Carolyn G. Goodman, Mayor (At-Large)
Stavros S. Anthony, Mayor Pro Tem (Ward 4)
Brian Knudsen (Ward 1)
Victoria Seaman (Ward 2)
Olivia Diaz (Ward 3)
Cedric Crear (Ward 5)
Michele Fiore (Ward 6)

City Manager Jorge Cervantes
City Attorney Bryan K. Scott
City Clerk LuAnn D. Holmes

City Council Agenda

Council Chambers · 495 South Main Street · Phone 702-229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

August 17, 2022
9:00 AM
A lunch break may be taken at the discretion of the Mayor.

Items listed on the agenda may be taken out of the order presented; two or more agenda items for consideration may be combined; and any item on the agenda may be removed or related discussion may be delayed at any time. Backup material for this agenda may be obtained from LuAnn D. Holmes, City Clerk, at the City Clerk's Office at 495 South Main Street, 2nd Floor or on the City's webpage at www.lasvegasnevada.gov.

Online comments can also be submitted via the City's website at www.lasvegasnevada.gov/councilcomment prior to the meeting, during the comments period.

The Mayor and City Council welcome your attendance, public comment related to the items on the agenda and citizen participation on items under the jurisdiction of the City Council at this meeting. If you wish to speak, we respectfully ask you to complete and submit a speaker card to the City Clerk. Cards are available online, in the Clerk's Office or at the front of the Chambers as you enter.

These proceedings are being video recorded as well as presented live on KCLV, Cable Channel 2. You can also watch this meeting live on Apple TV, Roku and Amazon Fire TV on the Go-Vegas app. The City Council Meeting, as well as all other KCLV programming, can be viewed on the internet at www.kclv.tv/live. The proceedings will be rebroadcast on KCLV Channel 2 and the web the Wednesday of the meeting at 8:00 PM, and also on Friday at 4:00 AM, Saturday at 7:00 PM, Sunday at 7:00 AM and the following Monday at 5:00 PM.

Note: Cellular phones are to be turned off during the City Council Meeting.

CEREMONIAL MATTERS

1. Call to Order

2. Announcement Regarding: Compliance with Open Meeting Law

3. Invocation - Reverend Carol Simpson, Shekinah Glory Ministries

4. Pledge of Allegiance

5. Recognition of the Employee of the Month

6. Recognition of the UNLV School of Dental Medicine

BUSINESS ITEMS - 9:30 A.M. SESSION

PUBLIC COMMENT

7. Public comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.

BUSINESS ITEMS - 9:30 A.M. Session

8. For Possible Action - Any items from the 9:30 a.m. session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time.

CONSENT AGENDA

Matters listed on the Consent Agenda are considered to be routine and have been recommended for approval by the Submitting Departments. All items on the Consent Agenda may be approved in a single motion. However, if a Council Member so requests, any consent item may be moved to the discussion portion of the agenda and other action, including postponement or denial of the item, may take place.

CITY CLERK - CONSENT

9. For possible action to approve the Report of Declarations per NRS 279.454, which requires any officer or employee of the City who in the course of their duties participates in the formulation of or approval of plans or policies for a redevelopment area to disclose interest in property located in the existing Redevelopment Area and/or Redevelopment Area 2

FINANCE - PURCHASING AND CONTRACTS - CONSENT

10. ABEYANCE ITEM - For possible action to approve award of Bid No. 220179-MC, Synthetic Turf Surfacing Replacement, to the lowest responsive and responsible bidder - Department of Parks and Recreation - Award recommended to: SPRINTURF LLC (Not-to-Exceed $4,000,000 Annually/Total Contract Amount Not-to-Exceed $20,000,000 - Parks and Leisure Activity Capital Projects Fund) - All Wards

11. For possible action to approve award of Contract No. 220145-HM, Advisory Services for the Las Vegas Medical District - Economic & Urban Development Department - Award recommended to: EXECUTIVE CONSULTING GROUP, LLC DBA ECG MANAGEMENT CONSULTANTS (Total Contract Amount Not-to-Exceed $195,000 - Redevelopment Agency Funds) - Wards 1 and 5 (Knudsen and Crear)

PLANNING - CONSENT

12. For possible action to approve the ratification of the Commission for the Las Vegas Centennial award of $150,000 to the City of Las Vegas acting by and through its Department of Parks and Recreation for the production of the Las Vegas Days Parade, to be held on May 13, 2023

13. For possible action to approve the ratification of the Commission for the Las Vegas Centennial award of $187,050 to the City of Las Vegas acting by and through its Public Works Department for the refurbishment, installation and one-year maintenance of the Fun City Motel sign to be located on Las Vegas Boulevard

PLANNING - BUSINESS LICENSING - CONSENT

14. For possible action to approve a Temporary Cannabis Retail Store license for GREENMART OF NEVADA NLV LLC dba HEALTH FOR LIFE at 200 East Charleston Boulevard - Ward 3 (Diaz)

15. For possible action to approve a Cannabis Cultivation Facility license (Medical/Recreational) for a change of ownership FROM: NULEAF SPARKS CULTIVATION LLC TO: NULEAF SPARKS CULTIVATION LLC dba

BEYOND/HELLO at 859 Deming Way - Washoe County, Nevada

16. For possible action to approve a Cannabis Production Facility license (Medical/Recreational) for a change of ownership FROM: NULEAF RENO PRODUCTION LLC TO: NULEAF RENO PRODUCTION LLC dba BEYOND/HELLO at 4850 Joule Street, Suite# A2 & A3 - Washoe County, Nevada

17. For possible action to approve a Retail Cannabis Store License for QUALCAN LLC dba JADE CANNABIS CO at 6050 Sky Pointe Drive Suite #150 - Ward 6 (Fiore)

18. For possible action to approve a Restricted Gaming license UNITED COIN MACHINE CO dba CENTURY GAMING TECHNOLOGIES db at Z MART at 1451 West Owens Avenue - Ward 5 (Crear)

PUBLIC WORKS - CONSENT

19. For possible action to approve the Sewer Over-Sizing Refunding Agreement between the City of Las Vegas (CLV) and Tri Pointe Homes Nevada, Inc. for an over-sized sewer generally located north of Log Cabin Way and west of Oso Blanca Road ($48,535 - Sanitation Enterprise Fund [SEF]) - Ward 6 (Fiore)

20. For possible action to approve Interlocal Contract LLD31A22 between the City of Las Vegas (CLV) and the Clark County Regional Flood Control District (CCRFCD) for the construction of the Local Drainage Improvements - El Capitan Storm Drain Project ($1,650,479 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Fiore)

DISCUSSION/ACTION ITEMS

ECONOMIC AND URBAN DEVELOPMENT - DISCUSSION

21. Discussion for possible action regarding the Exclusive Negotiation Agreement (ENA) between the City of Las Vegas and McCormack Baron Salazar, Inc. (MBS) for the property known as Desert Pines Golf Course, located at 3415 East Bonanza Road (APN 139-36-502-003) to determine the feasibility and development plan for the 101 acre site - Ward 3 (Diaz)

OFFICE OF GOVERNMENT AND COMMUNITY AFFAIRS - DISCUSSION

22. ABEYANCE ITEM - Discussion for possible action on the proposed bill draft requests to be submitted to the Legislative Counsel Bureau on behalf of the City of Las Vegas for the 82nd Session of the Nevada Legislature (2023 Session) - All Wards

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

23. Bill No. 2022-16 - For possible action - Amends various sections of LVMC Chapter 6.75, pertaining to short-term residential rentals, to conform to and incorporate various recently-adopted provisions of State law, and amends other provisions of LVMC Titles 4, 6 and 19 to make corresponding changes. Proposed by: Seth T. Floyd, Director of Community Development

24. Bill No. 2022-18 - For possible action - Amends various provisions of the Municipal Code to reflect changes in the names of several departments and divisions within City government; delete references to departments that are to be eliminated or combined with other departments; reflect the names of departments or functions that will succeed to duties and responsibilities of departments that have been eliminated; and update references to departments and divisions whose names have been changed over time. Proposed by: Tom Perrigo, Chief Operations and Development Officer

25. Bill No. 2022-21 - For possible action - Adopts the 2021 International Wildland-Urban Interface Code, together with amendments thereto. Proposed by: Kevin McOsker, Director of Building and Safety

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

There is no public comment on these items and no action will be taken by the Council at this meeting, except those items which may be stricken or tabled. Public testimony takes place at the Recommending Committee Meeting held for that purpose.

26. Bill No. 2022-17 - Amends LVMC 19.18.020 to expand the definition of “regional mall” for purposes of distance requirements. Sponsored by: Councilwoman Michele Fiore

27. Bill No. 2022-20 - Updates LVMC 14.04.030 and 14.04.210 to implement increases in sewer service charges and sewer connection fees, including subsequent four percent annual fee increases and annual Consumer Price Index increases through calendar year 2032. Proposed by: Jorge Cervantes, City Manager

PLANNING

The items listed below, where appropriate, have been reviewed by the various City departments relative to the requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and Building and Fire regulations. Their comments and/or requirements have been incorporated into the action.

PLANNING - ONE MOTION/ONE VOTE

The following are items that may be considered in one motion/one vote. They are considered to be routine non-public and public hearing items with a Planning Commission and/or Staff recommendation of approval. All public hearings and non-public hearings items will be opened at one time. Any person representing an application or a member of the public or a member of the City Council not in agreement with the conditions and all standard conditions for the application recommended by staff, should request to have that item removed from this part of the agenda.

28. 22-0248-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAINBOW SEAFOOD GROUP, LLC - OWNER: VESTAR BEST IN THE WEST PROPERTY, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,482 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A SCHOOL AND A 162-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP USE WHERE 400 FEET IS REQUIRED at 2080 North Rainbow Boulevard (APN 138-23-215-012), C-1 (Limited Commercial) Zone, Ward 5 (Crear). The Planning Commission (5-0-1 vote) and Staff recommend APPROVAL.

29. 22-0249-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BH GROUP CORP - OWNER: HS FAMILY LIMITED PARTNERSHIP - For possible action on a Land Use Entitlement project request FOR A PROPOSED 7,456 SQUARE-FOOT ALCOHOL, ON PREMISE FULL USE at 310 Fremont Street (APN 139-34-510-024), C-2 (General Commercial) Zone, Ward 5 (Crear). The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

30. 22-0265 - PUBLIC HEARING - APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: RANCHO DRIVE, LLC - For possible action on the following Land Use Entitlement project requests on 12.05 acres on the east side of Rainbow Boulevard, approximately 490 feet north of Rancho Drive (APN 125-35-301-021), Ward 6 (Fiore). The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

    30a. 22-0265-GPA1 - GENERAL PLAN AMENDMENT - FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL)

    30b. 22-0265-ZON1 - REZONING - FROM R-E (RESIDENCE ESTATES) TO: R-4 (HIGH DENSITY RESIDENTIAL)

    30c. 22-0265-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 334-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT

31. 22-0270 - PUBLIC HEARING - APPLICANT: TRI POINTE HOMES NEVADA, INC. - OWNER: VFR SOUTHWEST DESERT EQUITIES II, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 15.84 acres at the northeast corner of Ruston Road and Alpine Ridge Way (APNs 126-01-601-001 through 003 and 005), U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and PD (Planned Development) Zones, Ward 6 (Fiore). The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

    31a. 22-0270-MOD1 - MAJOR MODIFICATION - TO AMEND THE KYLE CANYON GATEWAY MASTER DEVELOPMENT PLAN TO ADD 9.13 ACRES TO THE PLAN AND DESIGNATE THE LAND USE AS L (RESIDENTIAL LOW) [APNs 126-01-601-001, 003 and 005], TO AMEND VARIOUS DEVELOPMENT STANDARDS WITHIN THE DESIGN GUIDELINES AND TO ADD PROCEDURES TO THE DESIGN GUIDELINES REGARDING DEVIATIONS FROM THE KYLE CANYON GATEWAY RESIDENTIAL DEVELOPMENT STANDARDS

    31b. 22-0270-ZON1 - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) [9.13 acres

on APNs 126-01-601-001, 003 and 005]

31c. 22-0270-VAC1 - VACATION - PETITION TO VACATE THE EAST 30 FEET OF MICHELLI CREST WAY (PUBLIC RIGHT-OF-WAY) BETWEEN RUSTON ROAD AND ROCKY AVENUE AND U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED AT THE NORTHEAST CORNER OF RUSTON ROAD AND ALPINE RIDGE WAY

31d. 22-0270-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 54-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT

31e. 22-0270-TMP1 - TENTATIVE MAP - KYLE CANYON GATEWAY UNIT 4 - FOR A 54-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

32. 22-0271 - PUBLIC HEARING - APPLICANT: RR COMPANY OF AMERICA - OWNER: VICTOR VALENZUELA - For possible action on the following Land Use Entitlement project requests on 1.41 acres at 1610 Rancho Drive and 3046 Vegas Drive (APNs 139-20-411-004 and 016), C-2 (General Commercial) Zone, Ward 5 (Crear). The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

32a. 22-0271-GPA1 - GENERAL PLAN AMENDMENT - FROM: GC (GENERAL COMMERCIAL) TO: NMX-U (NEIGHBORHOOD MIXED USE CENTER) [APN 139-20-411-016]

32b. 22-0271-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED BLOOD PLASMA DONOR CENTER USE

32c. 22-0271-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED BLOOD PLASMA DONOR CENTER DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS

PLANNING - DISCUSSION

33. 22-0238 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GMD PROPERTIES, LLC - For possible action on the following Land Use Entitlement project requests on 0.69 acres on the west side of 10th Street, approximately 205 feet north of Stewart Avenue (APNs 139-35-112-005 and 139-35-211-008), T5-N (T5 Neighborhood) Zone, Ward 5 (Crear). The Planning Commission (5-0-1 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

33a. 22-0238-VAC1 - ABEYANCE ITEM - VACATION - PETITION TO VACATE A PORTION OF A PUBLIC ALLEY SOUTH OF MESQUITE AVENUE BETWEEN 9TH STREET AND 10TH STREET

33b. 22-0238-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 36-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF TITLE 19.09 FORM-BASED CODE STANDARDS

34. 22-0172 - PUBLIC HEARING - APPLICANT/OWNER: INVESTMENTS WEST, LLC - For possible action on the following Land Use Entitlement project requests on 1.80 acres at the northeast corner of Kyle Canyon Road and Shaumber Road (APN 126-01-301-013), Ward 6 (Fiore). The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

34a. 22-0172-GPA1 - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL)

34b. 22-0172-ZON1 - REZONING - FROM: U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL)

34c. 22-0172-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 3,800 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE

34d. 22-0172-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED 3,800 SQUARE-FOOT GAMING ESTABLISHMENT, RESTRICTED (6 TO 15 MACHINES) USE WITH A WAIVER TO ALLOW A 1,195-FOOT DISTANCE SEPARATION FROM A SITE THAT IS DESIGNATED TO BE CITY PARK WHERE 1,500 FEET IS REQUIRED

34e. 22-0172-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 6,024 SQUARE-FOOT COMMERCIAL DEVELOPMENT CONSISTING OF TWO BUILDINGS WITH AN 828 SQUARE-FOOT OUTDOOR PATIO AREA

35. 22-0174 - PUBLIC HEARING - APPLICANT/OWNER: PRE RANCHO CRAIG, LLC - For possible action on the following Land Use Entitlement project requests on 20.76 acres on the south side of Craig Road, approximately 470 feet east of Rancho Drive (APN 138-02-715-008), C-2 (General Commercial) Zone, Ward 5 (Crear). Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (6-0 vote) recommends APPROVAL on the entire Land Use Entitlement project.

35a. 22-0174-VAR1 - VARIANCE - TO ALLOW A 95-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 97 FEET IS REQUIRED

35b. 22-0174-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 41,103 SQUARE-FOOT HEALTH CLUB

36. 22-0223 - PUBLIC HEARING - APPLICANT/OWNER: MARCUS ALLEN - For possible action on the following Land Use Entitlement project requests on 0.43 acres at 1200, 1212 and 1224 West Lake Mead Boulevard (APNs 139-21-610-285 through 287), R-2 (Medium-Low Density Residential) and C-1 (Limited Commercial) Zones, Ward 5 (Crear). Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (6-0 vote) recommends APPROVAL on the entire Land Use Entitlement project.

36a. 22-0223-ZON1 - REZONING - FROM: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) ON 0.22 ACRES AT 1212 AND 1224 WEST LAKE MEAD BOULEVARD (APNs 139-21-610-286 AND 287)

36b. 22-0223-VAR1 - VARIANCE - TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN EXISTING BUILDING

36c. 22-0223-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR THE PROPOSED CONVERSION OF TWO EXISTING 1,200 SQUARE-FOOT SINGLE-FAMILY RESIDENTIAL DWELLINGS TO TWO OFFICE BUILDINGS AND OTHER SITE IMPROVEMENTS WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

37. 22-0229 - PUBLIC HEARING - APPLICANT: IZ DESIGN STUDIO - OWNER: DORIS H. LAUER TRUST - For possible action on the following Land Use Entitlement project requests on 0.46 acres at 1720 South Buffalo Drive (APN 163-03-201-007), Ward 1 (Knudsen). Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (6-0 vote) recommends APPROVAL on the entire Land Use Entitlement project.

37a. 22-0229-GPA1 - GENERAL PLAN AMENDMENT - FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: O (OFFICE)

37b. 22-0229-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: P-O (PROFESSIONAL OFFICE)

37c. 22-0229-VAR1 - VARIANCE - TO ALLOW A 48-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 87 FEET IS REQUIRED AND AN EIGHT-FOOT TRASH ENCLOSURE SETBACK FROM A PROTECTED PROPERTY LINE WHERE 50 FEET IS REQUIRED

37d. 22-0229-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 6,265 SQUARE-FOOT OFFICE DEVELOPMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

38. 22-0272 - PUBLIC HEARING - APPLICANT/OWNER: PHENOMENAL TOWING, LLC - For possible action on the following Land Use Entitlement project requests on 1.12 acres located at the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-023, 024, and 025), Ward 5 (Crear). The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

38a. 22-0272-ZON1 - REZONING - FROM: C-1 (LIMITED COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL)

38b. 22-0272-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 48,787 SQUARE-FOOT TOWING AND IMPOUND YARD WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

39. 22-0294-GPA1 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a Land Use Entitlement project request TO AMEND AND UPDATE PORTIONS OF THE CITY OF LAS VEGAS 2050 MASTER PLAN CONSISTENT WITH SECTION 11 OF ORDINANCE 6788, All Wards. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

SET DATE

40. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings and Dangerous Building or Nuisance/Litter Abatements.

CITIZENS PARTICIPATION

41. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the City Council. No subject may be acted upon by the City Council unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

COUNCIL EMERGING ISSUES

Comments made by Council members during this portion of the agenda must refer solely to proposals for future agenda item topics to be brought before the Council for consideration and action at a later date. Any discussion must be limited to whether or not such proposed items shall be placed on a future agenda and no discussion regarding the substance of any such proposed topic shall occur. No action shall be taken.

42. Discussion regarding potential items for future City Council agendas - All Wards

COUNCIL MEMBER RECOGNITION

43. Council Member Recognition: Comments made by individual City Council Members during this portion of the agenda will not be acted upon by the City Council unless that subject is on the agenda and scheduled for action.

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THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS
IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN NRS 241.020:
The City of Las Vegas website – www.lasvegasnevada.gov
The Nevada Public Notice website – notice.nv.gov
City Hall, 495 South Main Street, 1st Floor

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
1

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Call to Order

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
2

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Announcement Regarding: Compliance with Open Meeting Law

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
3

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Invocation - Reverend Carol Simpson, Shekinah Glory Ministries

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
4

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Pledge of Allegiance

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
5

DEPARTMENT: Communications **Ceremonial**
DIRECTOR: David Riggleman

SUBJECT:
Recognition of the Employee of the Month

BACKUP DOCUMENTATION:
1. Submitted at Meeting - Copy of Employee of the Month Announcement for Michael Kirk by Staff



Submitted at Meeting
Date: 8/17/2022 Item: 5
Submitted by: Staff

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
6

DEPARTMENT: Communications **Ceremonial**
DIRECTOR: David Riggleman

SUBJECT:
Recognition of the UNLV School of Dental Medicine

BACKUP DOCUMENTATION:
1. Submitted at Meeting - Copy of Proclamation for UNLV School of Medicine by Staff

Las Vegas City Council

Proclamation

Whereas; ***The University of Nevada Las Vegas, School of Dental Medicine*** *opened its doors on August 26, 2002, for the dual purpose of providing Nevada residents with a doctoral level education opportunity in a much needed health care profession and improving access to comprehensive oral health care; and*

Whereas; *UNLV School of Dental Medicine has trained more than 1,500 general dentists and dental specialists during its first 20 years, many of whom stayed in Nevada to begin their careers; and*

Whereas; *UNLV School of Dental Medicine has provided oral health care and specialty level dental services to more than 200,000 Nevada residents and visitors; and*

Whereas; *UNLV School of Dental Medicine also created community outreach initiatives and population-specific community outreach treatment clinics to provide care for the neediest in our neighborhood, resulting in more than $9 million in free services; and now*

Therefore; *We, the Mayor and Members of the Las Vegas City Council, do hereby take great pride in proclaiming August 17th, 2022, as:*

"UNLV School of Dental Medicine Day"

In The City of Las Vegas and we call all citizens to observe this day.

Mayor Carolyn G. Goodman

Mayor Pro Tem Stavros S. Anthony

Councilwoman Michele Fiore

Councilman Cedric Crear

Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Díaz

Submitted at Meeting
Date: 8/17/2022 Item: 6
Submitted by: Staff

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
7

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Public comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
8

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
For Possible Action - Any items from the 9:30 a.m. session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time.

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
9

DEPARTMENT: City Clerk **CONSENT**
DIRECTOR: LuAnn Holmes

SUBJECT:
For possible action to approve the Report of Declarations per NRS 279.454, which requires any officer or employee of the City who in the course of their duties participates in the formulation of or approval of plans or policies for a redevelopment area to disclose interest in property located in the existing Redevelopment Area and/or Redevelopment Area 2

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
The Nevada Community Redevelopment Law (NRS 279.454) requires any officer or employee of the City who participates in the formulation of or approval of plans or policies for a redevelopment area to disclose any direct or indirect financial interest he/she has in said property; and, if any officer or employee owns, purchases or acquires any interest in such property, they shall make a written disclosure of said interest on the minutes of both the City Council and the Redevelopment Agency.

RECOMMENDATION:
Report only. By receiving this report, the City Council acknowledges the names of those persons filing a Disclosure of Interest as indicated in Attachment A.

BACKUP DOCUMENTATION:
1. Agenda Memo containing procedure used by the Secretary for appropriate filings
2. Completed Filings for those Persons with an Interest to Declare (Attachment A)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 17, 2022

DEPARTMENT: CITY CLERK
ITEM DESCRIPTION: REPORT ON THE FILING OF DECLARATIONS OF INTEREST IN THE EXISTING REDEVELOPMENT AREA AND/OR REDEVELOPMENT AREA2

As noted on the Agenda Summary Page, the Nevada Community Redevelopment Law contains a provision (NRS 279.454) which requires any officer or employee of the City who in the course of their duties participates in the formulation of or approval of plans or policies for a redevelopment area to disclose any direct or indirect financial interest he or she has in said property; and, if any officer or employee owns, purchases or acquires any interest in such property, they shall make a written disclosure of said interest.

This law further requires that said interest be disclosed to both the Redevelopment Agency and City Council and that this be entered upon the Minutes of both bodies.

Notification for disclosure was distributed to Council Members, City officers, Department Directors and Planning Commissioners. It was the responsibility of the Department Directors to determine if their department fell under the jurisdiction of this section of NRS and if so, to have appropriate staff members also submit the disclosure form. Declaration forms are attached (Attachment A) only for those persons who had an interest to declare.

This is a duplicate item on both the City Council and Redevelopment Agency agendas.

DATE: July 18, 2022

TO: LuAnn D. Holmes, City Clerk and Secretary to the Redevelopment Agency

RE: Disclosure of Interest – Redevelopment Area / Redevelopment Area 2

Please complete the following information:

Name: SAM CHERRY

Title: PLANNING COMMISSIONER

Department: PLANNING

In accordance with the provisions of NRS 279.454, this is to advise the Clerk that

I DO ☒

I DO NOT ☐

hold a financial interest in any property located in the areas identified as the Downtown Redevelopment Area or Redevelopment Area 2.

Sam Cherry — 8/1/22

Signature (Required) — Date

If you do hold a financial interest, specify below and attach additional sheets if needed.

Location of Property:	Check: RDA	or RDA 2
900 S LAS VEGAS BLVD	☒	☐
SW CORNER MAIN AND CALIFORNIA TO COMMERCE SOUTH	☒	☐
1070 COMMERCE	☒	☐
SW CORNER OF CASINO /COLORADO	☒	☐
SE AND NE CORNER OF 11TH AND STEWART	☒	☐

Description of Interest:

FINANCIAL

If additional sheets are necessary, please be sure to include the location of the property, a description of your interest and clearly identify whether it falls in the Redevelopment Area or Redevelopment Area 2.

DATE: July 18, 2022

TO: LuAnn D. Holmes, City Clerk and Secretary to the Redevelopment Agency

RE: Disclosure of Interest – Redevelopment Area / Redevelopment Area 2

2022 JUL 28 P 3:37

Please complete the following information:

Name: MIKE JANSSEN

Title: EXECUTIVE DIRECTOR OF INFRASTRUCTURE

Department: PUBLIC WORKS

In accordance with the provisions of NRS 279.454, this is to advise the Clerk that

I DO ☒

I DO NOT ☐

hold a financial interest in any property located in the areas identified as the Downtown Redevelopment Area or Redevelopment Area 2.

Signature (Required) 7/28/22 Date

If you do hold a financial interest, specify below and attach additional sheets if needed.

Location of Property:	Check: RDA	or RDA 2
353 E. BONNEVILLE	☒	☐
	☐	☐
	☐	☐
	☐	☐
	☐	☐

Description of Interest:

MY PRIMARY RESIDENCE, A CONDO IN THE JUHL BUILDING

If additional sheets are necessary, please be sure to include the location of the property, a description of your interest and clearly identify whether it falls in the Redevelopment Area or Redevelopment Area 2.

DATE: July 18, 2022

TO: LuAnn D. Holmes, City Clerk and Secretary to the Redevelopment Agency

RE: Disclosure of Interest – Redevelopment Area / Redevelopment Area 2

RECEIVED
CITY CLERK
2022 JUL 26 A 9:52

Please complete the following information:

Name: Maggie Plaster

Title: Deputy Director, Parks, Recreation and Cultural Affairs

Department:

In accordance with the provisions of NRS 279.454, this is to advise the Clerk that

I DO ☒

I DO NOT ☐

hold a financial interest in any property located in the areas identified as the Downtown Redevelopment Area or Redevelopment Area 2.

Maggie Plaster — 7/25/22

Signature (Required) — Date

If you do hold a financial interest, specify below and attach additional sheets if needed.

Location of Property:	Check: RDA	or RDA 2
The Neon Apartments, 501 Desert Ln.	☒	☐
	☐	☐
	☐	☐
	☐	☐
	☐	☐

Description of Interest:

My family's business owns these apartments — Signature Management

If additional sheets are necessary, please be sure to include the location of the property, a description of your interest and clearly identify whether it falls in the Redevelopment Area or Redevelopment Area 2.

DATE: July 18, 2022

TO: LuAnn D. Holmes, City Clerk and Secretary to the Redevelopment Agency

RE: Disclosure of Interest – Redevelopment Area / Redevelopment Area 2

Please complete the following information:

Name: Fred Solis

Title: Planning Manager

Department: P&D

In accordance with the provisions of NRS 279.454, this is to advise the Clerk that

I DO ☒

I DO NOT ☐

hold a financial interest in any property located in the areas identified as the Downtown Redevelopment Area or Redevelopment Area 2.

Signature (Required) 7-26-22 Date

If you do hold a financial interest, specify below and attach additional sheets if needed.

Location of Property:	Check: RDA	or RDA 2
1102 CARSON AVE	☒	☐
	☐	☐
	☐	☐
	☐	☐
	☐	☐

Description of Interest:

Primary Residence

If additional sheets are necessary, please be sure to include the location of the property, a description of your interest and clearly identify whether it falls in the Redevelopment Area or Redevelopment Area 2.

DATE: July 18, 2022

TO: LuAnn D. Holmes, City Clerk and Secretary to the Redevelopment Agency

RE: Disclosure of Interest – Redevelopment Area / Redevelopment Area 2

Please complete the following information:

Name: Trinity Haven Schlottman

Title: Planning Commissioner

Department: Planning Department

In accordance with the provisions of NRS 279.454, this is to advise the Clerk that

I DO [X]

I DO NOT [ ]

hold a financial interest in any property located in the areas identified as the Downtown Redevelopment Area or Redevelopment Area 2.

08-02-2022

Signature (Required) Date

If you do hold a financial interest, specify below and attach additional sheets if needed.

Location of Property:	Check: RDA	or RDA 2
211 Tower Street, Las Vegas, Nevada 89101	[X]	[ ]
	[ ]	[ ]
	[ ]	[ ]
	[ ]	[ ]
	[ ]	[ ]

Description of Interest:

Primary Residence

If additional sheets are necessary, please be sure to include the location of the property, a description of your interest and clearly identify whether it falls in the Redevelopment Area or Redevelopment Area 2.

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
10

DEPARTMENT: Finance **CONSENT**
DIRECTOR: Susan Heltsley

SUBJECT:
ABEYANCE ITEM - For possible action to approve award of Bid No. 220179-MC, Synthetic Turf Surfacing Replacement, to the lowest responsive and responsible bidder - Department of Parks and Recreation - Award recommended to: SPRINTURF LLC (Not-to-Exceed $4,000,000 Annually/Total Contract Amount Not-to-Exceed $20,000,000 - Parks and Leisure Activity Capital Projects Fund) - All Wards

FISCAL IMPACT:
Budget Funds Available
Amount: Not-to-Exceed $4,000,000 Annually/Total Contract Amount Not-to-Exceed $20,000,000
Funding Source: Parks and Leisure Activity CPF
Dept./Division: Parks and Recreation

PURPOSE/BACKGROUND:
This award provides for the removal and disposal of existing synthetic turf, and infill and replacement with new synthetic turf and infill materials, at various sports fields throughout the City. This is an annual requirements contract with an initial term of one year and four (4) one-year renewal options, to include future replacement needs. Recommended awardee Sprintuf LLC is located in Daniel Island, South Carolina.

RECOMMENDATION:
Approve as recommended, with signature authority granted to the Purchasing and Contracts Manager per R-20-2017.

BACKUP DOCUMENTATION:
1. Bid Abstract
2. Submitted at Meeting - Copy of Letter to Theodore Parker, III, Esq., Copy of Spinturf Employee Status Letter, and Spreadsheet of City of Las Vegas Parks by Staff

BID ABSTRACT
220179-MC Synthetic Turf Surfacing Replacement
Bid Date: May 5, 2022

City of Las Vegas - Finance Department
Purchasing & Contracts Division
495 S. Main Street, 4th Floor
Las Vegas, Nevada 89101

				sprinturf		CG&B Enterprises Inc.	
LINE NO.	DESCRIPTION	QTY	UOM	UNIT	EXTENDED	UNIT	EXTENDED
1	SYNTHETIC TURF REMOVAL AND REPLACEMENT AT FIELDS STRIPED FOR SOCCER BASED UPON A MINIMUM OF 90,000 SQ FT FIELD	370000	SQ FT	$4.60	$1,702,000.00	$5.06	$1,872,200.00
2	SYNTHETIC TURF REMOVAL AND REPLACEMENT AT FIELDS STRIPED FOR SOCCER BASED UPON A MINIMUM OF 60,000 SQ FT FIELD	62500	SQ FT	$4.60	$287,500.00	$5.06	$316,250.00
3	SYNTHETIC TURF REMOVAL AND REPLACEMENT AT FIELDS STRIPED FOR FOOTBALL BASED UPON A MINIMUM OF 70,000 SQ FT FIELD	90000	SQ FT	$4.60	$414,000.00	$5.06	$455,400.00
4	SYNTHETIC TURF REMOVAL AND REPLACEMENT AT FIELDS STRIPED FOR BOTH SOCCER AND LACROSSE BASED UPON A MINIMUM OF 90,000 SQ FT FIELD	90000	SQ FT	$4.60	$414,000.00	$5.06	$455,400.00
5	SYNTHETIC TURF REMOVAL AND REPLACEMENT PRACTICE FIELD WITH NO STRIPING BASED UPON A MINIMUM OF 40,000 SQ FT FIELD	40000	SQ FT	$4.60	$184,000.00	$5.06	$202,400.00
			TOTAL BID	$3,001,500.00		$3,301,650.00	
			TOTAL BID INCLUSIVE OF TERMS	$3,001,500.00		$3,301,650.00	
			PAYMENT TERMS	0% 30		0% 30	
			DELIVERY TIME	35 Calendar Days		21 Calendar Days	

Award recommended to Sprinturf LLC in the amount of 4,000,000 by:

Department Director or Designee: _____ Date: 5-10-22

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

FINANCE
SUSAN HELTSLEY
DIRECTOR

CITY HALL
495 S. MAIN ST.
LAS VEGAS, NV 89101
702.229.6011 | VOICE
711 | TTY

cityoflasvegas
lasvegasnevada.gov

Sent this day via email

Date: May 26, 2022

Attn: Theodore Parker, III, Esq.
Parker Nelson & Associates, CHTD
2460 Professional Court, Suite 200
Las Vegas, NV 89128
tparker@pnalaw.net

RE: Bid No. 220179-MC Synthetic Turf Surfacing Replacement protest of award of contract to Sprinturf LLC submitted by Parker Nelson & Associates on behalf of CG&B Enterprises, Inc.

Dear Mr. Parker:

I have reviewed the bid protest documentation submitted on behalf of your client, CG&B Enterprises, Inc. The issue brought forth is in regards to the appropriate Nevada State Contractor's license required to do the work as described in the bid scope of work for project 220179-MC Synthetic Turf Surfacing Replacement.

As stated in your letter, Sprinturf LLC has a valid C-10 License. Per the Nevada Administrative Code (NAC) 624.280:

> 2. A person who holds a classification C-10 license may grade and prepare plots of land for architectural horticulture, decoratively treat, arrange, plant and maintain gardens, lawns, shrubs, vines, bushes, trees and other vegetation, construct systems of drainage and landscape irrigation, install rocks, sand, gravel and other landscape materials that use xeriscape principles, hydroseed by spraying mulch, seeds and nutrients under pressure, control soil erosion and install nonengineered decorative landscape ponds or nonengineered prefabricated trellises and arbors.

Andrew Bone of CG&B did contact Ms. Maira Corral to express his opinion that Sprinturf had an inadequate license. Maira contacted the Nevada State Contractors Board and confirmed that installation and removal of artificial turf only requires a C-10 license if the value of the contract is greater than $1,000. An "A" License is not required.

Based on the above facts and in accordance with City of Las Vegas R-50-2017 (Resolution Adopting Procedures For The Protest Of An Award of Contract), I have determined that a C-10 license is sufficient to complete the scope of work included in Bid No. 220179-MC. Contract proceedings with Sprinturf LLC will recommence.

If you have questions or need further clarification, please contact me at (702) 229-2315 or tkemble@lasvegasnevada.gov.

Sincerely,

Tonya Kemble

Tonya Kemble, Manager
Purchasing and Contracts
495 S. Main St., 4th Floor
Las Vegas, NV 89101

Submitted at City Council
Date 8/17/22 Item 10
By: T. KEMBLE

Cc: File
John Ridilla, Deputy City Attorney
Dimitri Dalacas, Deputy City Attorney
Steven Ford, Director Parks and Recreation
Maira Corral, Senior Buyer
Adrian Montenegro, CLV Project Manager

SPRINTURF

P: 877-686-8873
F: 843-410-5712
146 Fairchild Street, Suite 150
Daniel Island, SC 29492

August 16, 2022

City of Las Vegas

495 S. Main Street

Las Vegas, NV 89101

RE: Nevada Employees/Union

To whom it may concern,

Sprinturf has several employees that reside in Nevada which include the following:

1. Cody Alton, Reno — Superintendent Turf Install
2. Tyson Jaquez, Reno — Regional Sales Manager
3. Brandon Byrd, Las Vegas — Turf Labor
4. Ronnie Legg-Eaton, Las Vegas — Turf Labor

The union in which Sprinturf pulls from for our apprentices for synthetic turf projects in Nevada is SNLTT Laborers Local 872.

Turf Crew for fields is normally 6 but because of the square footage we will pull two apprentices from the local union on these jobs. 6 of the 8 on the job will be Nevada local.

Please contact me with any other questions or concerns,

Sincerely,

Marc Belluomini,
Vice-President
559.260.2344

Submitted at City Council
Date 8/17/22 Item 10
By: CAO B. SCOTT

ID	AssetName	AssetType	Material	AssetInstallDate	WarrantyDateEXP	InitialAssetCost	InstallContractor	Comments	ParkName	FYReplacement
1	SFT-F1-AAP	Football Field	Synth Turf	10/23/2013	10/21/2023	$453,522.53	Richardson Construction		All American Park	FY26
2	SFT-F2-AAP	Football Field	Synth Turf	10/23/2013	10/21/2023	$453,522.53	Richardson Construction		All American Park	FY26
3	SFT-F3-AAP	Football Field	Synth Turf	10/23/2013	10/21/2023	$453,522.53	Richardson Construction		All American Park	FY26
4	SFT-F4-AAP	Football Field	Synth Turf	10/23/2013	10/21/2023	$453,522.53	Richardson Construction		All American Park	FY26
5	SFT-F5-AAP	Football Field	Synth Turf	10/23/2013	10/21/2023	$453,522.53	Richardson Construction		All American Park	FY26
2226	SFT-1A-BKP	Multi Purpose Field	Synth Turf	1/1/2019		$0.00			Baker Park	FY29
2224	SFT-1B-BKP	Soccer Field	Synth Turf	1/1/2019					Baker Park	FY29
2225	SFT-2A-BKP	Soccer Field	Synth Turf	1/1/2019		$0.00			Baker Park	FY29
8	SFT-F1-DSP	Soccer Field	Synth Turf	6/30/2015		$242,692.00	Sprinturf		Douglas A. Selby Park & Trailhead	FY25
2229	SFT-1B-ELV	Multi Purpose Field	Synth Turf	1/1/2019		$0.00			East Las Vegas Family Park	FY29

Submitted at City Council
Date 8/1/22 Item 10
By: CAO B. Scott

ID	AssetName	AssetType	Material	AssetInstallDate	WarrantyDateEXP	InitialAssetCost	InstallContractor	Comments	ParkName	FYReplacement
2175	SFT-1A-ELV	Soccer Field	Synth Turf	1/1/2019					East Las Vegas Family Park	FY29
13	SFT-F8-FNT	Football Field	Synth Turf	6/30/2015		$293,610.73	Sprinturf		Ed Fountain Park	FY26
12	SFT-F7-FNT	Practice Field	Synth Turf	6/30/2015		$146,865.00	Sprinturf		Ed Fountain Park	FY26
11	SFT-F6-FNT	Football Field	Synth Turf	4/13/2015		$170,000.00	Sprinturf		Ed Fountain Park	FY26
9	SFT-F1-FNT	Soccer Field	Synth Turf	1/14/2017		$296,077.76	General Acrylics		Ed Fountain Park	FY23
10	SFT-F2-FNT	Soccer Field	Synth Turf	1/14/2017		$296,077.76	General Acrylics		Ed Fountain Park	FY23
2159	SFT-F1-GRF	Multi Purpose Field	Synth Turf	8/1/2019	8/1/2027	$326,614.50	Spinturf		Gary Reese Freedom Park	FY29
2160	SFT-F2-GRF	Multi Purpose Field	Synth Turf	8/1/2019	8/1/2027	$326,614.50	Spinturf		Gary Reese Freedom Park	FY29
17	SFT-F2-JST	Soccer Field	Synth Turf	6/30/2015		$203,184.00	Sprinturf		Justice Myron E. Leavitt & Jaycee Cmty	FY26

ID	AssetName	AssetType	Material	AssetInstallDate	WarrantyDateEXP	InitialAssetCost	InstallContractor	Comments	ParkName	FYReplacement
23	SFT-F6-KZP	Soccer Field	Synth Turf	9/10/2013		$310,701.80	General Acrylics		Kellogg-Zaher Sports Complex	FY23
24	SFT-F7-KZP	Soccer Field	Synth Turf	9/10/2013		$311,291.50	General Acrylics		Kellogg-Zaher Sports Complex	FY23
20	SFT-F3-KZP	Soccer Field	Synth Turf	7/14/2014		$267,781.71	Sprinturf		Kellogg-Zaher Sports Complex	FY24
21	SFT-F4-KZP	Soccer Field	Synth Turf	7/14/2014		$267,781.71	Sprinturf		Kellogg-Zaher Sports Complex	FY24
22	SFT-F5-KZP	Soccer Field	Synth Turf	7/14/2014		$267,781.71	Sprinturf		Kellogg-Zaher Sports Complex	FY24
18	SFT-F1-KZP	Soccer Field	Synth Turf	6/3/2014		$267,781.71	Sprinturf		Kellogg-Zaher Sports Complex	FY24
19	SFT-F2-KZP	Soccer Field	Synth Turf	6/3/2014		$267,781.71	Sprinturf		Kellogg-Zaher Sports Complex	FY24

ID	AssetName	AssetType	Material	AssetInstallDate	WarrantyDateEXP	InitialAssetCost	InstallContractor	Comments	ParkName	FYReplacement
25	SFT-F1-MMF	Soccer Field	Synth Turf	11/4/2014		$365,341.91	Sprinturf		Mike Morgan Family Park	FY25
31	SFT-F2-RAF	Soccer Field	Synth Turf	11/4/2014		$365,341.91	Sprinturf		Rafael Rivera Park	FY25
32	SFT-F1-STU	Soccer Field	Synth Turf	1/1/2014			Viking Environmental		Stupak Park	FY23
33	SFT-F1-TTP	Multi Purpose Field	Synth Turf	10/14/2015		$297,254.91	Sprinturf		Teton Trails Park	FY26
34	SFT-F2-TTP	Multi Purpose Field	Synth Turf	10/14/2015		$297,254.91	Sprinturf		Teton Trails Park	FY26
2209	SFT-F3-TTP	Multi Purpose Field	Synth Turf	7/1/2019		$297,254.91	Sprinturf		Teton Trails Park	FY29
35	SFT-F1-TVP	Lacrosse Field	Synth Turf	6/3/2016		$297,359.90	Sprinturf		Thunderbird Sports Complex-Viper	FY26
36	SFT-F2-TVP	Lacrosse Field	Synth Turf	6/3/2016		$297,359.90	Sprinturf		Thunderbird Sports Complex-Viper	FY26

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
11

DEPARTMENT: Finance **CONSENT**
DIRECTOR: Susan Heltsley

SUBJECT:
For possible action to approve award of Contract No. 220145-HM, Advisory Services for the Las Vegas Medical District - Economic & Urban Development Department - Award recommended to: EXECUTIVE CONSULTING GROUP, LLC DBA ECG MANAGEMENT CONSULTANTS (Total Contract Amount Not-to-Exceed $195,000 - Redevelopment Agency Funds) - Wards 1 and 5 (Knudsen and Crear)

FISCAL IMPACT:
Budget Funds Available
Amount: Total Contract Amount Not-to-Exceed $195,000
Funding Source: RDA Funds
Dept./Division: Economic & Urban Development

PURPOSE/BACKGROUND:
This contract provides for advisory services by a professional consulting firm to assist the City of Las Vegas in developing an implementation strategy for the Las Vegas Medical District. This award recommendation is made as the result of a competitive Request for Proposals process. Executive Consulting Group LLC DBA ECG Management Consultants is located in San Diego, California.

RECOMMENDATION:
Approve as recommended, with signature authority granted to the Purchasing and Contracts Manager per R-20-2017.

BACKUP DOCUMENTATION:
1. Contract No. 220145-HM
2. Certificate - Disclosure of Ownership and Principals

PROFESSIONAL SERVICES CONTRACT
for Advisory Services for Las Vegas Medical District

THIS CONTRACT is being entered into this _____ day of _____, 2022, by and between the City of Las Vegas (hereinafter the "City"), a municipal corporation within the State of Nevada having its principal office at 495 South Main Street, Las Vegas, Nevada 89101, and Executive Consulting Group, LLC dba ECG Management Consultants, (hereinafter the "Company"), a Delaware limited liability company having its principal office at 11512 EL Camino Real, Suite 200, San Diego, California 92130.

SECTION A – Contract Overview

A-1 Summary of Contract [CAO-12/30/2020]

This Contract sets forth the terms and conditions for the performance of services described herein, and the execution hereof by the parties hereto forms a legally binding contract. This is a Non-Exclusive Contract.

(a)

Contract Synopsis The legally binding Scope of Work is more fully defined in Section C	Professional consulting firm to provide advisory services to assist the City in developing an Implementation Strategy for the Las Vegas Medical District.		
Performance Dates The Performance Period is more fully defined in Section A-2	**Award Date** See first paragraph	**Expiration Date** Until Completed	**Option Periods** none
Contract Type As defined in Section B-1	The contract type is fixed price.		
Contract Amount This Not-to-Exceed Amount is subject to Section C-2	$195,000 Firm Fixed Price	Firm Fixed Not-to-Exceed (NTE)	

(b)

Contract Exhibits / Attachments The following documents are hereby incorporated into this Contract
Exhibit A – Scope of Work Exhibit B – Pricing Proposal Exhibit C – Excerpted Proposal Attachment 1 - Certificate of Disclosure

(c)

City Project Manager Per Section D-4, (a)	**Name** Bill Arent	**Phone** 702-229-6856	**Email** barent@lasvegasnevada.gov
Company Representative Per Section D-4, (b)	**Name** Scott Burns	**Phone** 858-436-3220	**Email** SBurns@ecgmc.com

(d)

City Legal Notice Representative per Section E-1			
Company Legal Notice Representative Per Section E-1	**Name & Title** Julie Glasgow / Legal Department	**Address** 11512 El Camino Real, Suite 200 San Diego, CA 92130	**Email** Compliance@ecgmc.com

A-2 Performance Period [CAO-12/30/2020]

(a) The performance period commences on the Award Date and continues through the Expiration Date.

(b) The City may at its sole discretion, exercise the option to renew this Contract for the periods set forth above (if any). The City shall provide written notice to the Company of such renewal(s), and the Company may not assume an automatic renewal. Exercise of an option does not commit the City to exercise further options.

(c) The City reserves the right to temporarily extend this Contract for up to one hundred eighty (180) calendar days from the Expiration Date, for any reason.

SECTION B – Basic Terms

B-1 Definitions [CAO-08/28/19]

The following definitions apply to this Contract:

(a) *"Acceptance"* means written notification by the City to the Company that the deliverables received in their current form are satisfactory to the City as meeting the terms of the Contract.

(b) *"Award Date"* means the date that a Contract becomes effective. It is the date entered into the first paragraph of a Contract upon execution by an authorized representative of the City.

(c) *"Contract"* means this document, consisting of Sections A through E, and the exhibits and attachments attached hereto, which is binding and effective only upon execution by the City.

(d) *"Contract Amount"* means the maximum amount of compensation that may be paid to the Company for performance of the Contract, which includes, without limitation, compensation for all direct and indirect expenses.

(e) *"Deliverable"* means any report, software, hardware, data, documentation or other tangible item that the Company is required to provide to the City under the terms of the Contract.

(f) *"Fixed Fee Contract"* means a contract that provides for a firm price that is not subject to any adjustment on the basis of the Company's cost experience in performing the Contract.

(g) *"Non-Exclusive Contract"* means a Contract under which the City agrees to obtain some, but not necessarily all, of the City's requirements for a particular service.

SECTION C – Scope of Work

C-1 Scope of Work

(a) Services will be provided in accordance with the Scope of Work attached as "Exhibit A".

C-2 Deliverables/Schedule/Fees

(a) The Company shall provide the following Deliverables in accordance with the following delivery schedule and upon Acceptance of the Deliverables by the City, the City shall pay the following Fixed Fee amounts:

Item No.	Description	Delivery Schedule	Amount
1	Executive Summary	October 2022	$146,100
2	Final Report	October 2022	$48,900

SECTION D – Special Conditions

D-1 Payment [CAO-4.2020]

Payment to the Company will be made only for the actual services performed and accepted by the City, upon receipt of an invoice submitted in accordance with Section D-3, "Invoices".

D-2 Fee Revisions [CAO-08/28/19]

For the term of this Contract, fees shall remain firm.

D-3 Invoices [CAO-9/2020]

(a) The Company will timely submit a detailed invoice to the City on a monthly basis, with the final invoice submitted to the City within sixty (60) days upon completion and acceptance of Deliverables, in accordance with Section C-2, "Deliverables/Schedule/Pricing". Each invoice shall contain the following information:

(i) the date of the invoice and invoice number;

(ii) the Purchase Order number;

(iii) the Contract Item against which charges are made;

(iv) the performance dates covered by the invoice; and

(v) detailed list of Project-Related Expenses incurred per Section D-1(c).

(b) Upon reconciliation of all errors, corrections, credits, and disputes, payment to the Company will be made in full within thirty (30) calendar days. **Invoices received without a valid Purchase Order number will be returned unpaid.** If the Company does not timely submit a detailed invoice to the City as required herein, the City shall not have any obligation or liability to effect any payment for said late invoice. The City shall also not be liable for any errors or omissions in an invoice once said invoice is paid by the City, all of which shall be expressly waived by Company. Notwithstanding the foregoing, this paragraph shall in no way waive the City's rights and remedies should the City find any errors or omissions in an invoice before or after said invoice is paid by the City.

The Company shall submit the original invoice to:

Department of Finance
ATTN: Accounts Payable
City of Las Vegas
495 South Main Street, 4th Floor
Las Vegas, NV 89101–2986

(c) The Company shall forward a copy of the invoice to the City's Project Manager, identified in Section D-4, "Project Manager/Company Representative", with the following items:

(i) receipts for any Reimbursable Travel Expenses, if applicable, associated with the invoice; and

(ii) copy of the applicable Deliverable associated with the final invoice

D-4 Project Manager/Company Representative [CAO-8/28/19]

(a) The City's designated Project Manager for this Contract is named in Section A-1 (c). The City will provide written notice to the Company should there be a subsequent Project Manager change. The Project Manager will be the Company's principal point of contact at the City regarding any matters relating to this Contract, will provide all general direction to the Company regarding Contract performance, and will provide guidance regarding the City's goals and policies. *The Project Manager is not authorized to waive or modify any material scope of work changes or terms of the Contract.*

(b) The Company's designated Company Representative for this Contract is named in Section A-1 (c). The Company will provide written notice to the City should there be a subsequent Company Representative change. The City has the right to assume that the Company Representative has full authority to act for the Company on all matters arising under or relating to this Contract.

D-5 Insurance [CAO-04/2020]

(a) The Company shall procure and maintain, at its own expense, during the entire term of the Contract, the following coverage(s):

(i) Industrial/Workers' Compensation Insurance protecting the Company and the City from potential Company employee claims based upon job-related sickness, injury, or accident, during performance of this Contract, and must submit proof of such insurance on a certificate of insurance issued by an insurer qualified to underwrite workers' compensation insurance in the State of Nevada, in accordance with NRS 616A-616D, inclusive. If Company is a sole proprietor, it will be required to submit an affidavit indicating that the Company has elected not to be included in the terms, conditions and provisions of NRS 616A-616D, inclusive, and is otherwise in compliance with those terms, conditions and provisions. The Company's Workers' Compensation policy shall have a waiver of subrogation endorsement in favor of the City of Las Vegas.

(ii) Commercial General Liability Insurance (bodily injury, property damage) with respect to the Company's agents assigned to the activities performed under this Contract in a policy limit of not less than $1,000,000 per occurrence and $2,000,000 in the aggregate, for bodily injury, products, completed operations, personal injury and property damages. Such coverage shall be on an "occurrence" basis and not on a "claims made" basis, and be provided on either a Commercial General Liability or a Broad Form Comprehensive General Liability (including a Broad form CGL endorsement) insurance form. The form must be written on an ISO Form CG 00 01 10 01, or an equivalent form. The Company's General Liability policy shall have a waiver of subrogation endorsement in favor of the City of Las Vegas, and shall be endorsed to include the City, its officers, and employees as additional insured.

(iii) Commercial Automobile Liability Insurance of limits no less than $1,000,000 combined single limit per occurrence for bodily injury and property damage to include, but not be limited to, coverage against all insurance claims for injuries to persons or damages to property which may arise from services rendered by Company and any auto used in the performance of services under this Contract. The policy must insure all vehicles **owned** by the Company and include coverage for **hired** and **non-owned** vehicles. If the services requested do not require the use of the vehicle to perform, the Commercial Automobile Liability Insurance requirements as described in this paragraph do not apply. The Company's Automobile Liability policy shall have a waiver of subrogation endorsement in favor of the City of Las Vegas, and shall be endorsed to include the City, its officers, and employees as additional insured.

(iv) Professional Liability Insurance (Errors and Omissions Coverage) protecting the Company from claims arising out of performance of professional services caused by a negligent act, error, or omission for which the insured is legally liable. Such coverage shall be in a minimum amount of $1,000,000, combined single limit and in the aggregate, for the period of time covered by this Contract. If coverage is on a "claims made" basis, then it must continue for a period of two years beyond the completion or termination of this Contract. Any retroactive coverage must coincide with or predate the beginning of this Contract and may not be changed without the consent of the City.

(b) The Company must provide compliant certificates of insurance and required endorsements to the City or its designated certificate tracking service immediately upon request. The Company shall maintain coverage for the duration of this Contract, and any renewal periods if applicable. The Company shall annually provide the City's designated certificate tracking service with a certificate of insurance and endorsements as evidence that all insurance requirements have been met.

(c) All required aggregate limits must be disclosed and amounts entered on the certificate(s) of insurance. The certificates must identify the Contract number and the Contract description. The Company and/or insurance carrier shall provide the City with a 30-day advance notice of a material policy modification or cancellation.

(d) The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer and licensed by the State of Nevada. Each insurance carrier's rating as shown in the latest Best's Key Rating Guide shall be fully disclosed and entered on the required certificate of insurance. The City requires insurance carriers to maintain a Best's Key minimum rating of A- VII, A- VIII, A- IX, A- X, or higher. The adequacy of the insurance supplied by the Company, including the rating and financial health of each insurance carrier providing coverage, is subject to the approval of the City.

(e) All deductibles and self-insurance retentions shall be fully disclosed in the certificate of insurance. 1,000,

(f) If the Company fails to carry the required insurance, the City may (i) order the Company to stop further performance hereunder, declare the Company in breach, pursuant to Section E-5, "Event of Default", terminate the Contract if the breach is not remedied and, if permitted, assess liquidated damages, or (ii) purchase replacement insurance and withhold the costs or premium payments made from the payments due to the Company or charge the replacement insurance costs back to the Company.

(g) Any subcontractor or subconsultant approved by the City shall be required to procure, maintain, and submit proof of insurance to the City of the same insurance requirements as specified above, and as required in this paragraph.

(h) The Company is encouraged to purchase any additional insurance it deems necessary.

(i) The Company is required to remedy all injuries to persons and damage or loss to any property of the City caused in whole or in part by the Company, its subcontractors or anyone employed, directed, or supervised by the Company.

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D-6 Warranty – Services [CAO-4/2020]

Company warrants that the services shall be performed in full conformity with this Contract, with the professional skill and care that would be exercised by those who perform similar services in the commercial marketplace, and in accordance with accepted industry practice. In the event of a breach of this warranty, or in the event of non-performance or failure of the Company to perform the services in accordance with this Contract, the Company shall, at no cost to the City, re-perform or perform the services so that the services conform to the warranty.

D-7 through D-17 – Reserved

D-18 Holidays/Weekends [CAO-01/20/16]

The Company is excused from performance on weekends and the following legal holidays (on the actual day the holiday is observed):

Martin Luther King's Birthday (observed)
President's Day
Memorial Day
Independence Day
Labor Day
Nevada Admission Day
Veterans Day
Thanksgiving Day and Friday After
Christmas Day
New Year's Day

D-19 Liquidated Damages [CAO-01/20/2016]

Assessment of liquidated damages does not apply to this Contract.

SECTION E – General Conditions

E-1 Legal Notice [CAO-4/2020]

(a) Any notice required to be given hereunder shall be deemed to have been given when written notice is (i) received by the party to whom it is directed by personal service; (ii) three (3) days after deposit with the United States Post Office, by registered or certified mail, postage prepaid and addressed to the party to be notified at the address for such party; (iii) one (1) day after deposit with a nationally recognized air courier service such as FedEx; or (iv) by an email sent to the email address of the recipient stated in this Section. All notices shall be effective upon receipt by the party to which notice is given or if it is delivered by email, when the recipient acknowledges having received that email, with an automatic "read receipt" not constituting acknowledgment of an email for notice purposes. Either party hereto may

change its address by giving ten (10) days advance notice to the other party as provided herein. Phone and fax numbers, if listed, are listed for information only:

FOR THE CITY: Manager, Purchasing and Contracts
City of Las Vegas
495 South Main Street, 4th Floor
Las Vegas, Nevada 89101-2986
Fax: (702) 384-9964
Email: purchasing@lasvegasnevada.gov

FOR THE COMPANY: As Noted in Section A-1 (d) of the Contract:

(b) The parties shall provide written notification of any change in the information stated above.

(c) For purposes of this Contract, legal notice shall be required for all matters involving potential termination actions, litigation, indemnification, and unresolved disputes. This does not preclude legal notice for any other actions having a material impact on the Contract.

(d) Routine correspondence should be directed to the Project Manager or the Company Representative, as appropriate.

E-2 Disputes [CAO-4/2020]

(a) For each claim or dispute arising between the parties under this Contract, the parties shall attempt to resolve the matter through escalating levels of management. In the event the matter cannot be successfully resolved in this manner, the City is granted the sole right, regardless of which party is asserting the claim or dispute, to determine between arbitration and litigation as the forum in which the party desiring to proceed further shall file to resolve the claim or dispute. For any and all claims or disputes asserted by the Company, the Company shall notify the City of its intent to proceed further with the claim or dispute and in response thereto, the City shall notify the Company as to its selected forum for resolution. For any and all claims or disputes asserted by the City, the City shall notify the Company in the notice of its intent to proceed with further resolution whether it has selected arbitration or litigation as the forum to resolve the claim or dispute. In the event arbitration is the designated forum, such arbitration shall be binding on the parties.

