

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: DIR-18634 - APPLICANT: TRIPLE FIVE NEVADA**  
**DEVELOPMENT - OWNER: BOCA FASHION VILLAGE**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. The applicant shall pay a fee to the City through the Planning and Development Department of \$11,149.00 to operate the water feature through January 17, 2008. For subsequent years in which Drought Watch or Drought Alert is declared, an annual fee of \$250.00 shall be paid.
2. The applicant shall post a sign at the water feature to indicate an exemption has been received allowing its operation.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request to allow the operation of four water features which total 1,354.9 square feet at an existing retail development on 6.04 acres at 680 South Rampart Boulevard.

**EXECUTIVE SUMMARY**

The request from the applicant would allow the operation of four water features which total 1,354.9 square feet at an existing retail development. The 1,354.9 square foot calculation is derived from the surface area of the water features.

**ANALYSIS**

The applicant is proposing to re-activate four existing water features which total 1,354.9 square feet located at 680 South Rampart Boulevard. The applicant is converting approximately 12,000 square feet of turf to xeriscape in conjunction with the re-activation of the water feature. The removal of turf is credited as a savings of a 50-to-1 ratio. The conversion allows 50 square feet of turf removal to count as one square foot of the proposed water feature. The applicant is converting 12,000 square feet of turf, which equals a savings of 240 square feet. The 240 square feet is subtracted from the total water feature. Therefore, a fee of \$11,149.00 will be required to re-activate the fountain if the exemption is approved. The applicant has been advised of the fees associated with the re-activation, and has agreed to pay the fees if approved. Additionally, the applicant will be required to pay an additional yearly fee of \$250.00 when either the Drought Watch or Drought Alert is declared.

Pursuant to Title 14.11.190, the City Council may approve exemptions to allow the operation of water features during Drought Watch and Drought Alert as defined by the Southern Nevada Water Authority (SNWA). On sites where turf exists at the time of the exemption request, 50 square feet of turf shall be converted to drought tolerant landscaping (such as desert landscaping) to allow for each square foot of water feature area. In cases where there is not enough turf at the time of the request to meet this ratio, a fee of \$10 per square foot of surface area shall be paid for the remaining portion of the water feature area not covered by the turf conversion. In cases where there is no turf on the subject site, the \$10 per square foot of water area shall be applied.

The SNWA notes that there are no outstanding violations regarding this water feature.

Title 14.11.190 states: that a water reduction plan is required for exemption eligibility. The submitted plans for this site indicate that the subject water features contain 1,354.9 square feet of surface area. The applicant is proposing to convert 12,000 square feet of turf as part of this request. The applicant has mitigated the re-activation of the 1,354.9 square foot water features by removing 12,000 square feet of turf. Therefore, the amount of the fee the applicant shall be required to pay to allow the operation of the water feature during the current declaration Drought Alert is \$11,149.00

In subsequent years when either Drought Watch or Drought Alert is declared, the property owner shall pay an annual fee of \$250 to allow for the continued operation of the water feature.

In order to inform the public that an exemption has been received for the subject water feature, the applicant shall post a sign adjacent to the subject water feature indicating such. This is in conformance to Title 14.11.

## **FINDINGS**

The re-activation of the 1,354.9 square foot water feature is does not impose an undue hardship on the Southern Nevada Water Authority due to the removal of 12,000 square feet of turf. The removal of the turf mitigates the activation of the fountains. Therefore, staff can support the proposed water feature exemption as conditioned.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      N/A

**ASSEMBLY DISTRICT**                      N/A

**SENATE DISTRICT**                      N/A

**NOTICES MAILED**                      N/A

**APPROVALS**                      0

**PROTESTS**                      0