



September 20, 2023

999 Investments, LLC
9500 Hillwood Drive, Ste. 201
Las Vegas, Nevada 89134

**LAS VEGAS
CITY COUNCIL**

CAROLYN G. GOODMAN
Mayor

BRIAN KNUDSEN
Mayor Pro Tem

CEDRIC CREAR
VICTORIA SEAMAN

OLIVIA DÍAZ
FRANCIS ALLEN-PALENSKE
NANCY E. BRUNE

MIKE JANSSEN
City Manager

**RE: 23-0239 [MOD1, ZON1, VAC1, SDR1, AND TMP1]
CITY COUNCIL MEETING OF SEPTEMBER 20, 2023**

Dear Applicant:

The City Council at a regular meeting held on *September 20, 2023* voted to **APPROVE** the following Land Use Entitlement project requests on 18.26 acres at the southeast corner of Rocky Avenue and Alpine Ridge Way (APNs 126-01-601-001 through 006), U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and PD (Planned Development) Zones, Ward 6 (Brune).

23-0239-ZON1 - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) [4.13 acres on APNs 126-01-601-004 and 006]

23-0239-MOD1 - MAJOR MODIFICATION - TO AMEND THE KYLE CANYON GATEWAY MASTER DEVELOPMENT PLAN TO ADD 4.13 ACRES TO THE PLAN, DESIGNATE THE LAND USE AS ML (RESIDENTIAL MEDIUM LOW) ON 18.26 ACRES [APNs 126-01-601-001 THROUGH 006] AND AMEND THE DESIGN GUIDELINES

23-0239-VAC1 - VACATION - PETITION TO VACATE PORTIONS OF RUSTON ROAD, MICHELLI CREST WAY AND MCKINSTER ROAD (PUBLIC RIGHT-OF-WAY) AND U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED AT THE SOUTHEAST CORNER OF ROCKY AVENUE AND ALPINE RIDGE WAY

23-0239-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 179-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT

23-0239-TMP1 - TENTATIVE MAP - KYLE CANYON GATEWAY WEST - FOR A 179-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

This approval is subject to the following conditions:

23-0239-MOD1 and 23-0239-ZON1 are approved with no conditions.

DEPARTMENT OF
COMMUNITY DEVELOPMENT

SETH T. FLOYD
DIRECTOR

CITY HALL

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23-0239-VAC1 Conditions:

1. The limits of this Petition of Vacation shall be the U.S. Government Patent Easements and public rights-of-way located between Rocky Avenue and Ruston Road east of Alpine Ridge Way on or adjacent to Assessor's Parcel Numbers (APNs) #126-01-601-001, 126-01-601-002, 126-01-601-003, 126-01-601-004, 126-01-601-005, and 126-01-601-006.
2. These Orders of Vacation and Relinquishment shall record immediately prior to and concurrent with the first mapping action related to 23-0239-TMP1.
3. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties so that an un-maintained "no-man's land" area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first. Additional or amended Mapping may be required to allow transfer of Parcels if needed in support of this plan.
4. 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 23-0239-TMP1 may be used to satisfy this requirement provided that it addresses the area to be vacated.
5. The Order of Vacation shall reserve easements for the facilities of all City of Las Vegas Franchise Holders unless written verifiable letters of consent without reservation are received prior to recordation.
6. 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.
7. All development shall be in conformance with code requirements and design standards of all City Departments.
8. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
9. The Orders of Vacation and 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.

10. If the Order of Vacation 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 Director of Community Development, then approval will terminate and a new petition must be submitted.

23-0239-SDR1 Conditions:

Planning

1. The proposed subdivision shall be designed with an energy capacity to allow for EV charging within each of the home sites.
2. Approval of a Major Modification of the Kyle Canyon Gateway Master Development Plan (23-0239-MOD1) and Rezoning (23-0239-ZON1), and approval of and conformance to the conditions of approval for a Petition to Vacate (23-0239-VAC1) and a Tentative Map (23-0239-TMP1) shall be required, if approved.
3. 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.
4. All development shall be in conformance with the building elevations date stamped 05/18/23, site plan date stamped 07/19/23, and landscape plan date stamped 08/30/23, except as amended by conditions herein.
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. 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.

8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
9. 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.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. 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.
12. No walls, signs, lights, parking area, buildings or other structures, or permanent landscaping having a mature height of greater than three-feet shall be placed anywhere in any easement or in the vehicle ingress or egress pathways to easements.
13. 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

23-0239-TMP1 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 Major Modification of the Kyle Canyon Gateway Master Development Plan (23-0239-MOD1) and Rezoning (23-0239-ZON1) and approval of and conformance to the conditions of approval for a Petition to Vacate (23-0239-VAC1) and a Site Development Plan Review (23-0239-SDR1) 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.

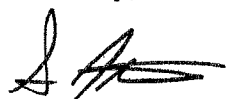
Public Works

7. A Vacation such as 23-0239-VAC1 shall record immediately prior to and concurrent with the first mapping action related to this Tentative Map.
8. 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.
9. Construct half-street improvements including appropriate transition and over paving on Alpine ridge Way and Rocky Avenue where legally able, 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.
10. Extend 10-inch oversized public sewer in Rocky Avenue from its current terminus to the west edge of this site, at a size, depth and location acceptable to the Sanitary Sewer Engineering Section of the Department of Public Works. Coordinate with City of Las Vegas Public Works Sanitary Sewer Engineering to execute a Sewer Oversizing Agreement to be reimbursed for the cost difference of constructing an oversized sewer versus the minimum required pipe diameter.

11. Grant a minimum 20-foot wide Public Sewer Easement with private surface maintenance by the Homeowner's Association (HOA) for the public sewer line within Common Element "R". Construct and maintain a 12-foot wide paved path to access this sewer line.
12. Design of public sewer and flood control infrastructure horizontal and vertical distance separations must meet the City of Las Vegas' design criteria prior to the issuance of permits for this site.
13. 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.
14. 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 sections 19.02.130.
15. 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 September 20, 2023.

Sincerely,



Seth T. Floyd
Director of Community Development
Department of Planning

STF:PL:ew
cc:

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