(b) If arbitration is selected by the City as the forum for further resolution, the claim or dispute shall be filed with the American Arbitration Association under its then current Commercial Arbitration Rules, Expedited Procedures, regardless of the amount of the claim or dispute.

(c) The laws of the State of Nevada shall govern the validity, construction, performance, and effect of this Contract, without giving effect to its conflict of law provisions. If arbitration is selected, each party hereto consents to, and waives any objection to, venue being the offices of the American Arbitration Association located in Las Vegas, Nevada, or other venue mutually agreed by the parties. If litigation is selected, each party hereto consents to, and waives any objection to, the State courts located in the County of Clark, State of Nevada as the proper and exclusive venue for any disputes arising out of or relating to this Contract or any alleged breach thereof. Each party hereby waives trial by jury in any action, proceeding or counterclaim brought by either of them against the other on any matters whatsoever arising out of or in any way connected with this Contract.

E-3 Notice of Delay [CAO-01/20/16]

(a) If timely performance by the Company is jeopardized by the non-availability of City provided personnel, data, or equipment, the Company shall notify the City immediately in writing of the facts and circumstances causing such delay. Upon receipt of this notification, the City will advise the Company in writing of the action which will be taken to remedy the situation.

(b) The Company shall advise the City in writing of an impending failure to meet established milestones or delivery dates based on the Company's failure to perform. Notice shall be provided as soon as the Company is aware of the situation; however, such notice shall not relieve the Company from any existing obligations regarding performance or delivery.

E-4 Termination for Convenience [CAO-08/22/2019]

The City shall have the right at any time to terminate further performance of this Contract, in whole or in part, for any reason whatsoever (including no reason) upon providing thirty (30) days' advance written notice to Company. Such termination shall be effected by written notice from the City to the Company specifying the extent and effective date of the termination.

On the effective date of the termination, the Company shall terminate all work and take all reasonable actions to mitigate expenses. The Company shall submit a written request for incurred costs for services performed through the date of termination, and shall provide any substantiating documentation requested by the City. In the event of such termination, the City agrees to pay the Company within thirty (30) days after receipt of a correct, adequately documented written request. The City's sole liability under this Section is for payment of costs for goods and services requested by the City and actually performed by the Company.

E-5 Event of Default [CAO-12/30/2020]

(a) If, during the term of this Contract, the Company (i) fails to deliver services that comply with the Scope of Work, (ii) fails to deliver the services within the time specified in the Purchase Order or Scope of Work or any extension thereof, (iii) fails to make progress so as to endanger the performance of this Contract, (iv) becomes insolvent, bankrupt or makes an assignment for the benefit of creditors, or if a receiver or trustee in bankruptcy is appointed for the Company, or if any proceeding in bankruptcy, receivership, or liquidation is instituted against the Company and is not dismissed within thirty (30) days following commencement thereof, or (v) fails to perform any of the other obligation or requirement of this Contract, then any of the aforementioned failures shall constitute an "Event of Default" under this Contract.

(b) If there occurs an Event of Default, the Company shall be entitled to ten (10) calendar days from written notice thereof to remedy the Event of Default, provided, however, such is capable of being remedied within that period. If the Event of Default can be remedied, but the remedy cannot be completed within the ten (10) day period, the Company may be allowed such additional time as may be reasonably necessary to remedy the Event of Default, provided, however, the remedy is commenced within the ten (10) day period and is diligently pursued to completion but in no event later than thirty (30) days after such written notice. Said time period may be extended at City's sole discretion. If the Event of Default is incapable of remediation, or is not remedied as required herein, the City may, in addition to any other remedies available in law or equity, invoke any of the remedies provided for under Section E-6, "Termination for Default", below.

E-6 Termination for Default [CAO-4/2020]

(a) If the Event of Default is not remedied as required pursuant to Section E-5, "Event of Default", the City may, by written notice to the Company pursuant to Section E-1, "Legal Notice", terminate this Contract in whole or in part.

(b) If this Contract is terminated in whole or in part because the Company has failed to provide services in compliance with the specifications by the deadline of remediation period, the City may acquire, under reasonable terms and in a manner it considers appropriate, replacement services that are comparable to the services that the Company failed to deliver to the City, and the Company shall be liable to the City for any excess costs related thereto (i.e., Company's potential liability hereunder commences once City's payment for Services to Company or the entity engaged by City to replace Company exceed $195,000); provided, however, that Company's liability hereunder is limited to the fees paid by City to Company under this Contract. If the City terminates this Contract only in part, the Company shall continue to perform the un-terminated obligations or portions of this Contract.

(c) The Company shall not be liable for any excess costs if the failure to perform the Contract arises from circumstances beyond the control of, and without the fault or negligence on the part of, the Company. These circumstances are limited to such causes as (i) acts of God or of the public enemy, (ii) acts of governmental bodies, (iii) fires, (iv) floods, (v) epidemics/pandemics, (vi) quarantine restrictions, (vii) labor strikes, (viii) freight embargoes, or (ix) unusually severe weather. The time of performance of the Company's obligations under this Contract shall be extended by such period of enforced delay; provided, however, that such reasonably extended time period shall not exceed sixty (60) days. If the foregoing circumstances result in a delay greater than 60 days, the City may terminate the affected portion of the Contract pursuant to the terms of Section E-4, "Termination for Convenience".

(d) The City retains the right to terminate for default immediately if the Company fails to maintain the required insurance, and/or bonding, fails to comply with applicable local, state, and federal statutes governing performance of these services, or fails to comply with statutes involving health or safety.

(e) If the City fails to perform any of its obligations required under this Contract, and the City does not remedy the failure after notice thereof is provided to the City by the Company pursuant to the requirements of Section E-1, "Legal Notice" above, the Company shall have the right to treat the failure as a claim or dispute subject to the resolution provisions of E-2, "Disputes" of this Contract. During the period of such resolution, the Company shall continue with its performance under the Contract.

E-7 Limitation of Funding/Non-Appropriation [CAO-4/2020]

The Company acknowledges that City is a governmental entity and the Contract's validity is based upon the availability of public funding under its authority. The City reserves the right to reduce estimated or actual quantities, in whatever amount necessary, without prejudice or liability to the City, if funding is not available or if legal restrictions are placed upon the expenditure of monies for the services required under this Contract. In addition, and without prejudice or liability to the City, if funds are not appropriated or otherwise made available to support continuation in any fiscal year succeeding the first fiscal year, this Contract will be deemed to have been terminated automatically when appropriated funds expire and are not available. The City shall notify Company in writing of any such non-allocation of funds at the earliest possible date and shall pay Company any reasonable fees earned and costs incurred in performing this Contract for any period prior to such notice.

E-8 Changes - Fixed-Price Goods or Services [CAO-4/2020]

(a) The City may at any time, by written order, and without notice to the sureties, if any, make changes within the general scope of this Contract in any one or more of the following:

(i) Description of services to be performed or goods to be provided.

(ii) Time of performance (i.e., hours of the day, days of the week, etc.).

(iii) Place of performance of the services.

(iv) Time or place of delivery of goods

(b) If any such change causes an increase or decrease in the cost of, or the time required for, performance of any part of the work under this Contract, the Company shall provide current, complete, and accurate documentation to the City in support of any request for equitable adjustment.

(c) The Company must assert its right to an adjustment under this clause within thirty (30) days from the date of receipt of the written order, or shall otherwise be barred and shall have waived any right to an adjustment under this clause.

(d) The parties shall negotiate a timely requested equitable adjustment by mutual written agreement and the change will be effected by purchase order revision. Failure to agree to any adjustment shall be a dispute under Section E-2, "Disputes"; however, nothing in this clause shall excuse the Company from proceeding with the Contract as changed.

E-9 Entire Contract, Section and Paragraph Headings [CAO-4/2020]

(a) This Contract represents the entire and integrated agreement between the City and the Company. It supersedes all prior and contemporaneous understandings, negotiations, communications, representations, and agreements, whether oral or written, relating to the subject matter of this Contract.

(b) The section and paragraph headings appearing in this Contract are inserted for the purpose of convenience and ready reference. They do not purport to define, limit, or extend the scope or intent of the language of the sections and paragraphs to which they pertain.

E-10 Order of Precedence [CAO-7/24/08]

In the event of a conflict between the specific language set forth in Sections A through E of this Contract and any Attachment or Exhibit, the specific language in Sections A through E shall prevail. Any exception to this order of precedence will be addressed through specific language elsewhere in Sections A through E.

E-11 Severability [CAO-7/24/08]

The invalidity, illegality, or unenforceability of any provision of this Contract or the occurrence of any event rendering any portion or provision of this Contract void shall in no way affect the validity or enforceability of any other portion or provision of this Contract. Any void provision shall be deemed severed from this Contract, and the balance of this Contract shall be construed and enforced as if this Contract did not contain the particular portion or provision held to be void. The parties further agree to amend this Contract to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this clause shall not prevent this entire Contract from being void should a provision which is of the essence of this Contract be determined void.

E-12 Waiver [CAO-7/24/08]

Waiver of any of the terms of this Contract shall not be valid unless it is in writing signed by each party. The failure of the City to enforce any of the provisions of this Contract, or to require performance of any of the provisions herein, shall not in any way be construed as a waiver of such provisions or to affect the validity of any part of this Contract, or to affect the right of the City to thereafter enforce each and every provision of this Contract. Waiver of any breach of this Contract shall not be held to be a waiver of any other or subsequent breach of this Contract.

E-13 Modification/Amendment [CAO-7/24/08]

This Contract shall not be modified or amended except by the express written agreement of the parties, signed by a duly authorized representative for each party. Any other attempt to modify or amend this Contract shall be null and void, and may not be relied upon by either party.

E-14 Assignment [CAO-7/24/08]

Neither party may assign their rights nor delegate their duties under this Contract without the written consent of the other party. Such consent shall not be withheld unreasonably. Any assignment or delegation shall not relieve any party of its obligations under this Contract.

E-15 Indemnification [CAO-4/2020]

(a) In addition to the insurance requirements set forth in Section D-5, "Insurance", and not in lieu thereof, the Company shall protect, defend, indemnify and hold harmless the City, its elected officials, officers, employees, agents, and consultants (collectively herein the "City") from and against any and all claims, liabilities, damages, losses, suits, actions, decrees, arbitration awards and judgments including attorney's fees, court costs or other expenses of any and every kind or character (collectively herein the "Liabilities") which may be recovered from or sought against the City, as a direct result of, by reason of, or as a consequence of (i) any act or omission, negligent or otherwise, on the part of the Company, its officers, employees, independent contractors, vendors, suppliers, consultants, or agents in the performance of the terms, conditions and covenants of the Contract; or (ii) a breach of any agreement between the Company and its employees, vendors, independent contractors, suppliers, consultants or agents; or (iii) any default in the performance of any obligation on Company's part to be performed under the terms of this Contract, with such obligations limited to the extent the Liabilities were caused in part by the City. Company agrees that it is assuming the sole risk of any Liabilities related to the contraction by Company's officers, employees, vendors, suppliers, agents, independent contractors, and consultants or any other person of any viral infection or other disease, including, without limitation, COVID 19, related to the performance of this Contract and that Company's indemnity obligations contained herein cover any such Liabilities. In no event shall the language in this Section constitute or be construed as a waiver or limitation of the City's rights or defenses with regard to sovereign immunity, governmental immunity, or other official immunities and protections as provided by the Federal and State Constitutions or by law.

(b) If a third party claim against the City for negligent performance by the Company is within the limits of its liability insurance, and the insurance company has accepted the City's tender of defense, then the City will pay the Company what is due and owing to them within the payment method specified in this Contract. However, if the claim is greater than the coverage amount, the City, for its protection, may retain any money due and owing the Company under this Contract, until the claim has been resolved. In the event no money is due and owing, the surety, if required, of the Company, may be held until all of the Liabilities have been settled and suitable evidence to that effect furnished to the City.

(c) It is expressly agreed that the Company shall defend the City at Company's expense, by legal counsel reasonably satisfactory to City, against the Liabilities and in the event that the Company fails to do so, the City shall have the right, but not the obligation, to defend the same and to charge all direct costs, including attorney's fees and court costs, to the Company. Company's indemnity obligations herein are not intended to nor shall they relieve any insurance carrier of its obligations under policies required to be carried by Company pursuant to the provisions of this Contract. Company's obligations under this Section shall survive any termination of this Contract.

E-16 Patent Indemnity [CAO-12/30/2020]

The Company hereby indemnifies and shall defend and hold harmless the City and its representatives respectively from and against all third party claims, losses, costs, damages, and expenses, including attorney's fees, incurred by City and its representatives, respectively, as a result of or in connection with any claims or actions based upon infringement or alleged infringement of any patent or other intellectual property and arising out of the use of the equipment or materials furnished under the contract by the Company, or out of the processes or actions employed by, or on behalf of the Company in connection with the performance of the Contract. The Company shall, at its sole expense, by legal counsel reasonably satisfactory to City, promptly defend against any such claim or action unless directed otherwise by the City or its representative; provided that the City or its representatives shall have notified the Company upon becoming aware of such claims or actions, and provided further that the Company's aforementioned obligations shall not apply to equipment, materials, or processes furnished or specified by the City or its representatives.

E-17 Audit of Records [CAO-5/2/12]

(a) The Company agrees to maintain the financial books and records (including supporting documentation) pertaining to the performance of this Contract according to standard accounting principles and procedures. The books and records shall be maintained for a period of three (3) years after completion of this Contract, except that books and records which are the subject of an audit finding shall be retained for three (3) years after such finding has been resolved. If the Company goes out of business, the Company shall forward the books and records to the City to be retained by the City for the period of time required herein.

(b) The City or its designated representative(s) shall have the right to inspect and audit (including the right to copy and/or transcribe) the books and records of the Company pertaining to the performance of this Contract during normal business hours. The City will provide prior written notice to the Company of the audit and inspection. If the books and records are not located within Clark County, the Company agrees to deliver them to the City, or to an address designated by the City within Clark County. In lieu of such delivery, the Company may elect to reimburse the City for the cost of travel (including transportation, lodging, meals, and other related expenses) to inspect and audit the books and records at the Company's office. If the books and records provided to the City are incomplete, the Company agrees to remedy the deficiency after written notice thereof from the City, and to reimburse the City for any additional costs associated therewith including, without limitation, having to revisit the Company's office. The Company's failure to remedy the deficiency shall constitute a material breach of this Contract. The City shall be entitled to its costs and reasonable attorney fees in enforcing the provisions of this Section to the extent such books and records are not provided by Company to City upon its request for the same.

(c) If at any time during the term of this Contract, or at any time after the expiration or termination of the Contract, the City or the City's designated representative(s) find the dollar liability is less than payments made by the City to the Company, the Company agrees that the difference shall be either: (i) repaid immediately by the Company to the City or (ii) at the City's option, credited against any future billings due the Company.

E-18 Confidentiality – City Information [CAO-4/2020]

(a) All information, including but not limited to, oral statements, computer files, databases, and other material or data supplied to the Company is confidential and privileged. The Company shall not disclose this information, nor allow to it be disclosed to any person or entity without the express prior written consent of the City. The Company will use at least the same standard of care and exercise equivalent security measures to maintain the confidentiality of the City's information that it uses to maintain the confidentiality of its own confidential information; provided in no event shall such standard be less than reasonable care. The Company shall have the right to use any such confidential information only for the purpose of providing the services under this Contract, unless the express prior, written consent of the City is obtained. City shall be and remain the sole owner of such confidential information. Nothing contained in this Contract shall be construed as granting or conferring any right or license in the City's information or in any patents, software, or other technology, either expressly or by implication to the Company. Upon request by the City, the Company shall promptly return to the City all confidential information supplied by the City, together with all copies and extracts. Company is required to employ the highest ethical standards and shall avoid those actions that are inconsistent with the City's best interest.

(b) The confidentiality requirements shall not apply where (i) the information is, at the time of disclosure by the City, then in the public domain; (ii) the information is known to the Company prior to obtaining the same from the City; (iii) the information is obtained by the Company from a third party who did not receive the same directly or indirectly from the

City; or (iv) the information is subpoenaed by court order or other legal process, but in such event, the Company shall notify the City. In such event the City, in its sole discretion, may seek to quash such demand.

(c) The obligations of confidentiality shall survive the termination of this Contract.

E-19 Marketing Restrictions [CAO-4/2020]

The Company shall at all times be in compliance with Las Vegas Municipal Code 1.08.050, and shall not publish or sell any information from or about this Contract without the prior written consent of the City. This restriction does not apply to the use of the City's name in a general list of customers, so long as the list does not represent an express or implied endorsement of the Company or its services. The City logo shall not be used without the prior written consent of the City.

E-20 Intellectual Property Rights [CAO-4/2020]

All deliverables produced under this Contract are exclusively the property of the City. The Company shall have no property interest in, and may assert no claim or lien on, or right to withhold from the City, or right to use said data other than in performance of its obligations pursuant to this Contract, any data it receives from, receives access to, or stores on behalf of the City. At any time during the term of this Contract, and within thirty (30) days of the expiration or termination of this Contract, the Company will upon request return the data to the City at no charge in the format held by Company. On City request, the Company will delete all City data and will provide appropriate certification to the City to document the disposal. The Company shall promptly notify the City if the Company becomes aware of any unauthorized access, acquisition, disclosure, use, modification, destruction or other misuse of the City's data or other confidential information, and shall fully cooperate with the City in any legal action taken by the City to enforce its rights therein. Notwithstanding the foregoing, Company shall not be required to erase any data received from the City or deliverables that are in an archived computer backup system in accordance with its security and/or disaster recovery procedures and it may retain copies of the data and deliverables to the extent required to comply with legal, regulatory or internal documentation retention requirements, provided any such retained materials remains subject to the use limitations and confidentiality obligations of this Contract. This Section shall survive termination or expiration of this Contract.

Company retains full ownership of its data and information, including, without limitation, playbooks, pricing information and commercial strategies, technical know-how and trade secrets, supplier information, notes, analyses, compilations, forecasts, studies, work product, data, and other materials prepared by Company ("Company Data") but not any information provided by the City. Company grants the City a fully paid up, irrevocable, perpetual, non-royalty bearing, non-exclusive, non-transferable license, which is sublicensable only to affiliates of the City, to use any of the Company Data provided by Company to the City as part of the services.

The City acknowledges that in the course of this engagement Company may provide third-party data that is used under license by Company. No sublicense is created by the inclusion of this data in Company documents, and the City agrees that this data is for the City's use only in connection with the services and may not be used for any other purposes or shared with third parties other than affiliates of the City.

The services and all deliverables are intended solely for internal use by the City and its affiliates and may not be used or referred to in any offerings statement, purchase or financing agreement, or other documents without approval in writing from Company. Depending on the proposed use, such approval may require additional work and associated expenses.

E-21 Taxes/Compliance with Laws [CAO-08/01/13]

(a) The City is exempt from paying Sales and Use Taxes under the provisions of Nevada Revised Statutes 372.325(4), and Federal Excise Tax, under Registry Number 88-87-0003k. The Company shall pay all taxes, levies, duties and assessments of every nature and kind which may be applicable to any work under this Contract. The Company shall make any and all payroll deductions required by law. The Company agrees to indemnify and hold the City harmless from any liability on account of any and all such taxes, levies, duties, assessments, and deductions.

(b) The Company, in the performance of the obligations of this Contract, shall comply with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the performance of this Contract including, but not limited to, the Federal Occupational Safety and Health Act.

E-22 Licenses/Registrations [CAO-01/20/16]

During the entire performance period of this Contract, the Company shall maintain all federal, state, and local licenses, certifications and registrations applicable to the work performed under this Contract, including maintaining an active City of Las Vegas business license if required by Las Vegas Municipal Code 6.02.060.

E-23 Non-Discrimination and Fair Employment Practices [CAO-07/31/13]

(a) Discrimination: The City of Las Vegas is committed to promoting full and equal business opportunity for all persons doing business in Las Vegas. The Company acknowledges that the City has an obligation to ensure that public funds are not used to subsidize private discrimination. Company recognizes that if the Company or their subcontractors or subconsultants are found guilty by an appropriate authority of refusing to hire or do business with an individual or company due to reasons of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, national origin, or any other legally protected status, City may declare the Company in breach of contract and terminate Contract.

(b) Fair Employment Practices: In connection with the performance of work under this Contract, the Company agrees not to discriminate against any employee or applicant for employment because of race, color, religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, national origin, or any other legally protected status. Such agreement shall include, but not be limited to, the following: employment; upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

(c) The Company further agrees to insert this provision in all subcontracts hereunder. Any violation of such provision by a Company shall constitute a material breach of this Contract.

E-24 Employment of Unauthorized Aliens [CAO-01/20/16]

In accordance with the Immigration Reform and Control Act of 1986, the Company agrees that it will not employ unauthorized aliens in the performance of this Contract.

E-25 Conforming Services [CAO-4/2020]

The services performed under this Contract shall conform in all respects with the requirements set forth in this Contract. The Company shall furnish the City with sufficient data and information needed to determine if the services performed conform to all the requirements of this Contract.

E-26 Independent Contractor [CAO-4/2020]

In the performance of its obligations under this Contract, the Company and any other person employed by it shall be deemed to be an independent contractor and not an agent or employee of the City. The Company shall be liable for the actions of any person, organization, or corporation with which it subcontracts to fulfill this Contract. Accordingly, Company shall be responsible for payment of all taxes including federal, state and local taxes arising out of the Company's activities in accordance with this Contract, including by way of illustration but not limitation, federal and state income tax, Social Security tax, unemployment insurance taxes, and any other taxes or business license fees as required under existing or subsequently enacted laws, rules or regulations. Company shall not be entitled to any benefits afforded to City's employees, including without limitation worker's compensation, disability insurance, health insurance, vacation, or sick pay. Company shall be responsible for providing, at Company's expense, and in Company's name, unemployment, disability, worker's compensation, and other insurance, as well as licenses and permits usual or necessary for performance of its obligations pursuant to this Contract. Company shall hereby defend, indemnify, and hold the City harmless from any claims, losses, costs, fees, attorney's fees, liabilities, damages or injuries suffered by the City arising out of Company's failure with respect to its obligations in this Section. Company, upon request, shall furnish evidence satisfactory to the City that any or all of the foregoing obligations have been fulfilled. During Company's contacts with third parties they shall identify themselves as an independent party and not as an employee for the City. Company understands and agrees that they do not have the power or authority to bind City in any capacity. The City shall hold the Company as the sole responsible party for the performance of this Contract. The Company shall maintain complete control over its employees and all of its subcontractors. Nothing contained in this Contract or any subcontract awarded by the Company shall create a partnership, joint venture, or agency with the City. Neither party shall have the right to obligate or bind the other party in any manner to any third party.

E-27 Official, Agent and Employees of the City Not Personally Liable [CAO-01/20/16]

It is agreed by and between the parties of this Contract, that in no event shall any official, officer, employee, or agent of the City in any way be personally liable or responsible for any covenant or agreement therein contained whether expressed or implied, nor for any statement, representation or warranty made herein or in any connection with this Contract.

E-28 Conflict of Interest (City Officials) [CAO-4/2020]

(a) An official of the City, who is authorized on behalf of the City to negotiate, make, accept or approve, or take part in negotiating, making, accepting, or approving this Contract, payments under this Contract, or work under this Contract, shall not be directly or indirectly interested personally in this Contract or in any part hereof. No officer, employee, architect, attorney, engineer or inspector of, or for the City, who is authorized on behalf of the City to exercise any legislative, executive, supervisory or other similar functions in connection with this Contract, shall become directly or indirectly interested personally in this Contract or in any part hereof, any material supply contract, subcontract, insurance contract, or any other contract pertaining to this Contract.

(b) Each party represents that it is unaware of any financial or economic interest of any public officer or employee of the City relating to this Contract. Notwithstanding any other provision of this Contract, if such interest becomes known, the City may immediately terminate this Contract for default or convenience, based on the culpability of the parties.

(c) The Company represents and warrants that it has, in accordance with the current policy of the City, disclosed the ownership and principals of the Company on Attachment 1 (Certificate – Disclosure of Ownership and Principals), and that it has a continuing obligation to update this disclosure whenever there is a material change in the information contained therein. Throughout the Contract Term, Company shall notify City in writing of any material change in the above disclosure within ten (10) days of any such change.

E-29 Public Records [CAO-5/2/12]

The City is a public agency as defined by state law. As such, it is subject to the Nevada Public Records Law (Chapter 239 of the Nevada Revised Statutes). The City's Records are public records, which are subject to inspection and copying by any person (unless declared by law to be confidential). This Contract and all supporting documents are deemed to be public records.

E-30 Use By Other Government Entities [CAO-01/20/16]

A governing body or its authorized representative and the State of Nevada may join or use the contracts of local governments located within or outside this State with the authorization of the contracting vendor. In the event the Company allows another governmental entity to join the Contract, it is expressly understood that the City shall in no way be liable for the obligations of the joining governmental entity.

E-31 Certification – No Israel Boycott [CAO–4/2020]

(Applicable to contracts with an estimated annual amount over $100,000)

By signing this Contract, the Company certifies that it is not engaged in, and agrees for the duration of the Contract not to engage in, a boycott of the State of Israel per NRS 332.065.

"Boycott of Israel" means refusing to deal or conduct business with, abstaining from dealing or conducting business with, terminating business or business activities with or performing any other action that is intended to limit commercial relations with Israel; or a person or entity doing business in Israel or in territories controlled by Israel, if such an action is taken in a manner that discriminates on the basis of nationality, national origin or religion. It does not include an action which is based on a bona fide business or economic reason; is taken pursuant to a boycott against a public entity of Israel if the boycott is applied in a nondiscriminatory manner; or is taken in compliance with or adherence to calls for a boycott of Israel if that action is authorized in 50 U.S.C. § 4607 or any other federal or state law.

"Company" means any domestic or foreign sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited-liability partnership, limited-liability company, or other domestic or foreign entity or business association, including, without limitation, any wholly owned subsidiary, majority owned subsidiary, parent company or affiliate of such an entity or business association, that exists for the purpose of making a profit.

A violation of this Section by Company shall be considered an incurable Event of Default of this Contract, thereby allowing the City to immediately terminate this Contract upon giving Legal Notice to Company.

E-32 Limitation of Liability

Company's liability for damages associated with this Contract shall be limited to gross negligence, fraud, willful misconduct, loss of City data, any losses or liabilities arising from a breach of the confidentiality/data privacy obligations set out in this Contract, and claims covered under insurance to the extent of the requirements described in the Contract and shall not exceed the greater of three times (3x) the total amount paid for services hereunder or five hundred thousand dollars ($500,000). Neither party will be liable for any lost revenue. In no event will either party be liable for punitive, incidental, or consequential damages, even if advised of the possibility of such damages. No action, regardless of form, arising out of this Contract may be brought by either party more than three years after the date of the last services provided under this Contract. This provision shall survive the termination of this Contract.

E-33 Counterpart Signatures [CAO-9/24/08]

This Contract may be executed in counterparts. All such counterparts will constitute the same contract and the signature of any party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the parties hereto, regardless of whether originals are delivered thereafter.

E-33 Miscellaneous [CAO – 4/2020]

(a) In the event of a dispute under this Contract which results in litigation or other formal dispute resolution proceedings, the prevailing party shall be entitled to reimbursement of its or their actual reasonable attorney's fees and costs in connection with such proceeding.

(b) Time is of the essence of the Contract and each of its provisions.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed by their duly authorized representatives.

CITY OF LAS VEGAS

Tonya Kemble Date
Manager, Purchasing & Contracts

COMPANY

7.28.22
Name, Title Date
Principal

ATTEST:

LUANN D. HOLMES, MMC Date
City Clerk

APPROVED AS TO FORM:

07/28/22
Deputy City Attorney Date

Crislove A. Igeleke
Deputy City Attorney

EXHIBIT A – Scope of Work

Project Overview

The City of Las Vegas (the "City") is seeking Request for Proposal (RFP) submittals from qualified Offerors to provide professional advisory services to assist the City of Las Vegas in preparing an Implementation Strategy for the Las Vegas Medical District (LVMD). The Implementation Strategy would be used to coordinate the expansion of existing health care providers in LVMD, to attract new providers to LVMD, and to address specific areas of service, which are underserved in both the Las Vegas metropolitan region and the downtown submarket.

Background

The City originally established the LVMD in 2002 as a special plan area containing 214 acres. This original core area of the LVMD contained two "anchor" medical institutions – Valley Hospital, part of the Valley Health System of Southern Nevada (owned by UHS), and the University Medical Center of Southern Nevada ("UMC"), a public hospital owned and operated by Clark County.

In 2015, the City expanded the LVMD to 684 acres. The City retained a consulting team led by the Smith Group, which prepared the Las Vegas Medical District Facilities Master Plan. This Plan outlined land use patterns for the 684-acre District. This Master Plan also delineated a vision and five guiding principles for the LVMD:

- Attract New Facilities
- Expand and Develop Existing Facilities
- Brand and Reputation (Nationally Recognized Academic Medical/Health Sciences Center)
- Economic Impact
- Operations and Policy

The LVMD Facilities Master Plan also provided specific land use and transportation infrastructure recommendations which would enable a maximum density of 19,250,000 square feet of development and 32,000 parking spaces (development density excluding Symphony Park). The Plan did not identify specific projects for implementation; however, the Plan did outline health care facilities in the District:

- UNLV School of Medicine
- UNLV Department of Physical Therapy
- UNLV Allied Health Departments
- UNLV School of Nursing
- UNLV School of Dental Medicine
- Simulation Center of Las Vegas
- Nevada System of Higher Education Clinical
- University Medical Center
- Valley Hospital Medical Center
- Cleveland Clinic at Symphony Park
- Improved Parking and Transit
- University of Nevada School of Medicine

EXHIBIT B – Pricing Proposal

APPENDIX C

Revised Pricing

ECG's revised professional fee estimate is based on the proposed scope of work and process outlined in ECG's response to RFP #220145-HM, Advisory Services for the Las Vegas Medical District (LVMD) and the level of senior expertise required. We develop our fees based on the estimated time it will take to complete the overall project as described in the accompanying response.

The estimated professional fees and project related costs for the two phases of this engagement will not exceed $195,000. Table 1 provides a summary of ECG professional fees (only) by phase, consistent with Addendum No. 1 to the RFP cited above.

TABLE 1: ECG Professional Project Fees by Phase

Item No.	Description	Delivery Schedule[1]	Fee Amount Estimate[2]
1	Phase One: Current-State Assessment and Executive Summary Business Plan— "Executive Summary"	Completed by September 2022	$130,400
2	Phase Two: Implementation Plan Completion and Final Report—"Final Report"	Completed by September, 2022	$43,600

Provided in table 2 is a detailed breakdown of total estimated professional hours and corresponding fees by project phase, including an average rate per hour by phase, with an overall total for the project.

1 ECG's ability to meet this delivery schedule is predicated upon LVMD, LVMD clinical partners, and other engaged stakeholders responding in a timely manner to the data request and to the schedule of interviews and meetings outlined in the proposed project timeline.

2 Fee amount estimates are identified as the midpoint of the fee ranges quoted above and in table 2 and are subject to contract negotiations.

TABLE 2: ECG Professional Project Hours and Fees by Phase

Work Step	Estimated Hours	Estimated Fees	Approximate Rate per Hour
1. Phase One: Current-State Assessment and Executive Summary Business Plan	325	$130,400	$401
2. Phase Two: Implementation Plan Completion and Final Report	110	43,600	$392
Subtotal Professional Fees	**435**	**$174,000**	**$400**
Estimated Project Costs		**21,000**	
TOTAL PROJECT COST (NOT TO EXCEED) AMOUNT	**435**	**$195,000**	**$400**

Note: Figures may not be exact due to rounding.

As mentioned above, this project will be collaborative with ECG's project team, LVMD leaders, LVMD clinical partners, and the SC, and will reflect input from additional stakeholders selected by you to be interviewed. If, however, you seek more involvement beyond that described herein, we expect that would add hours to our process to schedule, solicit input, and debrief with you on the implications of that additional feedback; this would be reflected in incremental fees.

For example, as noted in our workforce planning task description, if for some reason we find that the workforce data is not obtainable from LVMD or LVMC clinical partners, we will convene with the project sponsor to determine if we need to undertake a distinct clinical workforce assessment. Given the scale of the Las Vegas and Clark County market, this could amount to approximately 500 analyst hours and senior review time. We would like to clarify that and any other needs, if desired, before finalizing our agreement and final scope with you.

Additionally, provided in table 3 is ECG's prevailing rates. (These rates vary slightly from our original submission, as those were estimates based on then preliminary inflation rates applied to 2021 rate levels, now confirmed.)

TABLE 3: ECG Professional Fee Rates (per hour)

Description	Hourly Rate
Principal	$615
Associate Principal	$540
Senior Manager	$505 to $520
Manager	$410
Senior Consultant	$335
Consultant	$295
Senior Analyst	$220

We carefully monitor our project hours, and if we are able to complete this assignment in fewer professional hours than anticipated, you will be billed a correspondingly lesser amount.

Project-related expenses are billed in addition to professional fees. These expenses include (1) direct out-of-pocket expenses such as travel, meals, and lodging as incurred, and (2) a charge of 5% of professional fees for all other expenses, including document production and indirect administrative expenses such as technology, research and benchmarking databases, and communications. In estimating project costs, we are assuming that meetings with LVMD the SC and project sponsor will mostly be held virtually, though interviews and tours will be in person.

EXHIBIT C - EXCERPTED PROPOSAL

Section 3: Work Plan

Understanding Your Situation

The LVMD is a collaborative effort between the City of Las Vegas and the downtown Las Vegas medical and healthcare community. The aim of the LVMD is to create an environment that dedicates the specified, contiguous 684 acres of real property to the further development of complementary health facilities and support infrastructure in clinical education, research, and care delivery composed of existing and new organizational partners.

Since inception in 2002, the City has sought to create a master plan that made sense, was attractive to all constituents, and accommodated the evolving fabric of southern Nevada's growth and economic development. Thoughtful planning, and more than threefold expansion of the district in 2015, helped to further that vision and plan and, with the Smith Group's assistance, the City created zones to accommodate expansion of existing facilities, provided organization and the capacity to attract new entrants, enhanced the visibility and economic impact of the LVMD, and encouraged broader integration and collaboration.

The current listing of LVMD stakeholders is impressive and includes the following:

UNLV Kirk Kerkorian School of Medicine*	UNLV Department of Physical Therapy*
UNLV Allied Health Departments*	UNLV School of Nursing*
UNLV School of Dental Medicine*	Clinical Simulation Center of Las Vegas
Nevada System of Higher Clinical Education	University Medical Center (UMC)*
Valley Hospital Medical Center (VHMC)*	Cleveland Clinic at Symphony Hill*
Crossroads of Southern Nevada	Desert Radiology
Comprehensive Cancer Centers of Nevada	Las Vegas Heals
Optimate of Nevada	Southwest Medical Associates
Steinberg Diagnostic Medical Imaging	Women's Cancer Center of Nevada, among others

* Denotes healthcare organizations that have made the commitment to actively participate in this engagement and are referenced particularly as "LVMD clinical partners" herein.

The impact of the LVMD is estimated to provide $3.6 billion in economic impact to the region, approximately 24,000 jobs, and $181 million in government revenue through a combination of LVMD and UNLV Medical School grants and reimbursements by 2030.[1] Ongoing growth of the community and

[1] *Las Vegas Medical District Master Plan*, Smith Group, 2015, pgs. 6, 10.

new market entrants including Intermountain Healthcare only serve to boost LVMD's opportunity and community impact.

Through this revised process we expect to answer the following:

- What is the current market for medical care within the Las Vegas metroplex, with stratification of the overall metropolitan statistical area (MSA) as well as the LVMD zone?
- Based on input from LVMD clinical partners, what are the component elements' and LVMD's consolidated strengths, weaknesses, opportunities, and threats (SWOT)?
- What is the current-state capacity of LVMD clinical partners' beds, clinical services, emergency beds, outpatient programs/clinics, and other requisite support services within the MSA and LVMD? What is the gap to meet demand for care in the LVMD submarket by LVMD clinical partners?
- How should incremental capacity in all services be developed to resolve clinical gaps in clinical services and programs, based on quantitative analyses and LVMD clinical partners' strategic input from interviews?
    - What is the quantity of clinical services and programs demanded (i.e., beds, ancillary functions/rooms by modality, clinics, support areas, and administrative area is required)?
    - What is needed in clinical specialty recruitment to align with this need, by specialty, by subspecialty? What are the implications to UNLV Schools of Nursing, Dental Medicine, and Medicine in demand for clinical administrative, education, research, housing, parking, and other infrastructure?
    - Besides the clinical care enterprises, what is the current demand for other research infrastructure, including biomedical and laboratory (e.g., wet lab) facilities? How are these best integrated into the LVMD to ensure cohesive collaboration with other clinical care, education, and research partners?
- How does all of this planning and investment effect change in the 2015 LVMD master plan? How does that plan evolve to accommodate demand for clinical care; the growth of LVMD; the need for even more efficient, cost-effective, value-based care; and the expanded requirements of UNLV's mission in clinical care, teaching and supervision, research, and infrastructure?

The City and LVMD now seek an implementation strategy that will:

- Define a roadmap with specified, actionable tasks to meet the needs of partners within LVMD.
- Create an implementation plan, including key progress milestones, that attracts new providers and capabilities to LVMD, potentially including but not limited to Intermountain Healthcare.
- Address specific needs, including but not limited to the underserved residents both in the metropolitan and downtown LVMD core submarkets.

- Accommodate features of the 2015 LVMD master plan that remain valid and resonate and make sense yet accommodate plan updates and initiatives of this engagement reflecting, in part, how time and thinking has evolved over the past seven years.

Project Management

The ECG project team will work with your identified project team through interviews, discussions, presentations, and interactive work sessions to ensure appropriate input from your organization. Meetings will be scheduled to coincide with key project milestones and will convene with the frequency necessary to build understanding and agreement. A small project team composed of LVMD senior leadership, presumably from within the City's Economic and Urban Development, will guide the direction of the project. The proposed meetings are preliminary and will be reviewed and confirmed at the start of the project.

Steering Committee (SC)

If deemed necessary, we will work with an SC presumably consisting of but not limited to LVMD organizational and LVMD clinical partner leadership. Through regularly scheduled meetings, the SC will provide oversight and guidance for the development of the comprehensive facility functionality and capacity plan. During these meetings, we will discuss progress, seek direction, review our findings and outputs, validate assumptions, and collaboratively make key decisions related to the overall planning. We will work closely with you at the beginning of the engagement to confirm the SC's membership.

Project Sponsor(s)

This individual or small group presumably from within the City's Economic and Urban Development will function as the day-to-day project lead and our main point of contact. Often, this person or group will consist of one to four key individuals. We will work directly with this/these individual(s) to assist with scheduling, coordinate data collection, discuss any process-related concerns, and preview deliverables. We will have touch points with them/this group every two weeks throughout the project to gather feedback and address questions and concerns. Additional touch points will be scheduled as needed.

Stakeholder Interviews

Depending on the final scope, ECG will conduct approximately 20 to 30 one-on-one (and/or small group) interviews. Stakeholders from various levels across organizations should participate, including executive managers, physicians, and service directors from key areas. These interviews will provide valuable insight into the SWOT posed to each of the key LVMD clinical partners; their respective functional and capacity issues; and other strategic planning ideas important to addressing gaps in delivery and infrastructure of LVMD. Key questions and issues will be raised relating to strategy, finance, technology, and facilities that will be considered and addressed through this planning process.

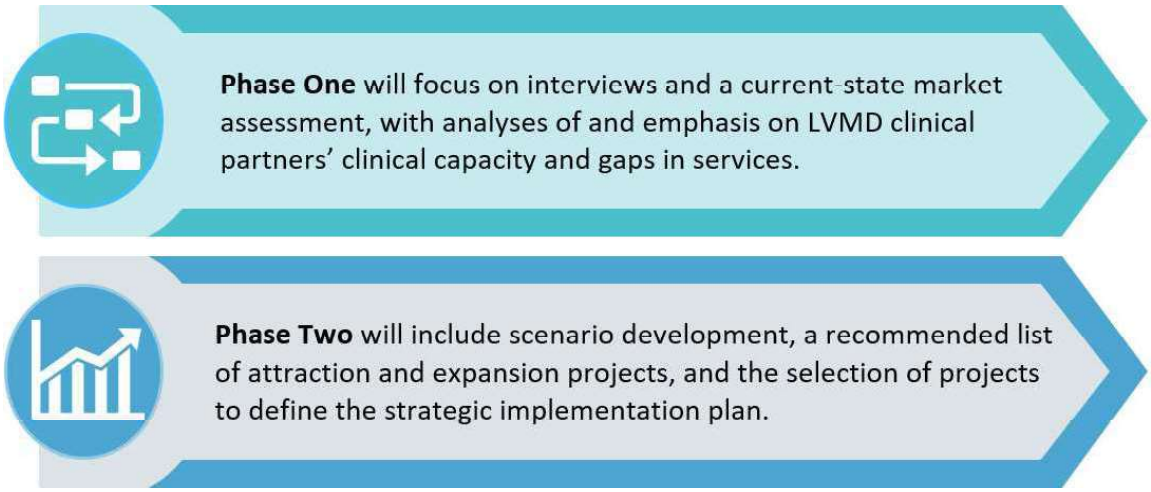
Our updated work plan below includes a summary of key deliverables to be provided upon completion of each phase.

Project Phases and Work Plan

Summary of Approach

Figure 7 summarizes ECG's two-phased approach to completing the strategic implementation plan. Each phase will engage all of ECG's project team members to complete analytics and interviews and compile findings and recommendations.

FIGURE 7: Summary of ECG's Phased Project Approach



Project Phases and Milestones Summary

Engagement Timeline

Corresponding with revised directives provided in the revised RFP of March 30, we understand that the executive summary that results from completion of tasks in phase one and the final report compiled at the conclusion of phase two is expected to be done by September 1, 2022. Figure 8 illustrates ECG's proposed timeline to complete this engagement corresponding to that schedule, with key meetings with the Project Sponsor and SC identified. As shown, we anticipate the duration of the project to be within six months, assuming tasks commence in mid-May 2022. This timeline is predicated on immediate engagement with LVMD clinical partners, obtaining requested data in a timely manner, and adherence to agreed-to meeting schedules and all project milestones.

ATTACHMENT 1 - CERTIFICATE - DISCLOSURE OF OWNERSHIP AND PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity," means the individual, partnership, or corporation seeking to enter into a contract with the City of Las Vegas.

"*Principal"* means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members; (e) trust – the trustee and beneficiaries.

2. Policy

In accordance with Resolutions 79-99, 105-99 and RA-4-99, adopted by the City Council, Contracting Entities seeking to enter into certain contracts with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting Entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted.

4. Incorporation

An updated and notarized Certificate shall be incorporated into the resulting contract, if any, between the City and the Contracting entity. Upon execution of such contract, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract, and/or a withholding of payments due the Contracting Entity.

Block 1: Contracting Entity	
Name: Executive Consulting Group, LLC d.b.a. ECG Management Consultants	
Address: 11512 El Camino Real, Suite 200	**City / ST / Zip:** San Diego, CA 92130
Telephone: 858.436.3220	**EIN or DUNS :** EIN: 47-2257557
Block 2: Description / Subject Matter of Contract	
Services for:	**Project Number:**

Block 3: **Type of Business**

☐ Individual ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Trust ☐ Other:

CERTIFICATE - DISCLOSURE OF OWNERSHIP AND PRINCIPALS (CONTINUED)

Block 4: Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1	ECG Topco Holdings, LLC	11512 El Camino Real, Suite 200, San Diego CA 92130	858.436.3220
2	Gary K. Edmiston, Managing Member	11512 El Camino Real, Suite 200, San Diego CA 92130	858.436.3220
3			
4			
5			
6			
7			
8			
9			
10			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Ownership and Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

Block 5: Disclosure of Ownership and Principals – Alternate

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: N/A

Date of Attached Document: _____ Number of Pages: ____

Contracting Party Certification ***(Notarized signature required in event of contract award per section 4, "Incorporation")***

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

see attached notarization

Signature

7/29/2022

Date

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Signature

CALIFORNIA JURAT WITH AFFIANT STATEMENT **GOVERNMENT CODE § 8202**

☐ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], not Notary)

Signature of Document Signer No. 1 *Signature of Document Signer No. 2 (if any)*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Diego

EDITH RODRIGUEZ
Notary Public - California
San Diego County
Commission # 2287336
My Comm. Expires May 3, 2023

Place Notary Seal and/or Stamp Above

Subscribed and sworn to (or affirmed) before me

on this 29 day of July, 20 22,
by *Date* *Month* *Year*

(1) Gregg Glaser

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Certificate - Disclosure of Ownership and Principals

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

©2017 National Notary Association

ATTACHMENT 1 - CERTIFICATE - DISCLOSURE OF OWNERSHIP AND PRINCIPALS

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CERTIFICATE - DISCLOSURE OF OWNERSHIP AND PRINCIPALS (CONTINUED)

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	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1	ECG Topco Holdings, LLC	11512 El Camino Real, Suite 200, San Diego, CA 92130	858.436.3220
2	Gary K. Edmiston, Managing Member	11512 El Camino Real, Suite 200, San Diego, CA 92130	858.436.3220
3			
4			
5			
6			
7			
8			
9			
10			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Ownership and Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: ____

Block 5: Disclosure of Ownership and Principals – Alternate

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: N/A

Date of Attached Document: _____ Number of Pages: ____

Contracting Party Certification ***(Notarized signature required in event of contract award per section 4, "Incorporation")***

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

see attached notarization

_____
Signature

7/29/2022
Date

Subscribed and sworn to before me this _____ day of _____, 20____

_____
Notary Signature

CALIFORNIA JURAT WITH AFFIANT STATEMENT **GOVERNMENT CODE § 8202**

☐ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], not Notary)

Signature of Document Signer No. 1 *Signature of Document Signer No. 2 (if any)*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Diego

EDITH RODRIGUEZ
Notary Public - California
San Diego County
Commission # 2287336
My Comm. Expires May 3, 2023

Place Notary Seal and/or Stamp Above

Subscribed and sworn to (or affirmed) before me

on this 29 day of July, 20 22,
Date *Month* *Year*

by

(1) Gregg Glaser

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Certificate - Disclosure of Ownership and Principals

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

©2017 National Notary Association

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
12

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Seth Floyd

SUBJECT:
For possible action to approve the ratification of the Commission for the Las Vegas Centennial award of $150,000 to the City of Las Vegas acting by and through its Department of Parks and Recreation for the production of the Las Vegas Days Parade, to be held on May 13, 2023

FISCAL IMPACT:
Budget Funds Available
Amount: $150,000
Funding Source: License Plate Revenue
Dept./Division: Commission for the Las Vegas Centennial

PURPOSE/BACKGROUND:
A funding request in the amount of $150,000 was approved by the Commission for the Las Vegas Centennial at the August 1, 2022 Special Commission Meeting for the production of the Las Vegas Days Parade to be held May 13, 2023. Production costs include the running of parade, entry fees for student bands and floats and the staff necessary to operate and manage the event

RECOMMENDATION:
It is recommended that City Council approve the Commission‘s funding allocation for the Las Vegas Days Parade in the amount of $150,000.

BACKUP DOCUMENTATION:
1. Centennial Grant Agreement 22-0375-CLC1

CENTENNIAL GRANT AGREEMENT
WITH THE CITY OF LAS VEGAS
ACTING BY AND THROUGH ITS DEPARTMENT OF PARKS & RECREATION
PROJECT NUMBER: 22-0375-CLC1

THIS CENTENNIAL GRANT AGREEMENT ("Agreement") is made by and between the COMMISSION FOR THE LAS VEGAS CENTENNIAL, a Nevada nonprofit corporation (the "Commission"), and THE CITY OF LAS VEGAS ACTING BY AND THROUGH ITS DEPARTMENT OF PARKS & RECREATION (the "Grantee"). The Commission and Grantee are sometimes collectively referred to herein as the "Parties".

This Agreement is effective on the date signed by the Commission and Grantee, whichever date is later, as long as the date signed by the second party is within thirty (30) calendar days of signature by the first party (the "Effective Date").

RECITALS:

WHEREAS, in 2001, the Nevada Legislature passed legislation as codified in NRS 482.37903 which authorized the design, preparation and issuance of special license plates to commemorate the 100th anniversary of the founding of the city of Las Vegas; and

WHEREAS, the fees from the sale of the specialized commemorative license plates are distributed to the city of Las Vegas to be used to pay for projects relating to the commemoration of the history of the City of Las Vegas (the "City"), including, without limitation, historical markers, tours of historic sites, and improvements to or restoration of historic buildings and structures; and

WHEREAS, the Commission was created by the City to oversee the distribution of the fees on behalf of the City in accordance with NRS 482.37903; and

WHEREAS, the Grantee has submitted a Centennial Grant application requesting funds to be used for the costs associated with the production and running of the 2023 Las Vegas Days Parade. Funding components include the following fees associated with the project (a) Law enforcement support; (b) Marketing expenses; (c) Rental fees for traffic control equipment, utility carts, portable restrooms and radio communications equipment (d) Fees for parade day supplies (e) Fees for specialty entertainers to enhance the parade route; (f) Fees to produce volunteer t-shirts and awards for best entries; and (g) Entry fees for high school marching bands, local artists and float entries; (the Project"); and

WHEREAS, the Commission desires to provide Centennial Grant funds to fund the costs associated with the production and running of the 2023 Las Vegas Days Parade, to be completed by May 13, 2023; and

WHEREAS, the Commission desires to provide Centennial Grant funds to support the costs associated with the production and running of the 2023 Las Vegas Days Parade subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Commission and the Grantee agree as follows. The foregoing Recitals shall be incorporated herein as though fully set forth below.

AGREEMENT

1. GRANT AMOUNT. Subject to the terms of this Agreement, the Commission hereby grants and the Grantee hereby accepts a grant in the amount of one hundred fifty thousand dollars ($150,000.00) (the "Centennial Funds") to be used for the cost associated with the production and running of the 2023 Las Vegas Days Parade.

2. ELIGIBLE COSTS. The Grantee agrees that the Centennial Funds shall be used specifically for expenses relating to the costs associated production and running of the 2023 Las Vegas Days Parade (the "Eligible Costs") as more specifically described on the Budget attached to this Agreement as Exhibit A and incorporated herein. The Grantee agrees that any expenses not listed on **Exhibit A** are deemed ineligible for reimbursement and shall be the responsibility of the Grantee (unless otherwise approved by the Commission). In addition, any costs in excess of the amount of the Centennial Funds shall be the responsibility of the Grantee and not the Commission.

3. PAYMENT TO GRANTEE. The Commission agrees to reimburse the Grantee for Eligible Costs incurred by the Grantee up to the maximum amount of the Centennial Funds. In order to receive a payment of the Centennial Funds, the Grantee agrees to submit to the Executive Director of the Commission a request for a disbursement of Centennial Funds with copies of invoices, receipts, cancelled checks and/or other related documents which evidence the Eligible Costs. The Executive Director shall review and request further documentation as deemed reasonably necessary by the Executive Director to determine that such expenses constitute Eligible Costs. The Commission will make payment within thirty (30) calendar days of receipt of a request for a disbursement of Centennial Funds unless the Executive Director reasonably determines that further documentation and review is required.

4. TERM. The term of this Agreement shall commence when this Agreement is formally executed by the Commission and shall remain in effect until the amount of the Centennial Funds granted herein have been disbursed in total to the Grantee and the "Final Report" (defined in Section 6 below) has been submitted and approved by the Commission.

5. CENTENNIAL RECOGNITION. Grantee agrees to acknowledge the Centennial Commission as a contributing sponsor of the Project, with signage on/at the Project, and in its advertisements, printed materials, television, radio and electronic medium as a supporter of the Project. Grantee will also include a statement that the Project is funded by sales of the Las Vegas License Plate. The Centennial Commission reserves the right to disapprove of any signage and/or material and, if Centennial Commission disapproves of any signage and/or material, the Grantee agrees to cease the display, publication and distribution of the materials until finally approved by Centennial Commission.

6. FINAL REPORT TO COMMISSION. Within ninety (90) calendar days of the completion of the Project, the Grantee agrees to submit a report to the Commission ("Final Report") which Final Report will include (a) an accounting of the expenditures incurred by the Grantee, including a detailed report of how the Centennial Funds were used; and (b) the elements of the commemoration of the history of Las Vegas.

7. APPLICABLE LAW AND STATUTES. The Grantee shall comply with all applicable federal, state and local laws and regulations. This includes obtaining any and all necessary permits or licenses from the City or any other relevant entity or agency. The Commission represents that this Agreement complies with all applicable federal, state and local laws and regulations including, without limitation, NRS 482.7903.

8. INSURANCE. The Grantee is self-insured. This self-insured liability program is established through a funded reserve system appropriately known as the "Self-Insurance Liability Trust Fund" and is supported by an annual budgetary allocation. Grantee shall provide the Commission insurance at least

equal to the insurance to which the Commission would be entitled as an additional insured had Grantee purchased General Liability and Automobile Liability Insurance each in an amount of not less than Two Million Dollars ($2,000,000) combined single limit bodily injury and broad form property damage coverage, including broad form contractual liability. Such coverage shall be on an “occurrence” basis and not on a "claims made" basis. Nothing herein shall be deemed to insure the Commission against their sole negligence or willful misconduct.

9. INDEMNIFICATION. Notwithstanding any of the insurance required set forth in this Agreement, the Grantee shall protect, indemnify and hold the Commission, its working groups, directors, officers, employees and agents harmless from and against any and all third party claims, liabilities, losses, suits, actions, decrees and judgments (“Claims”) which may be recovered from or sought against the Commission, as a result of, by reason of, or as a consequence of, any negligent act or omission or breach of this Agreement on the part of Grantee, its directors, officers, employees, agents or anyone acting on behalf of Grantee in the performance of the terms, conditions and covenant of this Agreement. The Grantee’s indemnification obligation hereunder shall be subject to (i) receiving prompt written notice of the existence of any Claim; (ii) permitting the Commission to participate (but not control), at its own cost, in the defense of any Claim; and (iii) receiving full cooperation of the Commission in the return thereof.

10. TERMINATION FOR DEFAULT. The Commission shall have the right at any time to terminate further performance of this Agreement, in whole or in part, for any cause including, but not limited to, the failure of the Grantee to perform this Agreement in accordance with its terms. Such termination shall be effected by providing thirty (30) calendar days prior written notice from the Commission to Grantee, specifying the extent and effective date of the termination. Upon termination of this Agreement, the Commission shall not be responsible to the Grantee for any further payments from the Centennial Grant provided by this Agreement and the Grantee agrees not to request any payment of the Centennial Grant funds provided herein.

11. INDEPENDENT CONTRACTOR. The Grantee is deemed to be an independent contractor under this Agreement and shall not be deemed a partner, joint venture, or employee of the Commission.

12. WARRANTY. The Grantee warrants that all services performed are in accordance with current, sound and generally accepted industry practices in the appropriate fields and that the services are in conformance with any specification/statement of work contained or referenced in this Agreement.

13. FORCE MAJEURE. The Grantee is excused from performance by acts of God, epidemics, pandemics, government restrictions including mandatory or voluntary restrictions, fire, war, loss or shortage of transportation facilities, lockout or commandeering of raw materials, products, plants or facilities by the government.

14. WAIVER. Waiver of any of the terms of this Agreement shall not be valid unless in writing signed by each party. The failure of the Commission to enforce any of the provisions of this Agreement, or to require performance of any provisions herein, shall not in any way be construed as a waiver of such provisions or to affect the validity of any part of this Agreement, or to affect the right of the Commission to thereafter enforce each and every provision of this Agreement. Waiver of any breach of this Agreement shall not be held to be a waiver of any other or subsequent breach of this Agreement.

15. SEVERABILITY. In the event of any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions shall remain valid and binding.

16. NOTICE. All notices required or permitted under this Agreement shall be given in writing and shall be deemed effectively given (a) upon personal delivery to the party to be notified, (b) three (3) business days after deposit with the United States Post Office, by registered or certified mail, postage

prepaid and addressed to the party to be notified at the address for such party, (c) one (1) day after deposit with a nationally recognized air courier service such as FedEx; or (d) an electronic record sent by e-mail pursuant to NRS 719.240. Either party hereto may change its address by giving ten (10) business days advance notice to the other party as provided herein. Phone and fax numbers, if listed, are for information only.

If to the Commission:	Commission for the Las Vegas Centennial C/o Diane Siebrandt 495 S. Main Street Department of Planning Las Vegas, NV 89101 DSiebrandt@lasvegasnevada.gov (702) 229-2476
If to the Grantee:	The City of Las Vegas ATTN: Marja Bigas 495 S. Main Street Department of Parks & Recreation Las Vegas, NV 89101 (702) 229-4859 mbigas@lasvegasnevada.gov

17. MODIFICATION/AMENDMENT. This Agreement shall not be modified or amended except by the express written agreement of the parties, signed by a duly authorized representative for each party. Any other attempt to modify or amend this Agreement shall be null and void, and may not be relied upon by either party.

18. GOVERNING LAW. This Agreement shall be governed by the laws of the State of Nevada and the venue shall be in the Eighth Judicial Court in Clark County, Nevada.

19. COUNTERPARTS; ELECTRONIC DELIVERY. This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which shall together constitute one and the same instrument. Execution of this Agreement at different times and places by the Parties shall not affect the validity thereof. It shall not be necessary for any counterpart to bear the signature of all Parties. Executed copies hereof may be delivered by facsimile or e-mail, pursuant to NRS 719.240, and upon receipt will be deemed originals and binding upon the Parties, regardless of whether originals are delivered thereafter.

20. ENTIRE AGREEMENT. This Agreement represents the entire and integrated agreement between the Commission and the Grantee. It supersedes all prior and contemporaneous communications, representations and agreements, whether oral or written, relating to the subject matter of this Agreement.

[LET BLANK INTENTIONALLY AND SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the Commission and the City of Las Vegas, Acting By and Through its Department of Parks & Recreation have executed this Agreement as of the Effective Date.

