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039471

October 2, 2003

Mr. Albert D. Massi
Albert D. & Eileen F. Massi
3202 West Charleston Boulevard
Las Vegas, Nevada 89102

RE: ZON-2624 - REZONING
CITY COUNCIL MEETING OF OCTOBER 1, 2003
RELATED TO VAR-2626 & SDR-2625

Dear Mr. Massi:

The City Council at a regular meeting held October 1, 2003 APPROVED the request for a Rezoning FROM: U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] TO: R-PD5 (Residential Planned Development - 5 Units Per Acre) on 2.63 acres adjacent to the southwest corner of Buffalo Drive and Gilmore Avenue (APN: 138-09-601-005). The Notice of Final Action was filed with the Las Vegas City Clerk on October 2, 2003. This approval is subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Site Development Plan Review (SDR-2625), open space Variance (VAR-2626) and Title 18 Waiver (WVR-2811) applications approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. Reconfiguration of the previous phase of the Day Dawn development immediately to the south of the subject site to increase the amount of open space in that phase, associated with the vacated portion of Ahey Road, from 10,000 square feet to 15,000 square feet.

Public Works

4. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the issuance of any permits or the recordation of any Map dividing this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

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5. Construct half-street improvements on Buffalo Drive and Gilmore Avenue adjacent to this site 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. Alternatively, the applicant may participate in the public improvement project for the Buffalo Drive improvements.
6. If not already constructed, coordinate with the Collection Systems Planning section of the Department of Public Works to extend public sanitary sewer in Gilmore Avenue to the west edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.
7. 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this 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.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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8. 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, submittal of any construction drawings or the recordation of a Map subdividing this site, 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. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

Sincerely,



Diana Davis
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Paul Wagner
Nevada Homes Group
6985 West Sahara Avenue, Suite 201
Las Vegas, Nevada 89117

Mr. Jeffrey Armstrong
VTN Nevada
2727 South Rainbow Boulevard
Las Vegas, Nevada 89146