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April 29, 2009

Mr. Stephen Rubyor  
Necal Associates, LLC  
7956 Marbella Circle  
Las Vegas, Nevada 89128

RE: SDR-33017 - SITE DEVELOPMENT PLAN REVIEW  
CITY COUNCIL MEETING OF APRIL 15, 2009

Dear Mr. Rubyor:

The City Council at a regular meeting held April 15, 2009 APPROVED the request for a Site Development Plan Review TO ADD A 1,718 SQUARE-FOOT SECOND FLOOR TO AN EXISTING 3,654 SQUARE-FOOT BUILDING WITH A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE AND PARKING LOT SCREENING STANDARDS on 0.18 acres at 1112 South Casino Center Boulevard (APN 162-03-110-072), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on April 16, 2009. This approval is subject to:

Planning and Development

1. Remove the existing block wall along Charleston Boulevard and replace with the Downtown Centennial Plan wrought iron fence and to slurry or repave the parking area.
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, building elevations and floor plans, date stamped 4/15/09, except as amended by conditions herein.
4. A Waiver from the Downtown Centennial Plan [Subsection VII (D.4)] is hereby approved, to allow the existing sidewalk consisting of a central five-foot amenity zone featuring 15-foot tall shade trees placed at increments no more than 30-feet, flanked by 5-foot sidewalks along Casino Center Boulevard where a 10-foot wide sidewalk with 5-foot amenity zone featuring 25-foot tall Deglet-Noor Palm trees spaced at 30-foot increments is required.

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5. A Waiver from the Downtown Centennial Plan [Subsection VII (D.4)] is hereby approved, to allow a 7-foot wide sidewalk, measured from back of curb, with a four-foot wide landscape buffer with one 24" box tree planted every 20 feet on center with four (4) five-gallon shrubs per each required tree along Charleston Boulevard where a 10-foot wide sidewalk with 5-foot amenity zone featuring 15-foot tall shade trees spaced at 30-foot increments is required.
6. An Exception from LVMC 19.10.010 (J)(11) is hereby approved, to allow no parking lot finger in the onsite parking area where one landscaped finger with one, 24-inch box tree per finger would be required.
7. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit showing the Downtown Centennial Plan Standard Required Parking Lot Screen Detail [Subsection VII (D.3.d)]. Said detail shall be setback approximately 11-feet south of the street curb, or four feet south of the property line along Charleston Boulevard and continue along the property line to the parking lot entry on Casino Center Boulevard. The residual four-foot buffer area between the screen detail and property line along Charleston Boulevard shall have one 24" box tree every 20 feet on center with four five-gallon shrubs per each required tree.
8. 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:
  - a. A four-foot wide planter located along the front property line along Charleston Boulevard with one 24" box tree planted every 20 feet on center with four (4) five-gallon shrubs per each required tree within
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. The existing freestanding sign located at the northeast corner of the property shall be allowed to remain and the face of the sign changed.

11. 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).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. 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.
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, except as modified herein.

#### Public Works

17. Coordinate with the Department of Building and Safety to determine if existing property lines have any impact on further development of this site.
18. Sign and record a Covenant Running with Land agreement for the possible future installation of all streetscape and alley improvements waived or deferred through this action prior to the issuance of any permits.
19. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

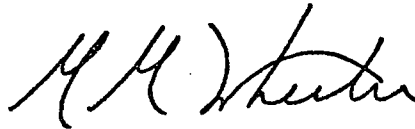
Mr. Stephen Rubyor  
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21. Comply with the requirements of Las Vegas Municipal Code Chapter 4.32 Traffic Signal Impact Fee prior to the issuance of permits for this site.

Sincerely,



Gabriela Portillo-Brenner  
Deputy City Clerk II for  
Beverly K. Bridges, CMC, City Clerk



M. Margo Wheeler, AICP  
Director  
Planning and Development Department

cc: Mr. Paul Larsen  
Lionel Sawyer & Collins  
1700 Bank of America Plaza  
300 South Fourth Street  
Las Vegas, Nevada 89101