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CITY of LAS VEGAS

May 21, 1999

Mr. Barry Becker
Becker Trust Company, et al on behalf of
Log Cabin, Limited Liability Company
South Jones Boulevard #100
Las Vegas, Nevada 89107

RE: Z-1-99 - REZONING

Dear Mr. Becker:

The City Council at a regular meeting held April 26, 1999, considered the request for a Confirmation of Conditions for the Approved Rezoning on property located on the north side of Log Cabin Way, west of Cimarron Road, R-PD2 (Residential Planned Development - 2 Units Per Acre), PROPOSED USE: SINGLE FAMILY DWELLINGS, Size: 189 Acres. The Notice of Final Action was filed with the Las Vegas City Clerk on April 27, 1999. This rezoning approval is subject to:

1. This application shall be amended to R-PD2 with a maximum density of 2.49 units per acre and minimum lot size of 20,000 square feet between Durango Drive and the existing DR development to the west, with said lots being developed to R-E setbacks.
2. The homes on the 20,000 square foot westerly and southerly perimeter lots shall be single-story.
3. The lot square footage shall be calculated on a net usable square footage basis, excluding abutting streets (not as measured from center line of street, park, open space, setbacks, etc.).
4. Overall development of the project shall be performed in a percentage manner to insure that the large lots are developed throughout overall construction, with specific language to be determined administratively in negotiation with staff.
5. Provide the City within the next 30 to 60 days with a breakdown of lot sizes within the project.

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6. The setbacks for this subdivision shall be determined at the time of the Tentative Map submittal and review.
7. The keeping of horses shall only be allowed on lots that are 20,000 square feet or greater. Horses shall be allowed per the R-E zoning standards.
8. Provide to Planning & Development staff a timetable for phased landscaping installation.
9. Construct permanent exterior decorative walls/fences on the west boundary and the south boundary from the west edge of the project two-thirds of the way to the point where the landscape central corridor meets Log Cabin Way following the completion of grading.
10. Grant 15 foot wide public multi-use trail easements adjacent to the east and west sides of Durango Drive outside the public right-of-way; such trails shall be constructed concurrent with the first phase of development anywhere on the site and shall be maintained by the Homeowner's Association.
11. Access to the public multi-use trail within this development shall not be limited.
12. Provide a 20 foot landscape buffer outside the public right-of-way on either side of Durango Drive exclusive of the pedestrian or equestrian trails after Durango Drive is improved to at least a 60 foot right-of-way and until its final build out as a 100 foot right-of-way.
13. Provide a landscape buffer and decorative wall along the southern perimeter prior to any models being opened.
14. Submit to the City Attorney and Planning & Development staff for approval a one-page document fully disclosing to all potential homebuyers at the time of purchase the proximity of this site to the Las Vegas Gun Club & Trap Shooting Park and of the condition of the soils upon which the homes are built pursuant to Nevada law protections.
15. Provide to Planning & Development staff an acknowledgment by the State Park of any mitigation issues and the State Park's role in the development of Log Cabin Way as an 80 foot right-of-way.
16. Submit an indemnification holding the City harmless in the event of sinking due to unstable ground.
17. Furnish a certified soils report to the City prior to any grading on the site.
18. Submit a grading plan to Planning & Development staff for review which brings the grading to the lowest possible point in the Durango Drive corridor, even if such requires the retaining of an outside expert to verify the plan.

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19. A Homeowners Association shall be established to maintain all private roadways, perimeter walls, landscaping, and common areas created with this development.
20. Where allowed by the Department of Public Works, streets shall be constructed to rural standards for street design and lighting. Cut-off lights with lower wattage are required along Durango. Minimal lighting such as six foot gas lights or lighting from the exterior homes is required along private streets to prevent spillover to adjacent properties.
21. Dedicate the full width (120 feet) of right-of-way adjacent to this site for Moccasin Road along an alignment acceptable to the City Planning Engineer as required by the Department of Public Works. The alignment of Moccasin Road shall be altered at the east edge of this site to avoid the existing drainage dike facility. Also, dedicate appropriate right-of-way for Log Cabin Way adjacent to this site, *with the first phase of construction anywhere on the site*, unless an alternate access plan to provide legal access to APN 125-04-001-008 is proposed to and accepted by the City Planning Engineer. The applicant shall work with City staff to determine dedication requirements of other perimeter streets, with final approval of alignments by the City Planning Engineer, prior to the submittal of a Tentative Map. Final right-of-way requirements shall be determined with the Tentative Map for this site.
22. Two lanes of access paving in accordance with Standard Drawing #209 along a legal access corridor to be obtained by the developer of this site shall be in place on Moccasin Road from the west edge of this site westward to Fort Apache and south on Fort Apache to the nearest existing paving prior to the issuance of any building permits or grading for any on-site activities. The applicant shall be required to have all construction-related traffic utilize this "back entrance" access corridor upon its completion. Also, construct a temporary barricade on Durango at Log Cabin Way to prevent construction traffic from utilizing Durango Drive, until such time that the models are opened. No construction traffic shall be allowed through the adjacent neighborhood. Construct two lanes of access paving per Standard Drawing #209 along Durango Drive from the south edge of this site southward to O'Hare Road prior to the final inspection of any units allowed within this project site. Four lanes of access paving (Standard Drawing #209) along a legal access corridor to be obtained by the developer of this site (where such does not exist) must be in place on Durango Drive and shall extend from the southern edge of this site to Brent Lane prior to the issuance of any building permits beyond seventy-five percent of the homes allowed within this project site. Non-compliance will result in the denial of further home building permits. Coordinate with the State, City, and the RTC to construct the full width of improvements on Durango Drive, including appropriate landscaping and trails, from the south edge of this site to the entrance to the State Park. Additional paved access routes may be required if requested by the Traffic Engineer based on construction traffic patterns and/or the impact of this project's traffic on the surrounding neighborhood.