COMMISSION FOR THE
LAS VEGAS CENTENNIAL

By: _____

Carolyn G. Goodman, President

Date: _____

ATTEST:

By: _____

Michael Howe, Secretary

Approved as to Form:

By: John S. Ridilla 7/7/22

Deputy City Attorney Date

John S. Ridilla
Chief Deputy City Attorney

THE CITY OF LAS VEGAS ACTING BY AND THROUGH ITS DEPARTMENT OF PARKS & RECREATION

Approved as to form
John S. Ridilla 7/7/22
John S. Ridilla Date
Deputy City Attorney

By: _____

Jorge Cervantes, City Manager

Date: _____

EXHIBIT A

ELIGIBLE COSTS

2023 LAS VEGAS DAYS PARADE BUDGET		
Company Name	**Services**	**Projected Amount**
High Schools/artist	$1,000 for marching bands and artist and $1,500 for floats	$47,500.00
Parade Winners	voted by judges	$500.00
Geary Company	parking marketing	$60,000.00
Las Vegas METRO	police officers and course support	$12,000.00
Entertainment	entertainment to enhance the parade	$15,000.00
MOB	barricades, traffic control plan	$4,200.00
Dept of Public Safety	City marshals, course support	$2,600.00
Parade Décor	banners	$2,000.00
Ahern	utility carts	$2,000.00
United Site Services	portable restrooms	$1,000.00
Parade supplies	shirts for week of parade	$1,400.00
	Water for participants and judges, snacks for judges	
Graphics and Awards	city graphics	$600.00
Parking Services	downtown parking lots	$400.00
Logo Fusion	staff/volunteer shirts	$800.00
TOTAL		***$150,000.00***

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
13

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Seth Floyd

SUBJECT:
For possible action to approve the ratification of the Commission for the Las Vegas Centennial award of $187,050 to the City of Las Vegas acting by and through its Public Works Department for the refurbishment, installation and one-year maintenance of the Fun City Motel sign to be located on Las Vegas Boulevard

FISCAL IMPACT:
Budget Funds Available
Amount: $187,050
Funding Source: License Plate Revenue
Dept./Division: Commission for the Las Vegas Centennial

PURPOSE/BACKGROUND:
A funding request in the amount of $187,050 was approved by the Commission for the Las Vegas Centennial at the August 1, 2022 Special Commission Meeting for the costs associated with the refurbishment and installation of the Fun City Motel sign, and one-year maintenance for the sign.

The city's Public Works Department is currently conducting street improvements on Las Vegas Boulevard. This project is part of a larger effort to rehabilitate and install historic neon signs along Las Vegas Boulevard within the city limits. This project enhances the federally recognized "Scenic Byway" along Las Vegas Boulevard and connects downtown Las Vegas and the Las Vegas Strip with historic elements from Las Vegas' past. The sign selected for this installation by city staff is the Fun City Motel Sign which will be placed within the median island of Las Vegas Boulevard between Charleston and Park Paseo. These signs are owned by the city and are ready to be restored and installed in the Las Vegas Blvd median island as part of the Las Vegas Boulevard Widening Project. The Las Vegas Boulevard Widening Project is currently under construction with Las Vegas Paving as the contractor and YESCO as their subcontractor for other neon signs restored and installed with the project. Construction is slated to be complete in April 2023 and the work to refurbish the signs would be in the last two quarters of 2022, with installation of the signs in the first quarter of 2023.

RECOMMENDATION:
It is recommended that City Council approve the Commission's funding allocation for the refurbishment and installation of the Fun City Motel sign, and one-year maintenance for both signs in the amount of $187,050.

BACKUP DOCUMENTATION:
1. Centennial Grant Agreement 22-0376-CLC1

CENTENNIAL GRANT AGREEMENT
WITH THE CITY OF LAS VEGAS ACTING BY AND THROUGH ITS
DEPARTMENT OF PUBLIC WORKS
PROJECT NUMBER: 22-0376-CLC1

THIS CENTENNIAL GRANT AGREEMENT ("Agreement") is made by and between the COMMISSION FOR THE LAS VEGAS CENTENNIAL, a Nevada nonprofit corporation (the "Commission"), and THE CITY OF LAS VEGAS ACTING BY AND THROUGH ITS DEPARTMENT OF PUBLIC WORKS (the "Grantee"). The Commission and Grantee are sometimes collectively referred to herein as the "Parties".

This Agreement is effective on the date signed by the Commission and Grantee, whichever date is later, as long as the date signed by the second party is within thirty (30) calendar days of signature by the first party (the "Effective Date").

RECITALS

WHEREAS, in 2001, the Nevada Legislature passed legislation as codified in NRS 482.37903 which authorized the design, preparation and issuance of special license plates to commemorate the 100th anniversary of the founding of the city of Las Vegas; and

WHEREAS, the fees from the sale of the specialized commemorative license plates are distributed to the city of Las Vegas to be used to pay for projects relating to the commemoration of the history of the City of Las Vegas (the "City"), including, without limitation, historical markers, tours of historic sites, and improvements to or restoration of historic buildings and structures; and

WHEREAS, the Commission was created by the City to oversee the distribution of the fees on behalf of the City in accordance with NRS 482.37903; and

WHEREAS, the Grantee has submitted a Centennial Grant application requesting funds to be used for the costs associated with the refurbishment and installation of two historic neon signs. Funding components include the following: (a) refurbishment costs for the Fun City Motel sign, (b) installation costs for the Fun City Motel sign, and (c) one year maintenance for the Fun City Motel sign (the Project"); and

WHEREAS, the Commission desires to provide Centennial Grant funds to fund the refurbishment and installation of the Fun City Motel sign; and

WHEREAS, the Commission desires to provide Centennial Grant funds to support the costs associated with the refurbishment and installation of the Fun City Motel sign subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Commission and the Grantee agree as follows. The foregoing Recitals shall be incorporated herein as though fully set forth below.

AGREEMENT

1. GRANT AMOUNT. Subject to the terms of this Agreement, the Commission hereby grants and the Grantee hereby accepts a grant in the amount of One Hundred Eighty-Seven Thousand and Fifty Dollars ($187,050.00) (the "Centennial Funds") to be used for the refurbishment and installation of the Fun City Motel sign.

2. ELIGIBLE COSTS. The Grantee agrees that the Centennial Funds shall be used specifically for expenses relating to the refurbishment and installation of the Fun City Motel sign (the "Eligible Costs") as more specifically described on the Budget attached to this Agreement as Exhibit A and incorporated herein. The Grantee agrees that any expenses not listed on **Exhibit A** are deemed ineligible for reimbursement and shall be the responsibility of the Grantee (unless otherwise approved by the Commission). In addition, any costs in excess of the amount of the Centennial Funds shall be the responsibility of the Grantee and not the Commission.

3. PAYMENT TO GRANTEE. The Commission agrees to reimburse the Grantee for Eligible Costs incurred by the Grantee up to the maximum amount of the Centennial Funds. In order to receive a payment of the Centennial Funds, the Grantee agrees to submit to the Executive Director of the Commission a request for a disbursement of Centennial Funds with copies of invoices, receipts, cancelled checks and/or other related documents which evidence the Eligible Costs. The Executive Director shall review and request further documentation as deemed reasonably necessary by the Executive Director to determine that such expenses constitute Eligible Costs. The Commission will make payment within thirty (30) calendar days of receipt of a request for a disbursement of Centennial Funds unless the Executive Director reasonably determines that further documentation and review is required.

4. TERM. The term of this Agreement shall commence when this Agreement is formally executed by the Commission and shall remain in effect until the amount of the Centennial Funds granted herein have been disbursed in total to the Grantee and the "Final Report" (defined in Section 6 below) has been submitted and approved by the Commission.

5. CENTENNIAL RECOGNITION. Grantee agrees to acknowledge the Centennial Commission as a contributing sponsor of the Project, with signage on/at the Project, and in its advertisements, printed materials, television, radio and electronic medium as a supporter of the Project. Grantee will also include a statement that the Project is funded by sales of the Las Vegas License Plate. The Centennial Commission reserves the right to disapprove of any signage and/or material and, if Centennial Commission disapproves of any signage and/or material, the Grantee agrees to cease the display, publication and distribution of the materials until finally approved by Centennial Commission.

6. FINAL REPORT TO COMMISSION. Within ninety (90) calendar days of the completion of the Project, the Grantee agrees to submit a report to the Commission ("Final Report") which Final Report will include (a) an accounting of the expenditures incurred by the Grantee, including a detailed report of how the Centennial Funds were used; and (b) the elements of the commemoration of the history of Las Vegas.

7. APPLICABLE LAW AND STATUTES. The Grantee shall comply with all applicable federal, state and local laws and regulations. This includes obtaining any and all necessary permits or licenses from the City or any other relevant entity or agency. The Commission represents that this Agreement complies with all applicable federal, state and local laws and regulations including, without limitation, NRS 482.7903.

8. INSURANCE. The Grantee is self-insured. This self-insured liability program is established through a funded reserve system appropriately known as the "Self-Insurance Liability Trust Fund" and is supported by an annual budgetary allocation. Grantee shall provide the Commission insurance at least equal to the insurance to which the Commission would be entitled as an additional insured had Grantee purchased General Liability and Automobile Liability Insurance each in an amount of not less than Two Million Dollars ($2,000,000) combined single limit bodily injury and broad form property damage coverage, including broad form contractual liability. Such coverage shall be on an "occurrence" basis and not on a "claims made" basis. Nothing herein shall be deemed to insure the Commission against their sole negligence or willful misconduct.

9. INDEMNIFICATION. Notwithstanding any of the insurance required set forth in this Agreement, the Grantee shall protect, indemnify and hold the Commission, its working groups, directors, officers, employees and agents harmless from and against any and all third party claims, liabilities, losses, suits, actions, decrees and judgments ("Claims") which may be recovered from or sought against the Commission, as a result of, by reason of, or as a consequence of, any negligent act or omission or breach of this Agreement on the part of Grantee, its directors, officers, employees, agents or anyone acting on behalf of Grantee in the performance of the terms, conditions and covenant of this Agreement. The Grantee's indemnification obligation hereunder shall be subject to (i) receiving prompt written notice of the existence of any Claim; (ii) permitting the Commission to participate (but not control), at its own cost, in the defense of any Claim; and (iii) receiving full cooperation of the Commission in the return thereof.

10. TERMINATION FOR DEFAULT. The Commission shall have the right at any time to terminate further performance of this Agreement, in whole or in part, for any cause including, but not limited to, the failure of the Grantee to perform this Agreement in accordance with its terms. Such termination shall be effected by providing thirty (30) calendar days prior written notice from the Commission to Grantee, specifying the extent and effective date of the termination. Upon termination of this Agreement, the Commission shall not be responsible to the Grantee for any further payments from the Centennial Grant provided by this Agreement and the Grantee agrees not to request any payment of the Centennial Grant funds provided herein.

11. INDEPENDENT CONTRACTOR. The Grantee is deemed to be an independent contractor under this Agreement and shall not be deemed a partner, joint venture, or employee of the Commission.

12. WARRANTY. The Grantee warrants that all services performed are in accordance with current, sound and generally accepted industry practices in the appropriate fields and that the services are in conformance with any specification/statement of work contained or referenced in this Agreement.

13. FORCE MAJEURE. The Grantee is excused from performance by acts of God, epidemics, pandemics, government restrictions including mandatory or voluntary restrictions, fire, war, loss or shortage of transportation facilities, lockout or commandeering of raw materials, products, plants or facilities by the government.

14. WAIVER. Waiver of any of the terms of this Agreement shall not be valid unless in writing signed by each party. The failure of the Commission to enforce any of the provisions of this Agreement, or to require performance of any provisions herein, shall not in any way be construed as a waiver of such provisions or to affect the validity of any part of this Agreement, or to affect the right of the Commission to thereafter enforce each and every provision of this Agreement. Waiver of any breach of this Agreement shall not be held to be a waiver of any other or subsequent breach of this Agreement.

15. SEVERABILITY. In the event of any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions shall remain valid and binding.

16. NOTICE. All notices required or permitted under this Agreement shall be given in writing and shall be deemed effectively given (a) upon personal delivery to the party to be notified, (b) three (3) business days after deposit with the United States Post Office, by registered or certified mail, postage prepaid and addressed to the party to be notified at the address for such party, (c) one (1) day after deposit with a nationally recognized air courier service such as FedEx; or (d) an electronic record sent by e-mail pursuant to NRS 719.240. Either party hereto may change its address by giving ten (10) business days advance notice to the other party as provided herein. Phone and fax numbers, if listed, are for information only.

If to the Commission:	Commission for the Las Vegas Centennial C/o Diane Siebrandt 495 S. Main Street Department of Planning Las Vegas, NV 89101 DSiebrandt@lasvegasnevada.gov (702) 229-2476
If to the Grantee:	City of Las Vegas Department of Public Works ATTN: Gina Venglass 495 S. Main Street Las Vegas, NV 89101 (702) 229-6790 gvenglass@lasvebasnevada.gov

17. MODIFICATION/AMENDMENT. This Agreement shall not be modified or amended except by the express written agreement of the parties, signed by a duly authorized representative for each party. Any other attempt to modify or amend this Agreement shall be null and void, and may not be relied upon by either party.

18. GOVERNING LAW. This Agreement shall be governed by the laws of the State of Nevada and the venue shall be in the Eighth Judicial Court in Clark County, Nevada.

19. COUNTERPARTS; ELECTRONIC DELIVERY. This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which shall together constitute one and the same instrument. Execution of this Agreement at different times and places by the Parties shall not affect the validity thereof. It shall not be necessary for any counterpart to bear the signature of all Parties. Executed copies hereof may be delivered by facsimile or e-mail, pursuant to NRS 719.240, and upon receipt will be deemed originals and binding upon the Parties, regardless of whether originals are delivered thereafter.

20. ENTIRE AGREEMENT. This Agreement represents the entire and integrated agreement between the Commission and the Grantee. It supersedes all prior and contemporaneous communications, representations and agreements, whether oral or written, relating to the subject matter of this Agreement.

[LET BLANK INTENTIONALLY AND SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the Commission and the City of Las Vegas have executed this Agreement as of the Effective Date.

COMMISSION FOR THE
LAS VEGAS CENTENNIAL

By: _____

Carolyn G. Goodman, President

Date: _____

ATTEST:

By: _____

Michael Howe, Secretary

Approved as to Form:

By: John S. Ridilla 7/7/22

Deputy City Attorney Date

John S. Ridilla
Chief Deputy City Attorney

THE CITY OF LAS VEGAS ACTING BY AND THROUGH ITS
DEPARTMENT OF PUBLIC WORKS

By: _____

Jorge Cervantes, City Manager

Approved as to form
John S. Ridilla 7/7/22
John S. Ridilla Date
Deputy City Attorney

Date: _____

EXHIBIT A

Las Vegas Boulevard Neon Sign between Charleston and Park Paseo
Budget Worksheet – July 2022

Personnel (List by type of labor and include hourly rates of all individuals working on the grant project). Include salaries & wages, payroll taxes and benefits and professional services.

Expense Description	Total Hours	Total Amount	Grant Request
N/A			$0

All city labor covered by city general funds. Grant request is for construction funding only

Project Supplies & Materials (At least three (3) competitive bids must be obtained for any procurement of services that exceed $50,000. Justifications must be provided for all sole source procurements).

Expense Description	Total Amount	Grant Request
N/A		

All supplies and materials covered with subcontractor refurbishment and installation costs.

Contracted Services (Describe and attach subcontractor estimates including design/engineering).

Expense Description	Total Amount	Grant Request
Contractor Quality Control	$5,000	$5,000
Refurbish and install Fun City Sign	$150,000	$150,000
Refurbish and install Fun City sign-Construction Contingency	$7,500	$7,500
Fun City sign – one year maintenance	$6,000	$6,000
11% Contractor General Conditions and CMAR fee (11% of above four rows)	$18,550	$18,550
Total Contracted Services	**$187,050**	**$187,050**

Refurbishment and installation costs per YESCO quote specific to the Fun City sign with Contractor fees and general conditions added as a separate line item. The other Neon Sign subcontractor work on Las Vegas Boulevard was competitively bid as part of the overall contract and YESCO was the low bidder for that work.

Revenue (Include all sources of project support including grant awards, private support, corporate support and LVCC grant request).

Revenue Description	Total Amount
LVCC Grant Request	$187,050

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
14

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Seth Floyd

SUBJECT:
For possible action to approve a Temporary Cannabis Retail Store license for GREENMART OF NEVADA NLV LLC dba HEALTH FOR LIFE at 200 East Charleston Boulevard - Ward 3 (Diaz)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Temporary Cannabis Retail Store license

RECOMMENDATION:
Staff recommends APPROVAL with the authority of the Director or designee to issue a permanent license upon receipt of a favorable investigative report.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

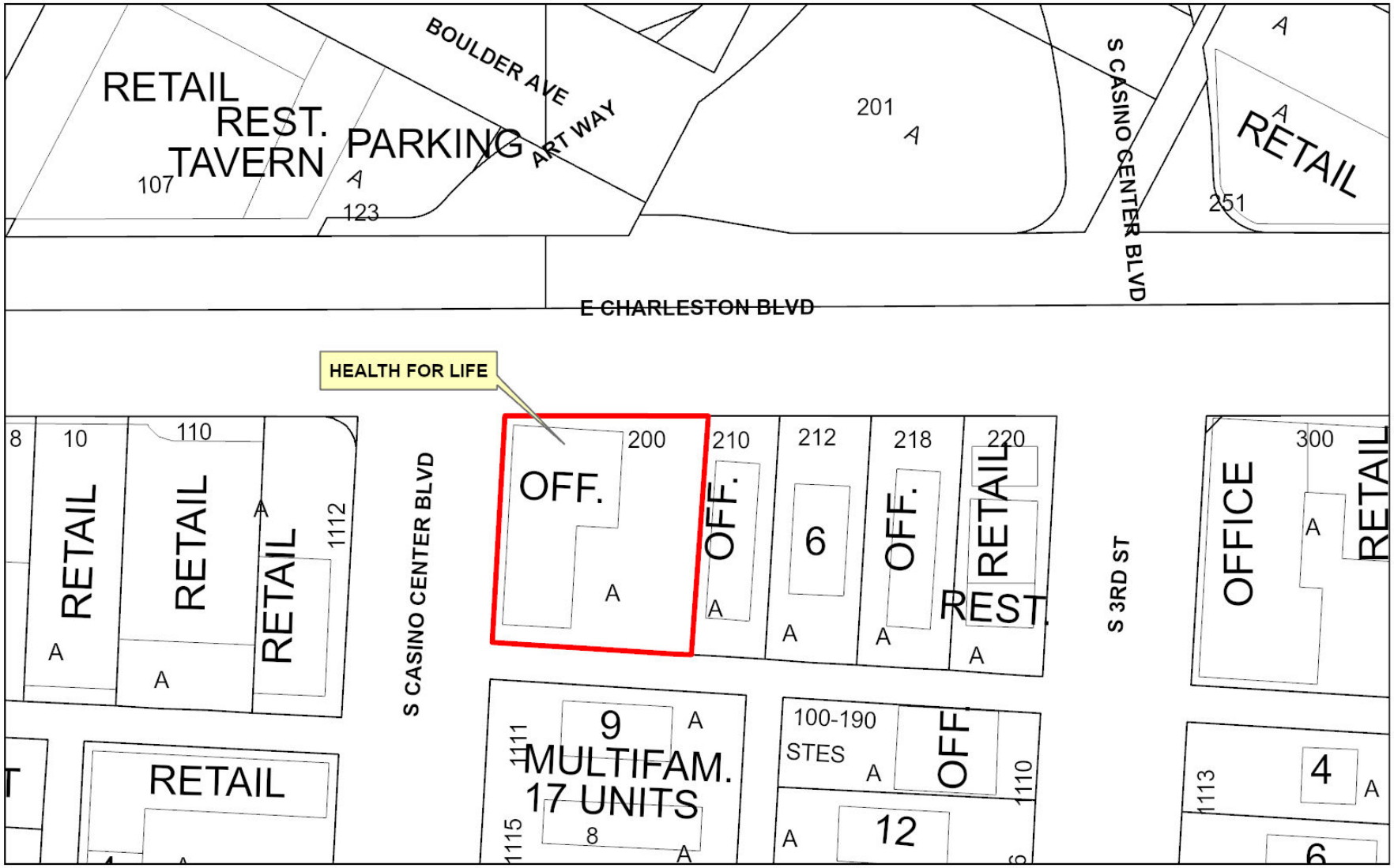
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Temporary Cannabis Retail Store license for GREENMART OF NEVADA NLV LLC dba HEALTH FOR LIFE at 200 East Charleston Boulevard - Ward 3 (Diaz)

OWNERSHIP:

GREENMART OF NEVADA NLV, LLC
CGX Life Sciences Inc, Managing Member
Randy Maslow, President, Director, Secretary, Treasurer
iAnthus Capital Holdings, Inc, Shareholder
Randy Maslow, Director, President Shareholder
Julius Kalcevich, Chief Financial Officer
Robert Galvin, Chief Operations Officer
Robert M. Whelan Jr., Director
Michael P. Muldowney, Director
Diane M. Ellis, Director



HEALTH FOR LIFE

200 East Charleston Boulevard

Ward 3

Subject Property

City Limits

Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Thursday, June 30, 2022

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
15

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Seth Floyd

SUBJECT:
For possible action to approve a Cannabis Cultivation Facility license (Medical/Recreational) for a change of ownership FROM: NULEAF SPARKS CULTIVATION LLC TO: NULEAF SPARKS CULTIVATION LLC dba BEYOND/HELLO at 859 Deming Way - Washoe County, Nevada

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Cannabis Cultivation Facility license (Medical/Recreational) for a change of ownership

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Cannabis Cultivation Facility license (Medical/Recreational) for a change of ownership FROM: NULEAF SPARKS CULTIVATION LLC TO: NULEAF SPARKS CULTIVATION LLC dba BEYOND/HELLO at 859 Deming Way - Washoe County, Nevada

OWNERSHIP:

NULEAF SPARKS CULTIVATION LLC
Louis Jonathan Barack, Manager
Jushi NV, Inc, Member
Louis Jonathan Barack, President, Secretary, Treasurer, Director
Mojave Suncup Holdings, LLC, Shareholder
JMGT, LLC, Manager
Jushi Inc, Managing Member
Jushi Inc, Member
Louis Jonathan Barack, President, Secretary, Treasurer, Director
James Anthony Cacioppo, Director
Benjamin Cross, Director
Marina Hahn, Director
Stephen Monroe, Director
Jushi Holdings, Inc, Shareholder
Louis Jonathan Barack, President, Secretary
Stephen A. Monroe, Director
Peter A. Adderton, Director
Benjamin Cross, Director
Marina Hahn, Director



BEYOND/HELLO

859 Deming Way
Sparks,NV
(Washoe County, Nevada)

Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Thursday, July 14, 2022

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
16

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Seth Floyd

SUBJECT:
For possible action to approve a Cannabis Production Facility license (Medical/Recreational) for a change of ownership FROM: NULEAF RENO PRODUCTION LLC TO: NULEAF RENO PRODUCTION LLC dba BEYOND/HELLO at 4850 Joule Street, Suite# A2 & A3 - Washoe County, Nevada

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Cannabis Production Facility license (Medical/Recreational) for a change of ownership

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Cannabis Production Facility license (Medical/Recreational) for a change of ownership FROM: NULEAF RENO PRODUCTION LLC TO: NULEAF RENO PRODUCTION LLC dba BEYOND/HELLO at 4850 Joule Street, Suite# A2 & A3 - Washoe County, Nevada

OWNERSHIP:

NULEAF RENO PRODUCTION LLC
Louis Jonathan Barack, Manager
Jushi NV, Inc, Member
Louis Jonathan Barack, President, Secretary, Treasurer, Director
Mojave Suncup Holdings, LLC, Shareholder
JMGT, LLC, Manager
Jushi Inc, Managing Member
Jushi Inc, Member
Louis Jonathan Barack, President, Secretary, Treasurer, Director
James Anthony Cacioppo, Director
Benjamin Cross, Director
Marina Hahn, Director
Stephen Monroe, Director
Jushi Holdings, Inc, Shareholder
Louis Jonathan Barack, President, Secretary
Stephen A. Monroe, Director
Peter A. Adderton, Director
Benjamin Cross, Director
Marina Hahn, Director



BEYOND/HELLO

4850 Joule Street
Reno,NV
(Washoe County, Nevada)

Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Thursday, July 14, 2022

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
17

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Seth Floyd

SUBJECT:
For possible action to approve a Retail Cannabis Store License for QUALCAN LLC dba JADE CANNABIS CO at 6050 Sky Pointe Drive Suite #150 - Ward 6 (Fiore)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Retail Cannabis Store License

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

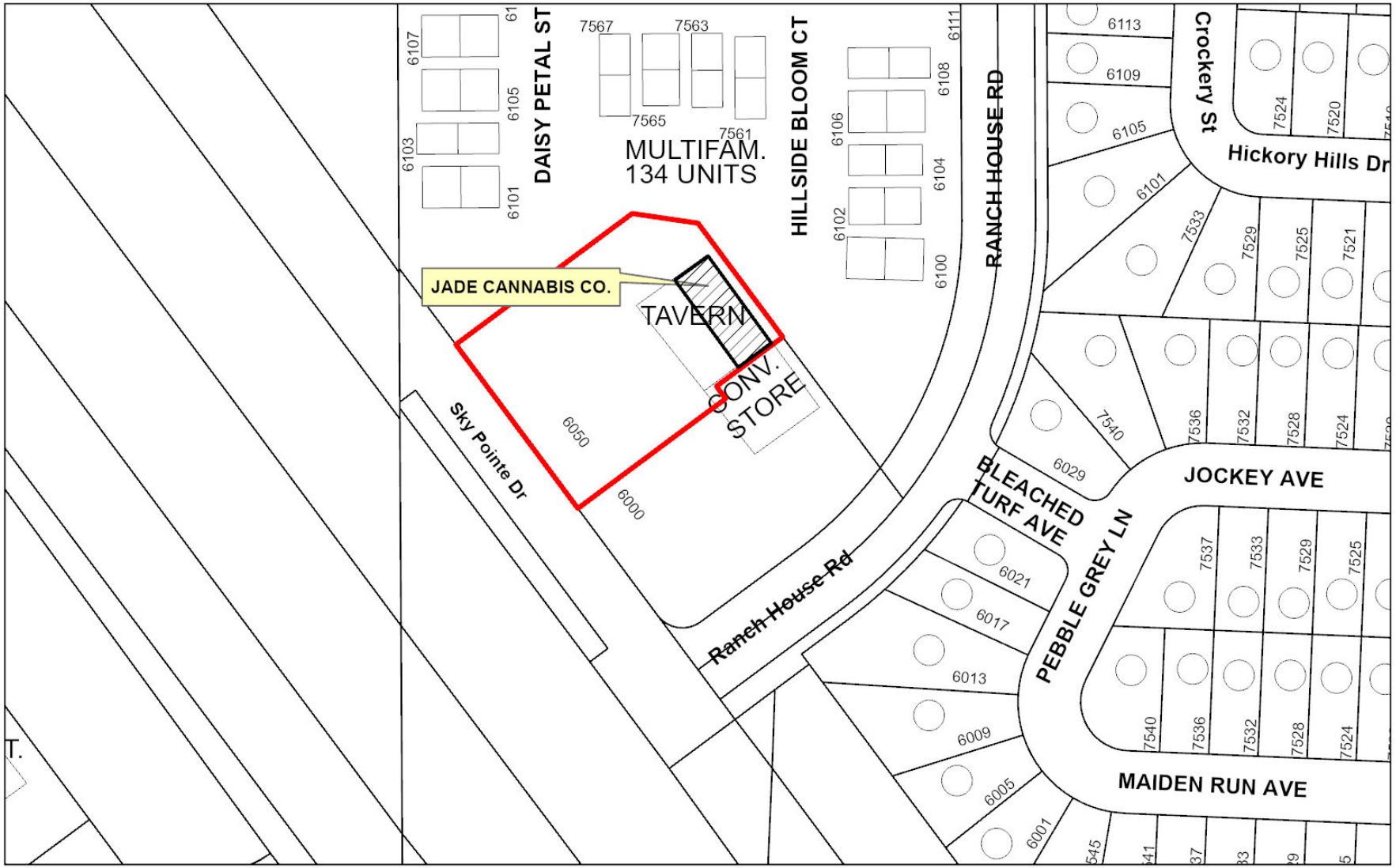
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Retail Cannabis Store License for QUALCAN LLC dba JADE CANNABIS CO at 6050 Sky Pointe Drive Suite #150- Ward 6 (Fiore)

OWNERSHIP:

QUALCAN LLC
Heather Cranny, Manager
Mystic Holdings, Inc, Member
Alexander Scharf, Director
Michael V Cristalli, President
Daniel Perla, Director
Sigmund Rogich, Director
Dal Toro Holdings II, LLC, Shareholder
Lorenzo Barracco, Managing Member
Heather R. Cranny, Manager
Panorama Crest, LLC, Shareholder
Daniel Perla, Managing Member
Sammim Holdings, LLC, Member
Alexander Scharf, Managing Member
Bosem Holdings, LLC, Member
Alexander Scharf, Managing Member



JADE CANNABIS CO.

6050 SKY POINTE DRIVE, SUITE 150

Ward 6

Subject Property

City Limits

Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Tuesday, August 2, 2022

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
18

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Seth Floyd

SUBJECT:
For possible action to approve a Restricted Gaming license UNITED COIN MACHINE CO dba CENTURY GAMING TECHNOLOGIES db at Z MART at 1451 West Owens Avenue - Ward 5 (Crear)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Restricted Gaming license (5 slots)

RECOMMENDATION:
Staff recommends APPROVAL

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Restricted Gaming license UNITED COIN MACHINE CO dba CENTURY GAMING TECHNOLOGIES db at Z MART at 1451 West Owens Avenue - Ward 5 (Crear)

OWNERSHIP:

UNITED COIN MACHINE CO

Steven W. Arntzen, President, Chief Executive Officer, Director
Heidi H. Schmalz, Secretary, Treasurer, Chief Financial Officer, Director
Timothy W. Cogswell, Vice President, General Manager
Century Gaming, Inc., Shareholder
Steven W. Arntzen, President, Director, Chief Executive Officer, Shareholder
Heidi H. Schmalz, Secretary, Treasurer, Director, Shareholder



Z MART
1451 West Owens Avenue
Ward 5

Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, July 13, 2022

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
19

DEPARTMENT: Public Works **CONSENT**
DIRECTOR: Mike Janssen

SUBJECT:
For possible action to approve the Sewer Over-Sizing Refunding Agreement between the City of Las Vegas (CLV) and Tri Pointe Homes Nevada, Inc. for an over-sized sewer generally located north of Log Cabin Way and west of Oso Blanca Road ($48,535 - Sanitation Enterprise Fund [SEF]) - Ward 6 (Fiore)

FISCAL IMPACT:
Budget Funds Available
Amount: $48,535
Funding Source: SEF
Dept./Division: Public Works/City Engineer

PURPOSE/BACKGROUND:
This Sewer Over-Sizing Refunding Agreement will provide reimbursement to Tri Pointe Homes Nevada, Inc. for the installation of an over-sized sewer (12-inch) generally located in the Kyle Canyon Gate Unit 1 subdivision between Log Cabin Way and Rocky Avenue, west of Oso Blanca Road, for approximately 1,900 feet (see Exhibit A). Exhibit B specifies a reimburseable amount up to a maximum of $48,535 as determined by the lowest cost differential from three sealed bids received by the CLV. The amount of reimbursement is limited to actual costs paid by the developer for construction.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Sewer Over-Sizing Refunding Agreement
2. Exhibit A
3. Exhibit B

SEWER OVER-SIZING REFUNDING AGREEMENT

THIS SEWER OVER-SIZING REFUNDING AGREEMENT (this "Agreement") is made and entered into this by and between the CITY OF LAS VEGAS, a Nevada municipal corporation and TRI POINTE HOMES NEVADA, INC., a Nevada Corporation ("Developer"). The City and Developer are sometimes collectively referred to herein as the "Parties".

This Agreement is effective on the date of approval by the City and Developer, whichever date is later, as long as approval by one is within sixty (60) calendar days of approval by the other (the "Effective Date").

RECITALS

WHEREAS, the City is the governmental entity to which is delegated the responsibility of providing sewer services within its corporate boundaries; and

WHEREAS, the limited financial resources of the City prevent the immediate expansion of its municipal sewer system as development is occurring; and

WHEREAS, the Administrative Code of the City permits the expansion of such municipal sewer system through the use of private funds at the discretion of the City; and

WHEREAS, said Code further provides that the City may reimburse a developer who constructs, at the request of the City, a sewer trunk line of a size which is in excess of the size that would otherwise be required to serve its development for a portion of the costs which such developer incurs in constructing such over-sized sewer trunk line, or both; and

WHEREAS, the Developer is engaged in the development of that certain parcel of real property as a residential subdivision (the "Development") and said Development has been approved by the City; and

WHEREAS, the City and Developer have entered into that certain Off-Site Improvement Agreement that provides for the installation by the Developer of off-site improvements (the "Improvements") and for performance security in order to secure the faithful performance of all of the terms, conditions, and covenants under the Off-Site Improvement Agreement (the "Performance Security"); and

WHEREAS, it is the intent of the Parties hereto to provide for, as part of the Improvements, the construction and installation of such a size which is in excess of the size that would otherwise be required to serve the Development (the "Sewer Project") and the reimbursement to the Developer of that portion of the costs of the entire Sewer Project that are attributable to constructing and installing it at a size which is in excess of the size that would otherwise be required to serve the Development.

NOW, THEREFORE, for and in consideration of the premises and of the mutual promises and agreements which are hereinafter set forth, the Parties agree as follows:

AGREEMENT

SECTION I-DEFINITIONS

"*Agreement*" shall have the meaning set forth in the first paragraph of this Agreement.

"*Developer*" shall have the meaning set forth in the first paragraph of this Agreement.

"*Developer Parties*" shall have the meaning set forth in Section XI of this Agreement.

"*Development*" shall have the meaning set forth in the fifth Recital.

"*Effective Date*" shall have the meaning set forth in the second paragraph of this Agreement.

"*Improvements*" shall have the meaning set forth in the sixth Recital.

"*NRS*" shall mean the Nevada Revised Statutes, as they may be amended by the Nevada State Legislature from time to time.

"*Off-Site Improvement Agreement*" means the agreement between the City and the Developer obligating the Developer and successor owners of the parcel(s) to install improvements that are defined by approved off-site improvement plans and the approved performance bond estimate.

"*Over-Sizing*" means the difference between the diameter of the Sewer Project, had the Sewer Project been constructed and installed at the size which would otherwise be required to serve the Development, and the diameter of the Sewer Project, at the request of the City, that is actually constructed and installed.

"*Performance Security*" shall have the meaning set forth in the sixth Recital.

"*Plans and Specifications*" means the engineering designs, drawings and specifications which give a detailed description of the complete construction and installation of the Sewer Project, including the Over-Sizing, which plans and specifications have heretofore been submitted to, and approved by, the City. Copies of the plans and specifications are on file with the City's Department of Building and Safety.

"*Sewer Project*" shall have the meaning set forth in the seventh Recital.

"*Uniform Standard Specifications*" means the latest edition of those publications entitled, "Uniform Standard Specifications for Public Works Construction, Off-Site Improvements, Clark County Area, Nevada, Third Edition" adopted by the City of Las Vegas, June 16, 1993, and "Design and Construction Standards for Wastewater Collection Systems, 1991" adopted by the City of Las Vegas, August 21, 1991.

SECTION II—OBLIGATIONS OF DEVELOPER

1. Covenant of Installation.

A. The Developer hereby agrees to construct and install the entire Sewer Project, in accordance with the plans and specifications, at its sole cost and expense, subject to the right of the City to designate the type of appurtenances and any other relevant matter which it considers is necessary for the construction of its municipal sewer system provided, however, that the City agrees to reimburse the Developer for the costs which the Developer incurs in the Over-Sizing as provided herein. In this connection, it is acknowledged that the limits of the Sewer Project are designated on **Exhibit A** which is attached hereto and by this reference made a part hereof.

B. The Sewer Project shall include all materials and equipment, such as sewer lines, manholes, lateral stub-outs and other appurtenances which are constructed and installed between the boundary of the Development which is nearest to the terminal point of the City's existing sewer system and such terminal point as is more particularly shown on **Exhibit A**.

C. The Developer agrees to perform all survey and design work which is necessary for the construction and installation of the Sewer Project, in accordance with the plans and specifications, at its sole cost and expense without any right of reimbursement from the City.

2. Basis for Estimated Costs.

A. It is acknowledged that the estimated costs for which the Developer is entitled to reimbursement for constructing and installing the Over-Sizing which are provided for in Section IV hereof are based upon written bids for the installation of the Sewer Project which the Developer has obtained from at least three (3) contractors who are duly licensed by the State of Nevada and are

acceptable to the City. The City may waive the requirement of written bids if good cause for such waiver is shown by the Developer, in which event the estimated costs of the Over-Sizing will be established in a manner which is mutually acceptable to the City and to the Developer. The City and Developer acknowledge that the contract for the construction and installation of the Over-Sizing are exempt from the provision of Chapters 338, 332, and 339 of NRS pursuant to NRS 338.0115.

3. Installation Standards.

A. The Developer agrees that the Sewer Project will be installed in a good and workmanlike manner according to the plans and specifications, the Uniform Standard Specifications and the Design and Construction Standards for Wastewater Collection Systems.

SECTION III—RIGHT OF REIMBURSEMENT

1. It is understood and agreed by the Parties that the Developer shall be reimbursed for the costs which it incurs in constructing and installing the Sewer Project. It is specifically understood, however, that all of the costs and expenses of installing a sewer system within the Development are the sole responsibility of the Developer without any right of reimbursement from the City.

SECTION IV
COSTS OF OVER-SIZING AND AMOUNT REFUNDABLE

1. It is agreed by the Parties hereto that the costs of the construction and installation of the Over-Sizing which are subject to reimbursement under the terms of this Agreement have been determined pursuant to the calculations set forth on **Exhibit B** which is attached hereto and by this reference made a part hereof.

2. It is acknowledged that the estimated costs of the construction and installation of the Over-Sizing which are set forth on **Exhibit B** are based upon estimates which have been obtained by the Developer and approved by the City and represent the maximum amount to which the Developer will be entitled to reimbursement for the construction and installation of the Sewer Project. All other costs and expenses which the Developer incurs in connection with the Sewer Project shall be the responsibility of the Developer. Additionally, if the actual costs of the construction and installation are less than the estimated costs thereof, the Developer shall be entitled to reimbursement only for such actual costs.

3. Pursuant to the City's Administrative Code, 2019 Edition, if Developer encounters additional costs involving rock or hard material excavation, the Developer shall notify City's Building Department, Off-site Inspection and Testing Division. The City's designated representative will visit the work site and document the amount of hard material excavation encountered. The Developer may request an amendment to this Agreement based on the amount of hard material excavation encountered. As a prerequisite for City consideration for payment for rock or hard material excavation, notification must be provided to the City prior to commencement of any work where additional reimbursement is requested by Developer.

4. The City will not consider additional reimbursement for other costs incurred by Developer that are not specifically contemplated herein, including by way of example and not limitations, plans and specification errors and omissions, time delays of any type, cost increases due to tariffs or economic shortages/inflation, or unanticipated labor cost increases.

SECTION V—OBLIGATIONS OF CITY

1. The City will reimburse the Developer, within thirty (30) calendar days after the City's acceptance of the Sewer Project, for that portion of the costs thereof which are attributable to the Over-Sizing, as the same is determined in accordance with Section IV above. The City's acceptance of the Sewer Project shall not (i) relieve the Developer of any obligation under the Off-Site Improvement Agreement; (ii)

relieve the Developer of the obligation to maintain the Sewer Project until final acceptance of all Improvements; and (iii) obligate the City to release, in part or in full, the Performance Security until final acceptance of all Improvements.

2. As a condition precedent to any such reimbursement, the Developer must submit to the City a written request for payment, a statement of completion that the Sewer Project was constructed pursuant to the approved plans and specifications, a lien release from the Developer's contractor(s) and materials suppliers for all materials and labor, a statement from all subcontractors affirming that they have received payment in full, an itemized invoice reflecting actual costs paid and a bill of sale transferring the ownership of the sewer line and appurtenances to the City.

3. The City agrees, by its final acceptance of the Improvements and completion by Developer of all obligations under the Off-Site Improvement Agreement, to be responsible for the operation and maintenance thereof, except as is otherwise provided in Section X hereof which pertains to repairs that are necessitated by any defective material or faulty workmanship in the construction and installation of the Sewer Project or the faulty design thereof.

SECTION VI—TIME OF PERFORMANCE

1. This Agreement shall become effective upon the execution hereof and the right of the Developer to reimbursement hereunder shall cease and terminate with respect to the Over-Sizing, when the Developer has received full reimbursement of the costs which are incurred therefor.

SECTION VII—LIMITATION ON AMOUNT OF REIMBURSEMENT

1. The right of reimbursement for the Over-Sizing shall be limited to the estimated costs of the Over-Sizing which are set forth on **Exhibit B** or the actual costs which are attributable to the Over-Sizing, whichever is the lesser, subject to adjustment contemplated in Section IV, Paragraph 3.

SECTION VIII—GUARANTEE OF RIGHT OF ACCESS

1. In order to guarantee that the City will have access to any and all portions of the Sewer Project for the purpose of maintaining and repairing the same, the Developer hereby agrees that:

A. Except as is otherwise provided in Paragraph C hereof, the Developer will dedicate to the City an easement over and across, or fee title to, as requested by the City, a strip of land which is a minimum of twenty (20) feet in width, extending the length of the Sewer Project, and which contains the Sewer Project; and

B. If the Sewer Project is installed on privately owned lands, other than lands which are owned by the Developer, the Developer will obtain and dedicate to the City an easement over and across, or fee title to, as requested by the City, a strip of land which is a minimum of twenty (20) feet in width, extending the length of the Sewer Project, and which contains the Sewer Project; and

C. If the land in which the Sewer Project is installed will become part of a street which will be dedicated for public use, as a part of the Development, the right of access shall be included in the dedication of that street; and

D. Any such dedication shall provide therein that no building, structure, tree, shrub or other improvement or obstacle may be placed in or near the area which is dedicated thereby in such a manner as to interfere with the use of such strip of land in accordance with the provisions hereof, and any easement which is conveyed to the City shall additionally provide for the right of the City to operate, maintain, repair, replace or relocate the Sewer Project or to alter the size, number of pipelines or other appurtenances which are installed therein.

SECTION IX—RIGHT OF INSPECTION

1. The City shall have the right, but not the obligation, at any time and from time to time to inspect the construction and installation of any part of the Sewer Project. The Developer agrees that any inspection of the installation of the Sewer Project which is conducted by the City hereunder or the City's subsequent acceptance of the Sewer Project shall not relieve or release the Developer from its responsibility to correct any defective material or faulty workmanship, or both, in the construction and installation of the Sewer Project or any problem which results from the negligent design thereof as provided in Section X hereof.

SECTION X—CORRECTION OF DEFECTIVE MATERIALS, FAULTY WORKMANSHIP AND NEGLIGENT DESIGN

1. The Developer hereby accepts full responsibility for the quality of the materials and workmanship in the construction and installation of the Sewer Project and for the design thereof and covenants and agrees, for a period of one (1) year after the City's final acceptance of the Improvements and upon notification by the City, to correct any defective material or faulty workmanship, or both, in the construction and installation of the Sewer Project and any problem which results from the negligent design of the Sewer Project. In the event that the Developer fails or refuses to make any such correction, the City shall have the right, but not the obligation, to repair the Sewer Project and the Developer hereby agrees to reimburse the City for the costs which it incurs in so doing.

SECTION XI—INDEMNITY

1. Developer shall protect, indemnify, defend, and hold harmless the City, its officers, employees, and agents from any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, attorney fees and court costs which the City, its officer or employees may suffer, or which may be sought against, recovered from or obtainable against the City, its officers, employees, or agents as a result of, by reason of, or arising out of the negligent acts or omissions of the Developer, its officers, contractors, subcontractors, agents (collectively, the "Developer Parties") or anyone employed or acting on behalf of the Developer Parties, in fulfillment or performance of the terms, conditions, or covenants of this Agreement.

The Developer's obligations in this Section XI do not extend to any claims, damages, losses, expenses, suits, actions, decrees, judgement, attorney fees, and court costs that are a result of the City, its officers, employees, or agents, negligence or willful misconduct.

SECTION XII—OWNERSHIP OF SEWER PROJECT

1. Upon the completion of the Sewer Project, and as a condition precedent to the acceptance thereof by the City, the Developer agrees to furnish to the City a good and sufficient Bill of Sale acceptable to the City Attorney which (i) includes all of the sewer lines and appurtenances which are components of the Sewer Project, (ii) attests to the fact that all of such components are free and clear of all liens and other encumbrances and (iii) conveys to the City all right, title, and interest in and to the Sewer Project.

2. It is understood and agreed that the Sewer Project shall thereafter, upon its acceptance by the City, become and remain the exclusive property of the City.

SECTION XIII—RIGHT OF TERMINATION

1. Except for the obligation of the City which is provided for in subsection 2 of this Section XIII, the City shall have the right to terminate this Agreement at any time prior to Developer commencing construction on the Sewer Project, with or without cause, upon thirty (30) days' prior written notice to the Developer as provided in Section XIV.

2. Any funds which have been expended by or on behalf of the Developer for the construction and installation of the Sewer Project as of the date of the Developer's receipt of such written notice shall be reimbursed to the Developer as hereinabove provided.

SECTION XIV—MISCELLANEOUS

1. ASSIGNMENT. This Agreement shall be binding upon, and shall inure to the benefit of, the Parties and their respective successors, legal representatives and assigns.

2. NOTICE. All notices required or permitted under this Agreement shall be given in writing and shall be deemed effectively given (a) upon personal delivery to the party to be notified, (b) three (3) days after deposit with the United States Post Office, by registered or certified mail, postage prepaid and addressed to the party to be notified at the address for such party, or (c) one (1) day after deposit with a nationally recognized air courier service such as FedEx. Either party hereto may change its address by giving ten (10) days advance notice to the other party as provided herein. E-mail address and phone and fax numbers, if listed, are for information only.

City: Attn: Engineering Manager—Sewer
Department of Public Works
495 S. Main Street, 5th Floor
Las Vegas, NV 89101

Licensee: Attn: Jim Jordano, Vice President of Land Development
Tri Pointe Homes Nevada, Inc.
4675 W. Teco Avenue, Suite 115
Las Vegas, NV 89118

3. SURVIVAL. Termination shall not release either party from any liability or obligation under this Agreement, whether indemnity or otherwise, resulting from the acts, omissions or events happening prior to the date or termination, or, if later, the date when the Improvements are complete.

4. RECORDATION. It is understood and agreed that neither party shall record this Agreement in the public real property records of Clark County, Nevada.

5. CHOICE OF LAW/VENUE/ATTORNEY'S FEES. Any litigation related to this Agreement shall be brought and prosecuted exclusively in the Eighth Judicial District Court of Clark County, Nevada. The governing law shall be the laws of the State of Nevada. In the event that at any time either party institutes any action or proceeding against the other relating to the provisions of this Agreement or any termination or default hereunder, then the unsuccessful party shall be responsible for the reasonable expenses of such action including attorneys' fees, incurred therein by the successful party. **TO THE EXTENT SUCH WAIVER IS PERMITTED BY LAW, THE PARTIES SHALL WAIVE TRIAL BY JURY IN ANY ACTION OR PROCEEDING BROUGHT IN CONNECTION WITH THIS AGREEMENT.**

6. NO THIRD-PARTY BENEFICIARIES. Nothing expressed or implied in this Agreement is intended, or should be construed, to confer upon or give any person or entity not a party to this Agreement any third-party beneficiary rights, interests, or remedies under or by reason of any term, provision, condition, undertaking, warranty, representation, or agreement contained in this Agreement.

7. FORCE MAJEURE. Neither party shall be in breach of this Agreement if it fails to perform as required hereunder due to labor disputes, civil commotion, war, warlike operation, terrorist acts, sabotage, governmental regulations or control, fire or other casualty, inability to obtain any materials, epidemics or

pandemics, quarantine restrictions, or other causes beyond such party's reasonable control (excepting financial inability and hardship). Notwithstanding the foregoing, the occurrence of such events shall not excuse such obligations as this Agreement may otherwise impose on the party to obey, remedy, or avoid such event.

8. SEVERABILITY. It is agreed that, if any provision of this Agreement shall be determined to be void by any court of competent jurisdiction, then such determination shall not affect any other provision of this Agreement and all such other provisions shall remain in full force and effect. It is the intention of the Parties that, if any provision of this Agreement is capable of two (2) constructions, one of which would render the provision void and the other of which would render the provision valid, then the provision shall have the meaning which renders it valid.

9. NO CLAIMS OF ADVERSE POSSESSION/PRESCRIPTIVE EASEMENT/ABANDONMENT. Licensee acknowledges and agrees that it does not have and will not assert at any time any claim of adverse possession or prescriptive easement with respect to any portion of the Right-of-Way nor any claim that by entering this Agreement, the City has abandoned or vacated the Right-of-Way.

10. ENTIRE AGREEMENT. This Agreement contains the entire agreement between the Parties pertaining to the subject matter hereof and supersedes all prior agreements, understandings, negotiations and discussions, whether oral or written. No supplement, modification, waiver, or termination of this Agreement shall be binding unless executed in writing by the party to be bound. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provisions, whether or not similar, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided.

11. TIME CALCULATIONS. All references to "days" herein shall mean calendar days unless otherwise stated. The terms "business days" shall mean Monday thru Thursday (the City is closed on Friday), exclusive of holidays observed in Nevada enumerated in Nevada Revised Statute 236.015. Should the calculation of any of the various time periods provided for herein result in an obligation becoming due on a Friday, Saturday, Sunday or legal holiday, then the due date of such obligation or scheduled time of occurrence of such event shall be delayed until the next business day.

12. COUNTERPARTS AND ELECTRONIC SIGNATURES. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original as against any party whose signature appears thereon, and all of which shall together constitute one and the same instrument. This Agreement shall become binding when one or more counterparts hereof, individually or taken together, shall bear the signatures of all of the Parties reflected hereon as the signatories. Documents executed and faxed or scanned and transmitted electronically shall be deemed original signatures for purposes of this Agreement and all matters related thereto, with such faxed or scanned signatures having the same legal effect as original signatures.

[LEFT BLANK INTENTIONALLY AND SIGNATURES ON NEXT PAGES]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives as of the Effective Date as defined herein.

CITY OF LAS VEGAS

By: _____
Carolyn G. Goodman, Mayor

Date of City Council Approval:

_____

ATTEST:

By: _____
LuAnn Holmes, City Clerk Date

APPROVED AS TO FORM:

By: John S. Ridilla 7/13/22
John S. Ridilla Date
Chief Deputy City Attorney

TRI POINTE HOMES NEVADA, INC.

By: Jim Jordano

Printed Name: Jim Jordano

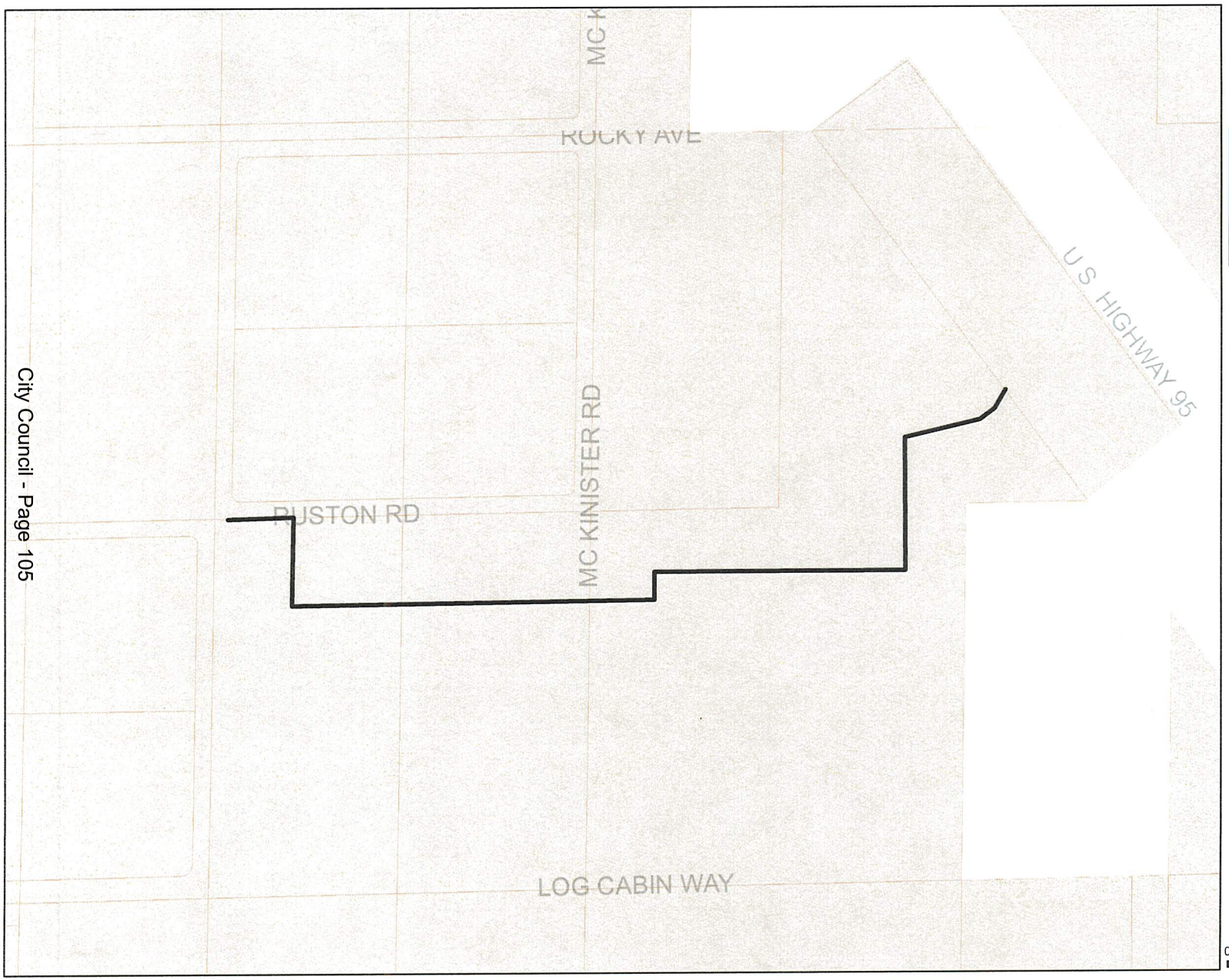
Title: Vice President of Land Development

Date: July 5, 2022

EXHIBIT A

SEWER PROJECT LIMITS

[SEE ATTACHED]



CITY OF LAS VEGAS NEVADA

Public Works

EXHIBIT A

KYLE CANYON GATEWAY UNIT 1 SEWER OVERSIZING REFUNDING AGREEMENT

Oversizing Sewer Limits

N W S E

0 62.5 125 250 375 500 Feet

EXHIBIT B

OVER-SIZING ESTIMATED REIMBURSEMENT SUMMARY

[SEE ATTACHED]

EXHIBIT "B"
COST OF CONSTRUCTION

1. Developer: Tri Pointe Homes Nevada, Inc.
   4675 W. Teco Ave, Suite 115
   Las Vegas, NV 89118

2. Development: Kyle Canyon Gateway Unit 1, L21-02185, 107Y5205

3. Engineer: Westwood Professional Services
   5725 W. Badura Ave, Suite 100
   Las Vegas, NV 89118

4. Basis for Over-sizing Costs - Prices for the over-sizing portion of this agreement are based upon the lowest cost differential as submitted by:

   Western States Companies
   4129 W Cheyenne Ave, Suite A
   North Las Vegas, NV 89032

Over-sizing Portion of the Project - 8-inch to 12-inch

12" PVC SEWER (SDR-35) (14-18' Depth)	LF	50	$95.00	$4,750.00
12" PVC SEWER (SDR-35) (10-14' Depth)	LF	1316	$75.00	$98,700.00
12" PVC SEWER (SDR-35) (0-10' Depth)	LF	533	$66.00	$35,178.00
60" SSMH Type I	EA	13	$6,800.00	$88,400.00
48" SSMH Type I	EA	1	$5,200.00	$5,200.00
Total Over-Size Item Costs				$232,228.00

Project Costs without Over-sizing

10" PVC SEWER (SDR-35) (10-14' Depth)	LF	205	$64.00	$13,120.00
8" PVC SEWER (SDR-35) (14-18' Depth)	LF	50	$75.00	$3,750.00
8" PVC SEWER (SDR-35) (10-14' Depth)	LF	1111	$55.00	$61,105.00
8" PVC SEWER (SDR-35) (0-10' Depth)	LF	533	$46.00	$24,518.00
60" SSMH TYPE I	EA	4	$6,800.00	$27,200.00
48" SSMH TYPE I	EA	10	$5,400.00	$54,000.00
Total Costs without Over-Sizing				$183,693.00

Pipe Oversizing Reimbursable Amount $48,535.00

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
20

DEPARTMENT: Public Works **CONSENT**
DIRECTOR: Mike Janssen

SUBJECT:
For possible action to approve Interlocal Contract LLD31A22 between the City of Las Vegas (CLV) and the Clark County Regional Flood Control District (CCRFCD) for the construction of the Local Drainage Improvements - El Capitan Storm Drain Project ($1,650,479 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Fiore)

FISCAL IMPACT:
Budget Funds Available
Amount: $1,650,479
Funding Source: Road and Flood CPF
Dept./Division: Public Works/City Engineer

PURPOSE/BACKGROUND:
The El Capitan storm drain improvements is a local drainage project that was submitted to the CCRFCD on April 15, 2022. The project complies with the CCRFCD's policies for local drainage projects and has staff approval for funding. The project is located within the upper northern of the CCRFCD master plan and is within a portion of the Las Vegas Wash - Moccasin Conveyance System drainage area. The project is located in El Capitan Way between Ruston Road and Moccasin Road. This proposed local drainage participation project will construct a various size storm drain pipe from 54-inch Reinforced Concrete Pipe (RCP) to 72-inch RCP storm drain system that will help reduce flooding, eliminate the flood damage to homes and reduce other maintenance issues that result from storm events in this neighborhood. The proposed facilities will connect into the existing regional drainage facility in Moccasin Road (LVMO 0001). The CCRFCD approved this contract at their July 14, 2022 board meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Interlocal Contract LLD31A22

INTERLOCAL CONTRACT
LOCAL DRAINAGE IMPROVEMENTS –
EL CAPITAN STORM DRAIN – MOCCASIN ROAD TO RUSTON ROAD

THIS INTERLOCAL CONTRACT (CONTRACT) made and entered into as of the 14th day of July, 2022 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT", and the City of Las Vegas hereinafter referred to as "CITY".

WITNESSETH

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements, and;

WHEREAS, the CITY is proposing to design and construct flood control improvements as part of the El Capitan Storm Drain from Ruston Drive to Moccasin Road, which consist of flood water facilities including reinforced concrete pipes, drop inlets and other appurtenances as may be necessary to control floodwaters, hereinafter defined as PROJECT, and;

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION I – SCOPE OF THE PROJECT

This INTERLOCAL CONTRACT applies to all costs for construction to place in service the El Capitan Storm Drain – Moccasin Road to Ruston Road. The basic improvements shall consist of flood water facilities including pipes, channels, dikes, energy dissipators, channel structures, channel access and other appurtenances as may be necessary to control floodwaters. The improvements shall be funded through DISTRICT funds as herein described. This project is further identified and shown on the attached Exhibit "A".

