



**LAS VEGAS  
CITY COUNCIL**

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cityoflasvegas  
lasvegasnevada.gov

November 18, 2021

Ms. Mina Maleki  
Tri Pointe Homes  
4675 West Teco Avenue, Suite #115  
Las Vegas, Nevada 89118

**RE: 21-0526-ZON1, 21-0526-MOD1, 21-0526-VAR2, 21-0526-VAC1, 21-0526-SDR1 AND 21-0526-TMP1  
CITY COUNCIL MEETING OF NOVEMBER 17, 2021**

Dear Ms. Maleki:

The City Council at a regular meeting held on **November 17, 2021** voted to **APPROVE** the following Land Use Entitlement project requests on 29.46 acres at the northeast corner of Kyle Canyon Road and Alpine Ridge Way (APNs 126-01-601-008 through 011; and 126-01-701, 002, 003 and 009), PD (Planned Development) Zone [L (Residential Low) Kyle Canyon Gateway Special Land Use Designation] and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], Ward 6 (Fiore).

- **21-0526-ZON1** - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) [APN 126-01-701-003]
- **21-0526-MOD1** - MAJOR MODIFICATION - TO AMEND THE KYLE CANYON GATEWAY MASTER DEVELOPMENT PLAN TO ADD 5.00 ACRES TO THE PLAN AND DESIGNATE THE LAND USE AS L (RESIDENTIAL LOW) [APN 126-01-701-003]
- **21-0526-VAR2** - VARIANCE - TO ALLOW STUB STREET TERMINATIONS ON PRIVATE STREETS WHERE CULS-DE-SAC OR HAMMERHEADS ARE REQUIRED
- **21-0526-VAC1** - VACATION - PETITION TO VACATE U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED AT THE NORTHEAST CORNER OF KYLE CANYON ROAD AND ALPINE RIDGE WAY; AND PORTIONS OF PUBLIC RIGHT-OF-WAY BETWEEN ALPINE RIDGE WAY AND MICHELLI CREST WAY
- **21-0526-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR A 157-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT

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- **21-0526-TMP1** - TENTATIVE MAP - KYLE CANYON GATEWAY UNIT 3 - FOR A 157-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION WITH A WAIVER OF KYLE CANYON GATEWAY PERIMETER LANDSCAPE STANDARDS

**21-0526-ZON1** and **21-0526-MOD1** approvals are subject to no conditions:

**21-0526-VAR2** approval is subject to the following conditions:

**Planning**

1. Approval of Rezoning (21-0526-ZON1) and a Major Modification to the Kyle Canyon Gateway Master Development Plan (21-0526-MOD1), and approval of and conformance to the Conditions of Approval for a Petition to Vacate (21-0526-VAC1), Site Development Plan Review (21-0526-SDR1) and Tentative Map (21-0526-TMP1) shall be required, if approved.
2. This approval shall be void four 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 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.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**21-0526-VAC1** approval is subject to the following conditions:

1. The limits of this Petition of Vacation shall be the rights-of-way and U.S. Government Patent Easements submitted to the City of Las Vegas date stamped September 2, 2021.
2. This Order of Vacation and Order of Relinquishment of Interest shall record immediately prior to and concurrent with the Final Map associated with 21-0526-TMP1.

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3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by 21-0526-TMP1 may be used to satisfy this requirement provided that it addresses the area to be vacated.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided, if required.
6. All development shall be in conformance with code requirements and design standards of all City Departments.
7. The Order of Vacation and Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
8. If the Order of Vacation and Order of Relinquishment of Interest is not recorded within four (4) years after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

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**21-0526-SDR1** approval is subject to the following conditions:

**Planning**

1. Approval of a Rezoning (21-0526-ZON1) and a Major Modification to the Kyle Canyon Gateway Master Development Plan (21-0526-MOD1), and approval of and conformance to the Conditions of Approval for a Variance (21-0526-VAR2), Petition to Vacate (21-0526-VAC1), Site Development Plan Review (21-0526-SDR1) and Tentative Map (21-0526-TMP1) shall be required, if approved.
2. This approval shall be void four 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 date stamped 09/02/21 and landscape plan date stamped 08/24/21.
4. Pursuant to Title 19.10.040.I, a Waiver of the Kyle Canyon Gateway Design Standards Section 2.A.3 is hereby approved, to allow a zero-foot perimeter landscape buffer along the north side of Kyle Canyon Road where a minimum six-foot landscape buffer is required adjacent to public right-of-way.
5. An Exception from Title 19.06.040 is hereby denied to allow 66 trees where 72 trees are required (One 24-inch box tree per 30 linear feet) within perimeter buffers.
6. 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.
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
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 as Final Map submittal. 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.

