



May 20, 2010

LAS VEGAS CITY COUNCIL

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Mr. Aaron Hansen
Bartsas 22, LLC
601 South Rancho Drive, Suite C23
Las Vegas, Nevada 89106

RE: SDR-37470 – SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-37467 AND ZON-37469
CITY COUNCIL MEETING OF MAY 19, 2010

Dear Mr. Hansen:

The City Council at a regular meeting held May 19, 2010, APPROVED the request for a Site Development Plan Review FOR A PROPOSED 90,595 SQUARE-FOOT SHOPPING CENTER WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN SETBACK STANDARDS AND TITLE 19 BUILDING PLACEMENT STANDARDS on 9.61 acres at the southwest and northwest corners of Fremont Street and Eastern Avenue (APNs 139-35-803-015 through 017, 139-35-804-002, and 139-35-804-008 through 010), C-2 (General Commercial) and R-4 (High Density Residential) Zones [PROPOSED: C-2 (General Commercial)]. The Notice of Final Action was filed with the Las Vegas City Clerk on May 20, 2010. This approval is subject to:

Planning and Development

1. Approval of General Plan Amendment (GPA-37467) and Rezoning (ZON-37469) 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 and landscape plan date stamped 03/31/10, and building elevations date stamped 02/22/10, except as amended by conditions herein.
4. A Waiver from the Downtown Centennial Plan Section VII.H.1 is hereby approved, to allow zero percent of the first story facade of all buildings on Site "A" and Buildings A, B and C on Site "B" to be aligned with the front and corner side property lines.

ELIZABETH N. FRETWELL
CITY MANAGER



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FM-0044-08-09

5. A Waiver from Title 19.08.050 is hereby approved, to allow Buildings D and E on Site "B" to be located behind the minimum setback lines where these buildings are required to be placed at the minimum setback line.
6. An Exception from Title 19.10.010(J) is hereby approved, to allow 31 trees in the parking lot on APN 139-35-804-002 where 52 trees are required.
7. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.
8. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.
9. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
10. All existing off-premise signage shall be removed prior to vertical construction on Site "B".
11. All power lines shall be located underground from the nearest street access to the project site. Utility vaults shall be located underground in conformance with Downtown Centennial Plan requirements.
12. 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.
13. 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, to indicate at least one loading space on Site "B".
14. 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:
 - (a) Provide at least one additional 24" box tree in the perimeter buffer north of the Retail C pad on Site "B";
 - (b) East-west streets (Fremont Street and Charleston Boulevard) shall contain Southern Live Oak, Shoestring Acacia, African Sumac, Ash, Pistache or a combination of these species as the primary landscape element.

15. 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.
16. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
17. 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.
18. 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.
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. Construction standards shall conform to those of the Downtown Centennial Plan for the East Village District and Title 19, wherever these standards may apply.
20. 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.
21. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

22. Coordinate with the Building and Safety Department to determine if existing lot lines are in conflict with existing or the new proposed structures. If it is determined that a mapping or other lot consolidation is required, coordinate with the City Surveyor to determine the most appropriate lot consolidation method. Record a Joint Access Agreement between parcels that depend on other parcels for access to the public rights-of-way.

23. Remove all substandard public street improvements and unused driveway cuts for all street frontages on this site south of the northern most driveway on Eastern Avenue and replace with new improvements meeting Downtown Centennial Plan Standards concurrent with development of this site. Remove and replace all substandard public street improvements and unused driveway cuts, if any, north of the northern most driveway on Eastern Avenue 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 the development of this site.
24. Unless otherwise allowed by the City Engineer, construct sidewalk, where such does not exist, 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 onsite roadway network and shall be terminated on-site with a handicap ramp.
25. Meet with the Traffic Engineering Representative for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a. Driveways on Charleston Boulevard and Fremont Street shall also meet Nevada Department of Transportation approval (NDOT).
26. 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.
27. Landscape and maintain all unimproved rights-of-way, if any, on Charleston Boulevard, Fremont Street and Eastern Avenue adjacent to this site. All landscaping and private improvements 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.
28. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard, Fremont Street and Eastern Avenue public rights-of-way adjacent to this site.
29. 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

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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.

30. 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.

Sincerely,



Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

cc: Mr. Arnold Stalk
3701 Alta Drive
Las Vegas, Nevada 89107