SECTION II – PROJECT COSTS

The DISTRICT agrees to fund PROJECT costs within the limits specified below:

1. The District's share of construction costs shall not exceed $1,200,000 or 100 percent of construction, whichever is less, of the first quarter mile in length and 50 percent of the remainder of the PROJECT construction up to a maximum total length of one-half mile from the existing regional food control facility.
2. The total cost of this CONTRACT shall not exceed $1,200,000 which includes all Items described in Paragraph 1 above and funds will be made available after July 14, 2022.

SECTION III – GENERAL

1. The Clark County Regional Flood Control District shall be shown on the title sheet of both the plans and the specifications as the funding agency.

2. The CITY will use its best efforts to award the bid for this project by July 1, 2023. The CITY will take all reasonable steps possible to avoid delays in the construction of DISTRICT funded projects. Project delays more than four months, as measured from the award date, may be subject to a formal review by both the Technical Advisory Committee and the District Board of Directors. At the review, the CITY will have an opportunity to present information relative to the delays, measures taken to avoid the delays and the likelihood of those delays continuing. The Board will make a determination, in view of the delays and limited available funding, whether project funding should continue. In the case that the Board chooses to discontinue funding, the Board may cancel any Interlocal Contract(s) associated with the project and discontinue funding for the remainder of the project. Funding already spent or appropriated by the CITY will not be required to be refunded to the District. Project funding can be reconsidered at any time when the CITY can demonstrate that the project can proceed on an acceptable schedule.

3. The CITY will comply with the Local Purchasing Act, Chapter 332 and Public Works Projects, Chapter 338, of Nevada Revised Statutes.

4. The CITY, its employees and representatives shall at all times comply with all applicable laws, ordinances, statutes, rules and regulations in effect at the time work is performed on the PROJECT.

5. The CITY will require appropriate financial security for construction of the PROJECT.

6. The CITY shall provide all impacted entities and the DISTRICT with the opportunity to provide the CITY with input relative to the following processes: scope of services development; consultant selection; design, construction and maintenance review; and monitoring of the effectiveness and impacts of facilities on flood flows.

7. Applicable portions of the current editions of the Clark County Regional Flood Control Facilities Policies and Procedures, the Hydrologic Criteria and Drainage Design Manual, and Uniform Regulations for the Control of Drainage adopted by the DISTRICT will apply in developing this PROJECT unless specifically superseded by the CONTRACT.

8. The DISTRICT will pay the CITY, for project costs as outlined in SECTION II – PROJECT COSTS. Invoices must identify and allocate all costs to the category noted below:

    a. Construction (all work after award of construction contract)

9. Accurate documentation of all work performed and payments made will be maintained by the CITY in accordance with applicable state laws and retention policies of the CITY.

10. The DISTRICT reserves the right to review and/or audit all records pertaining to all projects both during and after project completion.

11. Up to the limits set forth in NRS Chapter 41, the CITY will indemnify and defend the DISTRICT against and from any and all claims and demands of whatsoever nature which arises out of allegations of negligence or misconduct of CITY officers, employees or agents, related to or under this Contract which results from injury to or death of any persons whomsoever, or against and from damage to or loss or destruction of property.

12. Any costs found to be improperly allocated to this PROJECT will be refunded by the CITY to the DISTRICT.

13. The items covered in SECTION II – PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to June 30, 2025. The DISTRICT may, at any time thereafter, grant extensions or terminate this CONTRACT after thirty (30) days notice.

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14. This CONTRACT may be executed in multiple counterparts, each of which shall be deemed an original CONTRACT and each of which shall constitute one and the same CONTRACT. The counterparts of this CONTRACT may be executed and delivered by facsimile or other electronic signature (including portable document format) by either of the parties and the receiving party may rely on the receipt of such document so executed and delivered electronically or by facsimile as if the original had been received.

Date of Council Action

_____

City of Las Vegas

By: _____
Carolyn G. Goodman, Mayor

Attest

By: _____
LuAnn Holmes, MMC
City Clerk

Approved as to Form

Timothy J. Gaswein
Deputy City Attorney

By: Timothy J. Gaswein July 26, 2022
Deputy City Attorney Date

Date of District Action
July 14, 2022

_____

Regional Flood Control District

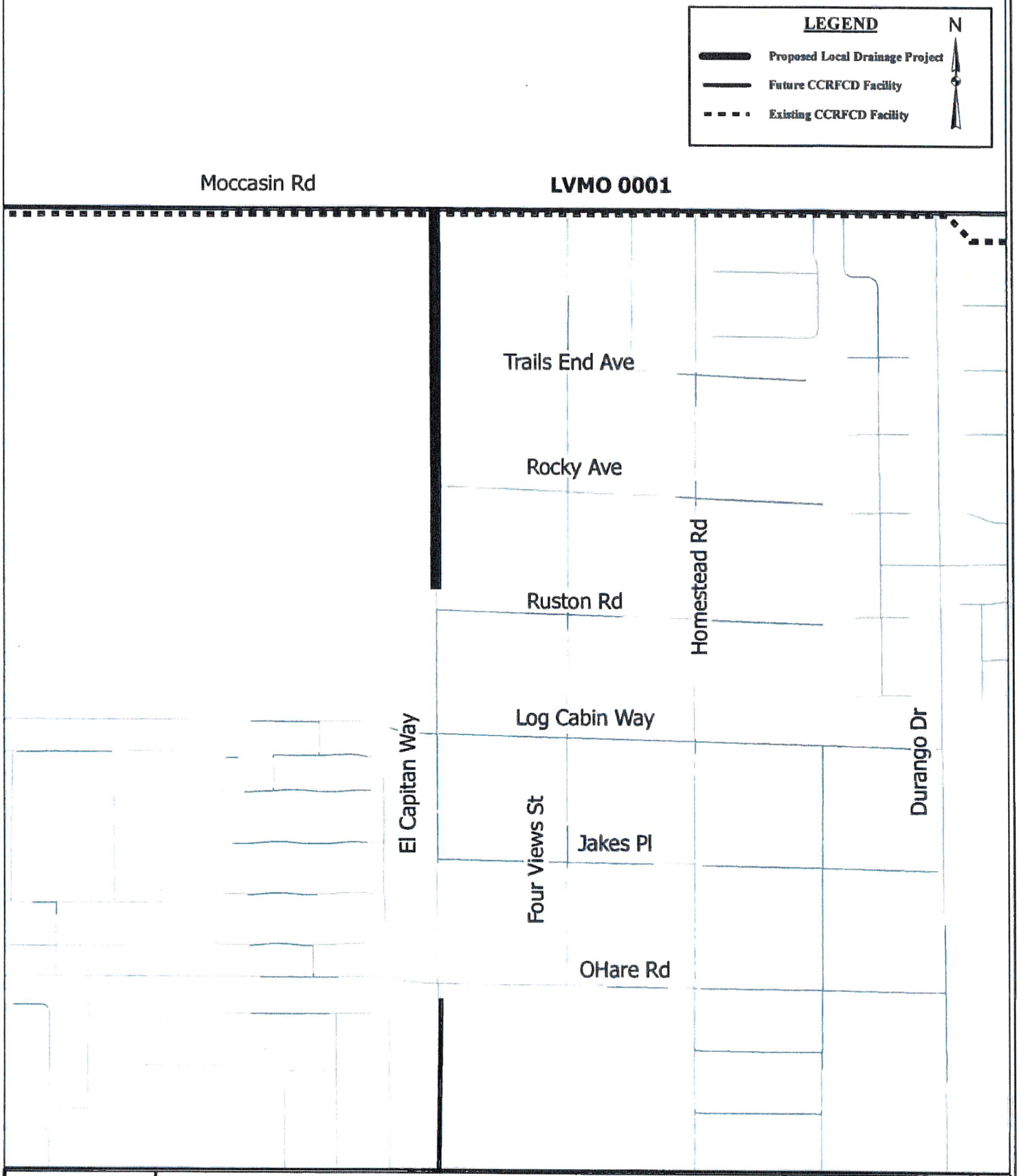
By: Debra March
Debra March (Jul 14, 2022 13:29 PDT)
Debra March
Chair

Attest

By: _____
FOR Deanna Hughes
Secretary to the Board

Approved as to Form

By: Christopher Figgins
Christopher Figgins (Jul 14, 2022 13:27 PDT) Jul 14, 2022
Christopher Figgins Date
RFCD Attorney



Public Works
Flood Control Planning

EXHIBIT A
LOCAL DRAINAGE IMPROVEMENTS
EL CAPITAN WY STORM DRAIN -
MOCCASIN RD TO RUSTON RD. **(LLD31A22)**

SCALE: 1:8,000
DRAWING NAME: Local_Drainage_Improvements_El_Capitan_Moccasin_to_Ruston
DRAWN BY: OKWON
DATE: 06/15/2022
SHEET NUMBER 1 OF 1

Document Path: N:\flood\chjones\EXHIBIT_PROJECTS\ElCapitan_Moccasin\RFCD_EXHIBIT_A_El_Capitan_SD_Moccasin_to_Ruston.mxd

Due to continuous development activity, this map is for reference only.

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
21

DEPARTMENT: Economic & Urban Development **DISCUSSION**
DIRECTOR: Ryan Smith

SUBJECT:
Discussion for possible action regarding the Exclusive Negotiation Agreement (ENA) between the City of Las Vegas and McCormack Baron Salazar, Inc. (MBS) for the property known as Desert Pines Golf Course, located at 3415 East Bonanza Road (APN 139-36-502-003) to determine the feasibility and development plan for the 101 acre site - Ward 3 (Diaz)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
MBS was selected through a Request for Proposals process to develop the 101 acre Desert Pines Golf Course site. The ENA provides MBS the time to determine the feasibility and development plan which may include a mix of affordable and market rate apartments, single family homes, townhomes, age restricted housing plus open space, commercial, community center, and a workforce training center per the Desert Pines Vision Plan developed by The Smith Group.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Exclusive Negotiation Agreement
2. Site Map
3. Desert Pines Vision Plan
4. Submitted at Meeting - PowerPoint Presentation by McCormack Baron Salazar

EXCLUSIVE NEGOTIATION AGREEMENT

THIS EXCLUSIVE NEGOTIATION AGREEMENT (this "*Agreement*") is entered into as of the 17th day of August, 2022, by and between the City of Las Vegas, a Nevada municipal corporation ("*CLV*"), and McCormack Baron Salazar, Inc., a Missouri corporation ("*Developer*"). CLV and Developer may be referred to herein singularly as a "*party*" and collectively as the "*parties*".

WHEREAS:

A. WHEREAS, CLV and Developer have previously engaged in discussions regarding Developer's response to a request for proposals for a interest in developing a mixed-use, mixed-income community on the Site (as hereinafter defined), which is located in that certain development in downtown Las Vegas, Nevada commonly known as "Desert Pines Golf Course", which is depicted on Exhibit A attached hereto and hereby made a part of this Agreement (the "*Site*").

B. WHEREAS, CLV has commissioned the Desert Pines Vision Plan prepared by the Smith Group ("*DPVP*") as master plan for the development of Desert Pines Golf Course which has been delivered to and reviewed by Developer.

C. WHEREAS Developer and CLV have entered into this Agreement in order for CLV and Developer to enter into exclusive negotiations regarding due diligence investigations of the Site by Developer and the potential acquisition and development of the Site by Developer consistent with the DPVP, all on the terms and conditions set forth herein.

NOW, THEREFORE, for and in consideration of the mutual agreements, which are hereinafter contained, the parties do hereby agree as follows:

1. Term. The Effective Date of this Agreement will be the date of execution by CLV. The term of this Agreement shall commence on the Effective Date and automatically expire one hundred eighty (180) days after the Effective Date (the "Term"). The Term may be extended by Developer for two ninety (90) day periods subject to the mutual agreement of both parties; which approval shall not be unreasonably withheld. Developer shall provide written notice to CLV of its request to extend the Term no later than the expiration date of the initial Term; CLV shall approve or deny the Developer's extension request in writing with seven (7) business days of receiving the Developer's request. CLV agrees that during the Term they shall not negotiate, directly or indirectly, with any person or entity any matters regarding development, sale, lease or other disposition of the Site or any portion thereof. Such exclusivity shall apply to the Site only. CLV agrees that, until the expiration of the Term, CLV shall negotiate exclusively with Developer with respect to the Site and the Project.

2. Site. The Site consists of approximately 101 acres located at 3415 East Bonanza Road in East Las Vegas as depicted on Exhibit A. The development will be determined by the Desert Pines Vision Plan provided to the Developer by CLV. The parties agree and acknowledge that the Site and development may be reduced or modified in size depending on the site needs of the Project, and on the development density goals of CLV. The actual legal description of the Site will be finalized by a survey provided by Developer during the Term and approved by CLV, which approval shall not be unreasonably withheld, conditioned or delayed.

3. Project. Developer is currently planning the development of a mixed-use, mixed-income project (the "*Project*") as outlined in and consistent with the DPVP and as described on Exhibit B. The Project shall include:

(a) A site for a workforce training center.

(b) Infrastructure improvements including complete streets, street improvements along Bonanza Road and space to accommodate a proposed new interchange at Pecos Road and Interstate 515.

(c) Open Space and recreational facilities including a community open space or central park following the "Cedar Trail" alignment and a multigenerational community center.

(d) Commercial.

(e) Mixed used components.

(f) A minimum of 1500 residential units which may be comprised of a mix of single family, multifamily, mixed-use multifamily, affordable and/or market rate rentals, and/or age restricted (55+).

4. Feasibility Analysis.

(a) Developer agrees to conduct during the Term all activities required to determine the acceptability of the Site and the feasibility of the Project. Such due diligence activities shall include, but not be limited to, the completion at Developer's sole cost and expense the following which shall be submitted to CLV for its review and approval prior to the expiration of the Term:

(i) An overall program of development for the Site, including a site plan(s), conceptual renderings, and floor plans for the major project improvements.

(ii) An initial breakdown of the types of residential units to be developed.

(iii) A clear development timeline for the pre-development activity, including, without limitation, the entitlement of the Project, and construction of the various phases of the Project.

(iv) Infrastructure plan.

(v) Submission of a plan of financing for the development and operation of the various components of the Project, including all third party loans and sources of equity, a copy of which will be provided to CLV.

(vi) Identification of development partners for the various phases, if required.

(vii) Prior to the expiration of the Term, Developer shall deliver a completed geotechnical and environmental report for the Site, which will include a Site-specific risk assessment and estimated cost of remediation, for review by CLV. If the parties decide to enter into the DDA (as defined in Section 6(a) below), the remediation plan for the Site will be negotiated by CLV and Developer as part of the negotiation of the DDA.

(viii) Completion by Developer of Site Due Diligence Investigations (as defined in Section 5(a) below).

(ix) Preparation for CLV approval of a draft Employment Plan that will be included as part of the DDA.

In the event of the expiration or earlier termination of this Agreement and a DDA (as defined in Section 6(a) below) is not executed by the parties, CLV may retain copies of all non-proprietary reports and studies pertaining to the Site which have been provided to CLV by Developer or its agents pursuant to this Agreement, including surveys, geotechnical and environmental reports and studies; provided, however, all copies of reports, renderings, studies, and information relating to the development and market feasibility of any Project provided to CLV by Developer or its agents pursuant to this Agreement shall be returned to Developer within thirty (30) days after the expiration or earlier termination of this Agreement; provided however all such reports and studies shall be provided to CLV without any warranty or representation as to the accuracy or completeness of any kind and without recourse to Developer.

(b) CLV agrees that during the Term it shall not negotiate, directly or indirectly, with any person or entity any matters regarding development, sale, lease or other disposition of the Site or any portion thereof.

(c) CLV shall cooperate fully, but at no cost to CLV, in providing Developer with appropriate information and assistance to support Developer's implementation of the Project. In particular, CLV shall promptly provide Developer with copies of all reports, plans, drawings and other documents pertaining to the Site or as soon as they become available to CLV. CLV's designated representative for all matters under this Agreement is

the Director of the Office of Economic and Urban Development of the City of Las Vegas, Nevada, a political subdivision of the State of Nevada (the "*City*"). Developer and CLV agree to meet or participate in a conference call, no less than two (2) times a month in connection with the feasibility analysis of the Site and Project.

5. Developer Site Access.

(a) CLV authorizes Developer and its employees, agents, representatives, architects, engineers, consultants and contractors to access the Site to conduct surface and subsurface engineering, geotechnical and environmental investigations, studies and assessments and boundary and topographic surveys as Developer deems necessary ("*Due Diligence Investigations*") for the development of the Project. CLV and/or its authorized and designated agent(s) shall have the right to be present upon any entry of the Site by Developer. This authorization does not authorize Developer to access or otherwise use any property not included within the Site so long as Developer has reasonable access from a public right of way for ingress into and egress from the Site for purposes of completing the Due Diligence Investigations. Developer will have the right to enter upon and conduct Due Diligence Investigations at any time during the Term. Developer shall conduct Due Diligence Investigations in accordance with standards customarily employed in the industry and in compliance with all applicable governmental laws, rules, and regulations. If Developer undertakes any boring or other disturbance of the soils on the Site, CLV must be notified at least ten (10) business days prior to any boring or other disturbance of soils to allow CLV time to notify its environmental consultant and to direct its environmental consultant to be present during the process, if desired by CLV. Following Developer's Due Diligence Investigations on the Site, Developer promptly will restore the Site to substantially the same condition as existed as of the Effective Date, normal wear and tear and normal weather related conditions excepted. If Developer undertakes any boring or other disturbance of the soils on the Site, the soils so disturbed will be recompacted to substantially their original condition as of the date of such boring or other disturbance (the *"Restoration"*), and Developer will obtain at its own expense a certificate from a soils engineer certifying that the disturbed soils have been recompacted to substantially their original condition as of the date of the soil disturbance. This authorization shall extend to soil borings with drilling rigs and hand augers and groundwater sampling with bailers or comparable equipment, but shall not be construed to authorize Developer to install groundwater monitoring wells or excavate soils with earth moving equipment. To assist Developer in its environmental due diligence, CLV will provide Developer with a copy of documents in CLV's possession related to the environmental condition of the Site, if any. CLV makes no warranty regarding any statement or data contained in or referred to by such documents.

(b) If Developer should discover any hydrocarbon substances or any other hazardous substances, asbestos or asbestos-containing materials, waste or materials subject to legal requirements or corrective action under any applicable Environmental Laws ("Hazardous Materials") during the Term, Developer will promptly notify CLV in writing of such discovery. Developer shall not use disturbed contaminated soils for the

Restoration, and instead shall work with CLV to have stored or otherwise handle (through use of a properly licensed contractor), at CLV's sole cost and expense, any disturbed contaminated soils in compliance with all applicable governmental laws, rules, and regulations until such time as CLV takes possession of such materials. Developer shall not bear any responsibility or liability under this Agreement whatsoever for any discovery, investigation, risk assessment, removal, treatment, corrective action, remediation, cleanup or permitting relating to any such Hazardous Materials. For the purposes of this Agreement, the phrase "Hazardous Substances" shall include any product, byproduct, compound, substance, chemical, material or waste, including, without limitation, asbestos, solvents, degreasers, heavy metals, refrigerants, nitrates, urea formaldehyde, polychlorinated byphenyls, dioxins, petroleum and petroleum products and derivatives, fuel additives, and any other solid, liquid, gaseous or thermal irritant, chemical or waste material, whose presence, characteristics, nature, quantity, intensity, existence, use, manufacture, possession, handling, disposal, transportation, spill, release threatened release, treatment, storage, production, discharge, emission, remediation, cleanup, abatement, removal, migration, or effect, either by itself or in combination with other materials is or is allegedly: (a) injurious, dangerous, toxic, hazardous to human or animal health, aquatic or biota life, safety or welfare or any other portion of the environment; (b) regulated, defined, listed, prohibited, controlled, studied or monitored in any manner by any governmental authority or Environmental Laws; or (c) a basis for liability to any government entity or agency or third party under any regulatory, statutory or common law theory. For purposes of this Agreement, the phrase "Environmental Laws" means any past, present or future federal, state or local law, statute, rule, regulation, code, ordinance, order, decree, judgment, injunction, notice, policy, or binding agreement, and all amendments thereto, issued, promulgated, or entered into by any governmental authority, relating in any way to the environment, the preservation, degradation, loss, damage, restoration, replacement or reclamation of natural resources, waste management, health, industrial hygiene, safety, environmental conditions or hazardous substances.

(c) Developer shall promptly deliver to CLV without charge therefor, and without warranty of or recourse to Developer, any lab or field environmental data, environmental reports, environmental compilations, environmental correspondence, or other documents or information which is generated by or as a result of Due Diligence Investigations and which is reasonably related to the environmental condition of the Site; provided, however, that Developer need not disclose any communication, regardless of the nature of such communication, between Developer and its legal counsel or its legal counsel and Developer's consultant to the extent the same is reasonably deemed by Developer to be protected by attorney-client privilege. By delivering such reports and studies to CLV, Developer shall not be deemed to be making any representations with respect to the accuracy or completeness of the information contained in such reports or information.

(d) Developer covenants and agrees to (i) pay in full for all materials, if any, supplied, used, joined, or affixed to the Site by or for Developer in connection with the Due Diligence Investigations and (ii) to pay in full all persons who perform labor upon the Site in connection with Developer's Due Diligence Investigations, and (iii) not to permit or suffer any mechanic's or materialman's lien of any kind or nature to be enforced against

the Site relating to Developer's Due Diligence Investigations. Developer shall, at Developer's sole cost and expense, take any action necessary to promptly remove any lien filed against the Site for work performed or materials delivered to the Site in connection with the Due Diligence Investigations.

(e) Developer hereby agrees to indemnify and hold CLV, and their officers, employees and agents (collectively, the "Related Parties"), harmless from and against any and all claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, reasonable attorneys' fees and court costs, which the Related Parties may suffer or which may be sought against or are recovered or obtainable from the Related Parties as a result of, or by reason of, or arising out of or in consequence of any act or omission, negligent or otherwise, in connection with the Due Diligence Investigations at the Site, of Developer or its officers employees, contractors, subcontractors, agents, volunteers or anyone who is directly or indirectly employed by, or is acting in concert with, Developer, its officers, its employees, contractors, subcontractors, volunteers or agents in connection with this Agreement. If Developer fails to do so, CLV shall have the right, but not the obligation, to defend the same and to obtain reimbursement from Developer of all the direct and incidental costs of such defense, including reasonable attorneys' fees and court costs. Notwithstanding anything to the contrary in this Agreement, this Section 5(e) shall not be construed to require Developer to indemnify or hold harmless the Related Parties from (a) any liabilities for pre-existing matters or conditions with respect to the premises merely discovered by Developer (e.g., latent environmental contamination, etc.) or (b) any such claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, reasonable attorneys' fees and court costs to the extent caused by any act or omission on the part of the Related Parties.

(f) Developer agrees to obtain and to furnish to CLV prior to or concurrent with execution of this Agreement, a certificate showing that there is in effect a policy of a minimum of $2,000,000.00 combined single limit bodily injury and broad form property damage coverage, including broad form contractual liability. Such coverage shall be on an "occurrence" basis and not on a "claims made" basis. Required limits of coverage may be met utilizing a combination of primary and excess/umbrella policies written in "blanket" form. CLV shall be named as an additional insured party and such notation shall appear on the Certificate of Insurance furnished by the Developer's insurance company. The certificates for each insurance policy are to be signed by a person authorized by that insurance carrier. The insurance supplied by the Developer shall be from an insurance carrier that maintains a Best's Key rating of "A VII" or higher. The Certificate shall indicate that neither the insurance company nor Developer can cancel the insurance without at least 10 days prior written notice to CLV. Any exclusion to the effect that the insurance company or surety company will "endeavor to inform" must be stricken from the certificate of insurance. The parties agree that the specified coverage or limits of insurance in no way limit the liability of the Developer. Developer will not do or permit to be done anything in or upon any portion of the Site, or bring or keep anything thereon which will in any way conflict with the conditions of any insurance policy upon the Site. All deductibles and self-insurance retentions shall be fully disclosed in such certificates of insurance. No deductible or self-insured retention may exceed $100,000.00 without the prior written approval of

CLV.

(g) In connection with this Agreement, Developer expressly agrees, at its sole cost and expense, to defend the Related Parties in any suit or action that may be brought against it or them, or any of them by reason of any act or omission, negligent or otherwise, in connection with the Due Diligence Investigations at the Site, against which Developer has agreed to indemnify the Related Parties pursuant to Section 5(e). If Developer fails so to do, CLV shall have the right, but not the obligation, to defend the same and to obtain reimbursement from Developer all of the direct and incidental costs of such defense, including reasonable attorneys' fees and court costs.

The obligations and covenants of Developer under this Section 5 shall survive any expiration of the Term or other termination of the Agreement for a period of one (1) year following the date of such expiration or other termination.

6. Disposition and Development Agreement; Purchase Price; Effect of Agreement.

(a) Developer and CLV agree to negotiate in good faith during the Term a form of Development and Disposition or Ground Lease Agreement whereby CLV agrees to sell and Developer agrees to purchase the Site for the development of the Project (the "*DDA*" or "Lease").

(b) Developer and CLV shall negotiate terms for the DDA at least sixty days prior to the end of the ENA term, in which the following may or may not be included:

i. Land pricing.
ii. Infrastructure needs, plans, costs.
iii Development plan and timeline.
iv Financing.
v Open space plan.
vi Site plan changes.
vii. Any partnerships, including Chicanos por la Causa (CPLC), and their roles.
viii Community Outreach plan.
ix. A form of an agreed development agreement for the Project to be adopted pursuant to Nevada Revised Statutes NRS 278.0201.
x Employment Plan.
xi. Mapping and other entitlement requirements.

(c) The parties acknowledge that, in compliance with the provisions of Nevada Assembly Bill 312 ("*AB 312*"), CLV, at its cost, will obtain and rely upon an independent appraisal of the Site prepared within six (6) months of the date of the DDA and that the City Council of the City will address the adoption of a formal resolution finding that it is in the best interests of the public to sell the Site without offering such real property to the public and for the agreed purchase price. The adoption of such resolution will be at the discretion of the City Council. Notwithstanding the foregoing, the parties agree that any

such appraisal may be subject to public records laws or ordinances of the City, Nevada or the State of Nevada.

(d) Developer and CLV agree and acknowledge (i) that this Agreement creates no obligation on either party to enter into the DDA or any other agreement related to the Site, (ii) the decision to enter into a DDA will be at each party's respective sole and absolute discretion and (iii) the approval of the City Council will be a condition to CLV's obligation to enter into any DDA or other agreement (excluding this Agreement) relating to the Site. Developer agrees and acknowledges that, except as expressly provided for in this Agreement, this Agreement creates no rights, title or interest in Developer whatsoever, legal, equitable or otherwise, in the Site, including, without limitation, any rights to purchase, lease, option or otherwise. By its execution of this Agreement, CLV is not committing itself to or agreeing to undertake disposition of land to Developer or any other acts or activities requiring the subsequent independent exercise of discretion by CLV or any governmental authority with authority over the resulting development. This Agreement does not constitute an agreement for disposition of property or the exercise of control over property by Developer. Execution of this Agreement by CLV is merely an agreement to enter into a period of exclusive, good faith negotiations with Developer according to the terms hereof. In the event the parties do not enter into a DDA during the Term, this Agreement shall automatically expire and be of no further force and effect from and after the expiration of the Term.

7. Reserved.

9. Real Estate Commission. No party shall be liable to any other party for any real estate commission or brokerage fees that may arise as a result of or pursuant to this Agreement. Each party represents to the other party that it has not engaged any broker, agent or finder in connection with this Agreement, and agrees to hold the other party harmless from any claim by any broker or finder retained by such party. The provisions of this Section 9 shall survive any termination or expiration of this Agreement.

10. Conflict of Interest.

(a) An official of CLV, who is authorized in such capacity and on behalf of CLV to negotiate, make, accept or approve, or take part in negotiating, making, accepting, or approving this Agreement, payments under this Agreement, or work under this Agreement, shall not be directly or indirectly interested personally in this Agreement or in any part hereof. No officer, employee, architect, attorney, engineer or inspector of, or for CLV, who is authorized in such capacity and on behalf of CLV to exercise any legislative, executive, supervisory or other similar functions in connection with this Agreement, shall become directly or indirectly interested personally in this Agreement or in any part hereof, any material supply contract, subcontract, insurance contract, or any other contract pertaining to this Agreement.

(b) Each party represents that it is unaware of any financial or economic interest

of any public officer or employee of CLV relating to this Agreement. Notwithstanding any other provision of this Agreement, if such interest becomes known, CLV may immediately terminate this Agreement for default or convenience, based on the culpability of the parties.

(c) Developer represents and warrants that it has, in accordance with the current policy of CLV, disclosed the ownership and principals of Developer on Exhibit C attached hereto, "Certificate – Disclosure of Ownership/Principals", and that it has a continuing obligation to update this disclosure whenever there is a material change in the information.

11. Default.

(a) In the event Developer is in material default of its obligations under this Agreement, including any failure of Developer to proceed in good faith with the due diligence activities required in order to complete the feasibility analysis of the Project, and such default is not cured within fifteen (15) days after written notice delivered by CLV specifying the precise nature of the default, then CLV shall have the right to immediately terminate this Agreement upon written notice to Developer.

(b) In the event CLV or the City is in default of its obligations under this Agreement, Developer's sole and exclusive cumulative remedy will be to terminate this Agreement and CLV shall not be liable for any monetary or damages whatsoever, including any amounts expended by Developer in connection with the Project and/or expended pursuant to this Agreement.

12. Notices. All legal notices required pursuant to the terms and conditions of this Agreement shall be in writing, unless an emergency situation dictates otherwise. Any notice required to be given under the terms of this Agreement shall be deemed to have been given when (i) received by the party to whom it is directed by hand delivery or personal service, all fees pre-paid, (ii) transmitted by facsimile with confirmation of transmission (an original signed copy, via first-class U. S. Mail, shall follow facsimile transmissions), (iii) sent by U.S. mail via certified mail-return receipt requested, postal fees pre-paid or (iv) sent by email at the following addresses:

Notice to Developer:

McCormack Baron Salazar, Inc.
100 N. Broadway Ste 100
St. Louis MO 63102
Attn. Vincent R. Bennett
Email:
Vince.Bennet@McCormackBaron.com

Daniel Falcon Jr
McCormack Baron Salazar, Inc.
801 S Grand Avenue Ste 780
Los Angeles, CA 90017
Daniel.Falcon@McCormackbaron.com

	Joseph Weatherly McCormack Baron Salazar, Inc. 100 N. Broadway Ste 100 St. Louis, MO 63102 Joseph.weatherly@mccormackbaron.com
With a copy to:	Jennifer Lazovich Kaempfer Crowell 1980 Festival Plaza Drive Las Vegas, Nevada 89135 Email: jlazovich@kcnvlaw.com
Notice to CLV:	City of Las Vegas c/o Office of Economic and Urban Development 495 South Main St., 6th Floor Las Vegas, Nevada 89101 Attn. Ryan Smith Fax: (702) 385-3128 Email: Rysmith@lasvegasnevada.gov
With a copy to:	City Attorney Office City Hall 495 South Main, 6th Floor Las Vegas, Nevada 89101 Attention: John Ridilla Fax: (702) 386-1749 Email: jridilla@lasvegasnevada.gov

13. Publicity. The parties agree that neither party shall make any public announcement or any press release with respect to this Agreement or the Project without the consent of the other party which consent shall not be unreasonably withheld or delayed. Nothing in this Section 13 shall limit or prevent CLV from undertaking any actions required by Nevada's open meeting laws or causing or allowing the release of information or dissemination of documents as may be required or appropriate in connection with any administrative hearings or proceedings pertaining to the CLV's approval or implementation of this Agreement. Furthermore, Developer acknowledges that CLV is subject to the public records laws of the State of Nevada as set forth in Chapter 239 of the Nevada Revises Statues ("Public Records Act") and all information in physical or electronic form or other form provided by Developer to CLV will be subject to disclosure under the Public Records Act.

Notwithstanding the foregoing, Developer shall have the right to disclose any and all information to a governmental body or law enforcement agency which has been

properly designated to collect information from the Developer about its planned Project and to Developer's consultants, agents, advisors and potential lenders.

14. Assignment. Developer may not assign or transfer all or any part of its interest in this Agreement without first obtaining the written consent of CLV which consent may be granted or withheld at CLV's sole and unfettered discretion. Any transfer or assignment in violation of this Section 14 shall be null and void and constitute a default of this Agreement. Notwithstanding the foregoing, Developer shall have the right to assign its interest in this Agreement to an entity formed to develop the Project so long as the principals of Developer are the owners, directly or indirectly, of such entity and such entity assumes Developer's obligations under this Agreement. Any such assignment shall not relieve Developer of its obligations under this Agreement.

15. Time of the Essence. Time is of the essence in this Agreement and each and every term and provision hereof.

16. Interpretation; Governing Law. This Agreement shall be construed as if prepared by both parties. This Agreement shall be construed, interpreted and governed by the laws of the State of Nevada.

17. Entire Agreement; Amendments. This Agreement is intended by the parties to be the final expression of their agreement with respect to the subject matter hereof, and is intended as the complete and exclusive statement of the terms of the agreement between the parties. As such, this Agreement supersedes any and all prior understandings between the parties, whether oral or written. Any amendments to this Agreement shall be in writing and shall be signed by both parties hereto.

18. No Waiver. A waiver by either party hereto of a breach of any of the covenants or agreements hereof to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions hereof.

19. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, representatives, successors and permitted assigns.

20. Headings; Exhibits; Cross References. The headings and captions used in this Agreement are for convenience and ease of reference only and shall not be used to construe, interpret, expand or limit the terms of this Agreement. All Exhibits attached to this Agreement and the Recitals at the front of this Agreement are incorporated herein by the references thereto contained herein. All references in this Agreement to Articles, Sections and Exhibits shall be to Articles, Sections and Exhibits of or to this Agreement, unless otherwise specified.

21. Severability. In the event that any phrase, clause, sentence, paragraph, section, article or other portion of this Agreement shall become illegal, null or void, or against public policy for any reason, or shall be held by any court of competent jurisdiction to be illegal, null or void, or against public policy, the remaining portions of this Agreement shall not be affected thereby and shall remain in force and effect to the full extent permitted by law.

22. Performance of Acts on Business Days. Unless specifically stated to the contrary, all references to days herein shall be deemed to refer to calendar days. In the event that the final date for payment of any amount or performance of any act hereunder falls on a Saturday, Sunday or holiday, such payment may be made or act performed on the next succeeding business day.

23. No Third Party Beneficiaries. This Agreement is intended for the exclusive benefit of CLV and Developer and their respective permitted assigns and is not intended and shall not be construed as conferring any benefit on any third party or the general public.

24. Counterpart Signatures; Facsimile Transmission. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of such counterparts shall constitute one agreement. Delivery of this Agreement may be accomplished by facsimile transmission of this Agreement. In such event, the parties hereto shall promptly thereafter deliver to each other executed counterpart originals of this Agreement.

25. CLV Obligations Limited. No obligation assumed by or imposed upon CLV by this Agreement or remedy granted or otherwise arising in, under or pursuant to this Agreement against CLV shall require the payment of money by CLV, or the performance of any action by CLV, the performance of which requires money from CLV, except to the extent that funds are available for such payment or performance from CLV, appropriations therefor lawfully made by CLV. This Agreement shall not be construed as obligating the City Council of CLV to make future appropriations for the payment of monies or for the performance of any obligations of CLV under this Agreement.

26. Waiver. EACH PARTY HERETO ACKNOWLEDGES AND AGREES THAT ANY CONTROVERSY WHICH MAY ARISE UNDER THIS AGREEMENT IS LIKELY TO INVOLVE COMPLICATED AND DIFFICULT ISSUES, AND THEREFORE IT HEREBY IRREVOCABLY AND UNCONDITIONALLY WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF ANY LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF OR RELATING TO THIS AGREEMENT AND ANY OF THE AGREEMENTS DELIVERED IN CONNECTION HEREWITH OR THE TRANSACTIONS CONTEMPLATED HEREBY OR THEREBY. EACH PARTY HERETO CERTIFIES AND ACKNOWLEDGES THAT (A) NO REPRESENTATIVE, AGENT OR ATTORNEY OF ANY OTHER PARTIES HAS REPRESENTED, EXPRESSLY OR OTHERWISE, THAT SUCH OTHER PARTIES WOULD NOT, IN THE EVENT OF LITIGATION, SEEK TO ENFORCE EITHER OF SUCH WAIVERS, (B) IT UNDERSTANDS AND HAS CONSIDERED

THE IMPLICATIONS OF SUCH WAIVERS, (C) IT MAKES SUCH WAIVERS VOLUNTARILY, AND (D) IT HAS BEEN INDUCED TO ENTER INTO THIS AGREEMENT BY, AMONG OTHER THINGS, THE MUTUAL WAIVERS AND CERTIFICATIONS IN THIS SECTION 26. THIS SECTION SHALL SURVIVE ANY TERMINATION OR EXPIRATION OF THIS AGREEMENT.

SIGNATURES ON NEXT PAGE

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date set forth beneath their respective signatures below.

CLV:

CITY Of LAS VEGAS,
a Nevada municipal corporation

By _____
Carolyn Goodman, Mayor

Date of Execution: _____

ATTEST:

_____
LuAnn D. Holmes, MMC, City Clerk

APPROVED AS TO FORM:

M. Niarchos 8/1/22
_____
Counsel Date

DEVELOPER

McCormack Baron Salazar, Inc.,
a Missouri corporation

By: _____
Vincent R. Bennet, its President

LIST OF EXHIBITS

EXHIBIT A	SITE DEPICTION
EXHIBIT B	PROJECT DESCRIPTION
EXHIBIT C	DISCLOSURE OF PRINCIPALS

EXHIBIT A

SITE DEPICTION



EXHIBIT B

PROJECT DESCRIPTION

Developer will determine the feasibility and development plan for the 101 acre Desert Pines Golf Course site. The mixed-use, mixed-income project may include a mix of affordable and market rate residential, single family residential, townhomes, multifamily, age restricted, commercial, community center, open space, and a workforce training center.

EXHIBIT C

DISCLOSURE OF PRINCIPALS

CERTIFICATE DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity," means the individual, partnership, or corporation seeking to enter into a contract or agreement with the City of Las Vegas.

"*Principal*" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members; (e) trust – the trustee and beneficiaries.

2. Policy

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts or agreements with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. Incorporation

This Certificate shall be incorporated into the resulting contract or agreement, if any, between the City and the Contracting entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.

Block 1 Contracting Entity
Name McCormack Baron Salazar, Inc.
Address 100 N. Broadway, Suite 100
St. Louis, MO 63102
Telephone 314.621.3400
EIN or DUNS EIN 43-1053637

Block 2 Description

Block 3 **Type of Business**

☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation ☐ Trust ☐ Other:

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS
(CONTINUED)

Block 4 Disclosure of Ownership and Principals
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	See Attached List	100 N. Broadway Suite 100	314.621.3400
2.		St. Louis, MO 63102	
3.			
4.		Address for all Principals	Phone number for all Principals
5.			
6.			
7.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: 1.

Block 5 DISCLOSURE OF OWNERSHIP AND PRINCIPALS – ALTERNATE

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: _____

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

Name Vincent R. Bennett

Date 8/1/2022

Subscribed and sworn to before me this 1st day of August, 2022

Notary Public

ANGELA RENEE KLOECKNER
Notary Public - Notary Seal
St. Louis City - State of Missouri
Commission Number 18306817
My Commission Expires Apr 30, 2026

- 2 -

SITE MAP

3415 East Bonanza Road
Desert Pines Golf Course



DESERT PINES VISION PLAN

City of Las Vegas
East Las Vegas Area

SMITHGROUP



EAST LAS VEGAS

East Las Vegas is located entirely within Ward 3 (currently represented by Councilwoman Olivia Diaz) and consists of higher density traditional neighborhoods, a well connected street system, and a distinct Latinx community. However, East Las Vegas lacks the investment of infrastructure and other community services to service a rapidly changing demographic.

Desert Pines Golf Course includes approximately 100 Acres of single-use land in the center of East Las Vegas and bounded by Bonanza, Mojave, Pecos and I-515. The City of Las Vegas seeks to leverage its control of this asset to drive several community-driven goals identified in the 2050 Master Plan and reinforced via the upcomming East Las Vegas Special Area Plan.

The redevelopment of Desert Pines Golf Course as part of the East Las Vegas Special Area Plan will provide the City and community an opportunity to address key implementation and work directly with the community on specific needs and to create cohesion and foster diversity in this sector. Within the 2050 Master Plan, key contemplated implementation strategies potentially addressed by the redevelopment of Desert Pines include:

1. Land Use and Development: Incentivize affordable infill housing and embrace Latinx culture through placemaking and design.
2. Services and Facilities: Consider locating additional civic facilities in the north/northeast.
3. Parks and Open Space: Develop more accessible parks and open space and increase the tree canopy.
4. Workforce and Education: Focus on workforce training and job creation and address school overcrowding.
5. Transportation: Complete sidewalk network, including a Grand Paseo complete street along Bonanza Rd., coordinating the Downtown Access Project with neighborhood and community members.

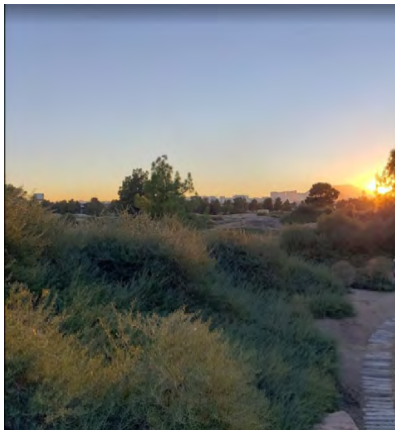
East Las Vegas está ubicado dentro del Ward 3 (actualmente representado por la regidora Olivia Díaz) y consiste en vecindarios tradicionales de mayor densidad, de un sistema de calles bien conectado y una de distintiva comunidad latina. Sin embargo, East Las Vegas también tiene altas tasas de pobreza, de delitos violentos y de delitos contra la propiedad. Además carece de inversión en infraestructura y otros servicios comunitarios que atiendan un grupo demográfico que cambia rápidamente.

Desert Pines Golf Course incluye aproximadamente 95 acres de tierra con un único uso de suelo en el centro de East Las Vegas, delimitado por las calles Bonanza, Mojave, Pecos y la I-515. La Ciudad de Las Vegas busca aprovechar su control sobre este activo para impulsar varias metas impulsadas por la comunidad, las cuales fueron identificadas en el Plan Maestro 2050 y reforzadas a través del próximo Plan de Área Especial del Este de Las Vegas.

La remodelación del campo de golf Desert Pines como parte del Plan del Área Especial del Este de Las Vegas brindará a la Ciudad y a la comunidad la oportunidad de abordar la implementación y trabajar directamente con la comunidad en necesidades específicas para crear cohesión y fomentar la diversidad en este sector. Dentro del Plan Maestro 2050, las estrategias de implementación clave contempladas por la remodelación de Desert Pines potencialmente incluyen:

1. Uso y desarrollo del suelo: incentivar viviendas de relleno económicas y abrazar la cultura latina a través de la creación y el diseño del tejido comunitario.
2. Servicios e Instalaciones: Considerar ubicar instalaciones cívicas adicionales en el norte/noreste.
3. Parques y espacios abiertos: Desarrollar parques y espacios abiertos más accesibles y aumentar la cobertura de los árboles.
4. Fuerza Laboral y Educación: Concentrarse en la capacitación de la fuerza laboral y la creación de empleo y abordar la sobrepoblación escolar.
5. Transporte: Completar la red de aceras, incluida una calle multivial "Grand Paseo" a lo largo de Bonanza Rd., coordinando el Proyecto de Acceso al Centro con miembros del vecindario y la comunidad.





















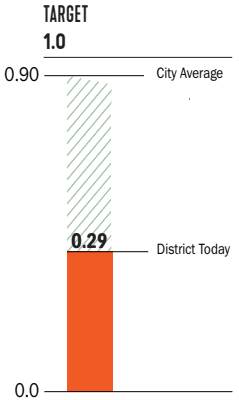




WORKFORCE

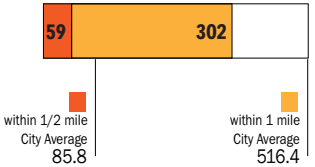
JOB SUPPLY IN DISTRICT

Average job opportunity per residential unit in the planning district



JOB PROXIMITY

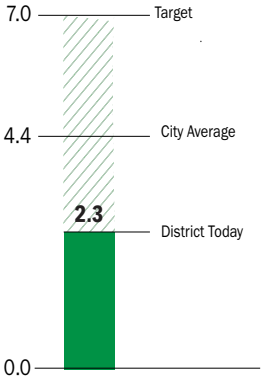
Average job opportunity in proximity to the planning district



PARKS

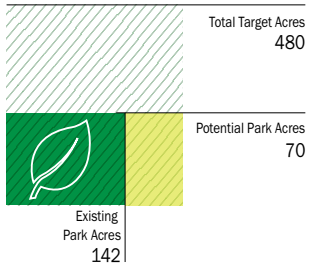
PARK ACCESS

Acres of accessible park space per 1,000 residents within 1/4 mile



PARK ACRES NEEDED TO ACHIEVE TARGET

Even with the place type model assumption of additional potential park acres, East Las Vegas still falls short of the target.

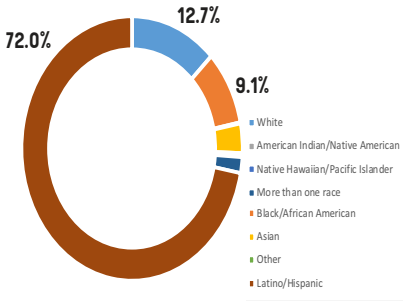


DEMOGRAPHICS

Water consumption of residents in the planning area will be reduced with the new planned place types.

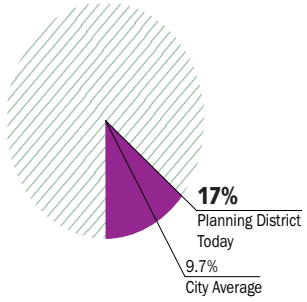
- Current population: 75,146
- Largest Age Group: 25 - 34 years (11,177)
- Persons per household: 3.40
- Single Family Dwellings: 9,428
- Multi-Family Dwellings: 12,938
- Median Household income: $32,224
- Median rent / mortgage: $828 / $1,039
- Housing tenure: 63.2% rent / 36.8% own
- Attained High School Diploma: 57.6%
- Attained Bachelor's Degree: 4.8%
- Unemployment rate: 10.3%

RACIAL BREAKDOWN

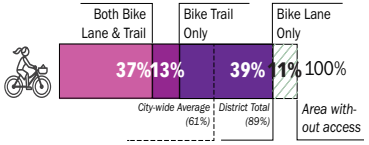


TRANSPORTATION

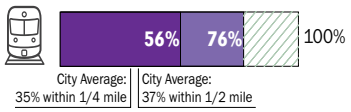
PERCENTAGE OF HOUSEHOLDS WITHOUT CARS WITHIN THE DISTRICT



PERCENTAGE AREA OF THE PLANNING DISTRICT WITHIN 1/4 MILE OF BIKE FACILITIES

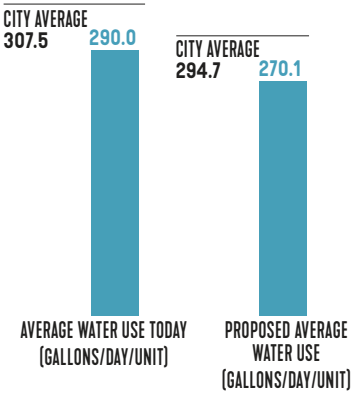


PERCENTAGE AREA OF THE PLANNING DISTRICT WITHIN 1/4 AND 1/2 MILE OF A TRANSIT STOP



WATER USAGE

Water consumption of residents in the planning area will be reduced with the new planned place types.



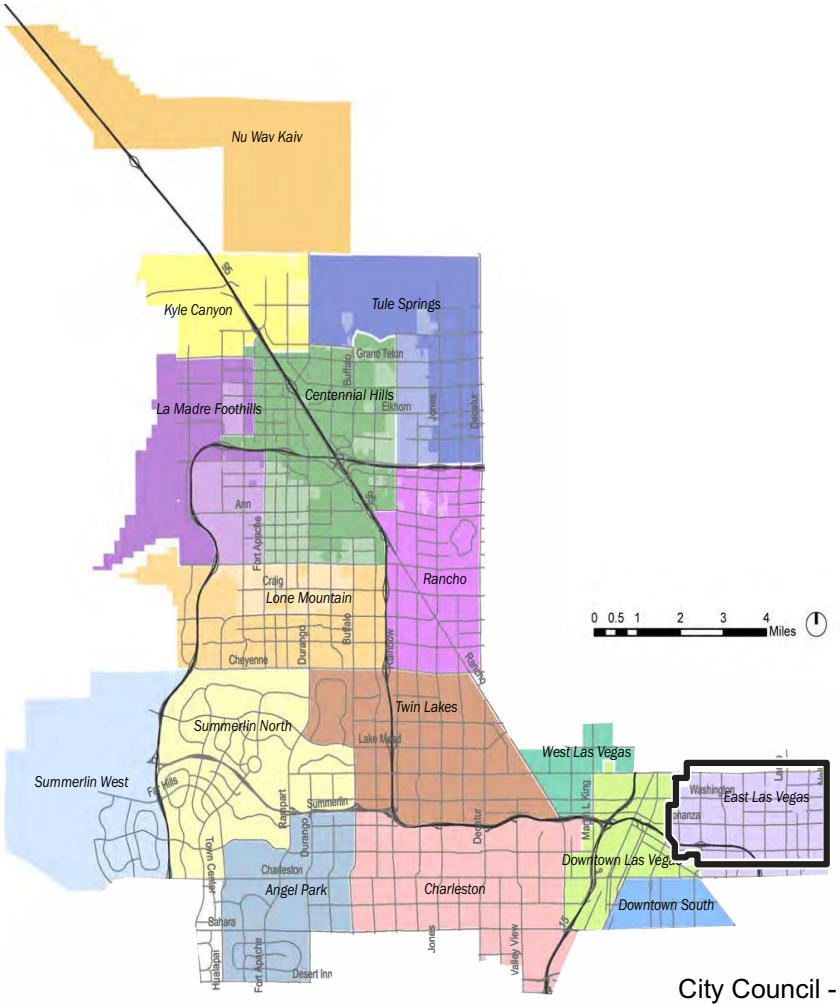
PLANNING CONTEXT
CONTEXTO DE PLANIFICACIÓN

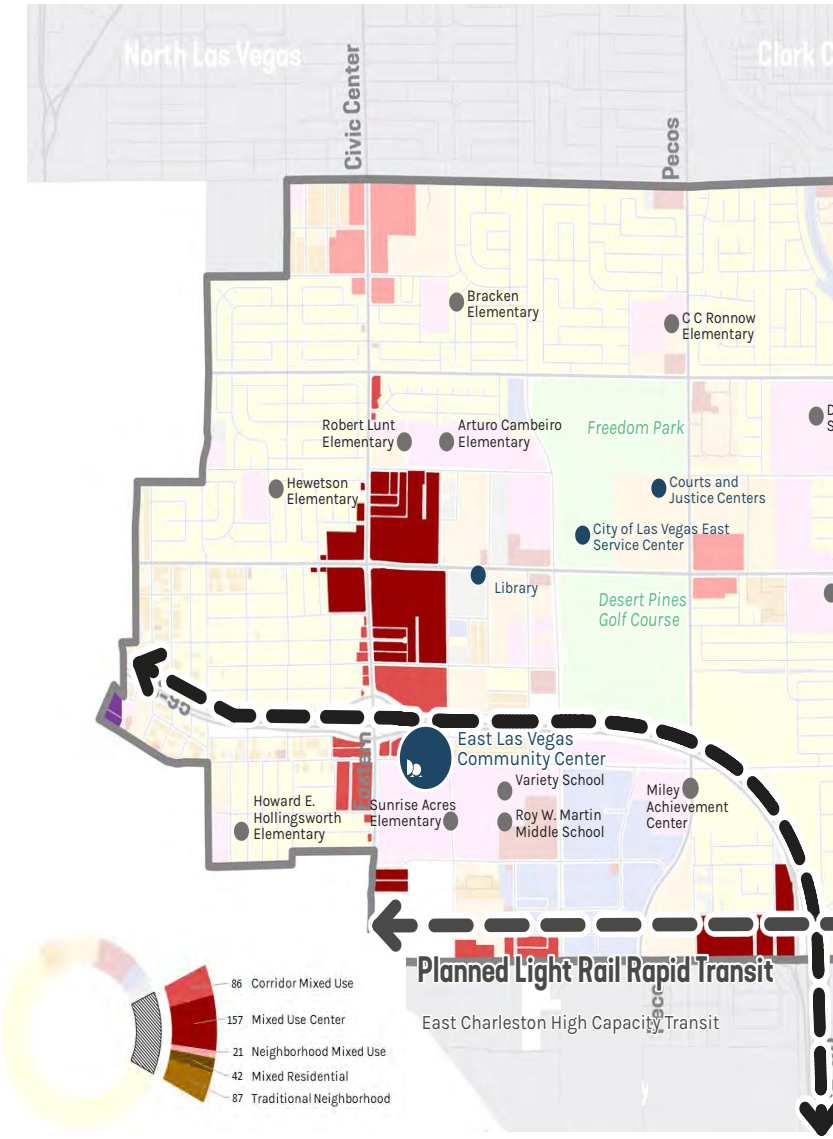
The East Las Vegas Neighborhood is a component of the City of Las Vegas 2050 Master Plan, a plan adopted by the Las Vegas City Council July 2021. The 2050 Master Plan has identified sixteen areas of the city which encompass neighborhoods, district and nodes of various parts of the City; while the 2050 Master Plan is general, the upcoming special area plan is intended to provide specific recommendations for East Las Vegas building upon the 2050 recommendations. Redevelopment of Desert PInes Golf Course provides a catalytic opportunity to achieve several of the near term neighborhood goals.

El vecindario de East Las Vegas forma parte del Plan Maestro 2050 de la Ciudad de Las Vegas, un plan adoptado por el Ayuntamiento de Las Vegas en julio del 2021. El Plan Maestro 2050 ha identificado dieciséis áreas de la ciudad que abarcan vecindarios, distritos y nodos de varias partes de la Ciudad. Si bien el Plan Maestro de 2050 es general, el próximo plan de área especial tiene como objetivo proporcionar recomendaciones concretas para East Las Vegas basadas en las recomendaciones para el año 2050. La reurbanización del campo de golf Desert Pines brinda una oportunidad para lograr varios de los objetivos a corto plazo del vecindario.





