



**LAS VEGAS
CITY COUNCIL**

CAROLYN G. GOODMAN
Mayor

STAVROS S. ANTHONY
Mayor Pro Tem

MICHELE FIORE

CEDRIC CREAR

BRIAN KNUDSEN

VICTORIA SEAMAN

OLIVIA DIAZ

JORGE CERVANTES
City Manager

DEPARTMENT OF PLANNING

SETH T. FLOYD

DIRECTOR OF
COMMUNITY DEVELOPMENT

CITY HALL

495 S. MAIN ST.
3RD FLOOR
LAS VEGAS, NV 89101

702.229.6301 | VOICE
702.464.2545 | FAX
711 | TTY



cityoflasvegas
lasvegasnevada.gov

December 16, 2021

Mr. Lenny Badger
Ann Road I-215 Interchange, LLC
1635 Village Center Circle, Suite #100
Las Vegas, Nevada 89134

**RE: 21-0593-ZON1, 21-0593-VAR1, 21-0593-VAR1, 21-0593-VAC AND
21-0593-TMP1
CITY COUNCIL MEETING OF DECEMBER 15, 2021**

Dear Mr. Badger:

The City Council at a regular meeting held on **December 15, 2021** voted to **APPROVE** the following Land Use Entitlement project requests on 5.00 acres at the northeast corner of Hammer Lane and Shaumber Road (APN 126-36-101-008), Ward 6 (Fiore).

- **21-0593-ZON1** - REZONING - FROM: U (UNDEVELOPED) [NMXU (NEIGHBORHOOD MIXED-USE CENTER) GENERAL PLAN DESIGNATION] TO: R-TH (SINGLE FAMILY ATTACHED)
- **21-0593-VAR1** - VARIANCE - TO ALLOW NONSTANDARD PRIVATE STREETS BEHIND A GATE, STUB STREET TERMINATIONS WHERE CULS-DE-SAC OR HAMMERHEADS ARE REQUIRED AND A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED
- **21-0593-VAR2** - VARIANCE - TO ALLOW 10-FOOT PERIMETER RETAINING WALLS WHERE SIX FEET IS THE MAXIMUM ALLOWED AND AN OVERALL PERIMETER WALL HEIGHT OF 16 FEET WHERE 12 FEET IS ALLOWED
- **21-0593-VAC1** - VACATION - PETITION TO VACATE U.S. GOVERNMENT PATENT EASEMENTS
- **21-0593-TMP1** - TENTATIVE MAP - THRIVE TOWNHOMES - FOR A 63-LOT SINGLE-FAMILY ATTACHED RESIDENTIAL SUBDIVISION

Mr. Lenny Badger
Ann Road I-215 Interchange, LLC
21-0593-ZON1, 21-0593-VAR1, 21-0593-VAR2, 21-0593-VAC1 AND 21-0593-TMP1
Page Two
December 16, 2021

21-0593-ZON1 approval is subject to no conditions:

21-0593-VAR1 approval is subject to the following conditions:

Planning

1. Approval of a Rezoning (21-0593-ZON1) and approval of and conformance to the Conditions of Approval for a Variance (21-0593-VAR2), Petition to Vacate (21-0593-VAC1) and Tentative Map (21-0593-TMP1) shall be required, if approved.
2. This approval shall be void four (4) years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

21-0593-VAR2 approval is subject to the following conditions:

Planning

1. Approval of Rezoning (21-0593-ZON1) and approval of and conformance to the Conditions of Approval for a Variance (21-0593-VAR1), Petition to Vacate (21-0593-VAC1) and Tentative Map (21-0593-TMP1) shall be required, if approved.
2. This approval shall be void four (4) years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

Mr. Lenny Badger
Ann Road I-215 Interchange, LLC
21-0593-ZON1, 21-0593-VAR1, 21-0593-VAR2, 21-0593-VAC1 AND 21-0593-TMP1
Page Three
December 16, 2021

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

21-0593-VAC1 approval is subject to the following conditions:

1. The limits of this Petition of Vacation shall be the 33-foot U.S. Government Patent Easements located along the western and eastern boundaries, excepting the southern 33 feet, the northern 33-foot boundary, and the three-foot U.S. Government Patent Easement located along the southern boundary of Assessor Parcel Number 126-36-101-008, excluding the portions that are required for dedication.
2. This Order of Relinquishment shall record concurrent with any mapping action or recording of rights-of-way or easements.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by 21-0593-TMP1 may be used to satisfy this requirement provided that it addresses the area to be vacated.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. All development shall be in conformance with code requirements and design standards of all City Departments.
6. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

Mr. Lenny Badger
Ann Road I-215 Interchange, LLC
21-0593-ZON1, 21-0593-VAR1, 21-0593-VAR2, 21-0593-VAC1 AND 21-0593-TMP1
Page Four
December 16, 2021

7. If the Order of Relinquishment of Interest is not recorded within four (4) years after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

21-0593-TMP1 approval is subject to the following conditions:

Planning

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
2. Approval of Rezoning (21-0593-ZON1) and approval of and conformance to the Conditions of Approval for Variances (21-0593-VAR1 and 21-0593-VAR2) and Petition to Vacate (21-0593-VAC1) shall be required, if approved.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. 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.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Prior to and concurrent with the recordation of a Final Map for this site, a Petition of Vacation, such as 21-0593-VAC1, shall be recorded to eliminate the patent easements in conflict with this proposed site.
8. Dedicate 30 feet of right-of-way adjacent to this site for Hammer Lane and appropriate rights-of-way for Ann Road and Shaumber Road, including a 25-foot radius at the northeast corner of Shaumber Road and Hammer Lane, on the Final Map for this site.
9. The onsite streets shall be designated as a common lot and shall be labeled as a private street, Public Utility Easement (P.U.E.), Public Sewer Easement and Public Drainage Easement to be privately maintained by the Homeowners' Association on the Final Map for this site.
10. Concurrent with development, construct half-street improvements meeting current City Standards on Ann Road, Hammer Lane, and Shaumber Road with appropriate overpaving and transition paving. Temporary asphalt paving on Ann Road shall be constructed east and west of this site to reduce the sawtooth effect, unless otherwise allowed by the City Engineer.
11. Coordinate construction of this project with the "Ann Road and 215 Off-Site Sewer Project (L19-01786)". Connect to the 10-inch public sewer main being constructed adjacent to the northern boundary of this site.
12. Provide a minimum 20-foot Public Sewer Easement over the proposed sewer main through Common Element 'A'. No structures, trees, or landscaping taller than three feet shall be allowed within Public Sewer Easements. The pool and related equipment shall be constructed so as to not interfere with the proposed sewer path to allow access for sewer maintenance vehicles.
13. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project 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.

14. Submit a License Agreement for landscaping and private improvements in the Hammer Lane, Shaumber Road, and Ann Road public rights-of-way, if any, adjacent to this site prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).
15. A minimum two lanes of asphalt pavement on all public streets providing the main access to the site and a working sanitary sewer connection shall be provided prior to a final inspection of any dwelling units within this Tentative Map.
16. Prior to the submittal of construction drawings, a Pedestrian Circulation/Access Plan must be submitted to and approved by the Department of Public Works to identify nearby pedestrian attractors and recommend measures to accommodate pedestrians, such as but not limited to pedestrian access, crosswalk, pedestrian activated flashers and temporary sidewalks.
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 or submittal of any construction drawings, 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.
18. As per Unified Development Code (UDC) 19.16.060.G, all requirements must be complied with or such future compliance must be guaranteed by an approved performance security method in accordance with UDC Sections 19.02.130.

Mr. Lenny Badger
Ann Road I-215 Interchange, LLC
21-0593-ZON1, 21-0593-VAR1, 21-0593-VAR2, 21-0593-VAC1 AND 21-0593-TMP1
Page Seven
December 16, 2021

19. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

The Notice of Final Action was filed with the Las Vegas City Clerk on December 16, 2021.

Sincerely,



Seth T. Floyd
Director of Community Development
Department of Planning

STF:PL:clb

cc: Mr. Brock Metzka
Avision Development Partners, LLC
8475 South Eastern Avenue, Suite #105
Las Vegas, Nevada 89123

Mr. Bob Gronauer
Kaempfer Crowell
1980 Festival Plaza Drive, Suite #650
Las Vegas, Nevada 89135