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July 19, 2018

Ms. Susan Hitch
18 Fremont Street Acquisition, LLC
1 Fremont Street
Las Vegas, Nevada 89101

**RE: SDR-73004 [PRJ-72865] - SITE DEVELOPMENT PLAN REVIEW
RELATED TO SUP-72998, SUP-72999, SUP-73000, SUP-73001,
SUP-73002 AND SUP-73003
CITY COUNCIL MEETING OF JULY 18, 2018**

Dear Ms. Hitch:

The City Council at a regular meeting held on July 18, 2018 voted to **APPROVE** a request for a Site Development Plan Review FOR A PROPOSED 1,224,485 SQUARE-FOOT, 459-FOOT TALL HOTEL AND CASINO WITH A 817,605 SQUARE-FOOT, 143-FOOT TALL PARKING GARAGE on 4.84 acres at the southwest and southeast corners of Ogden Avenue and Main Street (APNs 139-34-112-001 and 139-34-113-001), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-72865].

This approval is subject to the following conditions:

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-72998), Special Use Permit (SUP-72999), Special Use Permit (SUP-73000), Special Use Permit (SUP-73001), Special Use Permit (SUP-73002), and Special Use Permit (SUP-73003) shall be required.
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 and landscape plan date stamped 03/22/18; and building elevations date stamped 03/22/18 and 04/30/18, except as amended by conditions herein
4. A Waiver from Title 19.12 is hereby approved, to allow 1,488 parking spaces where 7,544 are required.

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5. A Waiver from Title 19, Appendix F, Interim Downtown Las Vegas Development Standards is hereby approved to allow the parking structure to not provide ground level retail, office and/or restaurant space where such is required.
6. A Waiver from Title 19, Appendix F, Interim Downtown Las Vegas Development Standards is hereby approved to allow a zero-foot setback with zero landscaping where such is required.
7. A Waiver from Title 19, Appendix F, Interim Downtown Las Vegas Development Standards is hereby approved to allow no arcades, awnings and canopies on the ground floor of the proposed structure where such is required.
8. A Waiver from Title 19, Appendix F, Interim Downtown Las Vegas Development Standards is hereby approved to allow a civic amenity to satisfy 50% of the 70% first story façade alignment along the front property line requirement.
9. 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
10. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
11. All utility or mechanical equipment shall comply with the provisions of the Title 19, Appendix F, Interim Downtown Las Vegas Development Standards unless approved by a separate Waiver.
12. 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.
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 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.

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15. Prior to or at the time of submittal for any building permit, the applicant shall provide written verification by the FAA and/or the Clark County Department of Aviation of the following:
 - a. Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Clark County Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Clark County Department of Aviation;
 - b. No Building Permit or other construction permit shall be issued for any structure greater than 35 feet above the surface of land that, based upon the FAA's 7460 airspace determination (the outcome of filing the FAA Form 7460-1) would (a) constitute a hazard to air navigation, (b) would result in an increase to minimum flight altitudes during any phase of flight (unless approved by the Department of Aviation), or (c) would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.
 - c. Applicant is advised that FAA's airspace determinations are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments.
 - d. Applicant is advised that the FAA's airspace determinations include expiration dates and that the separate airspace determinations will be needed for construction cranes or other temporary equipment.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. Correct all American's with Disabilities Act (ADA) deficiencies, if any, on the sidewalk along Ogden Avenue, Main Street and First Street adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer 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.
18. The proposed aerial pedestrian bridge across Main Street is hereby approved in concept. Final design criteria for the bridge, addressing minimum clearance height above Main Street and traffic signal visibility concerns shall be approved by the Department of Public Works prior to the issuance of any permits for the bridge. An Aerial Easement for the proposed pedestrian bridge across Main Street shall be recorded prior to the issuance of permits as required by the Department of Public Works.

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19. Landscape and maintain all unimproved rights-of-way, if any, 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.
20. Submit a License Agreement for landscaping and private improvements, if any, in the Ogden Avenue, Main Street and First Street public rights of way adjacent to this site prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License 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 License 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 License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).
21. 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, whichever may occur first. 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. 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.
22. 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 or submittal of any construction drawings, 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.

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The Notice of Final Action was filed with the Las Vegas City Clerk on July 19, 2018.

Sincerely,


for Robert Summerfield, AICP
Director
Department of Planning

RTS:SG:clb:nl

cc: Mr. Todd Kessler
P.O. Box 1570
Las Vegas, Nevada 89125