23. Submit an application to vacate all existing public right-of-way in conflict with this proposal; such action shall have been acted upon by City Council prior to the submittal of a Tentative Map for this site as required by the Department of Public Works. Orders of Vacation for all existing rights-of-way in conflict with this plan shall record prior to the recordation of a Final Map overlying such rights-of-way. If the vacation of Durango Drive is not approved, dedicate the full-width right-of-way on Durango Drive and construct full-width public street improvements concurrent with the first phase of development anywhere on this site. Improvements may be built to a lesser width if approved by the City Planning and Traffic Engineers. If reduced width improvements are permitted, submit an encroachment agreement to landscape and maintain all unimproved right-of-way on Durango Drive. If such vacation is approved, dedicate appropriate right-of-way to terminate Durango Drive in a cul-de-sac meeting current City Standards and construct full improvements for such cul-de-sac bulb, unless an alternate plan is submitted to and approved by the City Planning Engineer.
24. Submit an application to amend the Master Plan of Streets and Highways for the proposed realignment and narrowing of Durango Drive through this site as required by the Department of Public Works. The required amendment shall have been acted upon by the City Council prior to the submittal of a Tentative Map for this site.
25. Construct appropriate full-width or half-street public street improvements (including appropriate overpaving, as needed) adjacent to this site concurrent with development of this site, unless otherwise noted, as required by the Department of Public Works. Also, submit a plan to the City showing how existing street alignments such as Rocky Avenue, Ruston Road, and Trails End Avenue will be terminated in a manner meeting current City Standards; such plan shall be approved by the City Planning Engineer prior to the submittal of a Tentative Map. Dedicate all rights-of-way and construct all additional street improvements in accordance with the approved plan. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
26. Submit a Boundary Line Adjustment for properties to the west of Durango Drive, as required. The boundary line adjusted shall record prior to the recordation of any map subdividing the affected property, as required by the Department of Public Works.
27. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any permits or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to final inspection of any units within this 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 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. 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.

28. Coordinate the extension and oversizing of public sanitary sewer to service this site along an alignment and to a location acceptable to the City Planning Engineer prior to the submittal of any public sewer construction drawings as required by the Department of Public Works. All required public sewer easements necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any off-site permits. The City will not allow public sewage lift stations servicing this site. A private sewage lift station may be allowed only if the applicant can provide proof that the State will not grant the required easements.
29. 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 permits, or the recordation of a Final Map, 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.
30. 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

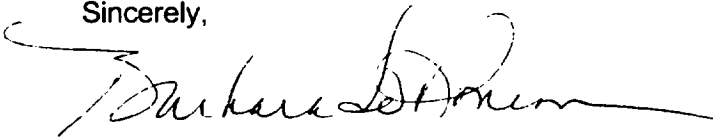
capacity conditions that exist at the time of the developer's request for the issuance of each building permit. In the event of a dispute with the decision of the Director of the Department of Public Works, the developer may appeal directly to the City Council for final resolution.

31. Take all measures necessary to sufficiently control dust on this site during all phases of construction. Failure to control dust shall result in the revocation of building and/or grading permits.
32. Submit a revised site development plan reflecting all the imposed conditions for review by the Planning Commission at a public hearing.
33. The final layout of this site shall be determined with the Tentative Map(s).
34. A Resolution of Intent with a one year time limit.
35. 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.
36. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.
37. All City Code requirements and design standards of all City departments must be satisfied.
38. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.
39. 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.
40. 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.
41. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.

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42. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

Sincerely,



BARBARA JO RONEMUS
City Clerk

*slp
BKB*

/ac

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

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