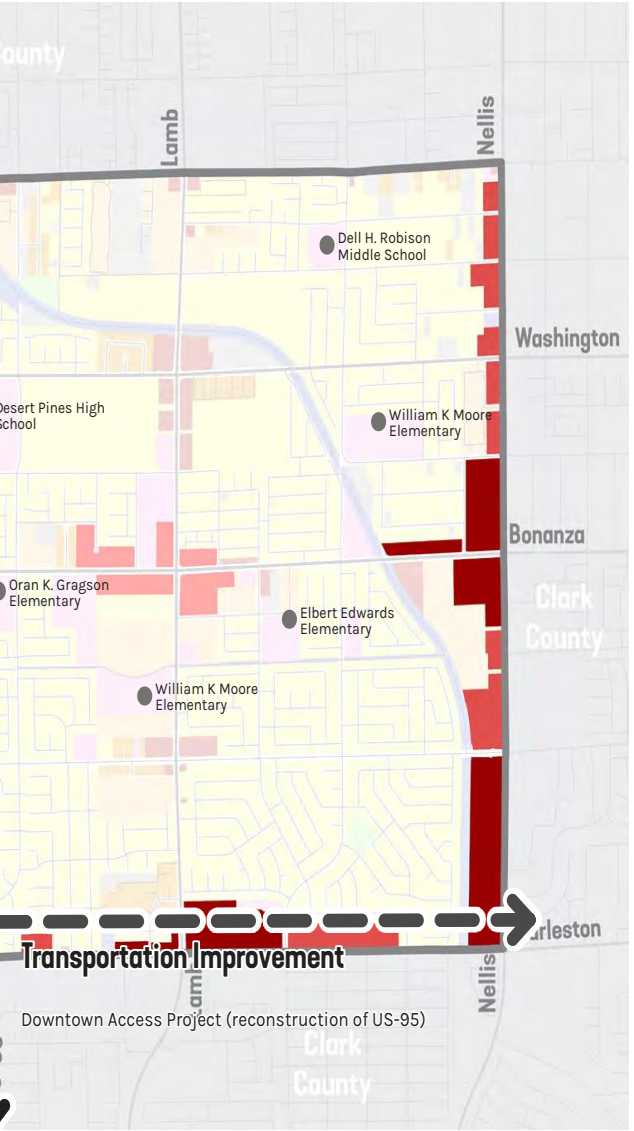




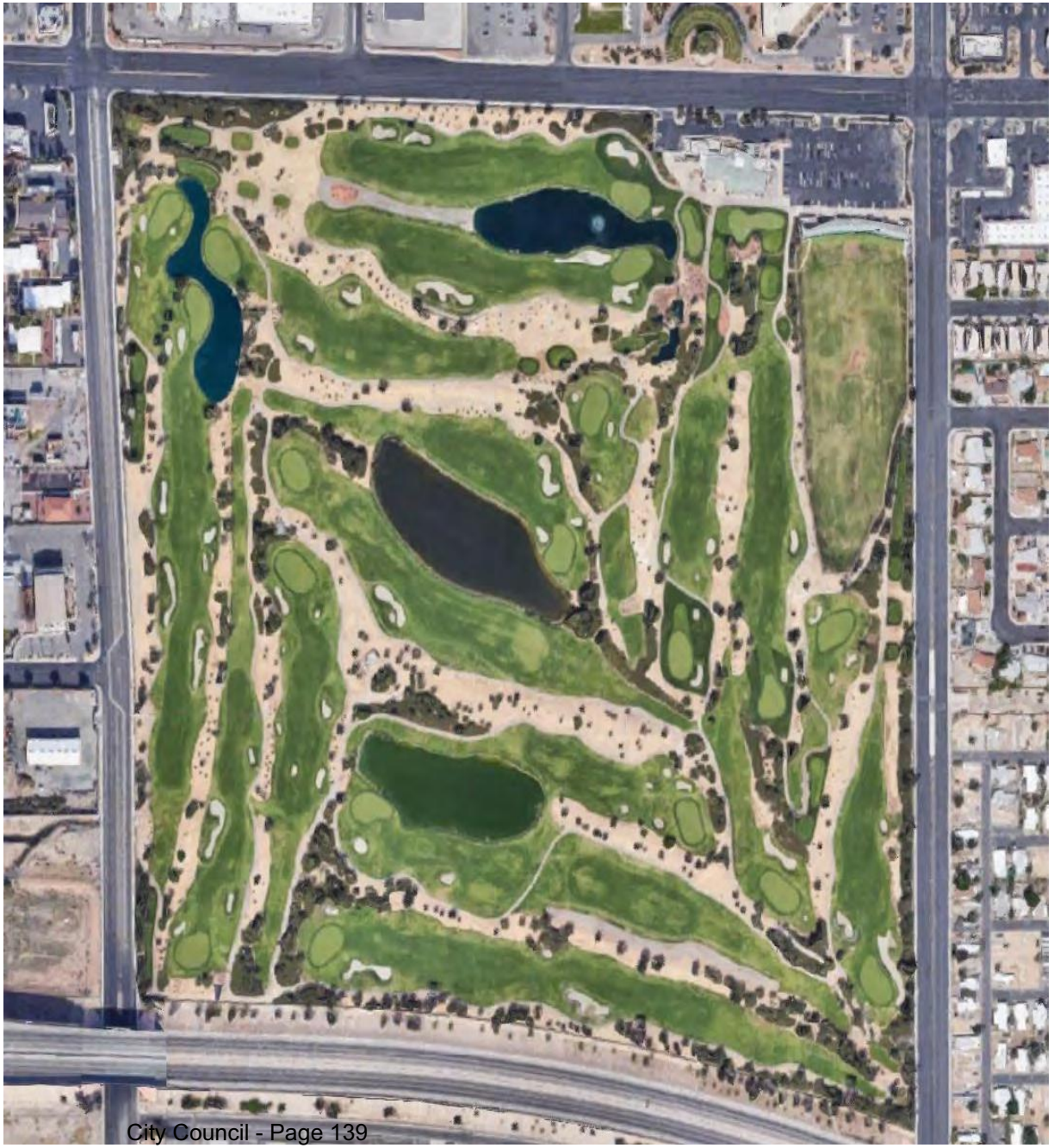
City Council - Page 138







DESERT PINES GOLF COURSE
CAMPO DE GOLF DESERT PINES



City Council - Page 139

A VISION TO REDEVELOP DESERT PINES GOLF COURSE AS A MIXED-USE, MIXED-INCOME SUSTAINABLE COMMUNITY

UNA VISIÓN PARA REDESARROLLAR EL CAMPO DE GOLF DE DESERT PINES COMO UNA COMUNIDAD SOSTENIBLE DE USO E INGRESOS MIXTOS

The plan imagines a new mixed-use, mixed-income neighborhood on the site of the former golf course, providing opportunities for existing East Las Vegas residents to stay, invest and build wealth in the neighborhood. The plan is anchored by a central park including community center, soccer pitch, and arroyo that follows the Cedar Trail alignment. Adjacent to the park is a new 6.5 acre College of Southern Nevada (CSN) Training Center Campus and Senior Living opportunities. Single- and multi-family residential connect "Main Street" back to neighborhood commercial and mixed use along a new complete street "Grand Paseo" along Bonanza. The community is envisioned as a net-zero energy project, utilizing passive sustainable design strategies and renewable energy production to balance and offset carbon emissions. Native desert landscape and significant trees will be preserved and new resilient urban species will be added to reduce and mitigate the urban heat island.

El plan proyecta un nuevo vecindario de uso mixto e ingresos mixtos en el sitio del antiguo campo de golf, brindando oportunidades para que los actuales residentes de East Las Vegas se queden, inviertan y generen riqueza en el vecindario. El plan está centrado alrededor de un nuevo parque central que incluye un centro comunitario, una cancha de fútbol y un arroyo que sigue el trazo de Cedar Trail. Junto al parque hay un nuevo Campus del Centro de Capacitación del Colegio del Sur de Nevada (CSN por sus siglas en inglés) de 6.5 acres y nuevas oportunidades para personas mayores. Las viviendas unifamiliares y multifamiliares conectan "Main Street" con el uso comercial y mixto del vecindario a lo largo de un nuevo Grand Paseo a lo largo de la calle Bonanza. El desarrollo se concibe como un proyecto de energía neta cero, que utiliza estrategias de diseño pasivo sostenible y producción de energía renovable para equilibrar y compensar las emisiones de carbono. Se preservarán el paisaje desértico nativo y los árboles significativos y se agregarán nuevas especies urbanas resilientes para reducir y mitigar la isla de calor urbano.



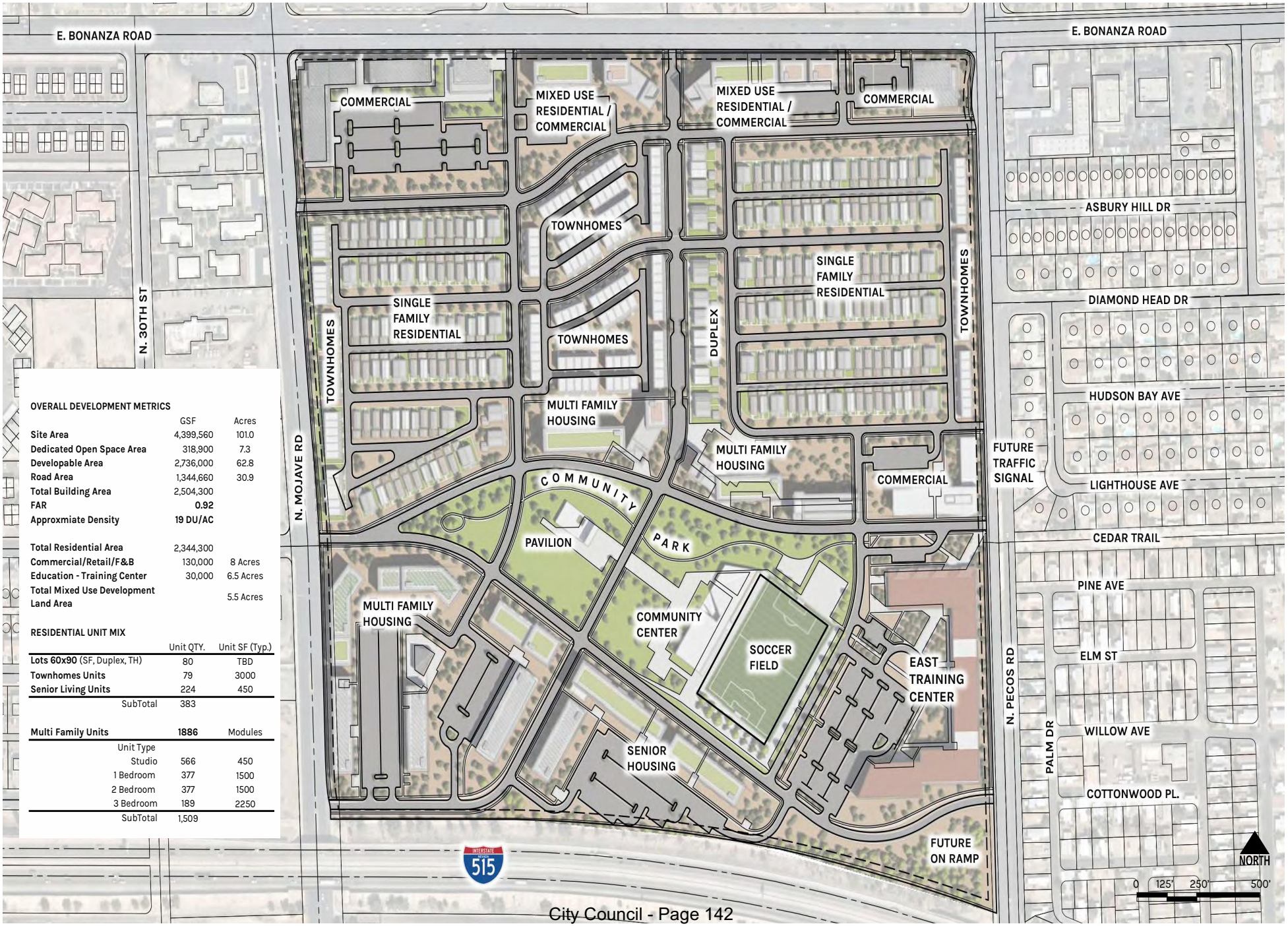
City Council - Page 140



Bird's Eye View, Looking South
Vista panorámica, mirando al sur

City Council - Page 141

ILLUSTRATIVE MASTER PLAN WITH DEVELOPMENT METRICS



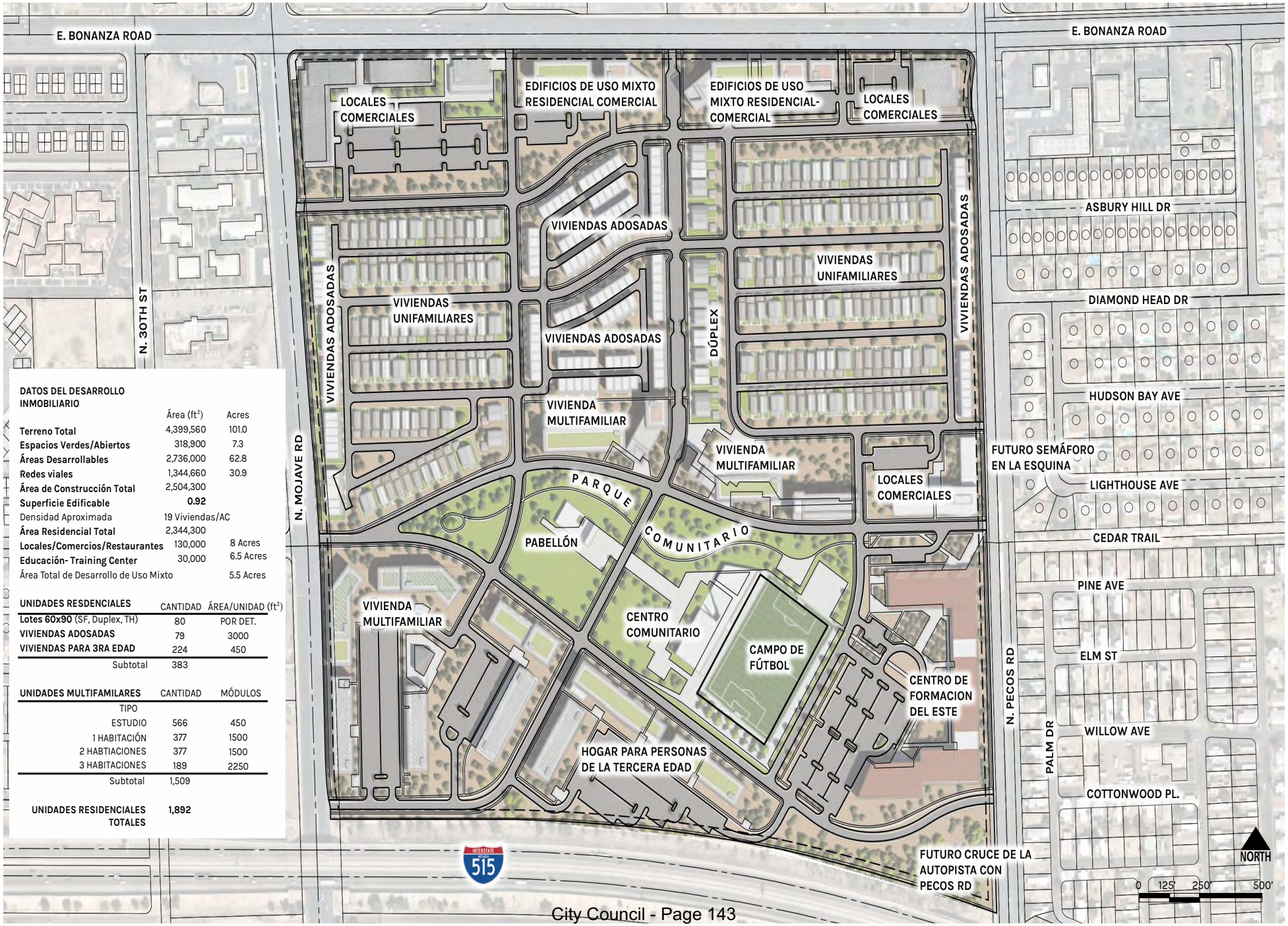
OVERALL DEVELOPMENT METRICS

	GSF	Acres
Site Area	4,399,560	101.0
Dedicated Open Space Area	318,900	7.3
Developable Area	2,736,000	62.8
Road Area	1,344,660	30.9
Total Building Area	2,504,300	
FAR	**0.92**	
Approxmiate Density	**19 DU/AC**	
Total Residential Area	2,344,300	
Commercial/Retail/F&B	130,000	8 Acres
Education - Training Center	30,000	6.5 Acres
Total Mixed Use Development Land Area		5.5 Acres

RESIDENTIAL UNIT MIX

	Unit QTY.	Unit SF (Typ.)
Lots 60x90 (SF, Duplex, TH)	80	TBD
Townhomes Units	79	3000
Senior Living Units	224	450
SubTotal	383	
Multi Family Units	**1886**	Modules
Unit Type		
Studio	566	450
1 Bedroom	377	1500
2 Bedroom	377	1500
3 Bedroom	189	2250
SubTotal	1,509	

PLAN MAESTRO ILUSTRATIVO CON MEDIDAS DE DESARROLLO



DATOS DEL DESARROLLO INMOBILIARIO

	Área (ft²)	Acres
Terreno Total	4,399,560	101.0
Espacios Verdes/Abiertos	318,900	7.3
Áreas Desarrollables	2,736,000	62.8
Redes viales	1,344,660	30.9
Área de Construcción Total	2,504,300	
Superficie Edificable	**0.92**	
Densidad Aproximada	19 Viviendas/AC	
Área Residencial Total	2,344,300	
Locales/Comercios/Restaurantes	130,000	8 Acres
Educación- Training Center	30,000	6.5 Acres
Área Total de Desarrollo de Uso Mixto		5.5 Acres

UNIDADES RESDENCIALES	CANTIDAD	ÁREA/UNIDAD (ft²)
Lotes 60x90 (SF, Duplex, TH)	80	POR DET.
VIVIENDAS ADOSADAS	79	3000
VIVIENDAS PARA 3RA EDAD	224	450
Subtotal	383	

UNIDADES MULTIFAMILARES	CANTIDAD	MÓDULOS
TIPO		
ESTUDIO	566	450
1 HABITACIÓN	377	1500
2 HABTIACIONES	377	1500
3 HABITACIONES	189	2250
Subtotal	1,509	

UNIDADES RESIDENCIALES TOTALES **1,892**

LAND USE DIAGRAM

DIAGRAMA DE USO DE SUELO



PLANNING AND DESIGN PROCESS

PROCESO DE PLANIFICACIÓN Y DISEÑO

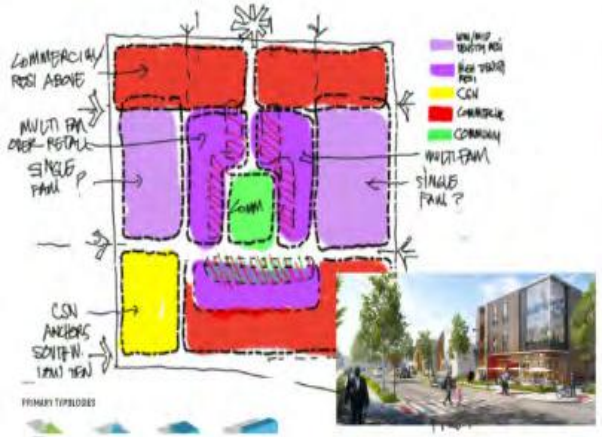




























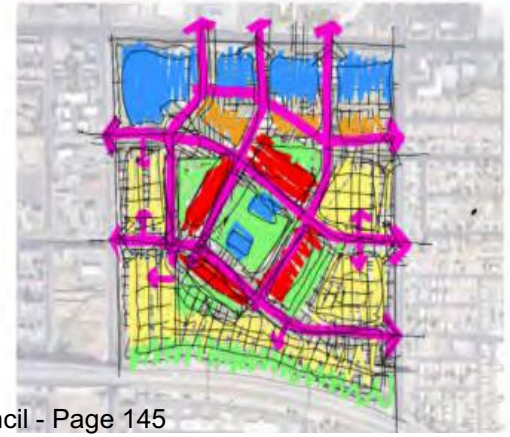






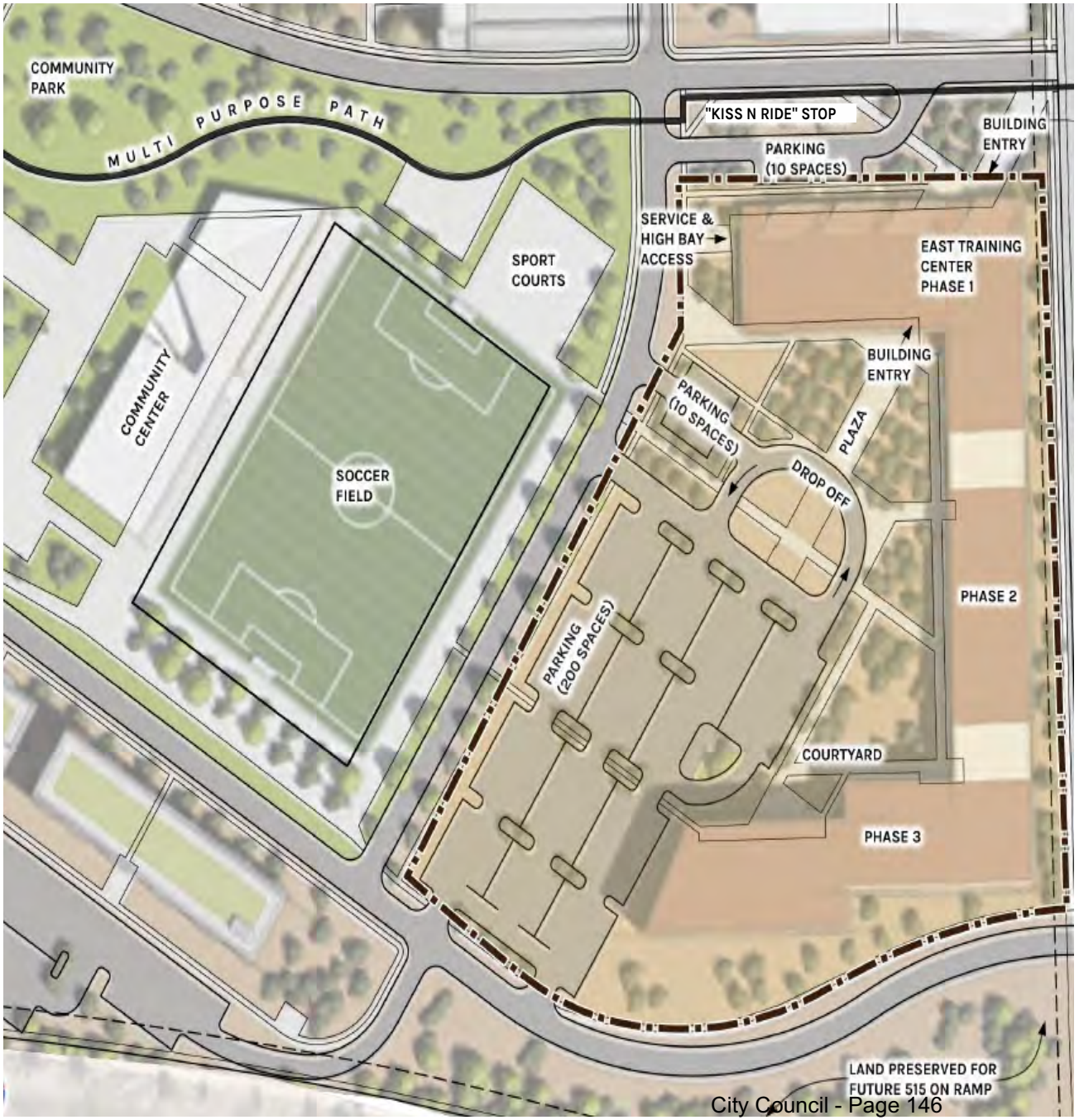








NEW EAST TRAINING CENTER



The College of Southern Nevada (CSN) is planning for a multi-phase East Training Center to anchor this new development and provide important workforce training for residents of the neighborhood and beyond. The East Training Center will consist of an approximately 25,000 SF first phase with opportunities to expand along Pecos Road towards I-515 and a potential future interchange. Shared surface parking will serve both the new Training Center and Community Center with Soccer Pitch.

El Colegio del Sur de Nevada (CSN, por sus siglas en inglés) está planeando un Centro de Capacitación de varias fases para anclar este nuevo desarrollo y brindar una importante capacitación laboral para los residentes del vecindario y de comunidades cercanas. El East Training Center consistirá en una primera fase de aproximadamente 25,000 pies cuadrados con oportunidades para expandirse a lo largo de Pecos Road hacia la I-515 y un posible cruce vial en el futuro. El nuevo estacionamiento exterior compartido servirá tanto al nuevo Centro de Entrenamiento como al Centro Comunitario con Cancha de Fútbol.



Phase 1 Training Cetner, Looking East

Fase 1. Centro de Capacitación, Mirando al Este

City Council - Page 146



Phase 1 Training Center, Looking West
Fase 1. Centro de Capacitación, Mirando al Oeste



Training Center, Looking North
Centro de Capacitación, Mirando al Norte



Central Park, Looking West
Parque Central, Mirando al Oeste



Central Park, Looking East
Parque Central, Mirando al Este



Neighborhood Street
Calle en el Vecindario

NEXT STEPS
SIGUIENTES PASOS

This vision plan is just the begining! Following adoption of resolution by City Council, this vision plan will serve as a guide to implement the 2050 Master Plan and attain the City's desired long-term goals and outcomes for infill redevelopment where it is needed most. Future extensions of the Vision Plan will be included as part of the East Las Vegas Special Area Plan currently under development. Potential next steps include issuing requests for proposals, development agreements or other mechanisms to redevelop some or all of the property with appropriate partners, and seeking appropriate funding in order to ensure that this vision becomes a reality.

¡Este plan de visión futura es sólo el comienzo! Al ser adoptado por el Ayuntamiento, el plan servirá como guía de implementación del Plan Maestro 2050 para alcanzar las metas a largo plazo de la Ciudad, incluyendo objetivos de relleno urbano donde sean necesarios. Las expansiones futuras del Plan de Visión serán incluidas como parte del Plan de Área Especial de East Las Vegas, el cual está en proceso de redacción. Los posibles siguientes pasos incluyen emitir solicitudes para nuevas propuestas, acuerdos, permisos u otros mecanismo para desarrollar algunas o todas las propiedades con apoyo de socios clave, y buscar fuentes de financiamiento que aseguren que esta visión se vuelva realidad.



SMITHGROUP

MCCORMACK BARON SALAZAR

Desert Pines Development

City of Las Vegas

August 17, 2022



TEAM OVERVIEW

Key Staff



Vincent Bennett
President & CEO



Daniel Falcon
Sr. Vice President & Managing Director, West Coast Operations



Antonio Bermudez
Vice President | Project Management



Candice Hung
Vice President | Project Management



Joseph Weatherly
Sr. Vice President | New Business



Jerry Stone
Sr. Vice President | Director of Design and Construction



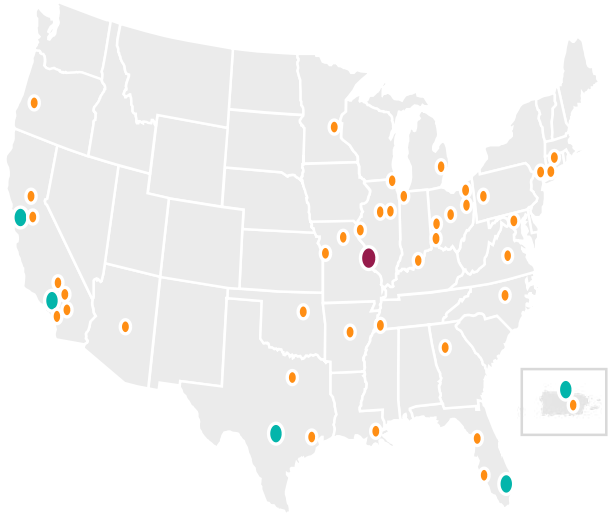
Ethan Daniels
Vice President | Finance



Marina Salazar
Assoc. Project Manager

TEAM OVERVIEW

McCormack Baron Salazar



- Corporate Office
- Regional Development Office
- Development City

25,000
Homes

49
Years of Experience

$5.2 billion
Total Investment

1.6 million
Square Feet of Commercial Space


Taylor Yard | Los Angeles, CA


Alice Griffith | San Francisco, CA

Our Mission

Transforming places into communities where all people can thrive









Commitment to Diversity & Inclusion

Within our Company

- Leadership & MBS Board
- Staff (69% Minority Employees MBS+MBM)
- Diversity, Equity & Inclusion Training
- Multilingual staff

Design & Approval Process

- Community Engagement

Team Selection

- Prioritize Engagement of Local Firms
- Professional Services & Construction
- Minority & Women-Owned Businesses
- Small Businesses & Local Firms
- Workforce Training



Sustainability

7,200
Green Certified Homes

- LEED, Enterprise, EPA Energy Star for Homes, and local standards
- Reductions in utility costs and resource utilization
- Sustainability is an essential component of creating long-term, stable, resilient communities
- Development will be built to LEED Gold standards









MBS Financing Capacity

$1.8 billion in tax credit equity

$906 million in private debt

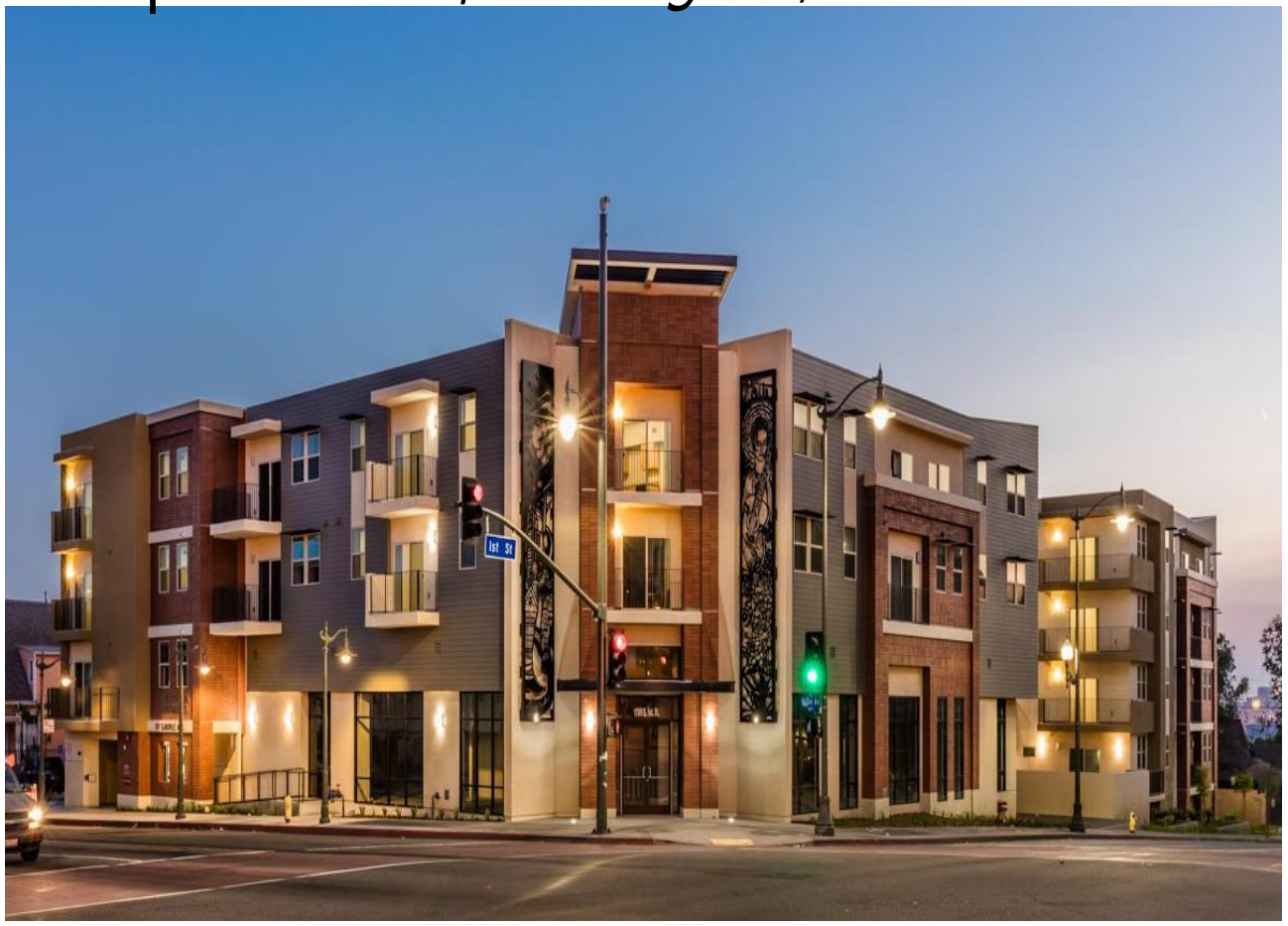
$924 million in federal grants

$1.1 billion in state and local government support

$205 million from private foundations & corporations

Santa Cecilia Apartments, *Los Angeles, CA*











DESERT PINES

Taylor Yard Village, *Los Angeles, CA*













DESERT PINES

Mirasol Village, *Sacramento, CA*















City Adopted Concept for Desert Pines



Vision for Site

1,800+
Homes

- In alignment with Desert Pines Vision Plan
- Mixed-income
- Mixed-use
- Rental & home ownership
- Community facilities
- Park space
- Sustainable



Thank You



AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
22

DEPARTMENT: Office of Government and Community Affairs **DISCUSSION**
DIRECTOR: Randy Robison

SUBJECT:
ABEYANCE ITEM - Discussion for possible action on the proposed bill draft requests to be submitted to the Legislative Counsel Bureau on behalf of the City of Las Vegas for the 82nd Session of the Nevada Legislature (2023 Session) - All Wards

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
Pursuant to Nevada Revised Statutes 218D.205, the city council of a city whose population is 500,000 or more shall not request the preparation of more than three (3) legislative measures for a regular session.

RECOMMENDATION:
It is recommended that the City Council approve no more than three (3) bill draft requests and direct the City Manager to submit any approved bill draft requests to the Legislative Counsel Bureau.

BACKUP DOCUMENTATION:
1. Submitted at Meeting - PowerPoint Presentation by Staff

2023 Legislative Session

Office of Government and Community Affairs

August 17, 2022

Submitted at City Council
Date 8/17/22 Item 22
By: Randy Robison

Bill Draft Requests

- Up to 3 BDRs
- Due Date – September 1, 2022
- Bill Language – Mid November
- Session Starts – February 6, 2023

City of Las Vegas BDRs for Consideration

- Transportation & Housing Reinvestment Zone
  - Transportation Reinvestment Zones are designated areas located around transportation projects created to encourage development and capture property tax increments over a set base year to help fund improvements and other developments.
    - Benefits
      - Intended to generate revenue for housing and transit projects.
      - Can be used to encourage infill, mixed-use, multi-family, and affordable housing developments.
      - Encourages collaboration between public agencies and transportation agencies.
      - Promotes the growth and use of public transportation.
      - Increase access to employment and educational opportunities.

Anticipated Legislative Issues

- Affordable Housing
- Education
- Elections Reform
- Health Care
- Homelessness
- Medicaid Reimbursement
- Mental Health
- Planning & Zoning
- Public Employment Changes
- Public Safety
- Water
- Workforce Development

Next Steps

- Submit any approved BDRs to Legislative Counsel Bureau (LCB)
- Election Results/Changes to Legislature
- BDR Analysis
- Legislator Outreach
- Legislative Session Logistics

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
23

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Bryan K. Scott

SUBJECT:
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2022-16 - For possible action - Amends various sections of LVMC Chapter 6.75, pertaining to short-term residential rentals, to conform to and incorporate various recently-adopted provisions of State law, and amends other provisions of LVMC Titles 4, 6 and 19 to make corresponding changes. Proposed by: Seth T. Floyd, Director of Community Development

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This bill will amend various sections of LVMC Chapter 6.75, pertaining to short-term residential rentals, to conform to and incorporate various recently-adopted provisions of State law. It will also amend other provisions of LVMC Titles 4, 6 and 19 to make corresponding changes. The amendment includes provisions that address State-law limitations on location and operation of such rentals, as well as provisions governing the licensing and regulation of accommodations facilitators in accordance with State law.

RECOMMENDATION:
Bill was heard at the July 18, 2022 Recommending Committee Meeting and is eligible for adoption at this August 17, 2022 City Council Meeting.

First Read – 6/15/2022 First Publication – 8/4/2022

BACKUP DOCUMENTATION:
1. Bill No. 2022-16
2. Bill No. 2022-16, First Amendment
3. Backup Submitted from the June 15, 2022 City Council Meeting
4. Submitted at Meeting - Proposed Second Amendment by Staff and Letters of Request by Lex Anderson

BILL NO. 2022-16

ORDINANCE NO. _____

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF LVMC CHAPTER 6.75, PERTAINING TO SHORT-TERM RESIDENTIAL RENTALS, TO CONFORM TO AND INCORPORATE VARIOUS RECENTLY-ADOPTED PROVISIONS OF STATE LAW; AMEND OTHER PROVISIONS OF LVMC TITLES 4, 6 AND 19 TO MAKE CORRESPONDING CHANGES; AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Seth T. Floyd, Director of Community Development

Summary: Amends various sections of LVMC Chapter 6.75, pertaining to short-term residential rentals, to conform to and incorporate various recently-adopted provisions of State law, and amends other provisions of LVMC Titles 4, 6 and 19 to make corresponding changes.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 75, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.010: "Accommodations facilitator" means a person, other than the owner, lessee or other lawful occupant of a residential unit, or a manager of a residential unit, who, for a fee or other charge, brokers, coordinates, makes available or otherwise arranges for the rental of the residential unit or a room within a residential unit for the purpose of transient lodging. The term includes, without limitation, a hosting platform.

"Commercial vehicle" means a vehicle customarily used as part of a business for the transportation of goods or people.

"Hosting platform" means a person who, for a fee or other charge, provides on an internet website an online platform that facilitates the rental of a short-term residential rental residential unit on behalf of an operator, including, without limitation, through advertising, matchmaking or other means.

"Operator" means any person who owns, leases, controls, manages or operates a short-term residential rental unit or property. The term also includes any person who brokers, coordinates, makes available or otherwise arranges for the rental of such a unit or property to the extent that person does not qualify as an accommodations facilitator.

"Party" means a gathering of people that exceeds the maximum occupancy of a residential unit, as set forth in LVMC 6.75.090.

"Residential unit" means a single-family residence or an individual residential unit within a larger building, including, without limitation, a condominium, townhouse, duplex or other multifamily dwelling. The term does not include a timeshare or other property subject to the provisions of chapter 119A of NRS.

"Short-term residential rental" means the commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit for a period of less than thirty-one consecutive calendar days. The term also includes the renting or occupancy of a residential unit or a room within a residential unit for purposes of transient lodging, as described in Assembly Bill 363 of the 2021 Session of the Nevada Legislature. A short-term residential rental qualifies as transient lodging and is included in the definition thereof. The term does not include a "community residence," "facility for transitional living for released offenders," or any other facility with dwelling units that is specifically defined in LVMC Chapter 19.18.

"Transient lodging" is as defined in LVMC 4.20.020.

SECTION 2: Title 6, Chapter 75, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.020: (A) No person shall engage in the business of offering or operating a short-term residential rental without first obtaining and thereafter maintaining a valid unexpired license pursuant to this Chapter for each short-term residential rental unit. Where there are multiple dwelling units on the same property, each unit must be licensed individually.

(B) If a short-term residential unit is managed by a person other than the licensee or a principal of the licensee for that unit, that person must possess a valid license from the State of Nevada and the City to manage property.

(C) [The holder of a license under this Chapter is the person primarily responsible for compliance with the obligations that are imposed on an operator by this Chapter, whether or not that person

owns the real property on which the short-term residential rental is located. In the case of a short-term residential rental whose affiliated licensee is not the property owner, the property owner is secondarily responsible for compliance.

(D) Commencing on July 1, 2017, no person is eligible for a new license for a short-term residential rental under this Chapter unless the person qualifies as an owner of the parcel on which the short-term residential unit is located. For purposes of the preceding sentence, "owner" includes any person who is listed as an owner of record of the unit in the records of the Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a trustee or principal of that trust or entity. Short-term residential rentals that are licensed as of July 1, 2017, shall have two years from that date within which to terminate operations or achieve licensing by an owner.] Except as otherwise permitted by City ordinance and State law for existing licensees, no person is eligible for a license for a short-term residential rental under this Chapter unless the person qualifies as an owner of the parcel on which the short-term residential unit is located and is a resident occupying that unit as his or her primary residence. In addition, the unit must qualify as owner-occupied during each period the unit is rented. For purposes of this Subsection (C), including the determination of who qualifies as an owner, whether a particular unit is being occupied by an owner, and whether a particular is being used as a short-term residential rental under this Chapter:

(1) "Owner" includes any person who is listed as an owner of record of the unit in the records of the Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a trustee or principal of that trust or entity.

(2) A dwelling unit qualifies as "owner-occupied during each period the unit is rented" only if the owner continues to reside at the unit throughout the rental period, the dwelling unit is the owner's primary residence, and the owner's occupancy includes occupancy and use of a bedroom or other room intended for sleeping purposes. In determining occupancy by the owner during any rental period, the owner's absence, if any, from the unit during the rental period must be attributable only to employment or to the running of typical personal or household errands.

(3) A person who purports to hold a fractional ownership interest (or any other

shared, joint, common, partial, cooperative or community ownership interest) in property that he or she occupies shall be deemed to be a guest and not an owner of that property unless the person's ownership interest in the property at the time of occupancy:

(a) Is at least twenty-five percent; and

(b) Has been established in that person's name by means of a document duly recorded in the property records of Clark County.

(4) A person who purports to hold an ownership interest of any kind in property that he or she occupies shall be deemed to be a guest and not an owner of that property if it appears that the documents or other indices of ownership demonstrate an intent to circumvent or otherwise avoid the application of LVMC Chapter 6.75 or applicable Conditional Use Regulations under LVMC 19.12.070, or any requirement or limitation thereof.

(D) No person is eligible for a license under this Section if:

(1) The person has five or more licenses under this Section that are associated with the same Nevada business license issued pursuant to NRS Chapter 76;

(2) The number of licenses under this Section within the same residential unit would exceed one;

(3) Issuance of the license would result in more than ten percent of the residential units or rooms within the residential units in a multifamily dwelling being rented for the purposes of transient lodging;

(4) Issuance of the license would violate a prohibition against such rentals or a stricter limitation established by the owner of a multifamily dwelling; or

(5) The short-term residential rental is located in a common-interest community, unless the governing documents of the community expressly authorize the rental of a residential unit or a room within a residential unit for the purposes of transient lodging.

(E) Except as otherwise permitted by City ordinance and State law for existing licensees, it is unlawful to rent for transient lodging purposes a residential unit or a room within a residential unit that

is located in an apartment building. For purposes of this Subsection, "apartment building" means an "apartment house," as defined in LVMC 19.18.020.

SECTION 3: Title 6, Chapter 75, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.040: Each application for a short-term residential rental license shall contain or include the following information and documentation:

(A) The name, signature, address and telephone number of the owner of the residential dwelling to be associated with the license.

(B) The name, address and telephone number of any property manager or property management firm that will be operating the short-term residential rental.

(C) The name, address and telephone number (including a telephone number that provides for communication twenty-four hours a day) of the local contact person who will respond to complaints regarding the condition, operation, or conduct of the occupants of the short-term residential rental unit.

(D) The address of the residential dwelling proposed to be used as a short-term residential rental.

(E) The number of bedrooms, as determined by the City pursuant to the conditional use verification process described in LVMC 19.12.040(C).

(F) If the proposed short-term residential rental unit is located [within a gated subdivision or controlled-access building that is governed by an owners' association,] in a common-interest community, a letter or other documentation from the governing association acknowledging the proposed use, documenting that the rental of the unit is expressly authorized by the governing documents of the community and, if necessary, granting access to occupants of the proposed rental unit. The burden of demonstrating that the rental of a unit is expressly authorized by the community is on the applicant.

(G) A list of all [hosting platforms] accommodations facilitators that the applicant proposes to use to market, advertise, offer, solicit customers for, or make available for commercial use the short-term residential rental applied for.

(H) Proof of, or a commitment to provide, current, valid liability insurance coverage in a

minimum amount of $500,000.00.

(I) An affidavit attesting that there are no delinquent room tax liabilities or liens regarding the property to be used as a short-term residential rental.

SECTION 4: Title 6, Chapter 75, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.060: The operator of a short-term residential rental, as well as an accommodations facilitator as required by LVMC 6.75.128, shall comply with all provisions of LVMC Chapters 6.46 and 4.20 that pertain to the collection of room taxes by the operator of an establishment subject to those chapters, as well as the associated recordkeeping requirements. Without limiting the effect of the preceding sentence, the [operator of a residential short-term rental shall comply specifically] required compliance includes specific compliance with the following [sections:] Sections:

6.46.040;

6.46.050;

6.46.060;

6.46.070;

6.46.080;

6.46.100;

6.46.130;

6.46.140;

6.46.150;

4.20.030;

4.20.035;

[4.20.037;]

4.20.040;

4.20.060;

4.20.070;

4.20.110;

4.20.140;

4.20.150;

4.20.160.

SECTION 5: Title 6, Chapter 75, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.090: (A) The operator shall post a copy of the license along with a copy of this Section 6.75.090 in a conspicuous place within the short-term residential rental unit.

(B) The maximum occupancy of a short-term residential rental unit shall not exceed [either] any of the following limits:

(1) Two persons per bedroom (but excluding children under the age of twelve); [or]

(2) The maximum occupancy limits for residential dwellings established by the Uniform Housing Code, as adopted in LVMC Chapter 16.20[.]; or

(3) Sixteen persons within that unit at any given time.

(C) All occupant vehicles shall be parked on site, and shall not be parked in the adjacent public right-of-way. No commercial vehicles shall be permitted on the short-term residential rental unit property or parked in the adjacent public right-of-way, except where otherwise permitted in commercial zoning districts.

(D) Notwithstanding the provisions of LVMC Chapter 9.16, the use of any radio receiver, stereo, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound shall take place only within an enclosed short-term residential rental unit. The property owner or operator of a short-term residential rental unit shall use reasonably prudent business practices to ensure that the occupants or guests of the rental unit do not create unreasonable noise or disturbances.

(E) The operator shall make available a local twenty-four-hour phone number that provides the capability of producing a response within two hours to complaints regarding the condition,

operation, or conduct of the occupants of the short-term residential rental unit. Failure of the operator or an employee or agent to respond to the complainant within two hours shall constitute a violation of this Chapter. In the case of a short-term residential rental unit with more than five bedrooms, compliance with this Subsection (E) requires the operator to engage as its agent for the purpose of responding to complaints a company licensed to provide security pursuant to NRS Chapter 648. For purposes of the preceding sentence, a dwelling unit is presumed to have the number of bedrooms indicated in the records of the Clark County Assessor's Office that pertain to that unit, but that presumption may be rebutted by inspection or other competent evidence.

(F) A placard shall be displayed on the exterior of each short-term residential rental unit listing the information set forth below in this Subsection (F). The placard shall be in plain view of the general public at all times the short-term residential rental unit is occupied and shall be a minimum of eight and one-half inches by eleven inches in size. The placard must specify the maximum occupancy allowed pursuant to this Section, as well as the twenty-four-hour contact information required by Subsection (E) of this Section. The information required by the preceding sentence must be in a minimum legible font of seventy-two-point or a minimum of one and one-half inches in height. The required contact information shall include a full name and telephone number of the contact.

(G) Trash and refuse shall not be left or stored in public view, except in proper containers for the purpose of collection in accordance with the requirements of Chapter 9.08. The owner of the property or manager of the short-term residential rental unit shall be responsible for notifying occupants of trash disposal procedures and for maintaining compliance with the requirements of Chapter 9.08.

(H) Consistent with and as a reflection of the definition of the term "short-term residential rental" set forth in this Chapter, no short-term residential rental unit may be rented for the purpose of holding weddings, parties, receptions or similar events that typically are held at a banquet facility or other facility that is made available for the holding of events on a commercial basis. Any use of the short-term residential rental unit is limited to activities that are incidental to its use for dwelling, lodging or sleeping purposes.

(I) All written or visual advertising for the short-term residential rental must include the business license number assigned to the rental unit.

(J) The operator of a short-term residential rental must obtain, and continuously thereafter maintain, valid liability insurance coverage in the minimum amount specified by Subsection (H) of LVMC 6.75.040. Before commencement of operation, the operator shall file with the Department a certificate of insurance documenting compliance with the insurance requirement, as well as upon future request by the Department.

(K) The rental of a residential unit or a room within a residential unit for less than the minimum period for the residential unit is prohibited. If the residential unit:

(1) Is owner-occupied, the minimum period for the rental is one night.

(2) Is not owner-occupied, the minimum period for the rental is two nights.

SECTION 6: Title 6, Chapter 75, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto four new sections, designated respectively as Sections 122, 124, 126 and 128, reading as follows:

6.75.122: (A) No person shall engage in the business of offering a short-term residential rental as an accommodations facilitator without first obtaining and thereafter maintaining a valid unexpired license as an accommodations facilitator pursuant to this Chapter.

(B) An accommodations facilitator who brokers, coordinates, makes available or otherwise arranges for the rental of a short-term residential rental within the City is deemed to be engaged in the business of providing transient lodging within the City and to be the person providing the transient lodging. However, the "deemed to be" provisions of the preceding sentence:

(1) Are solely for the purposes of imposing, collecting and remitting all taxes on the gross receipts from the rental of transient lodging; and

(2) By themselves do not, create, expand or alter any other liability, duty, obligation or responsibility of the accommodations facilitator for, or relating to, the short-term residential rental.

6.75.124: The holder of a license under LVMC 6.75.122 shall pay, in advance, an annual fee of three thousand dollars.

6.75.126: Each application for a license under LVMC 6.75.122 shall contain the information described in LVMC 6.02.080, as well such other information and documentation as the Director may require.

6.75.128: With respect to transactions it brokers, coordinates, makes available or otherwise arranges for regarding the rental of short-term residential rentals within the City, each accommodations facilitator licensed under this Chapter shall:

(A) Collect and remit to the City, on a monthly basis, all transient lodging taxes imposed on the gross receipts from the rental of those short-term residential rentals. This requirement includes compliance with the requirements placed upon an operator pursuant to LVMC Chapter 4.20 and LVMC 6.75.060.

(B) In advance of any activity to broker, coordinate, make available or otherwise arrange for any short-term residential rental for a fee, verify that the short-term residential rental has been issued a City business license under LVMC 6.75.030.

(C) Include within the listing of any short-term residential rental located within the City:

(1) The number of the City business license issued under LVMC 6.75.030 for that rental; and

(2) If the short-term residential rental is owner-occupied, a notice or representation that the rental is owner-occupied and that less than the entire dwelling is available for rent.

(D) Upon request by the Director and from time to time, report to the Director all current listings of such short-term residential rentals that the accommodations facilitator is brokering, coordinating, making available or otherwise arranging for as transient lodging, and, if so requested by the Director, a report of such listings for a specified period in the past. Any such report shall include the following information:

(1) City business license number;

(2) Name of business; and

(3) Physical address for listing.

SECTION 7: Title 6, Chapter 75, Section 130, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.130: (A) Each [hosting platform] accommodations facilitator that facilitates the rental of a short-term residential rental within the City must submit to the Department a quarterly report that includes the information [set forth in Subsection (C) of] described in this Section.

(B) Each operator must submit to the Department a quarterly report that includes the information [set forth in Subsection (C) of] described in this Section, but only to the extent that such information is not collected by [a hosting platform.] an accommodations facilitator.

(C) Each report required by Subsections (A) and (B) of this Section must be in a accessible and readable format acceptable to the Department and must state, for the quarter being reported and with respect to short-term residential rentals within the City:

(1) The number of bookings, listings, and operators;

(2) The average number of bookings per listing;

(3) Current year-to-date booking value;

(4) Current year-to-date revenue collected from all short-term residential rentals through the [hosting platform,] accommodations facilitator, disaggregated by operator; and

(5) The average length of a short-term residential rental.

(D) From time to time the Director may add to the list of items required to be reported pursuant to Subsection (C) of this Section. After the Department provides appropriate notice to accommodations facilitators of each such addition, subsequent quarterly reports under this Section must include those additions.

SECTION 8: Title 6, Chapter 75, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.140: (A) In accordance with State law, the Department is authorized to issue a subpoena for the production of documents, records, or materials relevant for determining whether a short-term residential rental in the City has been rented in violation of any law of this State or a City ordinance. Any such subpoena may only be issued if:

(1) There is sufficient evidence to support a reasonable belief that a short-term residential rental in the City has been rented or is being rented in violation of any law of this State or a City ordinance; and

(2) The subpoena identifies the short-term residential rental alleged to be in violation of any law of this State or City ordinance and the provision of law or ordinance allegedly violated.

(B) Any subpoena issued pursuant to Subsection (A) must be mailed by regular and certified mail to the [hosting platform] accommodations facilitator or, if applicable, the operator who was required to file a quarterly report regarding the short-term residential rental pursuant to LVMC 6.75.130. In the case of a subpoena issued to a [hosting platform] accommodations facilitator that is a business entity with a registered agent, the subpoena must be mailed to the registered agent, in addition to the [hosting platform] accommodations facilitator at any address the Department may have on file for the [hosting platform.] accommodations facilitator.

(C) A [hosting platform] accommodations facilitator to whom a subpoena has been issued pursuant to this Section must:

(1) Provide notice of the subpoena to the operator of the short-term residential rental identified in the subpoena who engaged the services of the [hosting platform] accommodations facilitator and provided the short-term residential rental identified in the subpoena; and

(2) Produce any subpoenaed books, papers, or documents not later than twenty-one days after providing notice to the operator, unless otherwise ordered by a court.

(D) An operator to whom a subpoena has been issued pursuant to this Section must produce any subpoenaed books, papers, or documents not later than twenty-one days after issuance of the subpoena, unless otherwise ordered by a court.

(E) If a person to whom a subpoena has been issued pursuant to this Section refuses to produce any document, record, or material that the subpoena requires, the Department may apply to the district court for the enforcement of the subpoena.

SECTION 9: Title 6, Chapter 2, Section 460, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.02.460: (A) Except as otherwise provided in [Subsection (B),] this Section, the civil fines for violations that are processed under the provisions of LVMC 6.02.390 to 6.02.460, inclusive, are as follows:

(1) For a first offense, two hundred fifty dollars.

(2) For a subsequent offense, five hundred dollars.

(B) The civil fine [for violations processed under the provisions of LVMC 6.02.390 to 6.02.460, inclusive,] for violations of any provision of LVMC Chapter 6.50 is five hundred dollars for each offense.

(C) For violations of LVMC Chapter 6.75 by the holder of a license under that Chapter, whether a license to operate a short-term residential rental or to act as an accommodations facilitator, the civil fine is one thousand dollars for each single violation or the nightly rental value of the short-term residential rental, whichever is greater.

(D) For a violation of LVMC Chapter 6.75 by a person who makes available a short-term residential rental without holding a license under that Chapter, the civil fine shall be not less than one thousand dollars nor more than ten thousand dollars for each violation. The amount of the fine shall take into account and be based upon:

(1) The severity of the violation;

(2) Whether the person who committed the violation acted in good faith; and

(3) Any history of previous violations of the provisions of LVMC Chapter 6.75 or any other ordinance related to transient lodging, as defined in LVMC 4.20.020.

[(C)] (E) In connection with any violation sustained or confirmed by judgment of a Hearing Officer, a separate fine may be assessed for each day the violation occurred or continued to the extent the violation on that day was alleged in the Notice of Violation.

SECTION 10: Title 4, Chapter 20, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.010: (A) The taxes imposed by Sections 4.20.030 and 4.20.080 are for the purpose of

constructing and supporting convention halls and related facilities by the Las Vegas Convention and Visitors Authority for the benefit of the City and its residents and for the fulfillment of statutory requirements of NRS 244A.645 and any agreements of the City with the Las Vegas Convention and Visitors Authority and other government entities in Clark County, Nevada, in pursuance thereof concerning the pledge or commitment of these taxes.

(B) The taxes imposed by Section 4.20.035 are for the purposes of supporting the State fund for the promotion of tourism; advertising the resources of the City which are related to tourism, including available accommodations, transportation, entertainment, natural resources and climate, and to promote special events which are related thereto; and supporting capital projects of the Clark County School District.

[(C) The taxes imposed by Section 4.20.037 are for the purposes of providing funds for:

(1) Constructing, acquiring, improving, operating or maintaining urban projects, or any combination thereof, including, without limitation, recreational facilities and other projects designed to encourage tourism or to improve the aesthetic environment of the central business area located within the boundaries of the district described in Appendix A of this Chapter;

(2) Paying the principal and interest on notes, bonds or other obligations issued by the City to fund such projects; or

(3) Any combination of those uses.]

SECTION 11: Title 4, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.020: "Director" means the Director of Finance or a designee.

"Operator" means any person who owns, leases, controls, manages, brokers, coordinates, makes available or otherwise arranges for, or operates an establishment that [rents or holds out for rent guestrooms on a daily or less than weekly basis] qualifies as transient lodging.

"Transient lodging" or "transient lodging establishment" means any establishment, facility, structure, or portion of any structure which is located within the City and is occupied or intended or designed

for occupancy primarily by transient guests who pay rent for dwelling, lodging, or sleeping purposes.

SECTION 12: Title 4, Chapter 20, Section 37, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 13: Title 4, Chapter 20, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.040: Occupants renting rooms in such establishments as are contemplated in Sections 4.20.030[,] and 4.20.035 [and 4.20.037] shall pay the tax for the first thirty days of continuous occupancy regardless of the period upon which the rental is based. After thirty days' continuous occupancy of a [particular] room in an establishment covered by Sections 4.20.030 and 4.20.035, [and 4.20.037,] the occupant shall be considered a resident guest and not subject to the payment of room tax.

SECTION 14: Title 4, Chapter 20, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.050: The taxes fixed by Sections 4.20.030[,] and 4.20.035 [and 4.20.037] are in addition to those imposed by Chapter 6.46.

SECTION 15: Title 4, Chapter 20, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.060: A collection fee is allowed for operators of establishments referred to in Sections 4.20.030[,] and 4.20.035, [and 4.20.037,] in an amount equal to two percent of the amount of the tax [collected, providing] due, provided that all the taxes due [the City] are paid to the [Department] City on or before the fifteenth day of the month following the month for which the tax is due. No collection fee is allowed for payments made after that date.

SECTION 16: Title 4, Chapter 20, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.070: The room tax imposed by Sections 4.20.030[,] and 4.20.035 [and 4.20.037,] shall be [collected by the operator from the paying guests and] shown as an add-on to the charge for occupancy of the rooms[.] and collected by the operator (or an accommodations facilitator, if applicable, and if not covered

by the definition of "operator"). The operator [is] (and an accommodations facilitator, if applicable, and if not covered by the definition of "operator") are liable to the City for such taxes whether or not they are actually collected. [from the paying guest.] Such taxes shall be [paid to the Department by the licensee] remitted to the City by the operator or accommodations facilitator on or before the fifteenth day of the month following the month in which the taxes accrued and shall be deemed delinquent if not paid on or before such date. Remittance of taxes must be accompanied by supporting documentation, including reports that may have been required or are required by the City. Such documentation and reports must be submitted for each month regardless of whether or not the corresponding rooms or property have been rented during the month being reported.

SECTION 17: Title 4, Chapter 20, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.100: Any licensee or operator (or accommodations facilitator, if applicable, and if not covered by the definition of "operator") failing to pay the taxes imposed by Sections 4.20.030, 4.20.035[, 4.20.037] and 4.20.080 by the due dates provided by this Chapter shall pay in addition to such tax, a penalty of ten percent of the amount thereof, plus interest on the amount of such delinquency at the rate of one and one-half percent per month, or fraction thereof, from the date when such tax became due and payable until the date of payment.

SECTION 18: Title 4, Chapter 20, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.140: It shall be unlawful for any licensee or operator (or an accommodations facilitator, if applicable, and if not covered by the definition of "operator") required to collect the room tax imposed by Section 4.20.030[,] or Section 4.20.035 [or 4.20.037] to fail to maintain adequate room records or to fail to make adequate records available, within seventy-two hours of written notice, to the Director or to any other person designated by him for the purpose of conducting an audit. These records must be made available [within the City of Las Vegas] to the City during normal business hours. Adequate room records shall mean the following: Journal, daily cash summary, registration cards, and folio for the three-year period preceding the date of audit[.], as well as any other records deemed necessary by the Director to determine room tax.

SECTION 19: Title 4, Chapter 20, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.150: No person shall advertise that the room tax imposed by Section 4.20.030[,] or Section 4.20.035 [or 4.20.037] will be absorbed by the establishment. It is unlawful for [any licensee or any person acting for the operator to fail to collect the room tax from paying occupants, and it is unlawful for any operator to fail to remit the tax to the City.] an operator (or an accommodations facilitator, if applicable, and if not covered by the definition of "operator" or person acting for the operator) to fail to:

(A) Collect the room tax from paying occupants;

(B) Remit the tax to the City; or

(C) Provide to the City the documentation necessary to support the determination, collection and remittance of room tax, as well as any reports that may have been required or are required by the City pursuant to this Chapter.

SECTION 20: Title 4, Chapter 20, Section 160, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.160: The Director of the Department of Finance [and Business Services] of the City shall, within twenty days from the close of the preceding calendar month, transmit:

(A) The total amount received pursuant to Sections 4.20.030 and 4.20.080 to the Las Vegas Convention and Visitors Authority to be used for the purposes set forth in subsection (A) of Section 4.20.010;

(B) Three-eighths of the first one percent received pursuant to Section 4.20.035 to the Nevada Department of Taxation for deposit with the State Treasurer for credit to the fund for the promotion of tourism;

(C) Five-eighths of the first one percent received pursuant to Section 4.20.035 to the Las Vegas Convention and Visitors Authority to be used for the purposes set forth in subsection (B) of Section 4.20.010; and

(D) The remaining proceeds received pursuant to Section 4.20.035 to the Clark County

Treasurer for deposit in the Clark County School District's fund for capital projects. [; and

(E) The total amount received pursuant to Section 4.20.037 to the treasury of the City to be used as provided in Section 4.20.010(C), as directed by the City Council.]

