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CITY OF LAS VEGAS
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July 25, 2003

Mr. Bruce C. Warburton
Ms. Judie Collins-Warburton
5685 Balsam Street
Las Vegas, Nevada 89130

RE: ZON-1987 - REZONING
CITY COUNCIL MEETING OF JUNE 18, 2003
RELATED TO GPA-1988

Dear Applicant:

The City Council at a regular meeting held June 18, 2003 APPROVED the request for a Rezoning FROM: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] [Proposed: O (Office) General Plan Designation] and R-E (Residence Estates) TO: O (Office) on 9.39 acres adjacent to the northwest corner of Ann Road and Balsam Street (APNs: 125-27-802-002, 003, 004, 005, 008, 009, 012 and 014), PROPOSED USE: PROFESSIONAL OFFICE PARK. The Notice of Final Action was filed with the Las Vegas City Clerk on June 19, 2003. This approval is subject to:

Planning and Development

1. Access to the development shall be from Ann Road only. There shall be no access to the development from Balsam Street and no access from Rio Vista Street, save and except for fire department crash gate(s) should the City of Las Vegas deem such gate(s) necessary.
2. There shall be a landscape buffer along the entire north, west and east property lines.
3. There shall be no building constructed on the property within approximately one hundred feet (100') of the north property line.
4. All buildings on the property shall be single story, being no higher than twenty-four feet (24'), including any architectural enhancements.
5. All buildings on the property shall have a general residential appearance.
6. Each building on the property (save and except for any buildings on Ann Road, as per submitted site plan) shall be a maximum of 7,000 square feet in size.

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7. All lighting within one hundred feet (100') of the north property line shall be security lighting only after dark.
8. Prior to any permit being pulled, the wall along the north property line shall be finally engineered and an agreement shall be reached with the neighbors immediately adjacent to the north property line as to the design and height of the wall. If agreement cannot be reached, then a public hearing Site Development Plan Review on the design and height of the wall shall be held.
9. No building on north property line shall have any roof mounted HVAC unit(s).
10. No trash bins shall be located within one hundred feet (100') of north property line.
11. A General Plan Amendment (GPA-1988) to an O (Office) land use designation approved by the City Council.
12. A Resolution of Intent with a two-year time limit.
13. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

14. Dedicate an additional 20 feet of right-of-way, where such does not exist, for a total half-street width of 30 feet on Rio Vista Street adjacent to this site prior to the issuance of any permits or in conjunction with recordation of a subdivision map.
15. Construct half-street improvements on Balsam Street and Rio Vista Street adjacent to this site and extend widened paving on Rio Vista Street to Ann Road 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.
16. Extend public sewer in Balsam Street to the north edge of this development to a location, depth and alignment 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. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

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17. 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. 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 for 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. 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.

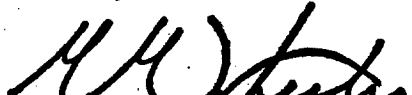
18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and 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,



Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

Sincerely,



M. Margo Wheeler, AICP
Planning Manager, Current Planning Division
Planning and Development Department

cc: See Attached List

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

Mr. Chris Kaempfer
KKB&R
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89109

Prince Family, Limited Partnership
318 North Carson Street, Suite #204
Carson City, Nevada 89701

Mr. Christopher M. Cellura
5557 Radcliff Road
Sylvania, Ohio 43560

Borsack Group, Inc.
711 Pilot Road, Suite F
Las Vegas, Nevada 89119

Tharp-Shull 1996 Trust
5680 Rio Vista Street
Las Vegas, Nevada 89130

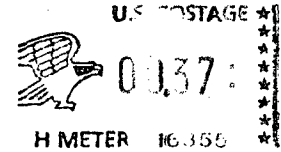
Ms. Susan Shellenbarger
5690 Rio Vista Street
Las Vegas, Nevada 89130

Horizon Homes, Inc.
3111 S. Valley View Boulevard, Suite B-120
Las Vegas, Nevada 89102

CITY of LAS VEGAS

OFFICE OF THE CITY CLERK
CITY HALL
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101-2986

RECEIVED
CITY CLERK



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Borsack Group, Inc.
711 Pilot Road, Suite F
Las Vegas, Nevada 89119



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