3763) and a Rezoning [ZON-3840] to a T-C (Town Center) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, 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. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a revision to the parking area to provide an additional 12 spaces or to otherwise alter the plan to conform with the parking requirements of the Code.
  5. Prior to the submittal of a building permit, 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.
  6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center in external perimeter locations, and 30 feet on-center for internal perimeter property boundaries, and to reflect a minimum of four five-gallon shrubs for each tree within provided planters.
- 
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
  8. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf, and which contains plant species that appear on Appendix B (Plant Palette) to the Montecito Town Center Development Agreement.
  9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
  10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
  11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

Mr. Frank Nielsen  
SDR-3764 – Page Three  
May 28, 2004

12. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
  13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
  14. Any internal property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
  15. 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.
  16. All City Code requirements and design standards of all City departments must be satisfied.
- 

#### Public Works

17. Final Map FMP-2819 for the Montecito Town Center North must record prior to the approval of construction drawings or the issuance of any permits for this site.
18. A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.
19. This site shall be responsible for all usual and customary dedications and street improvements for Elkhorn Road, Durango Drive and Grand Montecito Parkway not secured by the Special Improvement District for Special Improvement District numbers 1481 El Capitan Way and 1502 Grand Montecito Parkway prior to occupancy of this site.
20. Coordinate with the City Engineer's office to determine the correct median opening locations on Grand Montecito Parkway and coordinate with the City Traffic Engineer for driveway placement at the openings.
21. Provide a copy of a recorded Joint Access Agreement between parcel 125-20-101-017 and parcels 125-20-101-008 and 125-20-101-009 prior to the issuance of any permits.
22. Landscape and maintain all unimproved rights-of-way adjacent to this site.

Mr. Frank Nielsen  
SDR-3764 – Page Four  
May 28, 2004

23. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.
24. An update to the Master 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.
25. Site development to comply with all applicable conditions of approval for Z-76-98, the Montecito Town Center Development Agreement, ZON-3840 and the Montecito Town Center North Tentative Map (TMP-1244).

Sincerely,



Angela Crolli  
Deputy City Clerk II for  
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP  
Deputy Director  
Planning and Development Department

cc: See Attached List

Mr. Frank Nielsen  
SDR-3764 – Page Five  
May 28, 2004

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

Mr. Mark Fiorentino  
Kummer Kaempfer Bonner & Renshaw  
3800 Howard Hughes Parkway, 7<sup>th</sup> Floor  
Las Vegas, Nevada 89109

Mr. Matt Werner  
Montecito Companies, Limited Liability Company  
6600 West Charleston Boulevard, Suite #126  
Las Vegas, Nevada 89146

---