SECTION 21: Title 4, Chapter 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by repealing in their entirety Appendix A and Appendix B that appear at the end of that Chapter.

SECTION 22: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Section 23 of this Ordinance. The amendment is deemed to be an amendment to both Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

SECTION 23: Title 19, Chapter 12, Section 70, is amended by amending the entry for the use "Short-Term Residential Rental" to read as follows:

Short-Term Residential Rental

Description: The commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the entire dwelling unit or one or more individual rooms within the unit for a period of less than 31 consecutive calendar days. This use does not include a "Community Residence," "Facility for Transitional Living for Released Offenders," or any other facility with dwelling units that is specifically defined in Chapter 19.18. For purposes of this Title, this use does not include the rental or occupancy of an accessory structure (Class I or II), a tent, a trailer or a mobile unit. In the case of a single parcel containing more than one dwelling unit, each dwelling unit constitutes a separate short-term residential rental use.

Conditional Use Regulations:

1. The operator must obtain a business license to operate the use.

2. The use must comply on an ongoing basis with all governmental licensing and regulatory requirements, including the payment of applicable room taxes and licensing fees.

3. The use must comply with the City's noise regulations as they apply to residential uses.

4. The use may not be located closer than:

a. 660 feet to any other Short-Term Residential Rental use[.]; or

b. 2,500 feet to a resort hotel, as defined in NRS 463.01865.

5. Vehicle parking associated with the use shall comply with applicable parking regulations, and vehicles of guests and invitees shall not obstruct traffic or access to other properties in the area.

6. In addition to and independent of any enforcement authority or remedy described in this Title, the failure to comply with a Conditional Use Regulation associated with this use may be enforced as in the case of a violation of Title 6 by means of a civil proceeding pursuant to LVMC 6.02.400 to 6.02.460, inclusive.

7. On any particular parcel, the use is limited to a single residential dwelling unit that is owner-occupied during each period the unit is rented and that has no more than three bedrooms, with a maximum occupancy not to exceed the limits set forth in LVMC 6.75.090. The dwelling unit is presumed to have the number of bedrooms indicated in the records of the Clark County Assessor's Office that pertain to that unit, but that presumption may be rebutted by inspection or other competent evidence. For purposes of this Regulation 7,[:

a. "Owner" includes any person who is listed as an owner of record of the unit in the records of the Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a trustee or principal of that trust or entity.

b. A dwelling unit qualifies as "owner-occupied during each period the unit is rented" only if the dwelling unit is the owner's primary residence, the owner continues to reside at the unit throughout the rental period, and the owner's absence, if any, from the unit during the rental period is attributable only to employment or to the running of typical personal or household errands.] ownership shall be determined in accordance with Subsection (D) of LVMC 6.75.020.

8. The use is allowed in the P-O, O, C-1, C-2 and C-PB Zoning Districts only in connection with the residential component of a mixed-use development or in a dwelling unit permitted as a legal nonconforming use.

9. This use is unavailable and prohibited within a residential unit or a room within a residential unit that is located in an apartment building. For purposes of this Regulation, "apartment building" means an "apartment house," as defined in LVMC 19.18.020.

[9.] 10. The Special Use Permit provisions of LVMC 19.12.040(B) do not apply to this use.

On-site Parking Requirement: For any short-term residential rental that has no more than 5 bedrooms, no additional parking is required beyond that which is required for the principal use on the site. For units with more than 5 bedrooms, 1 additional space shall be required for every 2 additional bedrooms or fractional portion thereof.

SECTION 24: For purposes of Section 2.100(3) of the City Charter, Section 19.12.070 is deemed to be a subchapter rather than a section.

SECTION 25: The Department of Planning is authorized and directed to incorporate into the Unified Development Code the amendment set forth in Section 23 of this Ordinance.

SECTION 26: Notwithstanding any other provision of this Ordinance, any person who has been lawfully issued a City license before July 1, 2022, to make available for rent a residential unit or a room within a residential unit for the purposes of transient lodging may continue to operate under his or her original authorization despite any provisions of City ordinances that may conflict with the location or type of residential unit, including, without limitation, any requirements adopted by the ordinance for the minimum distance between residential units. However, the provisions of this Section apply only to the original holder of the license and do not transfer to subsequent owners or occupants of a residential unit or room within a residential unit. A City license issued before July 1, 2022, shall be deemed an authorization issued pursuant to Section 22 of Assembly Bill 363 of the 2021 Session of the Nevada Legislature. Such a license may be suspended, terminated or revoked on or after July 1, 2022, in accordance with the provisions of this Ordinance and the Municipal Code that pertain to short-term residential rentals, for violations of those provisions that pertain to matters other than the location or type of residential unit.

SECTION 27: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by

any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 28: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 29: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2022.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 6-1-2022
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2022, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2022, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

FIRST AMENDMENT

BILL NO. 2022-16

ORDINANCE NO. _____

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF LVMC CHAPTER 6.75, PERTAINING TO SHORT-TERM RESIDENTIAL RENTALS, TO CONFORM TO AND INCORPORATE VARIOUS RECENTLY-ADOPTED PROVISIONS OF STATE LAW; AMEND OTHER PROVISIONS OF LVMC TITLES 4, 6 AND 19 TO MAKE CORRESPONDING CHANGES; AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Seth T. Floyd, Director of Community Development

Summary: Amends various sections of LVMC Chapter 6.75, pertaining to short-term residential rentals, to conform to and incorporate various recently-adopted provisions of State law, and amends other provisions of LVMC Titles 4, 6 and 19 to make corresponding changes.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 75, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.010: "Accommodations facilitator" means a person, other than the owner, lessee or other lawful occupant of a residential unit, or a manager of a residential unit, who, for a fee or other charge, brokers, coordinates, makes available or otherwise arranges for the rental of the residential unit or a room within a residential unit for the purpose of transient lodging. The term includes, without limitation, a hosting platform.

"Commercial vehicle" means a vehicle customarily used as part of a business for the transportation of goods or people.

"Hosting platform" means a person who, for a fee or other charge, provides on an internet website an online platform that facilitates the rental of a short-term residential rental residential unit on behalf of an operator, including, without limitation, through advertising, matchmaking or other means.

"Operator" means any person who owns, leases, controls, manages or operates a short-term residential rental unit or property. The term also includes any person who brokers, coordinates, makes available or otherwise arranges for the rental of such a unit or property to the extent that person does not

qualify as an accommodations facilitator.

"Party" means a gathering of people that exceeds the maximum occupancy of a residential unit, as set forth in LVMC 6.75.090.

"Residential unit" means a single-family residence or an individual residential unit within a larger building, including, without limitation, a condominium, townhouse, duplex or other multifamily dwelling. The term does not include a timeshare or other property subject to the provisions of chapter 119A of NRS.

"Short-term residential rental" means the commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit for a period of less than thirty-one consecutive calendar days. The term also includes the renting or occupancy of a residential unit or a room within a residential unit for purposes of transient lodging, as described in Assembly Bill 363 of the 2021 Session of the Nevada Legislature. A short-term residential rental qualifies as transient lodging and is included in the definition thereof. The term does not include a "community residence," "facility for transitional living for released offenders," or any other facility with dwelling units that is specifically defined in LVMC Chapter 19.18.

"Transient lodging" is as defined in LVMC 4.20.020.

SECTION 2: Title 6, Chapter 75, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.020: (A) No person shall engage in the business of offering or operating a short-term residential rental without first obtaining and thereafter maintaining a valid unexpired license pursuant to this Chapter for each short-term residential rental unit. Where there are multiple dwelling units on the same property, each unit must be licensed individually.

(B) If a short-term residential unit is managed by a person other than the licensee or a principal of the licensee for that unit, that person must possess a valid license from the State of Nevada and the City to manage property.

(C) [The holder of a license under this Chapter is the person primarily responsible for

compliance with the obligations that are imposed on an operator by this Chapter, whether or not that person owns the real property on which the short-term residential rental is located. In the case of a short-term residential rental whose affiliated licensee is not the property owner, the property owner is secondarily responsible for compliance.

(D) Commencing on July 1, 2017, no person is eligible for a new license for a short-term residential rental under this Chapter unless the person qualifies as an owner of the parcel on which the short-term residential unit is located. For purposes of the preceding sentence, "owner" includes any person who is listed as an owner of record of the unit in the records of the Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a trustee or principal of that trust or entity. Short-term residential rentals that are licensed as of July 1, 2017, shall have two years from that date within which to terminate operations or achieve licensing by an owner.] Except as otherwise permitted by City ordinance and State law for existing licensees, no person is eligible for a license for a short-term residential rental under this Chapter unless the person qualifies as an owner of the parcel on which the short-term residential unit is located and is a resident occupying that unit as his or her primary residence. In addition, the unit must qualify as owner-occupied during each period the unit is rented. For purposes of this Subsection (C), including the determination of who qualifies as an owner, whether a particular unit is being occupied by an owner, and whether a particular is being used as a short-term residential rental under this Chapter:

(1) "Owner" includes any person who is listed as an owner of record of the unit in the records of the Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a trustee or principal of that trust or entity.

(2) A dwelling unit qualifies as "owner-occupied during each period the unit is rented" only if the owner continues to reside at the unit throughout the rental period, the dwelling unit is the owner's primary residence, and the owner's occupancy includes occupancy and use of a bedroom or other room intended for sleeping purposes. In determining occupancy by the owner during any rental period, the owner's absence, if any, from the unit during the rental period must be attributable only to employment or to the running of typical personal or household errands.

(3) A person who purports to hold a fractional ownership interest (or any other shared, joint, common, partial, cooperative or community ownership interest) in property that he or she occupies shall be deemed to be a guest and not an owner of that property unless the person's ownership interest in the property at the time of occupancy:

(a) Is at least twenty-five percent; and

(b) Has been established in that person's name by means of a document duly recorded in the property records of Clark County.

(4) A person who purports to hold an ownership interest of any kind in property that he or she occupies shall be deemed to be a guest and not an owner of that property if it appears that the documents or other indices of ownership demonstrate an intent to circumvent or otherwise avoid the application of LVMC Chapter 6.75 or applicable Conditional Use Regulations under LVMC 19.12.070, or any requirement or limitation thereof.

(D) No person is eligible for a license under this Section if:

(1) The person has five or more licenses under this Section that are associated with the same Nevada business license issued pursuant to NRS Chapter 76;

(2) The number of licenses under this Section within the same residential unit would exceed one;

(3) Issuance of the license would result in more than ten percent of the residential units or rooms within the residential units in a multifamily dwelling being rented for the purposes of transient lodging;

(4) Issuance of the license would violate a prohibition against such rentals or a stricter limitation established by the owner of a multifamily dwelling; or

(5) The short-term residential rental is located in a common-interest community, unless the governing documents of the community expressly authorize the rental of a residential unit or a room within a residential unit for the purposes of transient lodging.

(E) Except as otherwise permitted by City ordinance and State law for existing licensees,

it is unlawful to rent for transient lodging purposes a residential unit or a room within a residential unit that is located in an apartment building. For purposes of this Subsection, "apartment building" means an "apartment house," as defined in LVMC 19.18.020.

SECTION 3: Title 6, Chapter 75, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.040: Each application for a short-term residential rental license shall contain or include the following information and documentation:

(A) The name, signature, address and telephone number of the owner of the residential dwelling to be associated with the license.

(B) The name, address and telephone number of any property manager or property management firm that will be operating the short-term residential rental.

(C) The name, address and telephone number (including a telephone number that provides for communication twenty-four hours a day) of the local contact person who will respond to complaints regarding the condition, operation, or conduct of the occupants of the short-term residential rental unit.

(D) The address of the residential dwelling proposed to be used as a short-term residential rental.

(E) The number of bedrooms, as determined by the City pursuant to the conditional use verification process described in LVMC 19.12.040(C).

(F) If the proposed short-term residential rental unit is located [within a gated subdivision or controlled-access building that is governed by an owners' association,] in a common-interest community, a letter or other documentation from the governing association acknowledging the proposed use, documenting that the rental of the unit is expressly authorized by the governing documents of the community and, if necessary, granting access to occupants of the proposed rental unit. The burden of demonstrating that the rental of a unit is expressly authorized by the community is on the applicant.

(G) A list of all [hosting platforms] accommodations facilitators that the applicant proposes to use to market, advertise, offer, solicit customers for, or make available for commercial use the short-term residential rental applied for.

(H) Proof of, or a commitment to provide, current, valid liability insurance coverage in a minimum amount of $500,000.00.

(I) An affidavit attesting that there are no delinquent room tax liabilities or liens regarding the property to be used as a short-term residential rental.

SECTION 4: Title 6, Chapter 75, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.060: The operator of a short-term residential rental, as well as an accommodations facilitator as required by LVMC 6.75.128, shall comply with all provisions of LVMC Chapters 6.46 and 4.20 that pertain to the collection of room taxes by the operator of an establishment subject to those chapters, as well as the associated recordkeeping requirements. Without limiting the effect of the preceding sentence, the [operator of a residential short-term rental shall comply specifically] required compliance includes specific compliance with the following [sections:] Sections:

6.46.040;

6.46.050;

6.46.060;

6.46.070;

6.46.080;

6.46.100;

6.46.130;

6.46.140;

6.46.150;

4.20.030;

4.20.035;

[4.20.037;]

4.20.040;

4.20.060;

4.20.070;

4.20.110;

4.20.140;

4.20.150;

4.20.160.

SECTION 5: Title 6, Chapter 75, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.090: (A) The operator shall post a copy of the license along with a copy of this Section 6.75.090 in a conspicuous place within the short-term residential rental unit.

(B) The maximum occupancy of a short-term residential rental unit shall not exceed [either] any of the following limits:

(1) Two persons per bedroom (but excluding children under the age of twelve); [or]

(2) The maximum occupancy limits for residential dwellings established by the Uniform Housing Code, as adopted in LVMC Chapter 16.20[.]; or

(3) Sixteen persons within that unit at any given time.

(C) All occupant vehicles shall be parked on site, and shall not be parked in the adjacent public right-of-way. No commercial vehicles shall be permitted on the short-term residential rental unit property or parked in the adjacent public right-of-way, except where otherwise permitted in commercial zoning districts.

(D) Notwithstanding the provisions of LVMC Chapter 9.16, the use of any radio receiver, stereo, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound shall take place only within an enclosed short-term residential rental unit. The property owner or operator of a short-term residential rental unit shall use reasonably prudent business practices to ensure that the occupants or guests of the rental unit do not create unreasonable noise or disturbances.

(E) The operator shall make available a local twenty-four-hour phone number that

provides the capability of producing a response within two hours to complaints regarding the condition, operation, or conduct of the occupants of the short-term residential rental unit. Failure of the operator or an employee or agent to respond to the complainant within two hours shall constitute a violation of this Chapter. In the case of a short-term residential rental unit with more than five bedrooms, compliance with this Subsection (E) requires the operator to engage as its agent for the purpose of responding to complaints a company licensed to provide security pursuant to NRS Chapter 648. For purposes of the preceding sentence, a dwelling unit is presumed to have the number of bedrooms indicated in the records of the Clark County Assessor's Office that pertain to that unit, but that presumption may be rebutted by inspection or other competent evidence.

(F) A placard shall be displayed on the exterior of each short-term residential rental unit listing the information set forth below in this Subsection (F). The placard shall be in plain view of the general public at all times the short-term residential rental unit is occupied and shall be a minimum of eight and one-half inches by eleven inches in size. The placard must specify the maximum occupancy allowed pursuant to this Section, as well as the twenty-four-hour contact information required by Subsection (E) of this Section. The information required by the preceding sentence must be in a minimum legible font of seventy-two-point or a minimum of one and one-half inches in height. The required contact information shall include a full name and telephone number of the contact.

(G) Trash and refuse shall not be left or stored in public view, except in proper containers for the purpose of collection in accordance with the requirements of Chapter 9.08. The owner of the property or manager of the short-term residential rental unit shall be responsible for notifying occupants of trash disposal procedures and for maintaining compliance with the requirements of Chapter 9.08.

(H) Consistent with and as a reflection of the definition of the term "short-term residential rental" set forth in this Chapter, no short-term residential rental unit may be rented for the purpose of holding weddings, parties, receptions or similar events that typically are held at a banquet facility or other facility that is made available for the holding of events on a commercial basis. Any use of the short-term residential rental unit is limited to activities that are incidental to its use for dwelling, lodging or sleeping

purposes.

(I) All written or visual advertising for the short-term residential rental must include the business license number assigned to the rental unit. If the short-term residential rental is owner-occupied, the advertising must include a notice or representation that the rental is owner-occupied and that less than the entire dwelling is available for rent.

(J) The operator of a short-term residential rental must obtain, and continuously thereafter maintain, valid liability insurance coverage in the minimum amount specified by Subsection (H) of LVMC 6.75.040. Before commencement of operation, the operator shall file with the Department a certificate of insurance documenting compliance with the insurance requirement, as well as upon future request by the Department.

(K) The rental of a residential unit or a room within a residential unit for less than the minimum period for the residential unit is prohibited. If the residential unit:

(1) Is owner-occupied, the minimum period for the rental is one night.

(2) Is not owner-occupied, the minimum period for the rental is two nights.

SECTION 6: Title 6, Chapter 75, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto four new sections, designated respectively as Sections 122, 124, 126 and 128, reading as follows:

6.75.122: (A) No person shall engage in the business of offering a short-term residential rental as an accommodations facilitator without first obtaining and thereafter maintaining a valid unexpired license as an accommodations facilitator pursuant to this Chapter.

(B) An accommodations facilitator who brokers, coordinates, makes available or otherwise arranges for the rental of a short-term residential rental within the City is deemed to be engaged in the business of providing transient lodging within the City and to be the person providing the transient lodging. However, the "deemed to be" provisions of the preceding sentence:

(1) Are solely for the purposes of imposing, collecting and remitting all taxes on the gross receipts from the rental of transient lodging; and

(2) By themselves do not, create, expand or alter any other liability, duty, obligation or responsibility of the accommodations facilitator for, or relating to, the short-term residential rental.

6.75.124: The holder of a license under LVMC 6.75.122 shall pay, in advance, an annual fee of three thousand dollars.

6.75.126: Each application for a license under LVMC 6.75.122 shall contain the information described in LVMC 6.02.080, as well such other information and documentation as the Director may require.

6.75.128: With respect to transactions it brokers, coordinates, makes available or otherwise arranges for regarding the rental of short-term residential rentals within the City, each accommodations facilitator licensed under this Chapter shall:

(A) Collect and remit to the City, on a monthly basis, all transient lodging taxes imposed on the gross receipts from the rental of those short-term residential rentals. This requirement includes compliance with the requirements placed upon an operator pursuant to LVMC Chapter 4.20 and LVMC 6.75.060.

(B) Include within the listing of any short-term residential rental located within the City:

(1) The number of the City business license issued under LVMC 6.75.030 for that rental; and

(2) If the short-term residential rental is owner-occupied and the operator has notified the accommodations facilitator of that fact, a notice or representation that the rental is owner-occupied and that less than the entire dwelling is available for rent.

(C) Upon request by the Director and from time to time, comply with either Paragraph (1) or (2) below:

(1) Report to the Director all current listings of such short-term residential rentals that the accommodations facilitator is brokering, coordinating, making available or otherwise arranging for as transient lodging, and, if so requested by the Director, a report of such listings for a specified period in the past. Any such report shall include the following information:

(a) City business license number;

(b) Name of business; and

(c) Physical address for listing.

(2) Provide the Director with access to the accommodations facilitator's platform database to the extent necessary for the Director to access the information listed in Paragraph (1).

(D) Upon notification from the Department that any particular property listed by the accommodations facilitator is not properly licensed by the City, remove the listing of that property within five business days after such notification.

SECTION 7: Title 6, Chapter 75, Section 130, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.130: (A) Each [hosting platform] accommodations facilitator that facilitates the rental of a short-term residential rental within the City must submit to the Department a quarterly report that includes the information [set forth in Subsection (C) of] described in this Section.

(B) Each operator must submit to the Department a quarterly report that includes the information [set forth in Subsection (C) of] described in this Section, but only to the extent that such information is not collected by [a hosting platform.] an accommodations facilitator.

(C) Each report required by Subsections (A) and (B) of this Section must be in a accessible and readable format acceptable to the Department and must state, for the quarter being reported and with respect to short-term residential rentals within the City:

(1) The number of bookings, listings, and operators;

(2) The average number of bookings per listing;

(3) Current year-to-date booking value;

(4) Current year-to-date revenue collected from all short-term residential rentals through the [hosting platform,] accommodations facilitator, disaggregated by operator; and

(5) The average length of a short-term residential rental.

(D) From time to time the Director may add to the list of items required to be reported pursuant to Subsection (C) of this Section. After the Department provides appropriate notice to

accommodations facilitators of each such addition, subsequent quarterly reports under this Section must include those additions.

(E) An accommodations facilitator shall be deemed to be in compliance with the reporting requirements of this Section by providing the Director with access to the accommodations facilitator's platform database to the extent necessary for the Director to access the information required by this Section.

SECTION 8: Title 6, Chapter 75, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.140: (A) In accordance with State law, the Department is authorized to issue a subpoena for the production of documents, records, or materials relevant for determining whether a short-term residential rental in the City has been rented in violation of any law of this State or a City ordinance. Any such subpoena may only be issued if:

(1) There is sufficient evidence to support a reasonable belief that a short-term residential rental in the City has been rented or is being rented in violation of any law of this State or a City ordinance; and

(2) The subpoena identifies the short-term residential rental alleged to be in violation of any law of this State or City ordinance and the provision of law or ordinance allegedly violated.

(B) Any subpoena issued pursuant to Subsection (A) must be mailed by regular and certified mail to the [hosting platform] accommodations facilitator or, if applicable, the operator who was required to file a quarterly report regarding the short-term residential rental pursuant to LVMC 6.75.130. In the case of a subpoena issued to a [hosting platform] accommodations facilitator that is a business entity with a registered agent, the subpoena must be mailed to the registered agent, in addition to the [hosting platform] accommodations facilitator at any address the Department may have on file for the [hosting platform.] accommodations facilitator.

(C) A [hosting platform] accommodations facilitator to whom a subpoena has been issued pursuant to this Section must:

(1) Provide notice of the subpoena to the operator of the short-term residential rental identified in the subpoena who engaged the services of the [hosting platform] accommodations facilitator and provided the short-term residential rental identified in the subpoena; and

(2) Produce any subpoenaed books, papers, or documents not later than twenty-one days after providing notice to the operator, unless otherwise ordered by a court.

(D) An operator to whom a subpoena has been issued pursuant to this Section must produce any subpoenaed books, papers, or documents not later than twenty-one days after issuance of the subpoena, unless otherwise ordered by a court.

(E) If a person to whom a subpoena has been issued pursuant to this Section refuses to produce any document, record, or material that the subpoena requires, the Department may apply to the district court for the enforcement of the subpoena.

SECTION 9: Title 6, Chapter 2, Section 460, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.02.460: (A) Except as otherwise provided in [Subsection (B),] this Section, the civil fines for violations that are processed under the provisions of LVMC 6.02.390 to 6.02.460, inclusive, are as follows:

(1) For a first offense, two hundred fifty dollars.

(2) For a subsequent offense, five hundred dollars.

(B) The civil fine [for violations processed under the provisions of LVMC 6.02.390 to 6.02.460, inclusive,] for violations of any provision of LVMC Chapter 6.50 is five hundred dollars for each offense.

(C) For violations of LVMC Chapter 6.75 by the holder of a license under that Chapter, whether a license to operate a short-term residential rental or to act as an accommodations facilitator, the civil fine is one thousand dollars for each single violation or the nightly rental value of the short-term residential rental, whichever is greater.

(D) For a violation of LVMC Chapter 6.75 by a person who makes available a short-term residential rental without holding a license under that Chapter, the civil fine shall be not less than one

thousand dollars nor more than ten thousand dollars for each violation. The amount of the fine shall take into account and be based upon:

(1) The severity of the violation;

(2) Whether the person who committed the violation acted in good faith; and

(3) Any history of previous violations of the provisions of LVMC Chapter 6.75 or any other ordinance related to transient lodging, as defined in LVMC 4.20.020.

[(C)] (E) In connection with any violation sustained or confirmed by judgment of a Hearing Officer, a separate fine may be assessed for each day the violation occurred or continued to the extent the violation on that day was alleged in the Notice of Violation.

SECTION 10: Title 4, Chapter 20, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.010: (A) The taxes imposed by Sections 4.20.030 and 4.20.080 are for the purpose of constructing and supporting convention halls and related facilities by the Las Vegas Convention and Visitors Authority for the benefit of the City and its residents and for the fulfillment of statutory requirements of NRS 244A.645 and any agreements of the City with the Las Vegas Convention and Visitors Authority and other government entities in Clark County, Nevada, in pursuance thereof concerning the pledge or commitment of these taxes.

(B) The taxes imposed by Section 4.20.035 are for the purposes of supporting the State fund for the promotion of tourism; advertising the resources of the City which are related to tourism, including available accommodations, transportation, entertainment, natural resources and climate, and to promote special events which are related thereto; and supporting capital projects of the Clark County School District.

[(C) The taxes imposed by Section 4.20.037 are for the purposes of providing funds for:

(1) Constructing, acquiring, improving, operating or maintaining urban projects, or any combination thereof, including, without limitation, recreational facilities and other projects designed to encourage tourism or to improve the aesthetic environment of the central business area located

within the boundaries of the district described in Appendix A of this Chapter;

(2) Paying the principal and interest on notes, bonds or other obligations issued by the City to fund such projects; or

(3) Any combination of those uses.]

SECTION 11: Title 4, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.020: "Director" means the Director of Finance or a designee.

"Operator" means any person who owns, leases, controls, manages, brokers, coordinates, makes available or otherwise arranges for, or operates an establishment that [rents or holds out for rent guestrooms on a daily or less than weekly basis] qualifies as transient lodging.

"Transient lodging" or "transient lodging establishment" means any establishment, facility, structure, or portion of any structure which is located within the City and is occupied or intended or designed for occupancy primarily by transient guests who pay rent for dwelling, lodging, or sleeping purposes.

SECTION 12: Title 4, Chapter 20, Section 37, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 13: Title 4, Chapter 20, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.040: Occupants renting rooms in such establishments as are contemplated in Sections 4.20.030[,] and 4.20.035 [and 4.20.037] shall pay the tax for the first thirty days of continuous occupancy regardless of the period upon which the rental is based. After thirty days' continuous occupancy of a [particular] room in an establishment covered by Sections 4.20.030 and 4.20.035, [and 4.20.037,] the occupant shall be considered a resident guest and not subject to the payment of room tax.

SECTION 14: Title 4, Chapter 20, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.050: The taxes fixed by Sections 4.20.030[,] and 4.20.035 [and 4.20.037] are in addition to those imposed by Chapter 6.46.

SECTION 15: Title 4, Chapter 20, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.060: A collection fee is allowed for operators of establishments referred to in Sections 4.20.030[,] and 4.20.035, [and 4.20.037,] in an amount equal to two percent of the amount of the tax [collected, providing] due, provided that all the taxes due [the City] are paid to the [Department] City on or before the fifteenth day of the month following the month for which the tax is due. No collection fee is allowed for payments made after that date.

SECTION 16: Title 4, Chapter 20, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.070: The room tax imposed by Sections 4.20.030[,] and 4.20.035 [and 4.20.037,] shall be [collected by the operator from the paying guests and] shown as an add-on to the charge for occupancy of the rooms[.] and collected by the operator (or an accommodations facilitator, if applicable, and if not covered by the definition of "operator"). The operator [is] (and an accommodations facilitator, if applicable, and if not covered by the definition of "operator") are liable to the City for such taxes whether or not they are actually collected. [from the paying guest.] Such taxes shall be [paid to the Department by the licensee] remitted to the City by the operator or accommodations facilitator on or before the fifteenth day of the month following the month in which the taxes accrued and shall be deemed delinquent if not paid on or before such date. Remittance of taxes must be accompanied by supporting documentation, including reports that may have been required or are required by the City. Such documentation and reports must be submitted for each month regardless of whether or not the corresponding rooms or property have been rented during the month being reported. Monthly reports must include at a minimum, and particularized for each room or property:

(A) Gross revenue collected;

(B) City license number;

(C) Amount of room taxes collected, if any; and

(D) Amount of allowable deductions, if any.

SECTION 17: Title 4, Chapter 20, Section 100, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.100: Any licensee or operator (or accommodations facilitator, if applicable, and if not covered by the definition of "operator") failing to pay the taxes imposed by Sections 4.20.030, 4.20.035[, 4.20.037] and 4.20.080 by the due dates provided by this Chapter shall pay in addition to such tax, a penalty of ten percent of the amount thereof, plus interest on the amount of such delinquency at the rate of one and one-half percent per month, or fraction thereof, from the date when such tax became due and payable until the date of payment.

SECTION 18: Title 4, Chapter 20, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.140: It shall be unlawful for any licensee or operator (or an accommodations facilitator, if applicable, and if not covered by the definition of "operator") required to collect the room tax imposed by Section 4.20.030[,] or Section 4.20.035 [or 4.20.037] to fail to maintain adequate room records or to fail to make adequate records available, within seventy-two hours of written notice, to the Director or to any other person designated by him for the purpose of conducting an audit. These records must be made available [within the City of Las Vegas] to the City during normal business hours. Adequate room records shall mean the following: Journal, daily cash summary, registration cards, and folio for the three-year period preceding the date of audit[.], as well as any other records deemed necessary by the Director to determine room tax.

SECTION 19: Title 4, Chapter 20, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.150: No person shall advertise that the room tax imposed by Section 4.20.030[,] or Section 4.20.035 [or 4.20.037] will be absorbed by the establishment. It is unlawful for [any licensee or any person acting for the operator to fail to collect the room tax from paying occupants, and it is unlawful for any operator to fail to remit the tax to the City.] an operator (or an accommodations facilitator, if applicable, and if not covered by the definition of "operator" or person acting for the operator) to fail to:

(A) Collect the room tax from paying occupants;

(B) Remit the tax to the City; or

(C) Provide to the City the documentation necessary to support the determination, collection and

remittance of room tax, as well as any reports that may have been required or are required by the City pursuant to this Chapter.

SECTION 20: Title 4, Chapter 20, Section 160, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.160: The Director of the Department of Finance [and Business Services] of the City shall, within twenty days from the close of the preceding calendar month, transmit:

(A) The total amount received pursuant to Sections 4.20.030 and 4.20.080 to the Las Vegas Convention and Visitors Authority to be used for the purposes set forth in subsection (A) of Section 4.20.010;

(B) Three-eighths of the first one percent received pursuant to Section 4.20.035 to the Nevada Department of Taxation for deposit with the State Treasurer for credit to the fund for the promotion of tourism;

(C) Five-eighths of the first one percent received pursuant to Section 4.20.035 to the Las Vegas Convention and Visitors Authority to be used for the purposes set forth in subsection (B) of Section 4.20.010; and

(D) The remaining proceeds received pursuant to Section 4.20.035 to the Clark County Treasurer for deposit in the Clark County School District's fund for capital projects. [; and

(E) The total amount received pursuant to Section 4.20.037 to the treasury of the City to be used as provided in Section 4.20.010(C), as directed by the City Council.]

SECTION 21: Title 4, Chapter 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by repealing in their entirety Appendix A and Appendix B that appear at the end of that Chapter.

SECTION 22: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Section 23 of this Ordinance. The amendment is deemed to be an amendment to both Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

SECTION 23: Title 19, Chapter 12, Section 70, is amended by amending the entry for the use "Short-Term Residential Rental" to read as follows:

Short-Term Residential Rental

Description: The commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the entire dwelling unit or one or more individual rooms within the unit for a period of less than 31 consecutive calendar days. This use does not include a "Community Residence," "Facility for Transitional Living for Released Offenders," or any other facility with dwelling units that is specifically defined in Chapter 19.18. For purposes of this Title, this use does not include the rental or occupancy of an accessory structure (Class I or II), a tent, a trailer or a mobile unit. In the case of a single parcel containing more than one dwelling unit, each dwelling unit constitutes a separate short-term residential rental use.

Conditional Use Regulations:

1. The operator must obtain a business license to operate the use.

2. The use must comply on an ongoing basis with all governmental licensing and regulatory requirements, including the payment of applicable room taxes and licensing fees.

3. The use must comply with the City's noise regulations as they apply to residential uses.

4. The use may not be located closer than:

   a. 660 feet to any other Short-Term Residential Rental use[.]; or

   b. 2,500 feet to a resort hotel, as defined in NRS 463.01865.

5. Vehicle parking associated with the use shall comply with applicable parking regulations, and vehicles of guests and invitees shall not obstruct traffic or access to other properties in the area.

6. In addition to and independent of any enforcement authority or remedy described in this Title, the failure to comply with a Conditional Use Regulation associated with this use may be enforced as in the case of a violation of Title 6 by means of a civil proceeding pursuant to LVMC 6.02.400 to 6.02.460, inclusive.

7. On any particular parcel, the use is limited to a single residential dwelling unit that is owner-

occupied during each period the unit is rented and that has no more than three bedrooms, with a maximum occupancy not to exceed the limits set forth in LVMC 6.75.090. The dwelling unit is presumed to have the number of bedrooms indicated in the records of the Clark County Assessor's Office that pertain to that unit, but that presumption may be rebutted by inspection or other competent evidence. For purposes of this Regulation 7,[:

a. "Owner" includes any person who is listed as an owner of record of the unit in the records of the Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a trustee or principal of that trust or entity.

b. A dwelling unit qualifies as "owner-occupied during each period the unit is rented" only if the dwelling unit is the owner's primary residence, the owner continues to reside at the unit throughout the rental period, and the owner's absence, if any, from the unit during the rental period is attributable only to employment or to the running of typical personal or household errands.] ownership shall be determined in accordance with Subsection (D) of LVMC 6.75.020.

8. The use is allowed in the P-O, O, C-1, C-2 and C-PB Zoning Districts only in connection with the residential component of a mixed-use development or in a dwelling unit permitted as a legal nonconforming use.

9. This use is unavailable and prohibited within a residential unit or a room within a residential unit that is located in an apartment building. For purposes of this Regulation, "apartment building" means an "apartment house," as defined in LVMC 19.18.020.

[9.] 10. The Special Use Permit provisions of LVMC 19.12.040(B) do not apply to this use.

On-site Parking Requirement: For any short-term residential rental that has no more than 5 bedrooms, no additional parking is required beyond that which is required for the principal use on the site. For units with more than 5 bedrooms, 1 additional space shall be required for every 2 additional bedrooms or fractional portion thereof.

SECTION 24: For purposes of Section 2.100(3) of the City Charter, Section 19.12.070 is deemed to be a subchapter rather than a section.

SECTION 25: The Department of Planning is authorized and directed to incorporate into the Unified Development Code the amendment set forth in Section 23 of this Ordinance.

SECTION 26: Notwithstanding any other provision of this Ordinance, any person who has been lawfully issued a City license before July 1, 2022, to make available for rent a residential unit or a room within a residential unit for the purposes of transient lodging may continue to operate under his or her original authorization despite any provisions of City ordinances that may conflict with the location or type of residential unit, including, without limitation, any requirements adopted by the ordinance for the minimum distance between residential units. However, the provisions of this Section apply only to the original holder of the license and do not transfer to subsequent owners or occupants of a residential unit or room within a residential unit. A City license issued before July 1, 2022, shall be deemed an authorization issued pursuant to Section 22 of Assembly Bill 363 of the 2021 Session of the Nevada Legislature. Such a license may be suspended, terminated or revoked on or after July 1, 2022, in accordance with the provisions of this Ordinance and the Municipal Code that pertain to short-term residential rentals, for violations of those provisions that pertain to matters other than the location or type of residential unit.

SECTION 27: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 28: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of

not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 29: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2022.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 7-18-2022
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2022, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2022, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

Good morning Mayor Goodman and members of the Council. My name is Rae Lathrop and I'm speaking on behalf of Nevadans for the Common Good regarding item 49 on today's agenda.

My neighborhood along with 4 other neighborhood associations located in downtown las vegas, have been a member of NCG for 3 years. Nevadans for the Common Good (NCG) is a broad-based community organization with 40 institutional members across Southern Nevada. Over the past several months, we've conducted numerous workshops on housing concerns, walked neighborhoods in various parts of the valley, including in the downtown south neighborhoods and the historic westside, and held 3 large community meetings with County Commissioners and Councilwoman Diaz with over 250 attendees. We've heard countless stories related to the lack of affordable housing, tenants' protection, and the impact of short-term vacation rentals on access to housing and neighborhood quality of life.

The proliferation of uncontrolled vacation rentals is linked to the tightening housing market - in the downtown neighborhood, there are multiple apartment complexes that are entirely available for vacation rentals only. The units should be available for teachers, nurses, grandparents, and students.

Nevadans for the Common Good support the changes being proposed to the existing STR ordinance on your agenda today. Specifically, we agree that:

- the licensing of "accommodation facilitators" will be an important step in holding the online platforms accountable for their role in facilitating potentially illegal and harmful businesses.
- We believe that this new provision will be the most powerful tool to limit non-compliant homeowners.
- Additionally, The associated reporting requirements will ensure that short-term rental businesses can be enforced to a degree that the city has lacked in previous iterations of this ordinance
- We also affirm the City's leadership in maintaining the owner-occupied requirement within the licensing process. This requirement ensures that our homes are first available to long-term residents and allows for residents to host visitors without removing housing stock from our community. For the long-term health of our economy and community, retaining existing housing stock for residents should remain a priority when considering regulations on short-term rentals.

We hope all these provisions remain in the final version of the ordinance.

Nevadans for the Common Good, all of our members including our neighborhoods, nonprofits, and congregations, are committed to continuing to work with City of Las Vegas staff and officials as this ordinance is implemented and enforcement is strengthened.

Submitted at City Council
Date 6/15/22 Item 49
By: Rae Lathrop

PROPOSED SECOND AMENDMENT

BILL NO. 2022-16

ORDINANCE NO. _____

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF LVMC CHAPTER 6.75, PERTAINING TO SHORT-TERM RESIDENTIAL RENTALS, TO CONFORM TO AND INCORPORATE VARIOUS RECENTLY-ADOPTED PROVISIONS OF STATE LAW; AMEND OTHER PROVISIONS OF LVMC TITLES 4, 6 AND 19 TO MAKE CORRESPONDING CHANGES; AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Seth T. Floyd, Director of Community Development

Summary: Amends various sections of LVMC Chapter 6.75, pertaining to short-term residential rentals, to conform to and incorporate various recently-adopted provisions of State law, and amends other provisions of LVMC Titles 4, 6 and 19 to make corresponding changes.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 75, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.010: "Accommodations facilitator" means a person, other than the owner, lessee or other lawful occupant of a residential unit, or a manager of a residential unit, who, for a fee or other charge, brokers, coordinates, makes available or otherwise arranges for the rental of the residential unit or a room within a residential unit for the purpose of transient lodging. The term includes, without limitation, a hosting platform.

"Commercial vehicle" means a vehicle customarily used as part of a business for the transportation of goods or people.

"Hosting platform" means a person who, for a fee or other charge, provides on an internet website an online platform that facilitates the rental of a short-term residential rental residential unit on behalf of an operator, including, without limitation, through advertising, matchmaking or other means.

"Operator" means any person who owns, leases, controls, manages or operates a short-term residential rental unit or property. The term also includes any person who brokers, coordinates, makes available or otherwise arranges for the rental of such a unit or property to the extent that person does not

Submitted at City Council
Date 8/17/22 Item 23
By: Staff

qualify as an accommodations facilitator.

"Party" means a gathering of people that exceeds the maximum occupancy of a residential unit, as set forth in LVMC 6.75.090.

"Residential unit" means a single-family residence or an individual residential unit within a larger building, including, without limitation, a condominium, townhouse, duplex or other multifamily dwelling. The term does not include a timeshare or other property subject to the provisions of chapter 119A of NRS.

"Short-term residential rental" means the commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit for a period of less than thirty-one consecutive calendar days. The term also includes the renting or occupancy of a residential unit or a room within a residential unit for purposes of transient lodging, as described in Assembly Bill 363 of the 2021 Session of the Nevada Legislature. A short-term residential rental qualifies as transient lodging and is included in the definition thereof. The term does not include a "community residence," "facility for transitional living for released offenders," or any other facility with dwelling units that is specifically defined in LVMC Chapter 19.18.

"Transient lodging" is as defined in LVMC 4.20.020.

SECTION 2: Title 6, Chapter 75, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.020: (A) No person shall engage in the business of offering or operating a short-term residential rental without first obtaining and thereafter maintaining a valid unexpired license pursuant to this Chapter for each short-term residential rental unit. Where there are multiple dwelling units on the same property, each unit must be licensed individually.

(B) If a short-term residential unit is managed by a person other than the licensee or a principal of the licensee for that unit, that person must possess a valid license from the State of Nevada and the City to manage property.

(C) [The holder of a license under this Chapter is the person primarily responsible for

compliance with the obligations that are imposed on an operator by this Chapter, whether or not that person owns the real property on which the short-term residential rental is located. In the case of a short-term residential rental whose affiliated licensee is not the property owner, the property owner is secondarily responsible for compliance.

(D) Commencing on July 1, 2017, no person is eligible for a new license for a short-term residential rental under this Chapter unless the person qualifies as an owner of the parcel on which the short-term residential unit is located. For purposes of the preceding sentence, "owner" includes any person who is listed as an owner of record of the unit in the records of the Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a trustee or principal of that trust or entity. Short-term residential rentals that are licensed as of July 1, 2017, shall have two years from that date within which to terminate operations or achieve licensing by an owner.] Except as otherwise permitted by City ordinance and State law for existing licensees, no person is eligible for a license for a short-term residential rental under this Chapter unless the person qualifies as an owner of the parcel on which the short-term residential unit is located and is a resident occupying that unit as his or her primary residence. In addition, the unit must qualify as owner-occupied during each period the unit is rented. For purposes of this Subsection (C), including the determination of who qualifies as an owner, whether a particular unit is being occupied by an owner, and whether a particular is being used as a short-term residential rental under this Chapter:

(1) "Owner" includes any person who is listed as an owner of record of the unit in the records of the Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a trustee or principal of that trust or entity.

(2) A dwelling unit qualifies as "owner-occupied during each period the unit is rented" only if the owner continues to reside at the unit throughout the rental period, the dwelling unit is the owner's primary residence, and the owner's occupancy includes occupancy and use of a bedroom or other room intended for sleeping purposes. In determining occupancy by the owner during any rental period, the owner's absence, if any, from the unit during the rental period must be attributable only to employment or to the running of typical personal or household errands.

(3) A person who purports to hold a fractional ownership interest (or any other shared, joint, common, partial, cooperative or community ownership interest) in property that he or she occupies shall be deemed to be a guest and not an owner of that property unless the person's ownership interest in the property at the time of occupancy:

(a) Is at least twenty-five percent; and

(b) Has been established in that person's name by means of a document duly recorded in the property records of Clark County.

(4) A person who purports to hold an ownership interest of any kind in property that he or she occupies shall be deemed to be a guest and not an owner of that property if it appears that the documents or other indices of ownership demonstrate an intent to circumvent or otherwise avoid the application of LVMC Chapter 6.75 or applicable Conditional Use Regulations under LVMC 19.12.070, or any requirement or limitation thereof.

(D) No person is eligible for a license under this Section if:

(1) The person has five or more licenses under this Section that are associated with the same Nevada business license issued pursuant to NRS Chapter 76;

(2) The number of licenses under this Section within the same residential unit would exceed one;

(3) Issuance of the license would result in more than ten percent of the residential units or rooms within the residential units in a multifamily dwelling being rented for the purposes of transient lodging;

(4) Issuance of the license would violate a prohibition against such rentals or a stricter limitation established by the owner of a multifamily dwelling; or

(5) The short-term residential rental is located in a common-interest community, unless the governing documents of the community expressly authorize the rental of a residential unit or a room within a residential unit for the purposes of transient lodging.

(E) Except as otherwise permitted by City ordinance and State law for existing licensees,

it is unlawful to rent for transient lodging purposes a residential unit or a room within a residential unit that is located in an apartment building. For purposes of this Subsection, "apartment building" means an "apartment house," as defined in LVMC 19.18.020.

SECTION 3: Title 6, Chapter 75, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.040: Each application for a short-term residential rental license shall contain or include the following information and documentation:

(A) The name, signature, address and telephone number of the owner of the residential dwelling to be associated with the license.

(B) The name, address and telephone number of any property manager or property management firm that will be operating the short-term residential rental.

(C) The name, address and telephone number (including a telephone number that provides for communication twenty-four hours a day) of the local contact person who will respond to complaints regarding the condition, operation, or conduct of the occupants of the short-term residential rental unit.

(D) The address of the residential dwelling proposed to be used as a short-term residential rental.

(E) The number of bedrooms, as determined by the City pursuant to the conditional use verification process described in LVMC 19.12.040(C).

(F) If the proposed short-term residential rental unit is located [within a gated subdivision or controlled-access building that is governed by an owners' association,] in a common-interest community, a letter or other documentation from the governing association acknowledging the proposed use, documenting that the rental of the unit is expressly authorized by the governing documents of the community and, if necessary, granting access to occupants of the proposed rental unit. The burden of demonstrating that the rental of a unit is expressly authorized by the community is on the applicant.

(G) A list of all [hosting platforms] accommodations facilitators that the applicant proposes to use to market, advertise, offer, solicit customers for, or make available for commercial use the short-term residential rental applied for.

(H) Proof of, or a commitment to provide, current, valid liability insurance coverage in a minimum amount of $500,000.00.

(I) An affidavit attesting that there are no delinquent room tax liabilities or liens regarding the property to be used as a short-term residential rental.

SECTION 4: Title 6, Chapter 75, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.060: The operator of a short-term residential rental, as well as an accommodations facilitator as required by LVMC 6.75.128, shall comply with all provisions of LVMC Chapters 6.46 and 4.20 that pertain to the collection of room taxes by the operator of an establishment subject to those chapters, as well as the associated recordkeeping requirements. Without limiting the effect of the preceding sentence, the [operator of a residential short-term rental shall comply specifically] required compliance includes specific compliance with the following [sections:] Sections:

6.46.040;

6.46.050;

6.46.060;

6.46.070;

6.46.080;

6.46.100;

6.46.130;

6.46.140;

6.46.150;

4.20.030;

4.20.035;

[4.20.037;]

4.20.040;

4.20.060;

4.20.070;

4.20.110;

4.20.140;

4.20.150;

4.20.160.

SECTION 5: Title 6, Chapter 75, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.090: (A) The operator shall post a copy of the license along with a copy of this Section 6.75.090 in a conspicuous place within the short-term residential rental unit.

(B) The maximum occupancy of a short-term residential rental unit shall not exceed **[**either**]** any of the following limits:

(1) Two persons per bedroom (but excluding children under the age of twelve); **[**or**]**

(2) The maximum occupancy limits for residential dwellings established by the Uniform Housing Code, as adopted in LVMC Chapter 16.20**[.]**; or

(3) Sixteen persons within that unit at any given time.

(C) All occupant vehicles shall be parked on site, and shall not be parked in the adjacent public right-of-way. No commercial vehicles shall be permitted on the short-term residential rental unit property or parked in the adjacent public right-of-way, except where otherwise permitted in commercial zoning districts.

(D) Notwithstanding the provisions of LVMC Chapter 9.16, the use of any radio receiver, stereo, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound shall take place only within an enclosed short-term residential rental unit. The property owner or operator of a short-term residential rental unit shall use reasonably prudent business practices to ensure that the occupants or guests of the rental unit do not create unreasonable noise or disturbances.

(E) The operator shall make available a local twenty-four-hour phone number that

provides the capability of producing a response within two hours to complaints regarding the condition, operation, or conduct of the occupants of the short-term residential rental unit. Failure of the operator or an employee or agent to respond to the complainant within two hours shall constitute a violation of this Chapter. In the case of a short-term residential rental unit with more than five bedrooms, compliance with this Subsection (E) requires the operator to engage as its agent for the purpose of responding to complaints a company licensed to provide security pursuant to NRS Chapter 648. For purposes of the preceding sentence, a dwelling unit is presumed to have the number of bedrooms indicated in the records of the Clark County Assessor's Office that pertain to that unit, but that presumption may be rebutted by inspection or other competent evidence.

(F) A placard shall be displayed on the exterior of each short-term residential rental unit listing the information set forth below in this Subsection (F). The placard shall be in plain view of the general public at all times the short-term residential rental unit is occupied and shall be a minimum of eight and one-half inches by eleven inches in size. The placard must specify the maximum occupancy allowed pursuant to this Section, as well as the twenty-four-hour contact information required by Subsection (E) of this Section. The information required by the preceding sentence must be in a minimum legible font of seventy-two-point or a minimum of one and one-half inches in height. The required contact information shall include a full name and telephone number of the contact.

(G) Trash and refuse shall not be left or stored in public view, except in proper containers for the purpose of collection in accordance with the requirements of Chapter 9.08. The owner of the property or manager of the short-term residential rental unit shall be responsible for notifying occupants of trash disposal procedures and for maintaining compliance with the requirements of Chapter 9.08.

(H) Consistent with and as a reflection of the definition of the term "short-term residential rental" set forth in this Chapter, no short-term residential rental unit may be rented for the purpose of holding weddings, parties, receptions or similar events that typically are held at a banquet facility or other facility that is made available for the holding of events on a commercial basis. Any use of the short-term residential rental unit is limited to activities that are incidental to its use for dwelling, lodging or sleeping

purposes.

(I) All written or visual advertising for the short-term residential rental must include the business license number assigned to the rental unit. If the short-term residential rental is owner-occupied, the advertising must include a notice or representation that the rental is owner-occupied and that less than the entire dwelling is available for rent.

(J) The operator of a short-term residential rental must obtain, and continuously thereafter maintain, valid liability insurance coverage in the minimum amount specified by Subsection (H) of LVMC 6.75.040. Before commencement of operation, the operator shall file with the Department a certificate of insurance documenting compliance with the insurance requirement, as well as upon future request by the Department.

(K) The rental of a residential unit or a room within a residential unit for less than the minimum period for the residential unit is prohibited. If the residential unit:

(1) Is owner-occupied, the minimum period for the rental is one night.

(2) Is not owner-occupied, the minimum period for the rental is two nights.

SECTION 6: Title 6, Chapter 75, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto four new sections, designated respectively as Sections 122, 124, 126 and 128, reading as follows:

6.75.122: (A) No person shall engage in the business of offering a short-term residential rental as an accommodations facilitator without first obtaining and thereafter maintaining a valid unexpired license as an accommodations facilitator pursuant to this Chapter.

(B) An accommodations facilitator who brokers, coordinates, makes available or otherwise arranges for the rental of a short-term residential rental within the City is deemed to be engaged in the business of providing transient lodging within the City and to be the person providing the transient lodging. However, the "deemed to be" provisions of the preceding sentence:

(1) Are solely for the purposes of imposing, collecting and remitting all taxes on the gross receipts from the rental of transient lodging; and

(2) By themselves do not, create, expand or alter any other liability, duty, obligation or responsibility of the accommodations facilitator for, or relating to, the short-term residential rental.

6.75.124: The holder of a license under LVMC 6.75.122 shall pay, in advance, an annual fee of three thousand dollars.

6.75.126: Each application for a license under LVMC 6.75.122 shall contain the information described in LVMC 6.02.080, as well such other information and documentation as the Director may require.

6.75.128: With respect to transactions it brokers, coordinates, makes available or otherwise arranges for regarding the rental of short-term residential rentals within the City, each accommodations facilitator licensed under this Chapter shall:

(A) Collect and remit to the City, on a monthly basis, all transient lodging taxes imposed on the gross receipts from the rental of those short-term residential rentals. This requirement includes compliance with the requirements placed upon an operator pursuant to LVMC Chapter 4.20 and LVMC 6.75.060.

(B) Include within the listing of any short-term residential rental located within the City:

(1) The number of the City business license issued under LVMC 6.75.030 for that rental; and

(2) If the short-term residential rental is owner-occupied and the operator has notified the accommodations facilitator of that fact, a notice or representation that the rental is owner-occupied and that less than the entire dwelling is available for rent.

(C) Upon request by the Director and from time to time, comply with either Paragraph (1) or (2) below:

(1) Report to the Director all current listings of such short-term residential rentals that the accommodations facilitator is brokering, coordinating, making available or otherwise arranging for as transient lodging, and, if so requested by the Director, a report of such listings for a specified period in the past. Any such report shall include the following information:

(a) City business license number;

(b) Name of business; and

(c) Physical address for listing.

(2) Provide the Director with access to the accommodations facilitator's platform database to the extent necessary for the Director to access the information listed in Paragraph (1).

(D) Upon notification from the Department that any particular property listed by the accommodations facilitator is not properly licensed by the City, remove the listing of that property within five business days after such notification.

SECTION 7: Title 6, Chapter 75, Section 130, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.130: (A) Each [hosting platform] accommodations facilitator that facilitates the rental of a short-term residential rental within the City must submit to the Department a quarterly report that includes the information [set forth in Subsection (C) of] described in this Section.

(B) Each operator must submit to the Department a quarterly report that includes the information [set forth in Subsection (C) of] described in this Section, but only to the extent that such information is not collected by [a hosting platform.] an accommodations facilitator.

(C) Each report required by Subsections (A) and (B) of this Section must be in a accessible and readable format acceptable to the Department and must state, for the quarter being reported and with respect to short-term residential rentals within the City:

(1) The number of bookings, listings, and operators;

(2) The average number of bookings per listing;

(3) Current year-to-date booking value;

(4) Current year-to-date revenue collected from all short-term residential rentals through the [hosting platform,] accommodations facilitator, disaggregated by operator; and

(5) The average length of a short-term residential rental.

(D) From time to time the Director may add to the list of items required to be reported pursuant to Subsection (C) of this Section. After the Department provides appropriate notice to

accommodations facilitators of each such addition, subsequent quarterly reports under this Section must include those additions.

(E) An accommodations facilitator shall be deemed to be in compliance with the reporting requirements of this Section by providing the Director with access to the accommodations facilitator's platform database to the extent necessary for the Director to access the information required by this Section.

SECTION 8: Title 6, Chapter 75, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.140: (A) In accordance with State law, the Department is authorized to issue a subpoena for the production of documents, records, or materials relevant for determining whether a short-term residential rental in the City has been rented in violation of any law of this State or a City ordinance. Any such subpoena may only be issued if:

(1) There is sufficient evidence to support a reasonable belief that a short-term residential rental in the City has been rented or is being rented in violation of any law of this State or a City ordinance; and

(2) The subpoena identifies the short-term residential rental alleged to be in violation of any law of this State or City ordinance and the provision of law or ordinance allegedly violated.

(B) Any subpoena issued pursuant to Subsection (A) must be mailed by regular and certified mail to the [hosting platform] accommodations facilitator or, if applicable, the operator who was required to file a quarterly report regarding the short-term residential rental pursuant to LVMC 6.75.130. In the case of a subpoena issued to a [hosting platform] accommodations facilitator that is a business entity with a registered agent, the subpoena must be mailed to the registered agent, in addition to the [hosting platform] accommodations facilitator at any address the Department may have on file for the [hosting platform.] accommodations facilitator.

(C) A [hosting platform] accommodations facilitator to whom a subpoena has been issued pursuant to this Section must:

(1) Provide notice of the subpoena to the operator of the short-term residential rental identified in the subpoena who engaged the services of the [hosting platform] accommodations facilitator and provided the short-term residential rental identified in the subpoena; and

(2) Produce any subpoenaed books, papers, or documents not later than twenty-one days after providing notice to the operator, unless otherwise ordered by a court.

(D) An operator to whom a subpoena has been issued pursuant to this Section must produce any subpoenaed books, papers, or documents not later than twenty-one days after issuance of the subpoena, unless otherwise ordered by a court.

(E) If a person to whom a subpoena has been issued pursuant to this Section refuses to produce any document, record, or material that the subpoena requires, the Department may apply to the district court for the enforcement of the subpoena.

SECTION 9: Title 6, Chapter 2, Section 460, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.02.460: (A) Except as otherwise provided in [Subsection (B),] this Section, the civil fines for violations that are processed under the provisions of LVMC 6.02.390 to 6.02.460, inclusive, are as follows:

(1) For a first offense, two hundred fifty dollars.

(2) For a subsequent offense, five hundred dollars.

(B) The civil fine [for violations processed under the provisions of LVMC 6.02.390 to 6.02.460, inclusive,] for violations of any provision of LVMC Chapter 6.50 is five hundred dollars for each offense.

(C) For violations of LVMC Chapter 6.75 by the holder of a license under that Chapter, whether a license to operate a short-term residential rental or to act as an accommodations facilitator, the civil fine is one thousand dollars for each single violation or the nightly rental value of the short-term residential rental, whichever is greater.

(D) For a violation of LVMC Chapter 6.75 by a person who makes available a short-term residential rental without holding a license under that Chapter, the civil fine shall be not less than one

thousand dollars nor more than ten thousand dollars for each violation. The amount of the fine shall take into account and be based upon:

(1) The severity of the violation;

(2) Whether the person who committed the violation acted in good faith; and

(3) Any history of previous violations of the provisions of LVMC Chapter 6.75 or any other ordinance related to transient lodging, as defined in LVMC 4.20.020.

[(C)] (E) In connection with any violation sustained or confirmed by judgment of a Hearing Officer, a separate fine may be assessed for each day the violation occurred or continued to the extent the violation on that day was alleged in the Notice of Violation.

SECTION 10: Title 4, Chapter 20, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.010: (A) The taxes imposed by Sections 4.20.030 and 4.20.080 are for the purpose of constructing and supporting convention halls and related facilities by the Las Vegas Convention and Visitors Authority for the benefit of the City and its residents and for the fulfillment of statutory requirements of NRS 244A.645 and any agreements of the City with the Las Vegas Convention and Visitors Authority and other government entities in Clark County, Nevada, in pursuance thereof concerning the pledge or commitment of these taxes.

(B) The taxes imposed by Section 4.20.035 are for the purposes of supporting the State fund for the promotion of tourism; advertising the resources of the City which are related to tourism, including available accommodations, transportation, entertainment, natural resources and climate, and to promote special events which are related thereto; and supporting capital projects of the Clark County School District.

