



June 4, 2013

LAS VEGAS
CITY COUNCIL

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Mr. Mark Dix
Charleston Towers, LLC
18501 Collier Avenue, Suite B-106
Lake Elsinore, California 92530

RE: SDR-48464 – SITE DEVELOPMENT PLAN REVIEW
RELATED TO VAR-48460, SUP-48462 AND VAC-48465
CITY COUNCIL MEETING OF MAY 15, 2013

Dear Mr. Dix:

The City Council at a regular meeting held May 15, 2013, APPROVED the request for a Site Development Plan Review FOR A PROPOSED SIX-STORY MIXED-USE DEVELOPMENT CONSISTING OF 166 RESIDENTIAL UNITS AND 47,100 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG THE INTERIOR PROPERTY LINE WHERE AN EIGHT-FOOT WIDE LANDSCAPE BUFFER IS REQUIRED AND TO ALLOW A 51-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE A 279-FOOT SETBACK IS REQUIRED on 2.09 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 16, 2013. This approval is subject to:

Planning

1. Site Development Plan Review (SDR-14349) shall be expunged upon final approval of this request.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-48460), (Special Use Permit (SUP-48462), and Vacation (VAC-48465) shall be required, if approved.
3. This approval shall be void **three** years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. **All development shall be in conformance with the site plan, landscape plan, floor plans date stamped 02/21/2013, and building elevations, date stamped 05/15/2013, except as amended by conditions herein.**

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5. A Waiver from Title 19.08.040(H) is hereby approved, exempting the height of the proposed development from compliance with the Residential Adjacency Proximity Slope requirements.
6. A Waiver from Title 19.08.070 is hereby approved, to allow no landscape buffer adjacent to the rear alley way where an eight-foot wide landscape buffer is required.
7. An Exception from Title 19.08.040(F)(8)(b) is hereby approved, to allow no shrubs per 24-inch box tree where four 5-gallon shrubs per tree are required.
8. 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 Department of Building and Safety.
9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
10. The applicant shall coordinate with the City Surveyor and other 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.
11. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning 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.
12. A Comprehensive Construction Staging Plan shall be submitted to the Department of Planning 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.
13. 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. Installed landscaping shall not impede visibility of any traffic control device.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

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. Reflective glass at the pedestrian level is prohibited. Glass on the second floor and above shall not be greater than 22% reflectivity.
17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. A Petition of Vacation, such as VAC-48465, to eliminate the existing alley rights-of-way in conflict with this site plan shall record prior to the recordation of a Final Map for this site. Dedicate a 20-foot wide alley along the northern side of Assessor's Parcel No. 139-34-810-075 to connect to Ninth Street (including a radius) acceptable to the City Engineer immediately after recordation of the Order of Vacation. Alternatively, grant appropriate Public Roadway, Sewer, and Drainage Easements over the same area required for dedication.
19. Dedicate a 25-foot radius on the northwest corner of 10th Street and Charleston Boulevard and on the corner of Charleston Boulevard and Gass Avenue. Dedicate an additional 10 feet of right-of-way for a total 25-foot radius corner on the northeast corner of Gass Avenue and Ninth Street.
20. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site. A geotechnical soils report, to determine the condition of the adjacent pavement; shall be submitted concurrent with the submittal of off-site construction drawings for the site and shall be approved prior to the issuance of any offsite permits.
21. Construct all incomplete half-street improvements to meet current City Standards adjacent to this site 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.
22. A sanitary sewer relocation plan must be submitted to and approved by the Collection Systems Planning Section of the Department of Public Works prior to the issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

23. Landscape and maintain all unimproved rights-of-way 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.
24. Submit an Encroachment Agreement for landscaping and private improvements, if any, in the Ninth Street, Garces Avenue, and Tenth Street public rights-of-way prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements in the public right-of-way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (229-4836).
25. 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.
26. 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

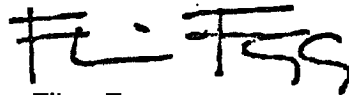
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Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

Sincerely,



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



Flinn Fagg
Director
Planning and Development

cc: Mr. George Garcia
GC Garcia, Inc.
1711 Whitney Mesa Drive, Suite #110
Henderson, Nevada 89014