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CITY MANAGER
VIRGINIA VALENTINE

February 23, 2000



012376

CORRECTED LETTER

Mr. Farus Farmanali
Farmanali Family Trust
6370 West Flamingo Road #40
Las Vegas, Nevada 89103

RE: Z-69-99 - REZONING [Related to VAC-50-99]

Dear Mr. Farmanali:

The City Council at a regular meeting held December 15, 1999 APPROVED the request for a Rezoning on property located on the northwest corner of Elkhorn Road and Leon Avenue, FROM: R-E (Residence Estates), TO: R-PD3 (Residential Planned Development - 3 Units per Acre), PROPOSED USE: 27 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION, Size: 9.70 Acres, Ward 4 (Brown), APN: 125-13-402-009. The Notice of Final Action was filed with the Las Vegas City Clerk on December 16, 1999. This approval is subject to:

1. The site plan shall be revised to provide a landscape planter along Elkhorn Road with 24 inch box trees spaced 30 feet on center and ground cover consisting of four 5 gallon shrubs for every tree. The planter can taper from 15 feet on the east side of the property to 10 feet on the west side of the second lot west of Leon Avenue.
2. The proposed setbacks for this development shall be 20 feet in the front, 5 feet on each side, 15 feet for a corner side and 20 feet in the rear.
3. Resolution of intent with a twelve month time limit.
4. The Order of Vacation for Vacation Application VAC-50-99 must record prior to the recordation of a Final Map for this site as required by the Department of Public Works.
5. Dedicate 25.5 feet adjacent to this site for Leon Avenue, 50 feet for Elkhorn Road, a 25 foot radius on the northeast corner of Boyd Lane and Elkhorn Road and a 25 foot radius at the northwest corner of Elkhorn Road and Leon Avenue as required by the Department of Public Works.
6. Construct half-street improvements including appropriate overpaving on Boyd Lane, Leon Avenue and Elkhorn Road adjacent to this site concurrent with development of this site as required by the Department of Public Works. Also, construct widened paving from the west edge of this site westward to Jones Boulevard; temporary "Goecke" paving may be used for such widened paving. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system 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. The construction of curb and gutter (if allowed by the drainage study) and the construction of sidewalk and streetlights may be deferred for **Boyd Lane**; a covenant for such improvements as are deferred shall be recorded prior to the issuance of permits or the recordation of a Final Map for this site as required by the Department of Public Works.

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7. The private access drive connecting this site to Elkhorn Road shall be gated and shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.
8. If not already in place at the time of construction, extend public sewer service in the Elkhorn Road alignment to the west edge of this site and in the Leon Avenue alignment to the north edge of this site to locations acceptable to the City Planning Engineer as required by the Department of Public Works.
9. 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, or the recordation of a Final Map for this site. 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. 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. 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. 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.
10. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
11. A Homeowner's Association shall be established to maintain all perimeter walls, landscaping and common areas created with this development. All landscaping 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. Construct a minimum of paving and curb and gutter on all private roadways within this site as required by the Department of Public Works.

13. 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 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 or the recordation of a Final Map for this site, 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.
14. The City reserves the right to withhold building permit issuance for any and all lots within this rezoning site if adequate street improvements and/or adequate traffic capacity does not exist on the access corridors leading to this rezoning site as determined by the Director of the Department of Public Works. The City also reserves the right to withhold building permit issuance for any and all lots within this rezoning site if adequate intersection capacity does not exist at the Durango/US95 intersection as determined by the Director of the Department of Public Works. These rights shall be exercised based on the traffic capacity conditions that exist at the time of the developer's request for the issuance of each building permit. In the event of a dispute with the decision of the Director of the Department of Public Works, the developer may appeal directly to the City Council for final resolution.
15. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
16. All development shall be in conformance with the site plan and building elevations.
17. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner.
18. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.
19. All City Code requirements and design standards of all City departments must be satisfied.
20. Remove all substandard public street improvements and all unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards prior to occupancy of this site as required by the Department of Public Works.

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21. 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.
22. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards.
23. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.

Sincerely,



BARBARA JO RONEMUS
City Clerk

/vwd

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