[(C) The taxes imposed by Section 4.20.037 are for the purposes of providing funds for:

(1) Constructing, acquiring, improving, operating or maintaining urban projects, or any combination thereof, including, without limitation, recreational facilities and other projects designed to encourage tourism or to improve the aesthetic environment of the central business area located

within the boundaries of the district described in Appendix A of this Chapter;

(2) Paying the principal and interest on notes, bonds or other obligations issued by the City to fund such projects; or

(3) Any combination of those uses.]

SECTION 11: Title 4, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.020: "Director" means the Director of Finance or a designee.

"Operator" means any person who owns, leases, controls, manages, brokers, coordinates, makes available or otherwise arranges for, or operates an establishment that [rents or holds out for rent guestrooms on a daily or less than weekly basis] qualifies as transient lodging.

"Transient lodging" or "transient lodging establishment" means any establishment, facility, structure, or portion of any structure which is located within the City and is occupied or intended or designed for occupancy primarily by transient guests who pay rent for dwelling, lodging, or sleeping purposes.

SECTION 12: Title 4, Chapter 20, Section 37, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 13: Title 4, Chapter 20, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.040: Occupants renting rooms in such establishments as are contemplated in Sections 4.20.030[,] and 4.20.035 [and 4.20.037] shall pay the tax for the first thirty days of continuous occupancy regardless of the period upon which the rental is based. After thirty days' continuous occupancy of a [particular] room in an establishment covered by Sections 4.20.030 and 4.20.035, [and 4.20.037,] the occupant shall be considered a resident guest and not subject to the payment of room tax.

SECTION 14: Title 4, Chapter 20, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.050: The taxes fixed by Sections 4.20.030[,] and 4.20.035 [and 4.20.037] are in addition to those imposed by Chapter 6.46.

SECTION 15: Title 4, Chapter 20, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.060: A collection fee is allowed for operators of establishments referred to in Sections 4.20.030[,] and 4.20.035, [and 4.20.037,] in an amount equal to two percent of the amount of the tax [collected, providing] due, provided that all the taxes due [the City] are paid to the [Department] City on or before the fifteenth day of the month following the month for which the tax is due. No collection fee is allowed for payments made after that date.

SECTION 16: Title 4, Chapter 20, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.070: (A) The room tax imposed by Sections 4.20.030[,] and 4.20.035 [and 4.20.037,] shall be [collected by the operator from the paying guests and] shown as an add-on to the charge for occupancy of the rooms[.] and collected by the operator (or an accommodations facilitator, if applicable, and if not covered by the definition of "operator"). The operator [is] (and an accommodations facilitator, if applicable, and if not covered by the definition of "operator") are liable to the City for such taxes whether or not they are actually collected. [from the paying guest.] Such taxes shall be [paid to the Department by the licensee] remitted to the City by the operator or accommodations facilitator on or before the fifteenth day of the month following the month in which the taxes accrued and shall be deemed delinquent if not paid on or before such date.

(B) Except as otherwise provided in Subsection (C), remittance of taxes must be accompanied by supporting documentation, including reports that may have been required or are required by the City. Such documentation and reports must be submitted for each month regardless of whether or not the corresponding rooms or property have been rented during the month being reported. Monthly reports must include at a minimum, and particularized for each room or property:

(1) Gross revenue collected;

(2) City license number;

(3) Amount of room taxes collected, if any; and

(4) Amount of allowable deductions, if any.

(C) An accommodations facilitator may submit required reports separately from the remittance of taxes; provided, however, that:

(1) Such reports must be submitted no later than five calendar days after the remittance deadline described in Subsection (A); and

(2) For any month regarding which required reports are not submitted by the remittance deadline described in Subsection (A), the collection fee otherwise available under Section 4.20.060 is not available for that month even if the remittance of fees is timely under Subsection (A).

SECTION 17: Title 4, Chapter 20, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.100: Any licensee or operator (or accommodations facilitator, if applicable, and if not covered by the definition of "operator") failing to pay the taxes imposed by Sections 4.20.030, 4.20.035[, 4.20.037] and 4.20.080 by the due dates provided by this Chapter shall pay in addition to such tax, a penalty of ten percent of the amount thereof, plus interest on the amount of such delinquency at the rate of one and one-half percent per month, or fraction thereof, from the date when such tax became due and payable until the date of payment.

SECTION 18: Title 4, Chapter 20, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.140: It shall be unlawful for any licensee or operator (or an accommodations facilitator, if applicable, and if not covered by the definition of "operator") required to collect the room tax imposed by Section 4.20.030[,] or Section 4.20.035 [or 4.20.037] to fail to maintain adequate room records or to fail to make adequate records available, within seventy-two hours of written notice, to the Director or to any other person designated by him for the purpose of conducting an audit. These records must be made available [within the City of Las Vegas] to the City during normal business hours. Adequate room records shall mean the following: Journal, daily cash summary, registration cards, and folio for the three-year period preceding the date of audit[.], as well as any other records deemed necessary by the Director to determine room tax.

SECTION 19: Title 4, Chapter 20, Section 150, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.150: No person shall advertise that the room tax imposed by Section 4.20.030[,] or Section 4.20.035 [or 4.20.037] will be absorbed by the establishment. It is unlawful for [any licensee or any person acting for the operator to fail to collect the room tax from paying occupants, and it is unlawful for any operator to fail to remit the tax to the City.] an operator (or an accommodations facilitator, if applicable, and if not covered by the definition of "operator" or person acting for the operator) to fail to:

(A) Collect the room tax from paying occupants;

(B) Remit the tax to the City; or

(C) Provide to the City the documentation necessary to support the determination, collection and remittance of room tax, as well as any reports that may have been required or are required by the City pursuant to this Chapter.

SECTION 20: Title 4, Chapter 20, Section 160, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.20.160: The Director of the Department of Finance [and Business Services] of the City shall, within twenty days from the close of the preceding calendar month, transmit:

(A) The total amount received pursuant to Sections 4.20.030 and 4.20.080 to the Las Vegas Convention and Visitors Authority to be used for the purposes set forth in subsection (A) of Section 4.20.010;

(B) Three-eighths of the first one percent received pursuant to Section 4.20.035 to the Nevada Department of Taxation for deposit with the State Treasurer for credit to the fund for the promotion of tourism;

(C) Five-eighths of the first one percent received pursuant to Section 4.20.035 to the Las Vegas Convention and Visitors Authority to be used for the purposes set forth in subsection (B) of Section 4.20.010; and

(D) The remaining proceeds received pursuant to Section 4.20.035 to the Clark County Treasurer for deposit in the Clark County School District's fund for capital projects. [; and

(E) The total amount received pursuant to Section 4.20.037 to the treasury of the City to be used as provided in Section 4.20.010(C), as directed by the City Council.]

SECTION 21: Title 4, Chapter 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by repealing in their entirety Appendix A and Appendix B that appear at the end of that Chapter.

SECTION 22: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Section 23 of this Ordinance. The amendment is deemed to be an amendment to both Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

SECTION 23: Title 19, Chapter 12, Section 70, is amended by amending the entry for the use "Short-Term Residential Rental" to read as follows:

Short-Term Residential Rental

Description: The commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the entire dwelling unit or one or more individual rooms within the unit for a period of less than 31 consecutive calendar days. This use does not include a "Community Residence," "Facility for Transitional Living for Released Offenders," or any other facility with dwelling units that is specifically defined in Chapter 19.18. For purposes of this Title, this use does not include the rental or occupancy of an accessory structure (Class I or II), a tent, a trailer or a mobile unit. In the case of a single parcel containing more than one dwelling unit, each dwelling unit constitutes a separate short-term residential rental use.

Conditional Use Regulations:

1. The operator must obtain a business license to operate the use.

2. The use must comply on an ongoing basis with all governmental licensing and regulatory requirements, including the payment of applicable room taxes and licensing fees.

3. The use must comply with the City's noise regulations as they apply to residential uses.

4. The use may not be located closer than:

a. 660 feet to any other Short-Term Residential Rental use[.]; or

b. 2,500 feet to a resort hotel, as defined in NRS 463.01865.

5. Vehicle parking associated with the use shall comply with applicable parking regulations, and vehicles of guests and invitees shall not obstruct traffic or access to other properties in the area.

6. In addition to and independent of any enforcement authority or remedy described in this Title, the failure to comply with a Conditional Use Regulation associated with this use may be enforced as in the case of a violation of Title 6 by means of a civil proceeding pursuant to LVMC 6.02.400 to 6.02.460, inclusive.

7. On any particular parcel, the use is limited to a single residential dwelling unit that is owner-occupied during each period the unit is rented and that has no more than three bedrooms, with a maximum occupancy not to exceed the limits set forth in LVMC 6.75.090. The dwelling unit is presumed to have the number of bedrooms indicated in the records of the Clark County Assessor's Office that pertain to that unit, but that presumption may be rebutted by inspection or other competent evidence. For purposes of this Regulation 7,[:

a. "Owner" includes any person who is listed as an owner of record of the unit in the records of the Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a trustee or principal of that trust or entity.

b. A dwelling unit qualifies as "owner-occupied during each period the unit is rented" only if the dwelling unit is the owner's primary residence, the owner continues to reside at the unit throughout the rental period, and the owner's absence, if any, from the unit during the rental period is attributable only to employment or to the running of typical personal or household errands.] ownership shall be determined in accordance with Subsection (D) of LVMC 6.75.020.

8. The use is allowed in the P-O, O, C-1, C-2 and C-PB Zoning Districts only in connection with the residential component of a mixed-use development or in a dwelling unit permitted as a legal nonconforming use.

9. This use is unavailable and prohibited within a residential unit or a room within a residential unit that

is located in an apartment building. For purposes of this Regulation, "apartment building" means an "apartment house," as defined in LVMC 19.18.020.

[9.] 10. The Special Use Permit provisions of LVMC 19.12.040(B) do not apply to this use.

On-site Parking Requirement: For any short-term residential rental that has no more than 5 bedrooms, no additional parking is required beyond that which is required for the principal use on the site. For units with more than 5 bedrooms, 1 additional space shall be required for every 2 additional bedrooms or fractional portion thereof.

SECTION 24: For purposes of Section 2.100(3) of the City Charter, Section 19.12.070 is deemed to be a subchapter rather than a section.

SECTION 25: The Department of Planning is authorized and directed to incorporate into the Unified Development Code the amendment set forth in Section 23 of this Ordinance.

SECTION 26: Notwithstanding any other provision of this Ordinance, any person who has been lawfully issued a City license before July 1, 2022, to make available for rent a residential unit or a room within a residential unit for the purposes of transient lodging may continue to operate under his or her original authorization despite any provisions of City ordinances that may conflict with the location or type of residential unit, including, without limitation, any requirements adopted by the ordinance for the minimum distance between residential units. However, the provisions of this Section apply only to the original holder of the license and do not transfer to subsequent owners or occupants of a residential unit or room within a residential unit. A City license issued before July 1, 2022, shall be deemed an authorization issued pursuant to Section 22 of Assembly Bill 363 of the 2021 Session of the Nevada Legislature. Such a license may be suspended, terminated or revoked on or after July 1, 2022, in accordance with the provisions of this Ordinance and the Municipal Code that pertain to short-term residential rentals, for violations of those provisions that pertain to matters other than the location or type of residential unit.

SECTION 27: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the

remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 28: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 29: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2022.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

_____
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2022, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2022, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

We requested for consideration that:

(G) If the proposed short-term residential rental unit is located within the ordinance defined identity of a Rural Preservation Overlay District community, a letter from the RNP neighborhood association Executive Board will be submitted granting or denying the proposed rental unit supported by association bylaw and resident documentation. Acceptance for a proposed short-term rental unit must be signature authorized by all residents within a 660 foot linier distance from the short-term rental property line.

Submitted at City Council
Date 8/17/22 Item 23
By: Lee Anderson

NARA RNP/STR City Hall Presentation
August 17, 2022 - Item #23
Bills Eligible For Adoption At This Meeting

Thank you Madam Mayor,

Lex Anderson. I'm the historian for NARA. We have submitted a request to the Recommending Committee, and to Councilman Crear, to include Rural Preservation Overlay District communities within Bill 2022-16 with a similar status as HOA's. If I can, please, I would like to have a tight overhead display of what I am about to read.

We requested for consideration that:

(G) If the proposed short-term residential rental unit is located within the ordinance defined identity of a Rural Preservation Overlay District community, a letter from the RNP neighborhood association Executive Board will be submitted granting or denying the proposed rental unit supported by association bylaw and resident documentation. Acceptance for a proposed short-term rental unit must be signature authorized by all residents within a 660 foot linier distance from the short-term rental property line.

We feel this request is reasonable, appropriate, and it supports the original intent and purpose of Rural Preservation as an Overlay District. In other words, Madam Mayor, it makes sense.

The Recommending Committee has received comprehensive content supporting this request. Our Ward #5 Councilman Crear has received the same content, and additional support justification.

Submitted at City Council
Date 8/17/22 Item 23
By: Lex Anderson

At this time we request that Councilman Crear discuss this Bill 2022-16 inclusion within the context of his dialogue with the Recommending Committee, and offer his support for RNP status similar to that of HOAs.

Thank you,

Lex Anderson/NARA Historian

E-mail: lexmar3709@cox.net

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
24

DEPARTMENT: City Attorney
DIRECTOR: Bryan K. Scott

SUBJECT:
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2022-18 - For possible action - Amends various provisions of the Municipal Code to reflect changes in the names of several departments and divisions within City government; delete references to departments that are to be eliminated or combined with other departments; reflect the names of departments or functions that will succeed to duties and responsibilities of departments that have been eliminated; and update references to departments and divisions whose names have been changed over time. Proposed by: Tom Perrigo, Chief Operations and Development Officer

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This bill will 1) amend various provisions of the Municipal Code to reflect changes in the names of several departments and divisions within City government, 2) delete references to departments that are to be eliminated or combined with other departments, 3) reflect the names of departments or functions that will succeed to duties and responsibilities of departments that have been eliminated, and 4) update references to departments and divisions whose names have been changed over time. Among the changes referenced in this bill: • Department of Planning becomes Department of Community Development • Department of Information Technologies becomes Department of Innovation and Technology • Department of Parks and Recreation becomes Department of Parks, Recreation and Cultural Affairs • Department of Youth Development and Social Innovation becomes Department of Youth Development and Social Initiatives • Department of Building and Safety is eliminated, with its functions being assumed by Community Development • Department of Operations and Maintenance is eliminated, with its functions being assumed by Public Works • Office of Community Services becomes Department of Neighborhood Services • Department of Public Safety's Animal Control Division becomes Animal Protection Services Division

RECOMMENDATION:
ADOPTION at the August 17, 2022 City Council Meeting, pursuant to the August 1, 2022 Recommending Committee Meeting.

First Reading – 7/20/2022 First Publication – 8/4/2022

BACKUP DOCUMENTATION:
1. Bill No. 2022-18

BILL NO. 2022-18

ORDINANCE NO._____

AN ORDINANCE TO AMEND VARIOUS PROVISIONS OF THE MUNICIPAL CODE TO REFLECT CHANGES IN THE NAMES OF SEVERAL DEPARTMENTS AND DIVISIONS WITHIN CITY GOVERNMENT; DELETE REFERENCES TO DEPARTMENTS THAT ARE TO BE ELIMINATED OR COMBINED WITH OTHER DEPARTMENTS; REFLECT THE NAMES OF DEPARTMENTS OR FUNCTIONS THAT WILL SUCCEED TO DUTIES AND RESPONSIBILITIES OF DEPARTMENTS THAT HAVE BEEN ELIMINATED; UPDATE REFERENCES TO DEPARTMENTS AND DIVISIONS WHOSE NAMES HAVE BEEN CHANGED OVER TIME; AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Tom Perrigo, Chief Operations and Development Officer

Summary: Amends various provisions of the Municipal Code to reflect changes in the names of several departments and divisions within City government; delete references to departments that are to be eliminated or combined with other departments; reflect the names of departments or functions that will succeed to duties and responsibilities of departments that have been eliminated; and update references to departments and divisions whose names have been changed over time.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 2, Chapter 9, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.09.010: Subject to the provisions of Section 2.09.020, the departments of the City shall consist of the following:

[Building and Safety;] Community Development;

Economic and Urban Development;

Finance;

Fire and Rescue;

Human Resources;

[Information Technologies;] Innovation and Technology;

[Operations and Maintenance;] Neighborhood Services;

[Parks and Recreation;] Parks, Recreation and Cultural Affairs;

[Planning;]

Public Safety;

Public Works; and

Youth Development and Social [Innovation.] Initiatives.

SECTION 2: Title 2, Chapter 9, Section 15, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 3: Title 2, Chapter 9, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.09.020: From time to time the City Manager may:

(A) Establish and adjust divisions, offices or other units within the various departments of the City, as well as offices and other units that are independent of those departments.

(B) Establish new departments, combine existing departments, or make other adjustments to the departments listed in Section 2.09.010. Any such action by the City Manager shall be effective immediately or when directed by the City Manager. [, but must be ratified by the City Council within six months following such action in order to continue in effect. Sections 2.09.010 and 2.09.015] Section 2.09.010 shall be adjusted periodically as deemed necessary in order to reflect action taken pursuant to this Subsection (B).

SECTION 4: Title 2, Chapter 42, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.42.030: (A) The officers of the Parks and Recreation Advisory Commission shall be a Chairman, a Vice Chairman and a Secretary.

(B) Within fifteen days after the appointment of the Commission, the members shall meet in regular session and select from their members the Chairman and the Vice Chairman.

(C) The Secretary, who shall be the Director of [Parks and Recreation] Parks, Recreation and Cultural Affairs or a designee, shall have no vote on the Commission.

(D) The duties of the officers of the Commission shall respectively be as are usually

carried by such officers.

(E) The officers shall hold office for one year, or until their successors are selected.

SECTION 5: Title 2, Chapter 44, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.44.030: (A) The Planning Commission shall elect annually a Chairman from its appointed members.

(B) **[**It shall have power and authority to employ technicians, clerks and a secretary, and to pay for their services and for such other expenses as may be necessary and proper.**]** The Planning Commission is authorized to use the services of City staff in connection with the performance of its duties.

[(C) The City Manager may appoint a Director of Planning or a Planning Engineer who shall be a department head. All employees of said Department shall be governed by any appropriate civil service laws pertaining to the City.**]**

SECTION 6: Title 2, Chapter 46, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.46.030: (A) The Advisory Board shall elect from among its members a Chairman and Vice-Chairman, and such officers as deemed necessary or appropriate. Officers shall serve a term of one year, or until a successor is elected.

(B) The Director of **[**Parks, Recreation and**]** Neighborhood Services, or the Director's designee, shall serve ex-officio to represent the City's interests and to function as liaison between the Advisory Board and the City.

SECTION 7: Title 2, Chapter 48, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.48.010: There is created and established the Traffic and Parking Commission of the City. Members of the Commission shall serve without compensation. The Commission shall consist of:

(A) Nine voting members, who are:

(1) The Sheriff of the Las Vegas Metropolitan Police Department or **[**his designated

representative;] a designee;

(2) The Director of Public Works or [his designated representative;] a designee;

(3) Six members of the general public, appointed by the Mayor and confirmed by the City Council, such that one member resides in and is representative of each of the six wards into which the City is divided;

(4) One member of the general public appointed by the Mayor representing the City as a whole.

(B) Ex officio, nonvoting members, who are:

(1) The Traffic Engineer or a [designated representative from his division;] designee;

(2) The City Attorney or a [designated representative from his office;] designee;

(3) The Chief of the Department of Fire and Rescue or a [designated representative from his department;] designee;

(4) The Director of [Planning and] Community Development or a [designated representative from his department;] designee;

(5) Other staff members that the City Manager may designate.

The Traffic Engineer shall serve as Secretary of the Commission, and shall be responsible for the administration of the affairs of the Commission.

SECTION 8: Title 4, Chapter 8, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.08.010: Prior to the first Wednesday of February the heads of departments shall send to the Director of [finance] Finance an estimate of costs in detail to conduct the operations of their respective departments for ensuing fiscal year commencing July 1st.

SECTION 9: Title 4, Chapter 12, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.12.150: Officers who are authorized by this Chapter to sign instruments may use a facsimile signature produced by means of an electronic process and signature stamp in place of their handwritten signatures

under the circumstances described in this Section. The use of the facsimile signature described in the preceding sentence may take place in cases of emergency and upon approval of the City Council, subject to the following conditions:

(A) The electronic process shall be of such nature that the facsimile signature is secured, with access thereto being controlled by the Department of [Information] Innovation and Technology in accordance with recognized and appropriate technology security controls.

(B) The use of the facsimile signature shall be made only under the direction and supervision of the officer whose signature it represents.

(C) All signature stamps shall at all times be kept in a safe or vault, securely locked, when not in use, to prevent any misuse of the same.

SECTION 10: Title 4, Chapter 24, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.24.080: The City shall be divided into a number of park districts, as the same shall be depicted on the map that is entitled "Park District Boundaries," copies of which are to be maintained for public inspection in the Office of the City Clerk and the Department of [Leisure Services,] Parks, Recreation and Cultural Affairs, and the same may from time to time be changed by number and configuration by the City Council by a resolution that is duly passed, adopted and approved.

SECTION 11: Title 6, Chapter 2, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.02.010: Unless the context otherwise requires, the scope of all words in this Title shall be liberally construed in order to effectuate the purposes of this Title. In particular, the following words shall have the meaning ascribed to them as follows:

"Ancillary license" means a license issued that is incidental to a primary business.

"Applicant" means any person who has applied for a City business license, approval of suitability, work card or any permit.

"Business" means any business, commercial enterprise, trade, occupation, calling, profession,

vocation or activity engaged in, conducted, carried on, advertised or marketed, by any person, his agent or employee for the purpose of gain, benefit or advantage, either direct or indirect.

"Department" means the Department of [Planning.] Community Development.

"Director" means the Director of the Department of [Planning] Community Development and those persons authorized to act in the Director's behalf.

"Employee" means any person who performs services for another for hire, salary, wages or any other kind of compensation, whether or not the services are casual, temporary or permanent, and whether or not the contract of service is express or implied, oral or written.

"Establishment" means any business conducted in or upon any premises, and includes any buildings, improvements, equipment and facilities used or maintained in connection with such business.

"Governmental entity" means an entity of Federal, State or local government whose activities are exempt from Federal income taxation.

"Gross sales/gross revenues," as used in connection with the determination of license fees, means the total amount of the sale price of all goods sold, the total amount charged or received for the performance of any act, service or employment, of whatever nature it may be, whether or not such service, act or employment is performed as part of or in connection with the sale of goods, wares or merchandise for which a charge is made or credit allowed, including all receipts, cash, credits or property of any kind, any amount for which credit is allowed by the seller to the purchaser without any deduction therefrom on account of the cost of property of any kind, any amount for which credit is allowed by the seller to the purchaser without any deduction therefrom on account of the cost of property sold, cost of materials used, labor or service costs, interest paid or payable, losses or any other expense whatsoever. For purposes of this definition, "goods" includes without limitation beverage items. The revenue of a business that includes the sale of alcoholic beverages includes revenue from alcoholic beverage sales.

(A) The term gross sales/gross revenue shall not include:

(1) Cash discounts which are allowed or taken on sales/revenue;

(2) Over-allowance on trade-ins of used merchandise, cars or goods which are

received in trade for the purchase of new merchandise, cars or goods. For purposes of this definition, "over-allowance" means the amount which is allowed on any trade-in which is in excess of the actual sale price of the trade-in by the dealer, whether that sale is wholesale, retail or at auction. In order for a dealer of new merchandise, cars or goods to substantiate deductions for over-allowances, a separate general ledger account must be maintained which accumulates the total over-allowances. This account must be supported by a cash receipt journal or similar journal which summarizes the daily transactions. Each daily entry must be supported by the original contract which clearly substantiates the difference between the actual sales price and the allowance which is given to the customer on the trade-in;

(3) Inventory transfers between dealers of new merchandise, cars or goods and their wholly owned leasing companies, wherein no profit is involved. In order for a dealer of new merchandise, cars or goods to substantiate deductions for inventory transfers, a separate account must be maintained in the general ledger for all merchandise, cars or goods which are transferred to its wholly owned leasing company. These transactions must be traceable to a cash receipt journal or similar journal which summarizes daily transactions. Each daily entry must be supported by paperwork which legally transfers the new merchandise, car or goods to the leasing company;

(4) Any tax on fuel or retail sales that is collected by the seller; and

(5) Except as otherwise provided in LVMC 6.95.230, any charge between a purchaser and seller where, at the time a license fee is due, the purchaser and seller are related entities as defined in Section 267 of the Internal Revenue Code.

"Health District" means the Southern Nevada Health District.

"License" means permission granted by the licensing authority to engage in the business for which the license is issued, which permission typically is evidenced by a written document.

"Licensee" means any person to whom a valid license has been issued pursuant to this Title.

"License fee" means any money required by law to be paid to obtain, renew or maintain a license.

"Metro" means the Las Vegas Metropolitan Police Department.

"Person" includes any association, corporation, firm, partnership, trust or other form of business or

social association or organization, as well as a natural person and the estate of a natural person.

"Personal representative" means any person authorized to act on behalf of the estate of a natural person.

"Premises" means land together with all buildings, appurtenances, improvements, parking areas and personal property located thereon.

"Primary license" means a license issued that represents the primary focus of a business.

"Principal" means:

(A) Any person who is an officer, director, trustee, personal representative or general partner or who has an ownership interest in or voting control of the business equal to or greater than ten percent of the entire ownership of voting control of such business. If the ownership interest or voting control is held by a person other than an individual, then each officer, director, trustee, personal representative or general partner of such person is a principal;

(B) Any person who is or will be directly engaged in the administration or supervision of the business; and

(C) Any other person if, in the Director's opinion, the person exercises, or is capable of exercising, significant influence over the business, including, but not limited to, a natural person or corporate entity that provides a source of funding for the initial capitalization and/or the ongoing payment of expenses for the business.

"Professional" means a person who:

(A) Holds a license, certificate, registration, permit or similar type of authorization issued by a State regulatory body as defined in NRS 622.060, or who is regulated pursuant to the Nevada Supreme Court Rules; and

(B) Practices his or her profession for any type of compensation as an employee of a professional business. The term "employee of a professional business," for the purposes of this definition, includes an owner, sole proprietor, member, partner or associate of a professional business, but does not include a person who, under a contractual arrangement with a professional business, provides services for or

in association with that business as an independent contractor.

"Professional business" means a business which:

(A) Holds itself out as offering services regarding one or more of the professions regulated by a State regulatory body as defined in NRS 622.060 or by Nevada Supreme Court Rules; and

(B) Provides such services through the business's principals, professionals, or others qualified under State law or Nevada Supreme Court Rules to provide such services.

→For purposes of licensing and the payment of business license fees, the term includes the business activities of a person who provides or offers to provide such services in association with, and by means of an independent contractor relationship with, another professional business providing those services.

"Valid unexpired license" means a license that has not been suspended or revoked before its expiration date.

SECTION 12: Title 6, Chapter 6B, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06B.030: In this Chapter the following definitions and those in Title 6 shall apply unless the context clearly requires otherwise.

(A) "Adult nightclub" means a fixed place of business which may charge admission for entrance, which advertises, or holds out to the public that adult entertainment is provided, or advertises or implies that sensual or sexual entertainment is provided, and is not licensed to sell alcoholic beverages.

(B) "Attendant" means a natural person, who is employed by or who receives any monetary consideration from an adult nightclub for soliciting the sale or purchase of any product or service, including but not limited to beverages, and/or who collects entry fee, admission or cover charge.

(C) "Department" means the Department of [Finance and Business Services.] Community Development.

(D) "Director" means the Director of the Department of [Finance and Business Services.] Community Development.

(E) "Fondle or caress" means the conduct or affectionate touching that is intended to sexually

arouse (may include sexual conduct).

(F) An "offer to provide acts of sexual conduct" means to offer, propose or to solicit to provide sexual conduct to a patron. Such definition includes all conversations, publications, advertisements, handbills and acts which would lead a reasonable prudent person to conclude that such acts were to be provided even if such acts are illegal or are purported to be illegal or unlawful.

(G) "Security guard" means a natural person who acts as a doorman, bouncer, or who performs a function described in NRS 648.016.

(H) "Server" means a natural person who is employed by or who receives any monetary consideration from an adult nightclub for soliciting the sale or purchase of any product or service, including but not limited to beverages.

(I) "Sexual conduct" means the engaging in or the commission of an act of sexual intercourse, oral-genital contact, or the touching of the sexual organ, pubic region, buttock or female breast of a person for the purpose of arousing or gratifying the sexual desire of another person.

(J) "Sexual stimulation" means to excite or arouse the prurient interest or to offer or solicit acts of sexual conduct as defined under "offer to provide acts of sexual conduct" as defined in this Section.

SECTION 13: Title 6, Chapter 20, Section 200, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.20.200: (A) As security for performance of its rights-of-way obligations under this Chapter, a VSP shall, at all times during which it holds a certificate of authority permitting the VSP to provide video service within the City, provide security in the form of a letter of credit, performance bond or cash deposit, delivered to the Director of the Department of Finance**,** [and Business Services,] in the amount of one hundred thousand dollars.

(B) If a VSP has already posted a letter of credit, performance bond, or cash deposit for one hundred thousand dollars or more in connection with its use of the City's right-of-way for other purposes, the provisions of Subsection (A) of this Section shall not apply to the VSP provided that such existing security is in full force and effect during all times of VSP's use of the right-of-way for video service purposes and the

terms of such security are made applicable to the VSP's use of the right-of-way for video service purposes in accordance with the terms of Subsections (C), (D) and (E) of this Section.

(C) Any bond provided pursuant to this Section shall:

(1) In addition to all other costs, provide for payment of reasonable attorney's fees;

(2) Be issued by a surety company authorized to do business in the State of Nevada and listed in Department Circular 570 of the U.S. Department of the Treasury Fiscal Service (Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies, Current Revision);

(3) Require the attorney-in-fact who executes the bond on behalf of the surety to affix thereto a certified and current copy of his or her power of attorney; and

(4) Guarantee the performance of all of the VSP's rights-of-way obligations under its certificate of authority and all applicable laws.

(D) The following procedures shall apply to drawing on the security required in this Section:

(1) If a VSP fails to make timely payment of any amount due to the City, or fails to compensate the City within thirty days of written notification that such amount is due for any damages, costs or expenses the City suffers or incurs by reason of any act or omission of the VSP, or fails after thirty days' written notice to comply with any provision of its certificate or this Code that can be remedied by drawing on the security, the City may withdraw the amount thereof, with applicable interest and penalties, from the security.

(2) Within three days of a withdrawal from the security, the City shall personally deliver or send by certified mail written notification to the VSP of the amount, date and purpose of such withdrawal.

(3) If at the time of a withdrawal from the security by the City, the amounts available are insufficient to provide the total payment towards which the withdrawal is directed, the balance

of such payment shall continue as the obligation of the VSP to the City until it is paid.

(4) No later than thirty days after the delivery or mailing of notification to the VSP of a withdrawal from the security, the VSP shall restore the security to the total amount specified in Subsection (A) of this Section.

(E) Recovery by the City of any amount from the security required by this Section does not limit a VSP's obligation to provide insurance or to indemnify the City as otherwise required by this Chapter.

SECTION 14: Title 6, Chapter 26, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.26.030: Each permittee shall pay to the Department **[**of Business Activity**]** thirty-five dollars semiannually for each coin-operated amusement machine allowed under **[**his**]** the permit.

SECTION 15: Title 6, Chapter 40, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.110: Each licensee shall pay to the Department, **[**of Business Activity,**]** in advance semiannually, the following license fees:

(A) Each bridge, whist and solo	$ 30.00
(B) Chemin de fer (baccarat)	500.00
(C) Crap table:	
(1) For one table	300.00
(2) For each table over one	500.00
(D) Sports pool (not including race books)	200.00
(E) Bingo	150.00; plus $3.00 for each chair provided for players
(F) Panguingue	60.00
(G) Race book	800.00
(H) Racehorse information service	600.00
(I) Keno	600.00
(J) Each roulette, "21," hazard, faro bank, wheel of fortune and big six wheel	300.00
(K) Slot machines:	
(1) Establishment with five or less, each machine	50.00
(2) Establishment with more than five, each machine	60.00
(L) Stud poker and draw poker	100.00
(M) Slot machine operator	300.00
(N) Any other game	100.00

SECTION 16: Title 6, Chapter 58, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.58.040: It is unlawful for any person to install, construct or maintain an outdoor pay telephone:

(A) On any private property without written permission that has been obtained from the property owner;

(B) Within a public right-of-way or on any public property without obtaining from the owner thereof, for that specific location, an appropriate encroachment permit or other approval in the form of a permit, license, lease or similar arrangement;

(C) On any vacant property;

(D) On any property where there is an abandoned building;

(E) On residential property that is developed with fewer than eight dwelling units;

(F) At a location within one hundred feet of where the users of the telephone can be heard from any single-family residential dwelling unit, unless the owner of the dwelling unit consents in writing to the installation; or

(G) On any property or at any location which has been determined by Metro[,] or the Department [of Finance and Business Services or the Department of Neighborhood Services] to create a nuisance under this Chapter based upon prior actual use.

SECTION 17: Title 6, Chapter 58, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.58.070: (A) The City is authorized to remove any private or public outdoor pay telephone which has been installed or maintained in violation of this Chapter. The City shall send a written notice to the owner, operator or licensee at least seven days prior to removal stating that the outdoor pay telephone is subject to removal unless the owner, operator or licensee provides evidence of compliance with this Chapter or requests a hearing before the Director [of Planning] or the Director's designee. Unless the Director determines that the installation jeopardizes the public health, safety or welfare, the action to remove the telephone shall be stayed pending resolution of any hearing that has been requested. The decision by the Director or the

Director's designee following the hearing shall be final.

(B) Any outdoor pay telephone removed by the City may be reclaimed by the owner within thirty days after removal upon reimbursement to the City for removal and storage costs. Any outdoor pay telephone not so reclaimed may be disposed of as unclaimed property or destroyed.

SECTION 18: Title 6, Chapter 70, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.70.030: Before a license shall be granted to any person engaged in renting automobiles, **[**he**]** the applicant shall deposit with the Director **[**of Business Activity**]** an insurance policy securing payment in accordance with the provisions thereof to the patrons of the insured and to other persons as hereinafter provided:

(A) For damages because of bodily injury or death sustained by any such persons caused by accident and arising out of negligence in the use or operation of such vehicles;

(B) For damages because of injury to or destruction of property caused by accident and arising out of negligence in the use or operation of such rental vehicle, in the following amounts: As respects coverage, twenty-five thousand dollars for each person and subject to that limit for each person; one hundred thousand dollars for each accident; as respects property damage coverage, twenty-five thousand dollars for each accident;

(C) No such policy of insurance shall be cancelled prior to its expiration except upon five days' notice in writing to the Director. Upon the cancellation or expiration of such policy of insurance, it shall be unlawful to rent or let for hire any rental vehicle covered thereby until a new policy of insurance meeting the requirements of this Section has been deposited with the Director. Any such policy of insurance shall be issued by a company authorized to do business in this State and shall be approved by the City Attorney as to form and compliance with this Section**[**.**]**; and

(D) Any person renting more than one vehicle at any one time shall furnish a combined policy or an additional automobile liability policy as set forth above for each vehicle so held or maintained for hire.

SECTION 19: Title 6, Chapter 71, Section 40, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.71.040: Except in a situation in which the **[**Director of Building and Safety**]** Department authorizes a deviation from the occupancy load for the particular facility, at least one flush water closet, one lavatory basin and one bathtub or shower that are connected to a water system and a sewer system which are in good working condition shall be supplied for each eight occupants or fraction thereof who reside within a rescue mission or shelter for the homeless, including members of the operator's family whenever they share the use of such facilities with the occupants of the mission or shelter; provided, however, that in a rescue mission or shelter for the homeless in which rooms are let to, or occupied by, males only, flush urinals may be substituted for not more than one-half the required number of water closets.

SECTION 20: Title 6, Chapter 78, Section 37, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.78.037: (A) A professional promoter who proposes a qualifying multi-vendor event and desires to have all vendors and exhibitors covered by one permit must first obtain a multi-vendor permit in accordance with this Section.

(B) Application for a multi-vendor permit under this Section must be made on a form provided by the Department and shall include the following information and documentation:

(1) The date or dates on which the event is proposed to take place;

(2) The location at which the event is proposed to take place;

(3) Each contract or agreement by which the applicant has established the right to stage or operate the event at the proposed location(s);

(4) The individual locations at which vendors and exhibitors will be stationed;

(5) A description of the nature of the goods or services to be displayed, sold, or offered for sale by vendors and exhibitors, as well as a description of the methods such vendors and exhibitors will use in connection with vending or exhibition;

(6) A list of each vendor and the vendor's state sales tax identification number or temporary sales tax permit number; and

(7) Such addition information or documentation as the Director may require in order to determine the advisability of issuing a permit.

(C) Except as otherwise provided in this Subsection (C), an application for a multi-vendor permit must be submitted at least ten business days before the desired commencement date for the event. An application submitted later than the deadline described in the previous sentence will be accepted and processed, but the Department shall be under no obligation to either grant or deny the application in time for the desired commencement date. In its discretion, the Department may issue a temporary permit pending extended review of an application, in general accordance with the provisions for temporary business licenses set forth in LVMC 6.02.070.

(D) Except as otherwise provided in this Subsection (D) or in Subsection (E), an applicant for a multi-vendor permit shall pay, in advance, a non-refundable processing fee of fifty dollars for each location and a vendor fee of ten dollars per day for each vendor. Vendor fees shall not apply to:

(1) The sale, offer of sale, or taking orders for goods and services from a wholesale or retail business licensed under this Title;

(2) Any charitable event conducted by or on behalf of a nonprofit organization; or

(3) An exhibitor.

(E) The Director or designee may reduce the amount of vendor fees otherwise payable by a permittee under this Section for:

(1) A City-sponsored event; or

(2) An event that will take place at a facility operated by the Las Vegas Convention and Visitor's Authority.

(F) Each permittee shall be responsible for reimbursing the Department for all permit related inspections conducted after the Department's normal operating hours or on weekends or holidays. Inspection fees shall be assessed for a three-hour minimum at fifty dollars per hour per staff member required to conduct the permit inspection. The permittee may also be charged inspection fees by other City

departments whose inspections are required in connection with the issuance of a permit pursuant to this Chapter, including without limitation the Department of Fire and Rescue and the land use function of the Department of [Planning.] Community Development. All fees shall be paid at the completion of each inspection.

(G) In connection with a multi-vendor permit issued pursuant to this Section concerning which the permittee is fully compliant, a vendor covered by the permit is exempt from the requirements of Chapter 6.80A.

(H) A professional promoter who obtains a multi-vendor permit pursuant to this Section is exempt from the special event fees and processes of LVMC Chapter 12.02 relative to activities covered by the multi-vendor permit.

SECTION 21: Title 6, Chapter 80, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.80.090: Each teenage establishment location shall provide and maintain parking spaces in the number that is determined by the Department [of Planning and Development] to be sufficient for that location in accordance with LVMC Chapter [19.64.] 19.12. The parking area shall be surfaced with a concrete or asphaltic paving and shall be electrically illuminated with a light that provides, at ground level, an intensity of not less than .25 foot-candle power. Additionally, all such parking spaces shall comply with the requirements of LVMC [Section 19.04.120.] Title 19.

SECTION 22: Title 6, Chapter 80A, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.80A.100: The permittee shall be responsible for reimbursing the Department for all permit related inspections conducted [after normal operating hours (eight a.m. to five p.m. Monday through Friday), on weekends, or on holidays.] outside of the City's normal operating hours. Inspection fees shall be assessed for a three-hour minimum at fifty dollars per hour per staff member required to conduct the permit inspection. The permittee may also be charged inspection fees by other City departments whose inspections are required in connection with the issuance of a permit pursuant to this Chapter, including without limitation the

Department of Fire and Rescue and the Department of [Planning and] Community Development. All fees shall be paid at the completion of each inspection.

SECTION 23: Title 6, Chapter 81, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.81.060: The Director [of the Department of Building and Safety] shall develop standards for the safe construction and operation of rides and other conveyances in connection with theme parks and permanent exhibitions that are licensed pursuant to this Chapter, and, in so doing, shall use, to the extent that is practicable, the uniform codes that have been adopted and made a part of this Code. In addition, the Director may rely upon any applicable regulation that has been adopted in any other jurisdiction and may retain, at the expense of any person who requests a license under this chapter, such safety experts, structural engineers and other consultants as he may deem are necessary or appropriate for the safe design, construction and operation of the system for which such license is requested.

SECTION 24: Title 6, Chapter 81, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.81.070: Any license that is issued pursuant to this Chapter shall be conditions upon the promise of the licensee to remove the guideway or similar structure when its use has been discontinued and to restore the property on which it was constructed to the former conditions thereof and the posting of a removal and restoration bond, in an amount that is determined by the Director [of Building and Safety] to be sufficient for the purpose for which it is posted and in a form that is approved by the City Attorney, to ensure the performance of that promise.

SECTION 25: Title 6, Chapter 84, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.84.060: (A) During the prohibited time period, no officer, employee or agent of a wedding chapel, including an independent contractor, may solicit business for the chapel at a prohibited location.

(B) For purposes of this Section:

(1) "Prohibited time period" means the period commencing one hour before the

Clark County Marriage Bureau opens for business each day and ending one hour after the Marriage Bureau closes for that day.

(2) "Prohibited location" means:

(a) Any portion of the City-owned sidewalk area along the west side of Third Street for a distance of one hundred seventy feet north of the centerline of Clark Avenue, except for the area described in Paragraph (1) of Subsection (C) of this Section; and

(b) Any portion of the City-owned sidewalk area along the north side of Clark Avenue for a distance of two hundred feet west of the centerline of Third Street, except for the area described in Paragraph (2) of Subsection (C) of this Section.

(C) The following areas, being more particularly delineated on Exhibit "A" that is attached to Ordinance No. 5991, are excluded from the definition of "prohibited location" in Paragraph (2) above:

(1) That three foot wide strip of sidewalk, adjacent to and running parallel with the existing back of curb line of Third Street beginning at the Easterly curb return of Clark Avenue and said Third Street and extending Northeasterly along said Third Street, fifty feet; and

(2) That three foot wide strip of sidewalk, adjacent to and running parallel with the existing back of curb line of Clark Avenue beginning at the Westerly curb return of Third Street and said Clark Avenue and extending Northwesterly along said Clark Avenue, fifty feet.

(D) The City shall designate on City sidewalks, with appropriate markings:

(1) The westerly and northerly boundaries of the prohibited locations described in Paragraph (2) of Subsection (B) of this Section, and

(2) The locations of the areas excluded from the definition of "prohibited location" pursuant to Subsection (C) of this Section.

(E) The provisions of this Section:

(1) Apply only to property owned by the City; and

(2) Do not affect any other property, or the application of any laws or rules that

govern such other property.

(F) Following the adoption of Ordinance No. 5991, the City shall prepare a final map or diagram that depicts the prohibited locations and the areas excepted therefrom. The map or diagram shall be filed with the City Clerk. A copy thereof shall be maintained in the office of the Department, [of Finance and Business Services,] and copies shall be made available to the public upon request.

SECTION 26: Title 6, Chapter 90, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.90.110: Each market promoter who proposes to operate a farmers' market within a City park must first obtain and maintain permission to do so from the Department of [Leisure Services.] Parks, Recreation and Cultural Affairs. Each market promoter of an outdoor farmers' market on private property must first obtain and maintain a valid temporary commercial permit or [a special use permit] other required approval pursuant to Title 19.

SECTION 27: Title 6, Chapter 95, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.95.020: Unless the context otherwise requires, the scope of all words in this Chapter shall be liberally construed in order to effectuate the purpose of this Chapter, and, in particular, the following words shall have the meaning ascribed to them as follows:

"Adult-use cannabis cultivation facility" has the meaning ascribed to it in NRS Chapter 678A and means a business that acquires, possesses, cultivates, delivers, transfers, supplies or sells cannabis and related supplies to adult-use cannabis retail stores, adult-use cannabis production facilities, or other adult-use cannabis cultivation facilities.

"Adult-use cannabis distributor" has the meaning ascribed to it in NRS Chapter 678A and means a business that transports cannabis or adult-use cannabis products from an adult-use cannabis establishment to another adult-use cannabis establishment.

"Adult-use cannabis distributor transportation contractor" means a person who contracts with an adult-use cannabis distributor to transport cannabis, on behalf of that distributor, from an adult-use cannabis

establishment to another adult-use cannabis establishment.

"Adult-use cannabis establishment" has the meaning ascribed to it in NRS Chapter 678A and means an adult-use cannabis independent testing laboratory, an adult-use cannabis cultivation facility, an adult-use cannabis production facility, an adult-use cannabis retail store, or an adult-use cannabis distributor.

"Adult-use cannabis independent testing laboratory" has the meaning ascribed to it in NRS Chapter 678A and means a facility that tests cannabis intended for the adult use of cannabis and adult-use cannabis products.

"Adult-use cannabis production facility" has the meaning ascribed to it in NRS Chapter 678A and means a business that acquires, possesses, manufactures, delivers, transfers, supplies or sells adult-use cannabis products to adult-use cannabis retail stores.

"Adult-use cannabis retail store" has the meaning ascribed to it in NRS Chapter 678A and means a business that acquires, possesses, delivers, transfers, supplies, sells or dispenses cannabis or related supplies to a consumer or to another adult-use cannabis retail store.

"Adult-use cannabis support business" means a business that provides goods or services to an adult-use cannabis establishment and receives at least fifty percent of its annual revenue from licensed adult-use cannabis establishments. The term does not include a business that qualifies as an adult-use cannabis distributor transportation contractor.

"Adult use of cannabis" has the meaning ascribed to it in NRS Chapter 678A and means the possession, delivery, production or use of cannabis; the possession, delivery or use of paraphernalia used to administer cannabis; or any combination thereof, in each case by a person twenty-one years of age or older.

"Building Official" means the Director of [Building and Safety] Community Development or the Director's designee.

"Cannabis" has the meaning ascribed to it in NRS Chapter 678A.

"Cannabis cultivation facility" or "cultivation facility" has the meaning ascribed to the former in NRS Chapter 678A and means an adult-use cannabis cultivation facility or a medical cannabis cultivation facility.

"Cannabis establishment" has the meaning ascribed to it in NRS Chapter 678A and means an adult-use cannabis establishment or a medical cannabis establishment.

"Cannabis establishment agent" has the meaning ascribed to it in NRS Chapter 678A and means an owner, officer, board member, employee or volunteer of a cannabis establishment; an independent contractor who provides labor relating to the cultivation or processing of cannabis or the production of usable cannabis or cannabis products for a cannabis establishment; or an employee of such an independent contractor.

"Cannabis independent testing laboratory" or "independent testing laboratory" has the meaning ascribed to the former in NRS Chapter 678A and means an adult-use cannabis independent testing laboratory or a medical cannabis independent testing laboratory.

"Cannabis-infused products" means adult-use edible cannabis products and medical edible cannabis products as defined in NRS Chapter 678A.

"Cannabis product" has the meaning ascribed to it in NRS Chapter 678A and means an adult-use cannabis product or a medical cannabis product.

"Cannabis production facility" has the meaning ascribed to it in NRS Chapter 678A and means an adult-use cannabis production facility or a medical cannabis production facility.

"Cannabis sales facility" has the meaning ascribed to it in NRS Chapter 678A means a medical cannabis dispensary or an adult-use cannabis retail store.

"Designated primary caregiver" has the meaning ascribed to it in NRS Chapter 678C.

"Dual licensee" has the meaning ascribed to it in NRS Chapter 678A and means a person or group of persons who possess a current, valid medical cannabis establishment license and a current, valid adult-use cannabis establishment license of the same type.

"Dual use cannabis business" means a dual licensee that holds a medical cannabis establishment license pursuant to this Chapter and that has been issued a license to operate as a dual use cannabis business pursuant to LVMC 6.95.270.

"Edible cannabis products" means adult-use edible cannabis products and medical edible cannabis products as defined in NRS Chapter 678A.

"Key employee" means an employee designated by a business licensee to oversee the operations of the business in the absence of the licensee.

"Medical cannabis cultivation facility" has the meaning ascribed to it in NRS Chapter 678A and means a business that acquires, possesses, cultivates, delivers, transfers, supplies or sells cannabis and related supplies to medical cannabis dispensaries, medical cannabis production facilities, or other medical cannabis cultivation facilities.

"Medical cannabis dispensary" has the meaning ascribed to it in NRS Chapter 678A and means a business that acquires, possesses, delivers, transfers, transports, supplies, sells or dispenses cannabis or related supplies and educational materials to the holder of a valid registry identification card or to another medical cannabis dispensary.

"Medical cannabis establishment" has the meaning ascribed to it in NRS Chapter 678A and means a medical cannabis independent testing laboratory, a medical cannabis cultivation facility, a medical cannabis production facility, or a medical cannabis dispensary.

"Medical cannabis independent testing laboratory" has the meaning ascribed to it in NRS Chapter 678A and means a facility that tests cannabis intended for the medical use of cannabis and medical cannabis products.

"Medical cannabis product" means a medical edible cannabis product or a medical cannabis-infused product.

"Medical cannabis production facility" has the meaning ascribed to it in NRS Chapter 678A and means a business that acquires, possesses, manufactures, delivers, transfers, transports, supplies or sells medical cannabis products to medical cannabis dispensaries.

"Medical cannabis support business" means a business that provides goods or services to a medical cannabis establishment and receives at least fifty percent of its annual revenue from licensed medical cannabis establishments.

"Medical use of cannabis" has the meaning ascribed to it in NRS Chapter 678A and means the possession, delivery, production or use of cannabis; the possession, delivery or use of paraphernalia used to

administer cannabis; or any combination thereof, in each case as necessary for the exclusive benefit of a person to mitigate the symptoms or effects of his or her chronic or debilitating medical condition, as defined in NRS 678C.030.

"Paraphernalia" has the meaning ascribed to it in NRS Chapter 678A and means accessories, devices and other equipment that is necessary or useful for a person to engage in the medical use of cannabis or the adult use of cannabis.

"Registry identification card" has the meaning ascribed to it in NRS Chapter 678A and means a document issued by a State authority that identifies a person who is exempt from State prosecution for engaging in the medical use of cannabis or the designated primary caregiver, if any, of such a person.

"State regulating authority" means the Department of Taxation of the State of Nevada and/or any other agency assigned to administer NRS Chapters 678A to 678D, inclusive.

SECTION 28: Title 6, Chapter 95, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.95.070: (A) Each business license application shall be reviewed for completeness. An application shall be deemed complete if it contains or is accompanied by the following:

(1) Each document required in LVMC 6.95.060;

(2) Proof of compliance with all applicable submittal requirements of NRS Chapters 678A to 678D, inclusive, and any other regulation or requirement of the State regulating authority;

(3) Proof that the proposed location for the medical cannabis establishment or adult-use cannabis establishment is consistent with the requirements of LVMC Title 19;

(4) Proof that all fees have been paid;

(5) Proof that all waivers, acknowledgements, and statements are properly signed and acknowledged by or on behalf of the applicant; and

(6) Proof that each principal who is required to file an application pursuant to LVMC Chapter 6.06 and to comply with the suitability requirements of that chapter has done so.

(B) The Department is authorized to reject and return to the applicant any application

that is incomplete or otherwise fails to meet the applicable requirements of this Title, NRS Chapters 678A to 678D, inclusive, or the regulations of the State regulating authority.

(C) The Director is authorized to conduct or authorize a pre-operational inspection of any facility for which licensing is sought under this Chapter[.], as to both appropriateness for licensing and compliance with applicable technical codes. The applicant for or licensee of such a facility is responsible for the payment of the costs of all inspections. The Director may also require a pre-operational inspection of a facility by the Department of Fire and Rescue, [and the Department of Building and Safety, each of] which is authorized to charge the applicant or licensee the cost of those inspections.

(D) The Director shall determine, and may prepare a report regarding, the merits of each complete business license application, the potential suitability of any and all principals, and the application's compliance with the provisions of this Chapter and LVMC Title 19.

SECTION 29: Title 6, Chapter 98, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.98.030: (A) Each breeder, distributor and pet shop shall comply with the provisions of NRS Chapter 574 and LVMC Title 7 that pertain to such operations.

(B) For purposes of enforcing this Chapter, the Director, Metro and officers and employees of the City who are authorized to enforce LVMC Title 7 shall have the authority to issue citations or notices of violation, and to conduct inspections, investigations and audits regarding the operation of each breeder, distributor and pet shop, including without limitation the transportation of dogs and cats to and from a pet shop and documentation regarding the acquisition and disposition of dogs and cats by a pet shop.

(C) Each pet shop shall post one or more signs no lower than three feet and no higher than seven feet at each entrance and exit of the establishment indicating that concerns about the welfare of animals within the establishment can be reported to the City's Animal [Control] Protection Services Division at the Division's telephone number as listed on the sign. Each such sign shall contain the text and be in the size and format approved by the Department. The Department will make such signs available to each pet shop, but the posting of compliant signs is required whether or not actual signs have been obtained from the

Department.

SECTION 30: Title 7, Chapter 4, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.04.050: **[**"Animal Control Center"**]** "Animal Protection Services Center" means any establishment authorized by the City for the confinement, maintenance, safekeeping, protection and control of all animals that come into the custody of the Animal Regulation Officer in the performance of **[**his**]** official duties.

SECTION 31: Title 7, Chapter 4, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.04.060: **[**"Animal Control Officer"**]** "Animal Protection Services Officer" means an employee of the Department of Public Safety having the power and authority to enforce the provisions of this Title.

SECTION 32: Title 7, Chapter 4, Section 250, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.04.250: "Fees" means monies authorized by the City Council to be collected by the Animal **[**Control**]** Protection Services Officer or designee for the impounding, maintenance, sale or destruction of animals.

SECTION 33: Title 7, Chapter 4, Section 295, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.04.295: "Hearing officer" means a person appointed by the City Manager or a designee to hear appeals or make recommendations under this Title. The hearing officer may be a third party not otherwise affiliated with the City or a City officer who is independent of the animal control **[**function.**]** and protection functions.

SECTION 34: Title 7, Chapter 4, Section 300, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.04.300: "Impound" means the act of taking or receiving into custody by the Animal Regulation Officer any animal for the purpose of confinement in an Animal **[**Control**]** Protection Services Center consistent with the provisions of this Title.

SECTION 35: Title 7, Chapter 8, Section 40, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.08.040: The owner of any dog, cat or ferret may obtain for the animal an exemption-from-vaccination permit from the Animal Regulation Officer, provided that:

(A) The animal is confined at all times;

(B) The facilities for confinement have been inspected and approved by an Animal **[**Control**]** Protection Services Officer;

(C) A fee of twenty-five dollars is paid for such inspection and permit per animal per year; and

(D) The owner provides a written statement, issued by a licensed veterinarian of this State, showing cause why the animal should not be vaccinated.

SECTION 36: Title 7, Chapter 8, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.08.050: Any person required to obtain any permit under any of the provisions of this Title shall permit their premises to be inspected by the Animal **[**Control**]** Protection Services Officer at any time.

SECTION 37: Title 7, Chapter 8, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.08.070: The fee provisions of Section 7.08.060 shall not apply to an animal:

(A) Which has been trained, and is actually being used, as a guide animal, hearing animal, assistance animal, or seizure alert animal; and

(B) Whose qualification under Subsection (A) has been documented to the satisfaction of the Animal **[**Control**]** Protection Services Officer.

SECTION 38: Title 7, Chapter 8, Section 180, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.08.180: A pet fancier may own, keep or possess on his or her property not more than six spayed or neutered dogs over one year of age or twelve spayed or neutered cats over eight months of age, or any combination thereof if the number of dogs does not exceed six and the combined number of animals does not exceed twelve, provided that the pet fancier has obtained from the Animal Regulation Officer a pet fancier's

permit. The pet fancier shall obtain a pet fancier's permit from the Animal Regulation Officer each and every twelve-month period. The Animal Regulation Officer shall issue the pet fancier's permit only after inspecting the applicant's property and determining that the dogs or cats, or both, will be safely confined in a completely enclosed building, residence or enclosed lot and do not pose a nuisance to the public. As a part of the application process, the Animal [Control] Protection Services Officer shall notify all property owners contiguous to the applicant's property that the applicant has applied for a pet fancier's permit. The cost of the inspection and permit shall be fifty dollars. A pet fancier who has obtained a pet fancier's permit need not have his or her property rezoned for the purpose of owning, keeping or possessing such pets.

SECTION 39: Title 7, Chapter 16, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.16.030: Any animal which is declared to be dangerous by the Animal Regulation Officer may be kept within the City, provided that:

(A) Within fourteen days after the owner or keeper is notified of the declaration, the area in which the owner or keeper intends to keep the animal must pass an inspection by the Animal Regulation Officer, and the owner or keeper must obtain from the Animal Regulation Officer a permit to keep the animal, based upon such terms and conditions as the Animal Regulation Officer deems appropriate. A nonrefundable inspection fee of fifty dollars will be charged the owner or keeper. For purposes of this Subsection (A), notice of the declaration shall be deemed complete if it is served personally, or upon mailing by certified mail, return receipt requested, sent to the last known address of the owner or keeper.

(B) The animal shall be kept, confined or housed within an enclosure:

(1) That will ensure the animal's retention and comfort, is of a size to permit the animal to stand upright, and is of a dimension deemed adequate by the Animal Regulation Officer; and

(2) That is secure enough so that the animal cannot bite, harm or injure anyone by overreaching the top of the fence or other enclosure.

(C) At no time shall the animal be allowed to leave the private property confines of the owner or person in charge of the animal unless it is muzzled, leashed and under the effective control of an adult.

(D) The private property shall be adequately and properly posted with conspicuous warning signs, with a listing of the name and telephone number of the owner of the animal.

(E) The animal must be sterilized by a licensed veterinarian. The owner or keeper shall maintain all sterilization records, including the type of animal sterilized, the name of the veterinarian performing the procedure, and the date the sterilization was performed.

(F) The animal shall be implanted with an electronic microchip from a manufacturer approved by the Animal Regulation Officer. The implantation must be performed by a licensed veterinarian and must conform to procedures recommended by the manufacturer. The owner or keeper shall register the microchip number in a national database in accordance with instructions from the manufacturer, and shall provide the number to the Animal [Control] Protection Services Officer.

(G) The owner or keeper shall obtain and maintain in effect a policy of liability insurance in the amount of not less than fifty thousand dollars insuring against possible injuries inflicted by the dangerous animal. The liability insurance shall be maintained in effect as long as the owner or keeper maintains possession of the dangerous animal.

