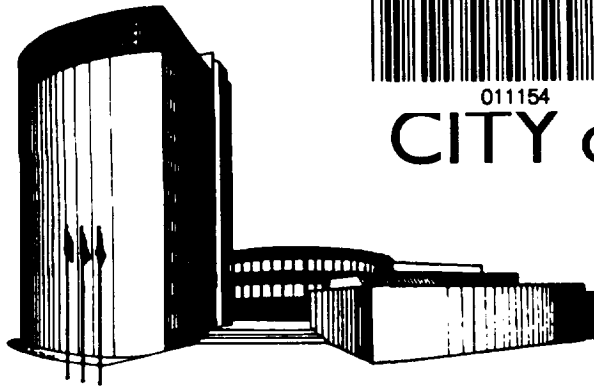


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LARRY K. BARTON



011154

CITY of LAS VEGAS

May 18, 1998

Mr. Paul Valentine
The Valentine Family Trust, et al
c/o Desert Oak Homes
6075 South Eastern Avenue, Suite #12
Las Vegas, Nevada 89119

RE: ABEYANCE - Z-141-97 - REZONING [Related to GPA-71-97]

Dear Mr. Valentine:

The City Council at a regular meeting held April 27, 1998 APPROVED the request for a Rezoning on property located on the southwest corner of Tenaya Way and Elkhorn Road, From: U (Undeveloped) Zone, [DR (Desert Rural Density Residential) General Plan Designation], To: R-PD3 (Residential Planned Development - 3 Units Per Acre), PROPOSED USE: 39 SINGLE FAMILY DWELLINGS, Size: 18.90 Acres. The Notice of Final Action was filed with the Las Vegas City Clerk on April 28, 1998. This approval is subject to:

1. The application shall be amended to R-PD2 with a maximum density of 2.06 units per acre or 39 lots.
2. A minimum of 2% of the gross land area shall be designed as usable open space.
3. Provide a minimum six foot wide landscape planter outside the block wall along Pioneer Way, Elkhorn Road and Tenaya Way, and install trees, shrubs and ground cover in compliance with the Landscape, Wall and Buffer Standards.
4. Construct a nominal six foot high decorative block wall along Elkhorn Road, Pioneer Way and Tenaya Way, set back to allow for landscape planters in compliance with the Landscape, Wall and Buffer Standards of the Zoning Code.
5. Construct a nominal six foot high block wall along the south property line as required by the Planning and Development Department.
6. The building setbacks shall be: Front - 20 Feet; Rear - 20 Feet; Side - 5 Feet and Corner Side - 10 Feet. In addition, the rear yard setbacks for homes along the Elkhorn Corridor shall be a minimum of 35 feet for one-story homes and 50 feet for two-story homes.

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7. Dedicate an additional 5 feet for a total of a 25 foot radius on the southeast corner of Elkhorn Road and Pioneer Way and an additional 29 feet for a total of 54 feet at the southwest corner of Elkhorn Road and Tenaya Way as required by the Department of Public Works. Also, provide appropriate right-of-way dedications per Standard Drawings #201.1, #234.1 and #234.2, unless the Traffic Engineer provides written notice that such right-of-way is not required. All required right-of-way dedications shall be shown on the Tentative Map for this site.
8. Construct full urban half street improvements on Elkhorn Road, including appropriate overpaving. Construct full urban half street improvements on Tenaya Way, including appropriate overpaving, if legally able, with the exception of streetlights, which may be constructed per rural standards; all typical underground conduits for urban improvements shall be installed on Tenaya Way adjacent to this site. Construct rural street improvements (minimum of two paved, travel lanes) on Pioneer Way adjacent to this site; rural street paving improvements should be located in the center of the Pioneer Way corridor if legally able. Concrete edge-protection/drainage-gutters may be required adjacent to the edges of the paved, travel lanes upon direction of the City Engineer; rural ditches adjacent to the paved travel lanes are acceptable. All existing overpaving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site as required by the Department of Public Works.

Permanent street improvements shall be constructed as necessary to provide adequate access for each phase of development prior to occupancy of homes within each phase; multiple access routes may be necessary if required by the Traffic Engineer. Construction drawings for all required public street improvements on Elkhorn Road and Tenaya Way shall be submitted to the City within 180 days of City Council approval of this rezoning action, and construction of such improvements shall begin within 90 days of approval of the submitted construction drawings. Failure to comply with this condition shall result in this item being reconsidered by the City Council.

9. Construct a minimum of paving and curb and gutter on all private drives internal to this site as required by the Department of Public Works.
10. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.
11. All public street intersections shall show Sight Visibility Restriction Easements (S.V.R.E.'s) to be privately maintained with no landscaping or sight restricting improvements (such as walls or fences) taller than 30 inches within the easement area as required by the Department of Public Works.
12. Coordinate the off-site public sewer alignment to service this site with the City Planning Engineer prior to the submission of any off-site sewer construction plans as required by the Department of Public Works. Capacity concerns exist with the existing Deer Spring sewer line.

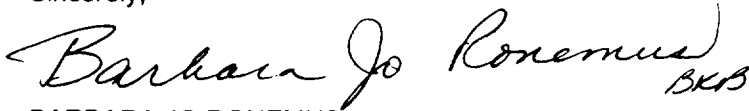
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13. Contribute \$28,350.00 to partially fund a traffic signal system at the intersection of Elkhorn Road and Tenaya Way prior to the issuance of building or off-site permits or the recordation of a Final Map as required by the Department of Public 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 City reserves the right to utilize the contributed traffic signal monies for the installation of traffic signals at any other intersection within this general vicinity which is impacted by this development and which has a more immediate need for signalization.
14. Existing power poles along Elkhorn Road shall be relocated underground.
15. Private streets shall have decorative yard lights.
16. Ingress and egress shall be provided onto Pioneer Way from the development.
17. 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, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways as recommended in the approved Drainage Plan/Study.
18. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained to avoid sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. The site plan shall be revised to reflect the above conditions and the final layout of the subdivision shall be determined at the time of approval of the Tentative Map. Issues relating to the alignment of the proposed access drive to Tenaya Way will be addressed at that time.
20. Any Change in density shall come before the City Council at a public hearing.
21. Resolution of Intent.
22. 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. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
23. 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.
24. All City Code requirements and design standards of all City departments must be satisfied.
25. 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.

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26. 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.
27. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
28. Conformance to the building elevations.

Sincerely,

Handwritten signature of Barbara Jo Ronemus in cursive, with the initials 'BJR' written at the end.

BARBARA JO RONEMUS
City Clerk

/ac

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

Ms. Caron Richardson
PBS&J, Inc.
901 N. Green Valley Parkway, Suite #100
Henderson, Nevada 89014