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June 20, 2013

Mr. Todd Kessler
113 4th Street, LLC
300 Las Vegas Boulevard North, Suite #110
Las Vegas, Nevada 89101

RE: SUP-48816 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF JUNE 19, 2013

Dear Mr. Kessler:

The City Council at a regular meeting held June 19, 2013, APPROVED the request for a Special Use Permit FOR A PROPOSED 3,643 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT, INCLUDING 401 SQUARE FEET OF OUTDOOR SEATING AREA at 113 North 4th Street (APN 139-34-510-028), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on June 20, 2013. This approval is subject to:

Planning

1. 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.
2. All signage shall conform to the sign standards of Title 19.10.100, and 19.08 where applicable, and any proposed signage shall be approved by the Downtown Design Review Committee prior to issuance of any sign permit.
3. All outdoor dining and seating areas shall be free of any permanent barriers or other structures that create physical separation between the dining area and areas of public sidewalks. All furnishings within the outdoor dining area shall be movable.
4. 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.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.

CITY OF LAS VEGAS
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7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

9. Submit an Encroachment Agreement for all the outdoor dining facilities and any other private improvements, if any, in the 4th Street Public right-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).

Sincerely,



Gabriela Portillo-Brenner
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

cc: Mr. Paul Hymas
Nacho Daddy, LLC
904 Eaglewood Drive
Las Vegas, Nevada 89144