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CITY COUNCIL**

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October 22, 2015

Mr. Todd Kessler
901 Fremont, LLC
P.O. Box 1570
Las Vegas, Nevada 89125

**RE: SDR-60326 [PRJ-59810] - SITE DEVELOPMENT PLAN REVIEW
RELATED TO ZON-60327 AND VAC-60328
CITY COUNCIL MEETING OF OCTOBER 21, 2015**

Dear Mr. Kessler:

The City Council at a regular meeting held on October 21, 2015 **APPROVED** a request for a Site Development Plan Review FOR A FIVE-STORY MIXED-USE DEVELOPMENT TO INCLUDE 226 RESIDENTIAL UNITS, FIVE LIVE/WORK UNITS, AND 15,000 SQUARE FEET OF COMMERCIAL SPACE AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE REQUIREMENTS on 1.35 acres adjacent to the southeast corner of Fremont Street and 9th Street (APNs 139-34-712-032 to 034 and 139-34-612-057 to 059), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 3 (Coffin) [PRJ-59810].

This approval is subject to the following conditions:

Planning

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-60327) and Vacation (VAC-60328) shall be required, if approved.
2. This approval shall be void two 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.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 07/22/15, except as amended by conditions herein.
4. A Waiver from the Downtown Centennial Plan Streetscape development standards is hereby approved, to allow no streetscape improvements along Carson Avenue and Fremont Street.

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
DEVELOPMENT SERVICES CENTER
333 NORTH RANCHO DRIVE
3RD FLOOR
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5. 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.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. 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.
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. Installed landscaping shall not impede visibility of any traffic control device.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. 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.
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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. A map that consolidates the existing lots on this site, such as FMP-55199, and an Order of Vacation that eliminates 9th Street as a public right of way, such as VAC-60328, shall record prior to the issuance of any off-site permits for construction in the area that is currently public right-of-way. Building permits may be issued and plans may be approved prior to the recordation of the vacation as long as no private improvements are constructed in the public right-of-way without an authorized encroachment agreement.

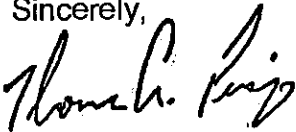
14. Unless otherwise allowed by the City Engineer, remove all substandard public street improvements and unused driveway cuts on Carson Avenue and replace with new improvements meeting Downtown Centennial Plan Standards concurrent with development of this site, except as amended by conditions herein. Alternatively, if the associated Waiver of Centennial Plan Streetscape requirements on Carson Avenue is approved, the applicant shall sign and record a Covenant Running with Land agreement for the future installation of Downtown Centennial streetscape improvements. The Covenant Running with Land agreement shall record prior to the issuance of any permits for this site.
15. Correct all American's with Disabilities Act (ADA) deficiencies on the sidewalks adjacent to this site in accordance with code requirements of Title 13.56.040, if any, to the satisfaction of the City Engineer concurrent with development of this site.
16. 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.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site.
18. Submit an Encroachment Agreement for landscaping and private improvements, if any, in the Carson Avenue 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).

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19. 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, or the submittal of any construction drawings. 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.
20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

The Notice of Final Action was filed with the Las Vegas City Clerk on October 22, 2015.

Sincerely,



Thomas A. Perrigo
Director
Department of Planning

TAP:clb