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VIRGINIA VALENTINE



012388

March 22, 2000

Mr. Phil Davis
Rome 95 Limited Partnership
Rome PHD Limited Partnership
3311 South Rainbow Boulevard, Suite #139
Las Vegas, Nevada 89146-6208

RE: Z-74-99 - REZONING [Related to Z-74-99(1)]

Dear Mr. Davis:

The City Council at a regular meeting held March 1, 2000 APPROVED the request for a Rezoning on property located adjacent to the northwest corner of the intersection of Rome Boulevard and Sky Pointe Drive FROM: U (Undeveloped) Zone [TC (Town Center) General Plan Designation] TO: TC (Town Center), PROPOSED USE: 51,679 SQUARE FOOT COMMERCIAL CENTER, Size: 10.22 Acres, Ward 4 (Brown) [new Ward 6 (Mack)], APN: 125-21-701-004 and 125-21-801-001. The Notice of Final Action was filed with the Las Vegas City Clerk on March 2, 2000. This approval is subject to:

1. A two-year Resolution of Intent.
2. An impact statement shall be completed in compliance with NRS 463.3094 and shall be submitted to the Planning and Development Department for incorporation into this application no later than fifteen (15) days prior to final action on this request by City Council.
3. A Site Development Plan Review application shall be approved by the Planning Commission prior to issuance of any permits, any site grading, and all development activity for the site
4. Dedicate, obtain dedication, or provide proof of existing dedication for 90 feet of right-of-way adjacent to this site for Sky Point Drive (AKA the "Frontage Road"), dedicate 100 feet of right-of-way through this site for re-aligned Buffalo Drive, and dedicate 54 foot radii on the northeast and southeast corners of Buffalo Drive and Sky Point Drive as required by the Department of Public Works.
5. Submit appropriate applications to vacate all existing public rights-of-way in conflict with this proposal (i.e. Conough Lane) as required by the Department of Public Works. Such Vacation Applications shall be acted upon by City Council prior to the approval of any Final Maps for this site and shall record prior to the issuance of any grading or building permits or the recordation of any Maps overlying the areas to be vacated. If such Vacation Applications are not approved, this site shall be redesigned and any applicable Maps shall be revised to accommodate the existing rights-of-way as required by the Department of Public Works.

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6. Construct full-width street improvements on the realigned Buffalo Drive concurrent with development of this site. If not already in place at the time of development, construct half street improvements including the full-width median island on Sky Pointe Drive, in accordance with the approved cross section for the Town Center Frontage Road, adjacent to the entire site concurrent with development of this site as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The applicant shall agree to participate in all future Special Improvement Districts created for the construction and/or maintenance of roadway improvements and landscaping adjacent to this site if required by the Department of Public Works. All required improvements on the realigned Buffalo Drive and Sky Point Drive shall commence construction within one year of approval of this rezoning application by the City Council. Failure to comply with this condition may result in this item being reconsidered by the City Council.
7. In lieu of construction of the proposed relocated Frontage Road adjacent to this site, the applicant may contribute moneys in an amount to be determined by the City Planning Engineer to facilitate the future construction of the full width frontage road as shown in the Town Center Development Standards adjacent to this site prior to the issuance of permits for this site as required by the Department of Public Works. This contribution may be waived if an acceptable alternative is submitted to and approved by the City Planning Engineer (such as a Covenant Running With Land agreement anticipating the possible future Town Center Special Improvement District).
8. A Traffic Impact Analysis including a Master Driveway and On-Site Circulation Plan must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal 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 Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements 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 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. The Master Driveway Plan shall indicate the number and approximate location of all driveways servicing this site; no additional driveways shall be allowed unless specifically allowed in writing by the Traffic Engineer. 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.

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9. 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 the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible 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, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.

Sincerely,



BARBARA JO RONEMUS
City Clerk

DP /ac

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

Ms. Paula James
J.O.M.B.I. Development Company
3311 S. Rainbow Blvd, Suite #139
Las Vegas, Nevada 89146

Ms. Terri Pastorelli
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401 North Buffalo Drive, Suite #100
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