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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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

### **Public Works**

12. Concurrent with development, construct half-street improvements on Alpine Ridge Way, Kyle Canyon Road and on Ruston Road, with appropriate overpaving and transition paving. The Kyle Canyon Road cross section shall be as approved by the Nevada Department of Transportation (NDOT) and City Traffic Engineering Department.
13. 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.
14. Submit a License Agreement for landscaping and private improvements in the Alpine Ridge Way and Ruston Road public rights-of-way adjacent to this site prior to the 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).
15. The proposed sewer connection in Ruston Road shall be to a 12-inch line per the Kyle Canyon Gateway Master Sewer Study.

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**21-0526-TMP1** approval is subject to the following conditions:

**Planning**

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
2. Approval of a Rezoning (21-0526-ZON1) and a Major Modification to the Kyle Canyon Gateway Master Development Plan (21-0526-MOD1), and approval of and conformance to the Conditions of Approval for a Variance (21-0526-VAR2), Petition to Vacate (21-0526-VAC1), Site Development Plan Review (21-0526-SDR1) and Tentative Map (21-0526-TMP1) shall be required, if approved.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. 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.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

**Public Works**

7. Prior to and concurrent with the recordation of a Final Map for this site, a Petition of Vacation, such as 21-0526-VAC1, shall be recorded to eliminate the rights-of-way and patent easements in conflict with this proposed site.
8. Dedicate 30 feet of right-of-way adjacent to this site for Ruston Road, 40 feet on Alpine Ridge Way, 60 feet on Randlett Way (AKA Ponderosa Ridge Avenue) and 15-foot radii at the southeast corner of Alpine Ridge Way and Ruston Road and the northeast and southeast corners of Alpine Ridge Way and Randlett Way on the Final Map for this site.
9. Unless otherwise allowed by the City Engineer, submit all required documentation and support materials to the Right-of-Way Section of the Department of Public Works for a Bureau of Land Management (BLM) Grant application to obtain a Roadway, Sewer, and Drainage Grant for the south side of Randlett Way (AKA Ponderosa Ridge Avenue) on Assessor's Parcel #126-01-701-010 prior to constructing improvements on the BLM parcel. Civil Plans may be approved without the grant being authorized; however, no construction on Assessor's Parcel #126-01-701-010 may occur until the grant is authorized by BLM and recorded by the Right-of-Way section of the Department of Public Works. The developer must submit the BLM application to the City for review prior to submitting to BLM for authorization. If the BLM Grant application is submitted, but no activity has occurred toward obtaining the grant within one year of the submittal of the BLM application, the City will make best efforts to contact the applicant and request a project status report; however, if a project status cannot be determined, the City may withdraw the grant application. If the City withdraws the application, a brand new grant application will be required when it is determined that efforts are being made toward obtaining the grant. Additionally, the applicant must accept responsibility for all stipulations required by the BLM in the offer of the grant made to the City. The off-site improvement agreement must include a section addressing the acceptance of the BLM grant stipulations prior to the City's acceptance of the BLM grant.
10. Private streets must be granted and labeled on the Final Map for this site as Public Utility Easements (P.U.E.), Public Sewer Easements, and Public Drainage Easements to be privately maintained by the Homeowner's Association.

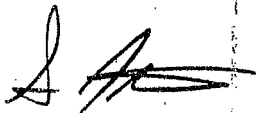
11. Construct half-street improvements including appropriate transitioning and overpaving on Kyle Canyon Road per the Nevada Department of Transportation requirements, and construct appropriate half-street improvements for Alpine Ridge Way and Ruston Road adjacent to this site, concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). 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.
12. Per the Kyle Canyon Gateway Master Sewer Study, coordinate with the Sanitary Sewer Planning Section to execute a sewer oversizing/extension agreement with CLV Public Works Sanitary Sewer Section to extend sewer the full frontage on Kyle Canyon Road.
13. Provide a minimum 30-foot wide Public Sewer Easement in Common Element "Q".
14. A minimum two lanes of asphalt pavement on all public streets providing the main access to the site and a working sanitary sewer connection shall be provided prior to a final inspection of any dwelling units within this Tentative Map.
15. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required Improvements shall be constructed in accordance with Title 19.02.130.D.
16. An update to the previously approved Master 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, whichever may occur first. Comply with the recommendations of the approved update to the Traffic Impact Analysis prior to occupancy of the 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.

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17. An update to the previously approved conceptual drainage study shall be submitted and approved prior to the submittal of construction drawings or the recordation of a Map, whichever may occur first. Additionally, 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.
18. As per Unified Development Code (UDC) 19.16.060.G, all requirements must be complied with or such future compliance must be guaranteed by an approved performance security method in accordance with UDC Section 19.02.130.
19. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

The Notice of Final Action was filed with the Las Vegas City Clerk on November 18, 2021.

Sincerely,



Seth T. Floyd  
Director of Community Development  
Department of Planning

STF:PL:clb

cc: Ms. Hannah Swan  
Westwood Professional Services  
5740 South Arville Street, Suite #216  
Las Vegas, Nevada 89118