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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

May 6, 2008

Mr. Darrin Badger
KR Land Company, LLC
3455 Cliff Shadow Parkway, #220
Las Vegas, Nevada 89129

RE: SDR-25760 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF APRIL 16, 2008
RELATED TO ZON-25758 AND VAC-25759

Dear Mr. Badger:

The City Council at a regular meeting held April 16, 2008 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 200,300 SQUARE-FOOT RETAIL DEVELOPMENT on 23.62 acres at the southeast corner of Hualapai Way and Deer Springs Way (APNs 125-19-301-001 through 005 and 013), U (Undeveloped) [PCD (Planned Community Development)] Zone [PROPOSED: PD (Planned Development) Zone. NOTE: ITEM HAS BEEN AMENDED TO A 205,000 SQUARE-FOOT RETAIL DEVELOPMENT. The Notice of Final Action was filed with the Las Vegas City Clerk on April 17, 2008. This approval is subject to:

Added Conditions:

- A. Pads C and D will not be allowed to be drive through food service.
- B. This approval shall include the Master Development Plan and Design Standards submitted 1/29/2008.

Planning & Development

- 1. 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.
- 2. All development shall be in conformance with the site plan and building elevations date stamped 01/29/08 and 02/14/08, and landscape plans date stamped 02/27/08, except as amended by conditions herein.
- 3. 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.

4. 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.

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

Public Works

11. A Petition of Vacation shall be submitted to Clark County and recorded for the right-of-way adjacent to Assessor's Parcel Number 125-19-301-010 prior to the issuance of any permits or the recordation of a map for this site. Alternatively, dedicate the reciprocal right-of-way prior to the issuance of any permits or through recordation of a map for this site and submit a revised site plan to the Department of Planning and Development.

12. Dedicate 50 feet of right-of-way adjacent to this site for Hualapai Way, 40 feet for Deer Springs Way, 25 feet for Conquistador Street including the right-of-way necessary to accommodate a knuckle meeting current City Standards, a 54-foot radius on the southeast corner of Hualapai Way and Deer Springs Way and a 20-foot radius on the southwest corner of Deer Springs Way and Conquistador Street prior to the issuance of any permits. In addition, dedicate the rights-of-way necessary for turn lanes and bus turnouts in accordance with the approved Traffic Impact Analysis.
13. Provide a signed and notarized affidavit from the owner of Assessor's Parcel No. 125-19-301-010 that states he is in support of the proposed Providence Square site plan AND a copy of a recorded perpetual, irrevocable access easement in favor of this parcel to the Development Coordination Section of the Department of Public Works prior to the issuance of any permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. If these documents cannot be obtained, this site plan shall be rendered "Null and Void" and a new site plan submitted to the Department of Planning and Development.
14. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the submittal requirements for Bureau of Land Management (BLM) applications for the east half of Conquistador Street adjacent to this site and provide all required documentation and material. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to the approval of construction drawings for this site or the issuance of any permits, whichever may occur first.
15. Construct half-street improvements, including appropriate overpaving and transition paving if legally able, on Hualapai Way, Deer Springs Way, and Conquistador Street including an appropriate terminus such as temporary barricades on Conquistador Street concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
16. Dedicate 47 feet of right-of-way for the street along the southern boundary of this site shown as "Proposed Street" prior to the issuance of any permits. Construct full-width street improvements, including an appropriate terminus, such as temporary barricades, on "Proposed Street" concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, to the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

17. Offset sidewalk and reduced right-of-way widths shown on this site plan shall be in accordance with the approved Providence Square Master Development Plan and Design Standards. Grant pedestrian access easements for all sidewalks located outside of the public street right-of-way prior to the issuance of any permits or through recordation of a map for this site.
18. Coordinate with the Clark County Department of Public Works to discuss any impacts to this site plan from the Beltway and the ultimate Hualapai Way off-ramp design. Provide documentation from Clark County to the City of Las Vegas Land Development Section that this condition has been satisfied prior to the approval of any construction drawings or the recordation of a map for this site, whichever may occur first.
19. Provide public sewer stubs to all “not a part” parcels not adjacent to existing public street right-of-way and grant appropriate public sewer easements. However, subject to notarized written approval from the owner of Assessor’s Parcel No. 125-19-301-010, which is currently entitled within Clark County as a cell tower site with no need for sewer service, the requirement to provide a public sewer easement stub to this parcel shall not be enforced provided that an appropriate sewer easement acceptable to the Collection Systems Planning Section is granted connecting this parcel to existing public sewer. Coordinate with the Collection Systems Planning section of the Department of Public Works and comply with their recommendations prior to the submittal of construction drawings or the approval of a Map subdividing this site.
20. Driveways accessing Hualapai Way and Deer Springs Way shall be designed, located and constructed in accordance with Standard Drawing #222a. Submit an application to the Land Development section of the Department of Public Works for a deviation from throat depth dimensions required by Standard Drawing #222a for the driveways accessing this site from Conquistador Street.
21. 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

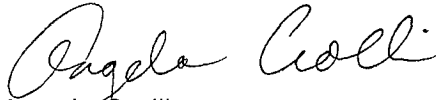
such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

22. 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.
23. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
24. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of this overall site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.
25. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All private improvements and landscaping 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.
26. Submit an Encroachment Agreement for all landscaping, if any, located in the public rights-of-way adjacent to this site prior to occupancy of this site.
27. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City

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Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

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. Darrin Badger
Southwest Desert Equities, LLC
3455 Cliff Shadow Parkway, #220
Las Vegas, Nevada 89129

Mr. Chris Dingell
Quadrant Planning
3455 Cliff Shadow Parkway, #220
Las Vegas, Nevada 89129