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April 29, 2009

Mr. Ryan Stibor
11th Street Holdings, Inc.
714 South Fourth Street
Las Vegas, Nevada 89101

RE: SDR-33013 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF APRIL 15, 2009
RELATED TO VAR-33016, VAR-33018 and SUP-33014

Dear Mr. Stibor:

The City Council at a regular meeting held April 15, 2009 APPROVED the request for a Site Development Plan Review FOR A PROPOSED FOUR-STORY, 48.5-FOOT TALL MIXED-USE DEVELOPMENT CONSISTING OF 60 RESIDENTIAL UNITS AND 1,924 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH AND WEST PERIMETERS WHERE 15 FEET IS REQUIRED AND TO ALLOW A ZERO-FOOT BUFFER ALONG THE SOUTH PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.48 acres at the southeast corner of Stewart Avenue and 11th Street (APN 139-35-211-051), 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. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-33014), Variance (VAR-33016) and Variance (VAR-33018) shall be required, if approved.
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, landscape plan, and building elevations, date stamped 01/26/09, and color and material elevations date stamped 02/06/09, except as amended by conditions herein: The site plan shall be revised to provide minimum 22-foot wide driveway aisles within the parking structure. The final color and material elevations shall be provided to the Department of Planning and Development before final approval prior to issuance of the building permit.

CITY OF LAS VEGAS
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LAS VEGAS, NEVADA 89101

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4. A Waiver from Title 19.12.040(A) is hereby approved, to allow a zero-foot landscape buffer along the north and east perimeters where 15 feet is required.
5. A Waiver from Title 19.12.040(A) is hereby approved, to allow a zero-foot landscape buffer along the south perimeter where eight feet is required.
6. 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: Provide minimum 15-foot tall palm trees along both street frontages pursuant to Title 19.12.040(G).
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. 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.
9. 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).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. 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.
13. 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.

14. 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.
15. 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.
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 City Surveyor to determine if a Reversionary Map or other acceptable mapping method is required; comply with the recommendations of the City Surveyor.
18. Dedicate a 25-foot radius on the southeast corner of Stewart Avenue and 11th Street prior to the issuance of any permits unless otherwise allowed by the City Engineer.
19. Construct all incomplete half-street improvements on Stewart Avenue and 11th Street adjacent to this site concurrent with development of this site.
20. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. 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.
21. This site shall connect to the public sewer line located in Stewart Avenue at a location acceptable to the Collection System Planning Section of the Department of Public Works.
22. If the entry gates proposed are to be electrically opened and closed, the gates may be placed immediately behind the alley right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is to be manually opened and closed, the gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public alley right-of-way before parking to manually operate the gate; alternatively the gates shall remain open during regular business hours. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right of way.

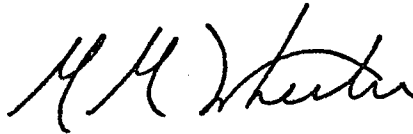
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23. Landscape and maintain all unimproved rights-of-way, if any, on Stewart Avenue and 11th Street adjacent to this site.
24. Submit an Encroachment Agreement for all landscaping, if any, located in the Stewart Avenue and 11th Street public rights-of-way adjacent to this site prior to occupancy of this site.
25. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

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. Sam Cherry
Casino Center Midrise, LLC
714 South Fourth Street
Las Vegas, Nevada 89101