(H) The owner of a dangerous animal may not sell, relocate or give away the animal without first obtaining prior written approval from an Animal [Control] Protection Services Officer. If such a transaction is approved, the owner or transferee shall pay a nonrefundable inspection fee of fifty dollars for inspection of the new location for the animal. The owner or transferee shall also have the national microchip number updated in the national database to reflect the change in ownership, and shall provide evidence of the update to the Animal [Control] Protection Services Officer.

SECTION 40: Title 7, Chapter 20, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.20.010: (A) Unless otherwise directed by the Animal Regulation Officer, and subject to the provisions of Subsection (B), any dog or cat running at large wearing a current City license tag as required by this Title may be returned to its owner by the Animal [Control] Protection Services Officer if the dog or cat:

(1) Is captured within a one mile radius of the owner's residence;

(2) Has not previously been returned to its owner pursuant to this Subsection within the past six months;

(3) Can be secured at the residence of the owner, and the owner is home and willing to take possession of the dog or cat; and

(4) Has been spayed or neutered in accordance with Chapter 7.14, if so required by that Chapter.

(B) Any dog or cat running at large may be impounded by the Animal [Control] Protection Services Officer at the Animal [Control] Protection Services Center if the dog or cat:

(1) Does not qualify to be returned to its owner pursuant to Subsection (A);

(2) Is afflicted or suspected of being afflicted with rabies;

(3) Has a history of biting;

(4) Is a vicious animal;

(5) Is sick or injured and the owner cannot be personally contacted or is unable to take immediate possession of the dog or cat; or

(6) Has not been spayed or neutered in accordance with Chapter 7.14 and is required by that Chapter to be spayed or neutered, all as determined by the Animal [Control] Protection Services Officer.

(C) Upon proof of ownership, the owner shall be able to remove the dog or cat from impoundment, subject to the provisions of this Section and LVMC 7.20.080, upon payment of an impound fee of twenty-five dollars plus payment of boarding fees of ten dollars per day or part thereof; provided, however, these impound and boarding fees may be waived or partially waived if the owner is indigent and qualifies, pursuant to regulations adopted by the Animal Regulation Officer, for such waivers. Fees paid pursuant to this Subsection shall go to the credit of the City.

(D) If any such animal is licensed and the license tag has been lost, the same shall, before the release of the animal from the Animal [Control] Protection Services Center, be replaced at the expense

of the owner at a cost of five dollars, payable to the Animal Regulation Officer.

(E) If such dog or cat is unlicensed, its release shall be conditioned upon the delivery of a certificate of vaccination to the Animal Regulation Officer, and the payment to said Animal Regulation Officer of the license fee in accordance with the provisions of this Title, whereupon such owner so reclaiming such dog or cat shall be entitled to a license and numbered license tag.

(F) If the dog or cat is unvaccinated, the owner shall also be required to have the dog or cat vaccinated prior to release.

(G) If the dog or cat has not been spayed or neutered in accordance with Chapter 7.14 and is required by that Chapter to be spayed or neutered, the owner shall also be required to have the dog or cat spayed or neutered prior to release.

SECTION 41: Title 7, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.20.020: It is unlawful for the owner of any unspayed female dog or cat to suffer, permit, or allow their dog or cat to run at large while the dog or cat is in its copulating season, and the owner of such female dog or cat shall keep the same secured upon [his] the owner's premises in an adequately enclosed area or in a boarding kennel so that other dogs or cats shall not have access thereto. Every female dog or cat which is not kept in conformance with this Section shall be immediately seized and impounded in the Animal [Control] Protection Services Center and held subject to the provisions of this Chapter.

SECTION 42: Title 7, Chapter 20, Section 35, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.20.035: (A) Notwithstanding any other provision of this Title, a duly recognized animal welfare society, humane organization or animal clinic, in order to encourage the stabilization of the community cat population in the City, may, at its own expense, do the following with respect to a community cat:

(1) Trap the animal in a humane manner;

(2) Have the cat properly sterilized and vaccinated for rabies; and

(3) Release the cat either:

(a) To an Animal [Control] Protection Services Officer for adoption or other disposition in accordance with law, or

(b) To a community cat colony within the vicinity of the cat's territory in accordance with Chapter 7.22.

(B) The licensing requirements of this Title shall not apply to any cat that has been released pursuant to Subsection (A) and to the extent that:

(1) The releasing organization has ear-tipped the cat or otherwise identified it as a community cat that has been properly sterilized and vaccinated; and

(2) The releasing organization has created and maintains a record of the release.

(C) The Animal [Control] Protection Services Officer may impound any community cat if:

(1) The cat poses a threat to public safety or health by reason of a disease or condition which may be transmitted to other animals or humans;

(2) The behavior of the cat would subject its owner to liability under Chapter 7.36; or

(3) With respect to that cat, the releasing organization or the person to whom the cat is released fails to comply with the requirements of this Section.

SECTION 43: Title 7, Chapter 20, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.20.040: (A) Any animal brought to the Animal [Control] Protection Services Center by any person purporting to be the owner thereof, to be impounded or destroyed, shall be kept by the designated Animal [Control] Protection Services Center for a period not less than twenty-four hours after impoundment and before disposition as required by law; the person purporting to be the owner of said animal shall pay a reasonable fee to be determined by the Animal Regulation Officer to personnel of the Animal [Control] Protection Services Center upon the delivery of said animal.

(B) Any sick or injured animal impounded may be euthanized at any time after impoundment,

if, in the professional judgment and certification of a veterinarian, inhumane suffering may be prevented thereby.

(C) Litters of animals up to three months of age and the nursing mothers thereof impounded by the owner for purposes of adoption may be made available for adoption by the public immediately after impoundment.

SECTION 44: Title 7, Chapter 20, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.20.050: The Animal [Control] Protection Services Officer shall capture any large or dangerous dog or cat found running at large within the City.

SECTION 45: Title 7, Chapter 20, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.20.060: The Animal [Control Officer or any Peace Officer] Protection Services Officer or any peace officer shall have the right for just cause to enter upon any private or public property in the City in order to examine or capture any animal thereon or therein; provided, however, that no such officer shall have the right to enter a house or structure which is in use as a residence without having first secured a search warrant therefor.

SECTION 46: Title 7, Chapter 20, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.20.070: The Animal Regulation Officer and any Animal [Control] Protection Services Officer shall have the authority, when deemed reasonably necessary, to utilize any weapon, device or substance in order to apprehend, capture, control, or subdue any animal running at large, or considered to be a threat to persons or property in the immediate area.

SECTION 47: Title 7, Chapter 20, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.20.080: (A) Any animal impounded in the Animal [Control] Protection Services Center as provided in this Title shall be kept for a minimum of seventy-two hours; provided, however, that:

(1) Any such animal may, after the first seventy-two hours, be released to any person who shall pay all reasonable veterinary medical costs incurred by the City and any other fees and charges as required in this Title;

(2) If ownership is proven, the owner may pick up the animal at any time contingent on compliance with all provisions of this Title; and

(3) With respect to a community cat governed by Chapter 7.22, any contrary provision of that Chapter shall govern.

(B) If the ownership of an animal is not proven or if such animal is not released pursuant to Subsection (A) of this Section within seventy-two hours, or within the ten-day period of observation for rabies as provided in Chapter 7.24, the animal may be destroyed in a humane manner in compliance with and pursuant to the provisions of Sections 7.32.260 through 7.32.290, under the direction of the Animal Regulation Officer.

(C) If the animal is on a court or Animal Regulation Officer's hold to determine if the animal is vicious, the owner must pay the impound fee of twenty-five dollars plus payment of boarding fees of ten dollars per day or any part thereof until the animal has been released. Payment shall go to the credit of the City.

(D) Any sick or injured animal may be euthanized at any time after impoundment if inhumane suffering may be prevented in the professional judgment and certification of the shelter services or contracted veterinarian.

SECTION 48: Title 7, Chapter 20, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.20.100: (A) In order for a person to adopt a dog or cat older than four months from the Animal [Control] Protection Services Center, the dog or cat must first be sterilized.

(B) In order for a person to adopt any animal from the Animal [Control] Protection Services Center, the animal must first be microchipped pursuant to Section 7.20.105.

(C) The person adopting an animal pursuant to this Section must first pay an adoption

fee, plus the costs of sterilization, rabies vaccination and microchipping.

SECTION 49: Title 7, Chapter 20, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.20.110: After the animal has been vaccinated, or the fee for vaccination has been paid, and if all the conditions of this Title have been satisfied, the Animal [Control] Protection Services Officer shall release such dog or cat to the owner, or to the person applying for the release of such animal as herein provided.

SECTION 50: Title 7, Chapter 20, Section 120, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.20.120: If the Animal [Control] Protection Services Officer suspects that any dog or cat so impounded has rabies, he shall hold such animal for inspection by a veterinarian. In the event that such animal is afflicted with rabies, it shall be disposed of or confined for such time as the Health Officer shall direct. Whenever the veterinarian determines that such dog or cat does not have rabies, it shall be released as provided herein.

SECTION 51: Title 7, Chapter 22, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.22.020: Community cat caregivers shall be entitled to maintain and care for community cats by providing food, water, shelter, medical care and other forms of sustenance. In connection with the implementation of this Chapter, community cat caregivers, rescue organizations, animal shelters, the Animal [Control] Protection Services Center, and others are authorized to carry out TNR programs.

SECTION 52: Title 7, Chapter 22, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.22.040: (A) If a community cat with a tipped ear is trapped and turned into the Animal [Control] Protection Services Center or any other animal shelter, employees or volunteers may immediately return the cat to the location where it was trapped if they determine that the cat is healthy and has been successfully living outdoors. With respect to any such cat, the Animal [Control] Protection Services Center or other animal shelter is exempt from the mandatory hold period in LVMC 7.20.080 and may hold any such cat for the time

limit established in the current shelter policy.

(B) If a community cat that has a microchip or identification tag is trapped and turned into the Animal [Control] Protection Services Center or any other animal shelter, the cat must be held in accordance with LVMC 7.20.080. After the mandatory hold period, such cat may be:

(1) Returned to its owner, if known;

(2) Processed for adoption through the regular adoption process; or

(3) Returned to the location where it was trapped if it is healthy, is deemed to have been successfully living outdoors, and has been sterilized, vaccinated for rabies, and ear tipped.

(C) If a community cat that does not have a tipped ear or microchip or identification tag is trapped and turned into the Animal [Control] Protection Services Center or any other shelter, the Animal [Control] Protection Services Center or other animal shelter is exempt from the mandatory hold period in LVMC 7.20.080. If such cat is healthy, the cat may be:

(1) Processed for adoption through the regular adoption process; or

(2) Returned to the location where it was trapped if it is deemed to have been successfully living outdoors and has been sterilized, vaccinated for rabies, and ear tipped.

(D) Except in the case of extreme injury, illness or suffering, no community cat that is has been trapped and turned in to the Animal [Control] Protection Services Center or other animal shelter may be euthanized until the minimum impound period has expired.

SECTION 53: Title 7, Chapter 22, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.22.050: (A) The Animal Regulation Officer or an Animal [Control] Protection Services Officer shall have the right to trap in a humane manner any community cat that is deemed to be a threat to public health or safety. If a licensed veterinarian decides that the cat is too ill or injured or that it has an illness that presents an imminent danger to the public health or safety or to itself, or if the cat has bitten a human being, the cat may be humanely euthanized. After any applicable mandatory quarantine period, a community cat that has been found to be healthy and does not pose any other issue of public health or safety exist, the cat

may be returned to the location where it was trapped if it has been sterilized and vaccinated, as deemed necessary.

(B) The Animal Regulation Officer shall have the authority to declare that a particular community cat colony or community cat is in a location that is hazardous to the health and safety of the public or that the colony or cat is a nuisance. A community cat that has been impounded from a colony that has been declared a hazard or nuisance pursuant to this Section shall not be released to the location of the colony unless the hazard or nuisance is remedied and the release has been approved by the Animal Regulation Officer. The disposition provisions of LVMC 7.22.040 shall apply to any cat impounded pursuant to this Section.

SECTION 54: Title 7, Chapter 24, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.24.020: Any person, including the owner of an animal, who has knowledge that the animal has bitten a human being has a duty to promptly report the same to the Health Officer or the Animal **[**Control**]** Protection Services Officer, and to provide all pertinent information requested by them.

SECTION 55: Title 7, Chapter 24, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.24.030: (A) A home confinement may be approved by the Animal **[**Control**]** Protection Services Officer. If the biting animal has been properly vaccinated against rabies, it shall be the duty of the person owning, possessing or having the care, custody and control of said animal to confine such animal separately and securely in an enclosed building or lot for a period of ten days, and shall comply with the terms and conditions of the home confinement approval by the Animal **[**Control**]** Protection Services Officer. If the biting animal is considered vicious by the Animal **[**Control**]** Protection Services Officer, the owner shall immediately relinquish custody of the animal upon demand by the Animal **[**Control**]** Protection Services Officer, and the animal will be impounded at the Animal **[**Control**]** Protection Services Center. In the event such animal develops any illness during such period of time, the owner or person having the care, custody, and control must promptly notify a veterinarian, who shall make such examination as he deems necessary

and report to the Animal [Control] Protection Services Officer in the event said animal is deemed to have rabies, and said animal shall be handled in accordance with the provisions hereof.

(B) The maximum period of confinement for observation of the vaccinated animal confined at the Animal [Control] Protection Services Center shall be ten days, even if said animal is obtained from any other governmental entity, including, but not limited to, the State, the County, the City of North Las Vegas, the City of Henderson, and the City of Boulder City. If the animal is not released after the maximum ten-day period, as provided by law, it may be destroyed thereafter, except when the animal has a hold on it.

SECTION 56: Title 7, Chapter 24, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.24.040: (A) In the event the biting animal has not been vaccinated against rabies, said animal shall be confined, at the owner's expense, separately, in either the animal quarters at the business premises of a veterinarian, at a commercial kennel, or in the City Animal [Control] Protection Services Center for a period of ten days' observation, and if not released as provided by law, may be destroyed thereafter. Such animal shall not be released before suitable provisions for vaccination and licensing have been made as set forth in this Title. If the biting animal is considered vicious by the Animal [Control] Protection Services Officer, the animal will be impounded at the Animal [Control] Protection Services Center.

(B) The maximum period of confinement for observation of the unvaccinated animal confined at the Animal [Control] Protection Services Center shall be ten days, even if said animal is obtained from any other governmental entity, including, but not limited to, the State, the County, the City of North Las Vegas, the City of Henderson, and the City of Boulder City. If the animal is not released after the maximum ten-day period, as provided by law, it may be destroyed thereafter, except when the animal has a hold on it.

SECTION 57: Title 7, Chapter 24, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.24.050: (A) Upon the receipt by the Animal [Control] Protection Services Officer of any animal

believed to be afflicted with rabies, which has been bitten by any animal afflicted or suspected of being afflicted with rabies, or which has been exposed to the infection of rabies, the Animal [Control] Protection Services Officer shall separately confine such animal and shall immediately notify a veterinarian and the Health Officer. The veterinarian or Health Officer shall thereupon make such examination of the animal as may be deemed necessary. If, upon such examination, it is determined that such animal is afflicted with rabies, the Animal [Control] Protection Services Officer shall be so advised.

(B) It shall be the duty of the Animal [Control] Protection Services Officer to keep such animal suspected of having rabies confined for such time as the veterinarian or Health Officer may direct, and such animal shall not be redeemed or released except upon written order signed by the Health Officer. Such animal shall not be released before suitable provisions for vaccination and licensing have been made as set forth in this Title.

(C) The cost of all examinations shall be borne by the owner of said animal.

SECTION 58: Title 7, Chapter 24, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.24.060: It shall be the duty of the Animal [Control] Protection Services Officer to impound any animal found in or upon any public street, alley or other public place, or in or upon any lot or premises, whether public or private, if such animal is known to have or suspected of having rabies, or known to have been bitten by any animal having or suspected of having rabies, and such animal shall be brought immediately before the Health Officer and a veterinarian for determination of whether the animal shall be destroyed or impounded. If destruction of the animal is required, destruction shall be accomplished in such manner as to preserve intact the head. Such head shall promptly and without delay be properly removed and packaged for shipment for laboratory analysis as prescribed by the Health Officer.

SECTION 59: Title 7, Chapter 24, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.24.070: The maximum period of confinement for observation at the Animal [Control] Protection Services Center of [a] an animal known to have or suspected of having rabies shall be ten days, even if said

animal is obtained from any other governmental entity, including, but not limited to, the State, the County, and the cities of North Las Vegas, Henderson, and Boulder City. If the animal is not released after the maximum ten-day period, as provided by law, it may be destroyed thereafter. Any other animal known to have or suspected of having rabies shall be confined for observation at the Animal [Control] Protection Services Center for such necessary period of time as shall be determined by the Health Officer, but in no event less than ten days.

SECTION 60: Title 7, Chapter 24, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.24.090: Whenever any animal is bitten by another animal suspected of having rabies, the owner of the bitten animal and the owner of the biting animal shall immediately notify the Health Officer and the Animal [Control] Protection Services Officer who, in their discretion, may quarantine such animals for a period to be determined and in such manner as prescribed by the Health Officer.

SECTION 61: Title 7, Chapter 24, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.24.110: If it shall appear to the Health Officer or Animal [Control] Protection Services Officer that an animal has rabies, he shall forthwith impound for observation such animal until released by the Health Officer.

SECTION 62: Title 7, Chapter 28, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.28.030: The clinic shall establish a return date by which the person submitting the animal for the above operations or services shall pick up said animal or otherwise be responsible for a reasonable board and care fee to commence after such return date. Failure to pick up an animal within seventy-two hours of said return date shall be deemed abandonment of such animal and the Animal [Control] Protection Services Center may dispose of it according to law.

SECTION 63: Title 7, Chapter 32, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.32.020: Whenever an Animal [Control] Protection Services Officer finds that any animal is, or will be, without proper care, the Animal [Control] Protection Services Officer may take such animal into [his] protective care; and in the event of sickness, injury or abuse of the animal, the Animal [Control] Protection Services Officer may take any action to prevent undue pain and suffering, including impoundment or immediate destruction of the animal.

SECTION 64: Title 7, Chapter 32, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.32.080: (A) Any peace officer or Animal [Control] Protection Services Officer who finds an animal in a motor vehicle in violation of this Chapter may break and enter the motor vehicle causing the minimum damage necessary to safely remove the animal if necessary to remove the animal.

[(A)] (B) The [Officer] officer removing the animal shall take the animal to the Animal [Control] Protection Services Center or to a veterinary clinic for safekeeping and shall, in the event the person having custody cannot be otherwise contacted, leave in a prominent place in the motor vehicle a written notice bearing [his] the officer's name and office, and the address where the animal may be claimed by the owner thereof.

[(B)] (C) The animal will be surrendered to the owner if the owner claims the animal within five working days from the time the animal was removed from the motor vehicle and pays all applicable charges that have accrued for the maintenance of the animal.

[(C)] (D) Any animal impounded in the Animal [Control] Protection Services Center as provided in this Title shall be kept for a minimum of seventy-two hours. After that period, the animal may be released to any person, who shall pay all appropriate fees as provided in this Title.

SECTION 65: Title 7, Chapter 32, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.32.090: Each person who takes custody of any animal that is lost, abandoned, or apparently running at large, shall report the same to the Las Vegas Animal [Control] Protection Services Center immediately after taking custody thereof. For purposes of this Section, an animal shall be considered to be abandoned if:

(A) The person having care, custody or control of the animal leaves the animal without adequate care or control on public or private property; or

(B) The animal has not been claimed by the agreed-upon time after having been boarded, groomed, trained, handled or cared for by a professional animal handler or veterinarian.

SECTION 66: Title 7, Chapter 32, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.32.100: (A) Every operator of any vehicle upon the streets and ways of the City shall immediately upon injury, striking, maiming or running down any animal give such aid as he is reasonably able to render. In the absence of the animal's owner, he shall immediately notify the Animal [Control] Protection Services Officer furnishing sufficient facts relative to such injury.

(B) It is the duty of such operator to remain at or near the scene until the appropriate authorities arrive, and such operator shall immediately identify himself to the appropriate authority.

(C) Alternatively, in the absence of the animal's owner, a person may give aid by taking the animal to a veterinary hospital or the Animal [Control] Protection Services Center and thereafter notifying the Animal Regulation Officer. Such animal shall be deemed an uncared for animal within the meaning of Section 7.32.020.

(D) Emergency vehicles are not required to stop but shall notify the Animal [Control] Protection Services Officer, furnishing sufficient facts relative to such injury.

SECTION 67: Title 7, Chapter 32, Section 160, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.32.160: It is unlawful to:

(A) Restrain a dog in violation of NRS 574.100;

(B) Confine an animal in any cage, coop, or fence barrier of a size deemed insufficient by the Animal [Control] Protection Services Officer, or to restrict any animal by leash, cord, or chain of a length deemed insufficient for that type of animal by the Animal [Control] Protection Services Officer; or

(C) Tether, tie, chain or use other restraint on a dog for longer than ten hours during a twenty-

four-hour period or at any time when the National Weather Service issues a heat advisory. This Subsection (C) does not prohibit conduct permitted by NRS 574.100(4) and shall not be deemed to limit the general applicability of Subsection (B).

SECTION 68: Title 7, Chapter 32, Section 180, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.32.180: It shall be a misdemeanor for any person who has trapped an animal, or discovers any animal so trapped, to dispose of it in any fashion not otherwise provided by law, but said person shall call the Animal [Control] Protection Services Officer to have said animal picked up, deliver it to the Animal [Control] Protection Services Center, or otherwise dispose of it as directed by the Animal [Control] Protection Services Officer.

SECTION 69: Title 7, Chapter 32, Section 250, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.32.250: (A) It shall be a misdemeanor, except as provided in Subsection (B), for any person to sell or offer for sale, buy or offer to buy, barter or offer to barter, give or offer to give, or furnish any animal for experimental, laboratory, vivisection, dissection or teaching purposes.

(B) Any person may sell or offer for sale, buy or offer to buy, barter or offer to barter, give or offer to give, or furnish any animal for properly conducted scientific experiments or investigations which are performed under the authority of the faculty of any regularly incorporated medical college or university of this State, or under the authority of the staff of a licensed hospital or laboratory facility in the course and scope of their work.

(C) Notwithstanding the provisions of Subsection (B), the City Animal [Control] Protection Services Center shall not knowingly release an animal to any person who intends to use the animal for experimental, laboratory or vivisection purposes.

SECTION 70: Title 7, Chapter 32, Section 270, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.32.270: No employee of a public or private Animal [Control] Protection Services Center may use

sodium pentobarbital in the euthanasia of animals unless he is certified to use those substances.

SECTION 71: Title 7, Chapter 32, Section 290, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.32.290: The Animal **[**Control Officer and any Peace Officer**]** Protection Services Officer and any peace officer shall have the right with probable cause to enter upon any private or public property in the City in order to examine or capture any animal thereon or therein; provided, however, that no such officer shall have the right to enter a house or structure which is in use as a residence without having first secured a search warrant therefor.

SECTION 72: Title 7, Chapter 38, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.38.010: (A) No wild animal shall be exhibited in public or private or kept anywhere within the City unless and until the owner thereof has obtained a wild animal permit from the Animal Regulation Officer.

(B) Such wild animal permit shall not be issued for the keeping or exhibiting of a wild animal until an investigation has been made to ascertain what precautions shall be reasonable and necessary to protect the health, safety and general welfare of the public and of the animal.

(C) The Animal Regulation Officer may issue a permit for each wild animal or reptile that meets the below listed conditions. The application for permit shall have attached thereto a veterinarian's certificate, certifying that said animal is properly vaccinated and possesses no health hazard to itself, other animals, or the general public, for each animal to be covered by the permit. Each permit application shall contain the following information and documentation:

(1) Type of animal(s) to be covered by the permit;

(2) Purpose of keeping such animals, with particular emphasis on the knowledge of such person about the animals in question, and the experience of such person in handling the animals in question;

(3) Period and location for which the permit is requested;

(4) Description of the quarters in which the animal will be kept and/or exhibited, including plans and specifications, where appropriate;

(5) Documentation from the City's [Planning and Development] Department of Community Development that the location in question complies with zoning regulations and requirements applicable to the keeping of wild animals;

(6) Circumstances, if any, under which the animal will be removed from quarters;

(7) Name and address of applicant and any other person to be placed in charge of the animal; and

(8) Any other conditions or restrictions as set forth by the Animal Regulation Officer.

(D) After a review of all available information, including the permit application, the criteria or standards of recognized societies or groups dealing with the animal in question, and any citizen input, the Animal Regulation Officer may issue a permit for the keeping or exhibiting of such animal if, in [his] the Animal Regulation Officer's considered judgment, such animal does not constitute a danger or nuisance to the general public.

(E) A permit to keep one or more wild animals, with no exhibition intended, may be issued for the period prescribed by the Animal Regulation Officer upon payment of a twenty-five-dollar fee and a favorable inspection by an Animal [Control] Protection Services Officer. The permit authorizes the keeping of the animal(s) only, in accordance with the conditions and restrictions imposed thereon, and does not authorize exhibition. A new application and a new fee is required in order to extend the time period or to change or remove any condition or restriction. The quarters for the animals must be adequate to ensure public safety and the safety, health and welfare of the animals. The owner or keeper of a wild animal not intended for exhibition shall:

(1) Have the animal implanted with an electronic microchip from a manufacturer approved by the Animal Regulation Officer. The implantation must be performed by a licensed

veterinarian and must conform to procedures recommended by the manufacturer. The owner or keeper shall register the microchip number in a national database in accordance with instructions from the manufacturer, and shall provide the number to the Animal [Control] Protection Services Officer.

(2) Obtain and maintain in effect a policy of liability insurance in the amount of not less than one hundred thousand dollars insuring against possible injuries inflicted by the wild animal. The liability insurance shall be maintained in effect as long as the owner or keeper maintains possession of the wild animal.

(F) A permit to exhibit one or more wild animals may be issued for the period prescribed by the Animal Regulation Officer upon payment of a twenty-five-dollar fee and a favorable inspection by an Animal [Control] Protection Services Officer. The permit authorizes the keeping and exhibiting of the animal in accordance with this Section and with the conditions and restrictions imposed upon the permit. The twenty-five-dollar fee includes an inspection of one location and the animals to be exhibited at that location. If the permittee proposes to change the location or to exhibit additional animals, the Animal Regulation Officer is authorized to require an additional inspection and an additional twenty-five-dollar fee. The exhibit site, the quarters for the animals and the exhibition facilities must be adequate to ensure public safety and the safety, health and welfare of the animals. Before and with respect to the period of any exhibition, the permittee must obtain and maintain in effect liability insurance coverage for the exhibition in an amount not less than one million dollars.

SECTION 73: Title 7, Chapter 38, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.38.050: (A) Except as otherwise provided in Subsections (B) and (C), it is unlawful for any person to keep, or cause to be kept, on premises over which any such person may have control within the City:

(1) Any poultry within three hundred fifty feet of any dwelling of another person unless such other person has filed with the Animal [Control] Protection Services Officer a written, unrevoked consent authorizing the keeping of such poultry within three hundred fifty feet of the dwelling. In

the case of pigeons, this distance shall be two hundred feet from any dwelling owned by another person unless such other person has filed with the Animal [Control] Protection Services Officer a written, unrevoked consent authorizing the keeping of the pigeons within two hundred feet of the dwelling, in which case the number of pigeons shall be limited to twelve pair over the age of twelve months;

(2) Any crowing rooster;

(3) Any poultry or birds that are not, at all times, confined within a suitable outbuilding, coop, or enclosed runway that is clean and free from offensive odors, animal wastes, rodents, flies, or any other offensive or unwholesome condition; or

(4) Any poultry within any dwelling house, basement, sub-basement, or cellar.

(B) A person may keep up to a maximum of three hundred carrier or racing pigeons if the use complies with the provisions of Title 19. The pigeons must be confined in accordance with Paragraph (3) of Subsection (A) of this Section except during limited periods necessary for exercise, training or competition.

(C) The limitations of Paragraph (1) of Subsection (A) do not apply to the keeping of chickens within the R-1 and R-MH Zoning Districts if:

(1) The activity complies with all applicable requirements for the keeping of chickens within those districts as set forth in the provisions of LVMC 19.12.070 that pertain to animal keeping and husbandry; and

(2) The owner of each parcel that is adjacent to the parcel on which the chickens are to be kept has filed with the Animal [Control] Protection Services Officer a written, unrevoked consent to the activity.

SECTION 74: Title 7, Chapter 38, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.38.080: Animals running at large shall be impounded at the Animal [Control] Protection Services Center for seventy-two hours, or for such other period as may be required by State or Federal law or regulations, within which time the owner may prove ownership and remove such animal upon the payment

of a fee for its impoundment in the amount of one hundred dollars, which shall go to the credit of the City of Las Vegas.

SECTION 75: Title 7, Chapter 40, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.40.010: Every person owning, operating or maintaining a commercial business within the City must first obtain a license from the City to operate said business. The issuance of any license therefor shall at all times be subject to planning and zoning regulations of the City; provided, however, that this Section as to the business license shall not apply to quarters maintained by political entities for the purpose of using animals in law enforcement or for animal control or protection, or to quarters maintained by veterinarians for the purpose of surveillance or treatment of animals on a temporary basis.

SECTION 76: Title 7, Chapter 40, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.40.030: When a professional animal handler permit is applied for, a fee of fifty dollars shall be paid to the Animal Regulation Officer for an inspection of the commercial breeder's facility, grooming parlor, grooming school, kennel, pet shop, or dog training facility. The inspection shall be conducted by an Animal [Control] Protection Services Officer to determine compliance with this Title, and if compliance is met the permit shall issue. If inspection reveals that this Title or other applicable laws or regulations have not been complied with, the professional animal handler permit shall be withheld and the person so applying shall have ninety days within which to request a reinspection without charge. The Animal [Control] Protection Services Center itself shall be exempt from the operation of this Section.

SECTION 77: Title 7, Chapter 40, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.40.060: A professional animal handler permit shall expire on December 31st of each calendar year, and shall be renewed after the payment of the applicable fifty-dollar fee by February 1st of the following year, after an inspection by an Animal [Control] Protection Services Officer.

SECTION 78: Title 7, Chapter 40, Section 90, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.40.090: The Animal [Control] Protection Services Officer, after proper identification, shall be permitted to enter any commercial grooming parlor, grooming school, kennel, pet shop, dog training facility or breeding establishment for the purpose of making inspections to determine compliance with this Title. The Animal [Control] Protection Services Officer shall make as many inspections as reasonably necessary for the enforcement of this Title except that the time period between inspections shall not exceed one year.

SECTION 79: Title 7, Chapter 40, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.40.110: Any person who, for pay or other compensation, causes the breeding of a male or female dog or cat or makes a dog or cat available for breeding purposes, or any person who sells or offers for sale any dog or cat shall pay an annual permit/inspection fee of fifty dollars for the privilege of engaging in such activity. However, any person who possesses a valid City permit to operate a dog kennel, cat kennel or pet shop and has paid the annual permit fee therefor shall receive a credit in the amount of the fee paid but in no event shall the amount of credit exceed the amount of tax hereunder.

(A) Each person subject to the provisions of this Section shall:

(1) Not allow the whelping of more than two litters per each female dog or cat in an eighteen-month period;

(2) Not cause the whelping of more than two litters in the permit holder's or any other person's domestic household in an eighteen-month period. Notwithstanding this provision, however, the Animal [Control] Protection Services Center is hereby authorized, upon application of a permit, to allow on a one-time basis the whelping of up to a total of three dog or cat litters in a domestic household in an eighteen-month period where the permit holder establishes within regulations promulgated by the Animal Regulation Officer that such breeding is required to protect the health of the animal. In the event a permit holder is forced to destroy a litter of dogs or cats, the Animal Regulation Officer may authorize the whelping of one additional litter of dogs or cats within the same year by the permit holder;

(3) Not have more than six adult dogs or cats over the age of one year and no more than

ten dogs or cats over the age of three months;

(4) Cause all dogs and cats prior to their sale to be immunized against common disease; in the case of dogs, against distemper, DHLD, and in the case of cats, against panleukopenia. The sale of a dog or cat shall include a signed statement from the seller attesting to the seller's knowledge of the animal's health. Such statement shall include the animal's immunization history;

(5) Not sell any dog or cat under the age of seven weeks;

(6) Furnish the Animal [Control] Protection Services Center with the animal breeder's permit number and the name, address, and telephone number of the buyer or new owner of any dog or cat sold or transferred within five days after the date of such sale or transfer.

(B) The Animal [Control] Protection Services Center shall furnish the permit holder with printed information regarding the pet care, protection and control services of the City which shall be provided by the seller to the purchaser of any dog or cat.

(C) Persons subject to this Section shall not publish or advertise the sale of any dog or cat unless said publication or advertisement is accompanied by the seller's breeder's permit number.

(D) Each permit issued hereunder shall expire one year from the date of issuance. However, it may be renewed at any time up to and including the last day of the calendar month in which it is due to expire.

(E) The payment of this permit fee shall not exempt the permit holder from compliance with any other applicable provision of the [City of Las Vegas Municipal Codes.] Municipal Code.

SECTION 80: Title 7, Chapter 42, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.42.010: For purposes of this Chapter:

"Animal care facility" means the Animal [Control] Protection Services Center or any other facility:

(A) That is operated by, or under contract with and on behalf of, any unit of state or local government; and

(B)Whose mission and practice consists, in whole or significant part, of the rescue and placement of animals in permanent homes.

"Animal Welfare Act and regulations" means the animal welfare provisions of 7 U.S.C. Section 2131 et seq. and the corresponding federal animal welfare regulations located in 9 C.F.R. Chapter I, Subchapter A.

"Broker" means any person in the business of selling dogs or cats to pet shops, whether or not the broker is also the breeder of the dogs or cats sold to pet shops.

"Distributor" means a person who acts as the agent or contractor of a pet shop to obtain and transport dogs, cats or a combination thereof to a pet shop for purposes of sale.

"Microchipping" and other forms of the word shall be deemed to include both the subcutaneous insertion of a registered microchip into a dog or cat and a registration that includes the animal's date of birth, the breeder's name and address, and the breeder's USDA license number.

"Nonprofit animal rescue organization" means any nonprofit organization which has tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and whose mission and practice consists, in whole or significant part, of the rescue and placement of animals in permanent homes.

"USDA" means the United States Department of Agriculture.

"USDA license number" means the license number issued to a breeder or broker by the USDA pursuant to the Animal Welfare Act and regulations.

SECTION 81: Title 7, Chapter 42, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.42.080: (A) The Animal [Control] Protection Services Officer, officers of the Las Vegas Metropolitan Police Department, and officers and employees of the City within the Business Licensing Division shall have the authority to issue citations or notices of violation, and to conduct inspections, investigations and audits regarding the operation of each pet shop, including without limitation the transportation of dogs and cats to and from a pet shop and documentation regarding the acquisition and disposition of dogs and cats by a pet shop.

(B) The Animal Regulation Officer shall have the authority to develop and adopt forms, reports and other items of documentation to be used by pet shops and distributors in documenting compliance

with this Chapter, and pet shops and distributors shall use such items of documentation as are required by the Animal Regulation Officer.

SECTION 82: Title 7, Chapter 44, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.44.040: (A) Any person owning, possessing or having the care, custody and control of any animal, who:

(1) Wilfully refuses, fails or neglects to furnish to the Animal Regulation Officer or an Animal [Control] Protection Services Officer the information required under this Title;

(2) Wilfully refuses, fails or neglects to cause said animals to be registered and pay said registration fee at the time and in the manner herein provided;

(3) Wilfully refuses, fails or neglects to perform any act or pay any other fee or charge required by this Title to be performed or paid;

(4) Resists, interferes with or prevents the Animal Regulation Officer or an Animal [Control] Protection Services Officer in the exercise of their duties; or

(5) Violates any of the provisions of Chapters 7.04 to 7.44, is guilty of a misdemeanor.

(B) Any person who violates any provision of Section 7.32.010, Section 7.32.030, Section 7.32.120, Section 7.32.130, Section 7.32.160, or any provision of Subsections (1), (2), (3) or (5) of NRS 574.100 is guilty of a misdemeanor and:

(1) For the first offense within the immediately preceding seven years, shall be sentenced to imprisonment for a term of not less than two days nor more than six months; the performance of community service of not less than forty-eight hours nor more than one hundred twenty hours, and a fine of not less than two hundred dollars nor more than one thousand dollars. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge, except that each period of confinement must be not less than four consecutive hours and must occur at a time when the person is not required to be at [his] a place of employment or on a weekend;

(2) For the second offense or subsequent offense within the immediately preceding seven years, shall be sentenced to imprisonment for a term of not less than ten days nor more than six months; the performance of community service of not less than one hundred hours nor more than two hundred hours, and a fine of not less than five hundred dollars nor more than one thousand dollars.

(C) In addition to any other fine or penalty provided in Subsection (B), a person who violates any provision described in Subsection (B) shall be ordered to pay restitution for all costs associated with the care and impoundment of any mistreated animal, including without limitation money expended for veterinary treatment, feed and housing.

(D) In connection with the imposition of any sentence pursuant to this Section, the court:

(1) May order the defendant to surrender ownership or possession of the mistreated animal;

(2) Except as otherwise provided in Paragraph (3) below, may enter an order prohibiting the defendant from harboring, owning, possessing, keeping or exercising control over any animal; from residing in any household where an animal is present; and from working at or volunteering for a business, animal shelter or other place where the person may access an animal, for a period not to exceed four years; and

(3) In a case where the mistreated animal died as a result of the mistreatment, must enter an order prohibiting the defendant from harboring, owning, possessing, keeping or exercising control over any animal; from residing in any household where an animal is present; and from working at or volunteering for a business, animal shelter or other place where the person may access an animal, for a period of at least two years and not to exceed five years, beginning either on the date of conviction or, in the case of a suspended sentence, at such other time as is determined by the court.

(E) If a person who owns, possesses or has custody, care and control of an animal resists, interferes with or prevents the Animal Regulation Officer or an Animal [Control] Protection Services Officer in the exercise of their duties, or violates any of the provisions of Chapters 7.04 to 7.44, inclusive, the animal may be impounded in accordance with the provisions of this Title.

(F) The City is authorized to treat a violation of the following provisions of this Title as a civil infraction, which shall then subject the violator to a civil penalty in accordance with the provisions of Sections 7.44.060 to 7.44.120, inclusive:

(1) Section 7.08.010 (relating to animal licensing);

(2) Section 7.08.090 (relating to license tags);

(3) Section 7.08.140 (relating to dog limitations);

(4) Section 7.08.160 (relating to cat limitations);

(5) Section 7.12.010 (relating to rabies vaccinations);

(6) Section 7.14.010 (relating to unspayed/unneutered animals);

(7) Section 7.20.020 (relating to unspayed female animals during copulating season);

(8) Section 7.36.010 (relating to noise annoyance);

(9) Section 7.36.020 (relating to animal interference, damage, etc.);

(10) Section 7.36.030 (relating to animals at large), if the violation is witnessed by the Animal Regulation Officer or an Animal [Control] Protection Services Officer;

(11) Section 7.36.040 (relating to animal waste);

(12) Section 7.36.050 (relating to animal restraint and sanitation);

(13) Section 7.38.040 (relating to hogs and pigs);

(14) Section 7.38.041 (relating to potbellied pigs);

(15) Section 7.38.042 (relating to potbellied pigs);

(16) Section 7.38.043 (relating to potbellied pigs);

(17) Section 7.38.050 (relating to poultry and birds);

(18) Section 7.38.060 (relating to rabbits);

(19) Section 7.38.070 (relating to owner responsibilities); and

(20) Section 7.38.100 (relating to wild animal permits).

SECTION 83: Title 7, Chapter 44, Section 50, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7.44.050: Any Animal [Control Officer or Peace Officer] Protection Services Officer or peace officer shall have the right with probable cause to enter upon any private or public property in order to examine or capture any animal thereon or therein or to enforce any provision of this Title; provided, however, that no such Officer or employee, agent or servant thereof shall have the right to enter a house or structure which is in use as a residence without having first secured a search warrant therefor.

SECTION 84: Title 9, Chapter 4, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.04.020: (A) The City, through its agents and employees, is authorized to inspect property, buildings and premises to determine compliance with this Chapter. The City may assess and collect from the owner or responsible party the following inspection fees as service charges:

(1) No fee for the initial inspection.

(2) One hundred twenty dollars for the initial reinspection, if the owner or responsible party has failed to make all the repairs or corrections by the established reinspection date.

(3) An additional reinspection fee in the sum of one hundred eighty dollars per hour, with a one-hour minimum, for each additional inspection required to certify compliance with the notice of violation until each repair or correction has been completed to the satisfaction of the authorized official.

(B) Based upon a summary of service charges submitted by the authorized official, the Department of [Finance and Business Services] Community Development shall send an appropriate billing to the owner or responsible party. The Department may charge an additional ten percent administrative fee to cover administrative costs. The billing must include the date by which payment must be made in order to avoid the assessment procedures described in this Chapter.

(C) If payment is not received in a timely manner, the City may proceed to collect the service charges and administrative fees through the assessment procedures described in Section 9.04.100, or by means of any other legal or equitable remedy.

SECTION 85: Title 9, Chapter 4, Section 80, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.04.080: (A) In addition to and independent of any other proceeding or remedy authorized by this Chapter or by State law, if an owner or responsible party in violation of this Chapter fails or neglects to remove the public nuisance within the applicable time limit specified in Section 9.04.060 and has not filed a timely appeal pursuant to Section 9.04.070, the City may take any and all action necessary to abate the public nuisance. In addition, after the City has taken abatement action more than once concerning a particular parcel, the City may undertake preventative measures as part of its abatement action, which may include, without limitation, creating a dirt berm or installing a fence around the appropriate portions of the parcel, and installing appropriate signage, to prevent and discourage future nuisance activity.

(B) Except as otherwise provided in this Section, at least ten days' notice of the City's intent to take or cause abatement action under this Section must be provided to an owner or responsible party. Subject to compliance with the provisions of Paragraph (2) of Subsection (C) of Section 9.04.050, this notice requirement shall be deemed to have been met if a notice of violation indicates that such abatement action may be taken upon failure to remove a public nuisance within the time limit specified.

(C) A fifteen percent administrative fee shall be added to the cost of the contract price, if any, for each abatement action conducted to remove or correct a public nuisance.

(D) If, in the opinion of the City Manager, or a duly authorized representative, the condition of a property constitutes an imminent hazard, the City Manager or representative may order immediate abatement of the hazard without notice. The abatement work shall be limited to the minimum work necessary to remove the hazard. Before ordering abatement under this Section, the City Manager or representative shall first obtain the concurrence of at least one other City or public agency official. City and public agency officials that may concur with or request a designation of imminent hazard pursuant to this Section include, without limitation, the City Manager; the Las Vegas Metropolitan Police Department; the Southern Nevada Health District; and the Departments of Fire and Rescue, Public Works, [Planning,] Community Development, Public Safety, and [Parks and Recreation.] Parks, Recreation and Cultural Affairs. The City shall pay the initial cost and expense of any emergency abatement from any appropriation made

available for that purpose. Any costs and expenses incurred, and any fees imposed, in connection with the removal of an imminent hazard may be assessed against the property or the owner in accordance with the procedure described in Section 9.04.100.

(E) A report of abatement proceedings taken pursuant to this Section, and a separate account of the abatement costs on each parcel, shall be filed with the City Clerk.

SECTION 86: Title 9, Chapter 8, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.08.050: It is unlawful for any person, for the purpose of disposal of solid waste, hazardous waste or recyclables by burning, to kindle or maintain any bonfire, or knowingly to furnish the materials for any such fire, or to authorize any such fire to be kindled or maintained in any solid waste, hazardous waste or recyclables container, or on any street, alley, road, land or other public grounds or upon any private property, within the City, unless a written permit to do so shall first have been secured from the Department of Fire and Rescue; provided, however, that solid waste and infectious waste may be burned in an incinerator duly approved by the Department of Fire and Rescue and the Department of **[**Building and Safety.**]** Community Development.

SECTION 87: Title 9, Chapter 12, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.12.080: Upon determination by the Director of **[**Building and Safety**]** Community Development or a designee that private property is maintained or allowed to remain in violation of this Chapter, the Director or designee may issue an order to correct the offending condition. Such order shall be served upon the owner of the property, as shown by the Clark County Assessor's records, by mailing a copy of the order by certified mail, return receipt requested, to the address of the owner as shown by the records of the Clark County Assessor. In the alternative, the notice may be delivered by hand to the owner of the property or the person in control of the property. The order shall describe the offending condition and request correction or compliance within ten days from the date of the mailing of the notice or seven days from delivery of the notice by hand.

SECTION 88: Title 9, Chapter 12, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.12.100: In the event the owner fails to comply with the order and correct the conditions specified herein, the Director of **[**Building and Safety**]** Community Development or designee is authorized and empowered to cause or employ City personnel and equipment or other persons and equipment to enter upon the premises and correct the offending condition.

SECTION 89: Title 9, Chapter 16, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.16.030: The following acts, among others, are declared to be noise disturbances and noises in violation of, and unlawful under, this Chapter, but this enumeration shall not be deemed to be exclusive:

(A) The sounding of any horn or signal device on any automobile, motorcycle or bus while it is in motion except as a danger signal if another vehicle is approaching apparently out of control or, if in motion, only as a danger signal after the brakes have been or are being applied and the deceleration of the vehicle is intended, the creation by means of any such horn or signal device of any unreasonably loud or harsh sound or the sounding of such horn or device for an unnecessary and unreasonable period of time.

(B) Operating or playing, or permitting the operation or playing of, any radio, television, phonograph, stereo, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound in such a manner as to create a noise disturbance:

(1) To any person who resides or works in the vicinity. The operation or playing of such radio, television, phonograph, stereo, drum, musical instrument, sound amplifier or similar device in such a manner or at such a volume as to be plainly audible to the human ear at a distance of fifty feet from the source of the noise shall be prima facie evidence of a violation of this Chapter; or

(2) At a distance of fifty feet from such radio, television, phonograph, stereo, drum, musical instrument, sound amplifier or similar device when it is played or operated in or on a motor vehicle that is on any public right-of-way or in any public space.

→This subsection shall not apply to any noncommercial spoken language that is subject to Subsection (K)

of this Section.

(C) Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of eleven p.m. and seven a.m., or at any time or place in such a manner or at such a volume as to annoy or disturb the quiet, comfort or repose of any person in any hospital, dwelling, hotel or any other type of residence or of any person in the vicinity.

(D) The keeping of any animal, bird or fowl which, by causing frequent or long-continued noise, disturbs the comfort or repose of any person in the vicinity.

(E) The use of any automobile or motorcycle so out of repair, so loaded or in such manner as to cause loud and unnecessary grating, grinding, rattling or other noises.

(F) The blowing of any steam whistle that is attached to any stationary boiler except to give notice of the time to begin or stop work, as a warning of fire or other danger or upon the request of the proper authorities of the City.

(G) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motor boat engine except through a muffler or other sound dissipation device which will effectively prevent loud or explosive noises therefrom.

(H) The erection, including the excavation, demolition, alteration or repair of any building in any new or existing residential district, or the excavation, construction or repair of any right-of-way improvements in any new or existing residential district other than between the hours of seven a.m. and six p.m., except in the case of urgent necessity in the interest of public health and safety and then only with a permit from the designated official. Such a permit may be granted for a period not to exceed thirty days while the condition of urgent necessity continues. Such a permit may be granted only upon a determination by the designated official that the public health and safety will not be impaired by the performance of the work between the hours of six p.m. and seven a.m. and that loss or inconvenience would otherwise result to any party in interest regarding the work. Such a permit may be granted only if application therefor is made at the time that the permit for such work is issued or at any time during the progress of such work. In connection with the permit process described in this Subsection, the designated official may establish such forms,

policies and procedures as deemed necessary. For purposes of this Subsection, the "designated official" means:

(1) For work involving buildings, the Director of [Building and Safety] Community Development or a designee.

(2) For work involving right-of-way improvements, the City Traffic Engineer or a designee.

(I) The creation of any excessive noise on any street that is adjacent to any school, institution of learning, church or court while the same is in session, or is adjacent to any hospital, which unreasonably interferes with the working or sessions thereof or the persons therein.

(J) The loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans or similar objects between the hours of eleven p.m. and seven a.m. in such a manner as to project a noise disturbance across the boundary of any residential real property.

(K) The use or operation for any purpose of a loudspeaker, public address system, or sound amplification device in connection with any radio, phonograph, tape recorder, microphone or similar device:

(1) In such a manner or at such a volume that it is plainly audible to the human ear at a distance of fifty feet or more from the source of the sound;

(2) Between the hours of eleven p.m. and seven a.m. on any public right-of-way or in any public space; or

(3) On a truck or other vehicle, either moving or standing, for advertising or any other purpose.

(L) The offering for sale or selling of anything by shouting or outcry within any residential or commercial area of the City.

(M) The repairing, rebuilding, modifying or testing of any motor vehicle, motorcycle or motorboat in such a manner as to project a noise disturbance across the boundary of any residential real property.

(N) The intentional sounding or permitting the sounding outdoors of any fire, burglar or civil

defense alarm, siren, whistle or similar stationary emergency signaling device except for emergency purposes or for the testing, between the hours of eight a.m. and six p.m., of:

(1) A stationary emergency signaling device; provided, however, that each such test shall be performed at the same time of day, and any such testing shall use only the minimum cycle test time, which, in no event, shall exceed sixty seconds.

(2) The complete emergency signaling system, including the functioning of the signaling device and the personnel response to the signaling device; provided, however, that such testing shall not be performed more than once in each calendar month.

(O) The sounding or permitting the sounding of any exterior burglar alarm or any motor vehicle burglar alarm unless such alarm is automatically terminated within fifteen minutes after its activation.

SECTION 90: Title 9, Chapter 24, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.24.020: It shall be the duty of any person who supplies water to the City and its inhabitants through hydrants located upon the streets, alleys and public places in the City, whenever, by reason of repairs or work or from any cause, it becomes necessary to turn the water off from any such hydrant, to notify the Chief or other head of the [Fire Services Department of the City] Department of Fire and Rescue of the need to do so, before the water is turned off, and the length of time such hydrant will remain without water.

SECTION 91: Title 9, Chapter 24, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.24.030: It is unlawful for any person, for the purpose of burning garbage, rubbish, dead animals or dirt, to kindle or maintain any bonfire or knowingly to furnish the materials for any such fire, or to authorize any such fire to be kindled or maintained in any garbage or rubbish receptacle, or on any street, alley, road, lane or public grounds or upon any private lot; provided, however, that rubbish may be burned in an incinerator duly approved by both the Chief of the Department of Fire [Services] and Rescue and the [Building Inspector.] Department of Community Development.

SECTION 92: Title 9, Chapter 28, Section 80, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.28.080: Upon written permission of the Chief of the Department of Fire [Services,] and Rescue, fireworks to be used for exhibition purposes at fairs and celebrations may be sold and fired which otherwise are prohibited from sale to individuals, provided the individuals in charge of same are experienced in the handling of fireworks and the public attending such exhibition is kept at a safe distance. Fireworks held in storage for such exhibition must be kept in a closed box until they are removed for firing.

SECTION 93: Title 9, Chapter 28, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.28.100: All fireworks offered for sale in the City shall be of a type that has been tested and has been approved for sale and use within the City by the City Council or the Director of the Department of Fire [Services.] and Rescue.

SECTION 94: Title 9, Chapter 28, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.28.110: No person shall sell fireworks at retail in the City except recognized local charitable and fraternal organizations who have applied for and obtained a permit from the Department of Fire [Services.] and Rescue. The permit requirement is in addition to any applicable requirement of State law governing solicitations. Each applicant for a permit must pay, at the time of application, a permit fee of fifty dollars for each location.

SECTION 95: Title 9, Chapter 28, Section 112, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.28.112: (A) Upon receipt of a permit application and the required fees, the Director of the Department of Fire [Services,] and Rescue, or the Director's designee, shall approve, deny or take other appropriate action with respect to the application.

(B) The Director or the Director's designee may deny, revoke or suspend a permit for good cause, which includes, but is not limited to, the following grounds:

(1) The application is incomplete or contains false, misleading or fraudulent

statements with respect to any information required;

(2) The proposed sale would pose a threat to the health, safety or general welfare of the public;

(3) The applicant in the past has failed to satisfy any qualification or requirement imposed by this Code or by other local, state or Federal law or regulation pertaining to such sales, or to comply with the conditions of a previous permit;

(4) The sale as proposed will be conducted in a manner contrary to a qualification or requirement imposed by this Code or by other local, state or Federal law or regulation pertaining to such sales;

(5) The structure or location of the proposed sale is determined, upon inspection, not to conform with applicable standards set forth in this Chapter or other local, state or Federal law or regulations;

(6) The applicant or permit holder fails to comply with any conditions of a current permit.

SECTION 96: Title 9, Chapter 36, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.060: (A) Except as is otherwise provided in subsection (B) of this Section, a nontransferable permit for hazardous transport shall be required annually for each person who transports hazardous materials in the quantities listed in subsections (A) to (C), inclusive, of Section 9.36.040.

(B) Producers or transporters, or both, of small quantities of specified radioactive materials intended for therapeutic and biomedical research or educational purposes shall not be required to obtain a permit for hazardous transport.

(C) Permits for hazardous transport shall be granted for:

(1) Hectocurie and kilocurie cobalt—sixty and cosium—one hundred thirty-seven teletherapy sources employed in therapeutic radiology and biomedical research or educational purposes and for medical devices designed for individual application, by way of illustration and not in limitation,

cardiac pacemakers, containing plutonium —two hundred thirty-eight, promethium—(forty-seven) or other radioactive material or wastes generated in these activities;

(2) Sealed industrial radiography sources up to one hundred curies.

(D) Any person required by this Section to obtain a permit for hazardous transport shall apply to the Department of Fire [Services] and Rescue at least sixty days prior to the intended date of movement of hazardous materials into, through, within and out of the City. In addition to such information as the Department requires, the application for a permit for hazardous transport shall include:

(1) A description of the hazardous materials to be transported, including the volumes, quantities and forms;

(2) A written statement from the shipper of hazardous materials certifying that the material described in the application is properly classified, described, packaged and labeled and is in proper condition for transportation according to the applicable Federal and State regulations;

(3) Origin, route and destination of the shipment and, if a series of shipments is planned, the number of proposed shipments and the period of time over which such shipments are planned;

(4) A copy of the route plan when the preparation of one is required by Title 49 of the Code of Federal Regulations, [Section 397.9(b);] Part 397;

(5) The name, address and telephone number of the carrier, the description, identification and registration of the motor vehicle or railcars and twenty-four-hour emergency response telephone numbers.

SECTION 97: Title 9, Chapter 36, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.070: The Department of Fire [Services] and Rescue shall deny, refuse to renew, suspend or revoke a permit for hazardous transport if:

(A) Adequate training, equipment and planning does not exist in the Department for an emergency response in the case of an accident with the specified materials.

(B) The containers to be used in the proposed shipments have been tested, in their current model,

in order to determine the containers' ability to withstand the effects of puncture, impact and fire that could be encountered in severe accidents in the City and have been determined not to have such ability.

SECTION 98: Title 9, Chapter 36, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.080: (A) Upon the final approval by the Department of Fire [Services] and Rescue of an application for a permit for hazardous transport, the applicant shall pay a reasonable fee according to a schedule to be adopted by the City Council.

(B) The fee schedule shall reflect the costs of emergency response preparation and the costs of issuing the permits and may also reflect the relative hazard and potential risk to the public of the hazardous cargos to be transported within the City, based upon their volume, toxicity, combustion potential and other risk factors which the Department of Fire [Services] and Rescue may consider appropriate.

(C) The fees collected under this Section shall be used to reimburse the costs of administration of the permit program, emergency response preparation and enforcement of the rules and regulations promulgated pursuant to this Chapter.

SECTION 99: Title 9, Chapter 36, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.090: Applications for a permit for hazardous transport shall be made to the Department of Fire [Services] and Rescue and shall be acted upon with thirty days after the submission to the Department. The Department shall approve, deny or take such other action with respect to such application as the Department considers appropriate. A single permit shall be required for each carrier for each class of hazardous materials identified in Section 9.36.040.

SECTION 100: Title 9, Chapter 36, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.100: Any person aggrieved by a decision of the Department of Fire [Services] and Rescue in denying, refusing to renew, suspending or revoking a permit may appeal that decision within thirty days to the City Council by filing written notice of appeal with the Department. The City Council shall hear the

applicant at its first regular meeting following the expiration of ten days after the City Clerk receives the notice of appeal.

SECTION 101: Title 9, Chapter 36, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.110: Incidents involving hazardous materials occurring within the City are required to be reported immediately to the Department of Fire [Services] and Rescue, and the Department shall file a standing request with the Materials Transportation Bureau of the United States Department of Transportation for routine mailing to the Department of a copy of the written report required by Title 49 of the Code of Federal Regulations, Section 171.16.

SECTION 102: Title 9, Chapter 36, Section 120, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.120: The Department of Fire [Services] and Rescue may temporarily suspend the operation of some or any vehicle employed in carrying hazardous materials, as defined in Section 9.36.040, without notice whenever road, weather, traffic or other hazardous circumstances warrant that action.

SECTION 103: Title 9, Chapter 36, Section 130, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.130: (A) The Department of Fire [Services] and Rescue is hereby authorized to designate routes and to implement other restrictions for the transportation of hazardous materials into, through, within, and out of, the City.

(B) For the purpose of applying Title 49 of the code of Federal Regulations, [Section 379.9(a),] Part 397, the following restrictions to the transportation of hazardous materials by truck in the City are adopted:

(1) The use of City streets for the transportation of the hazardous materials specified in Section 9.36.040, in a situation in which there is neither a point of origin nor a point of destination within the City, is prohibited.

(2) The Department of Fire [Services] and Rescue may require advance

notification, a police escort or an inspection, or a combination thereof, of any cargo deemed to present a special risk, if an emergency response, in its judgment, may be enhanced by any such measure; provided, however, that, in all cases of radioactive shipments concerning which the U.S. Nuclear Regulatory Commission is currently required to pre-notify the Governor, the Department of Fire [Services] and Rescue shall request that advance notification also be immediately forwarded to the City.

SECTION 104: Title 9, Chapter 36, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.140: The following regulations apply to the motor vehicle transportation within the City of the materials specified in Section 9.36.040:

(A) Traffic violations of transporters of hazardous materials shall be treated as violations of these regulations and shall be subject to, in addition to criminal penalties, the penalty provided in Section 9.36.160.

(B) Except when overtaking or passing in opposite directions of travel, all vehicles transporting hazardous materials shall maintain a minimum distance of at least three hundred feet from other vehicles carrying hazardous materials. This requirement shall apply whether or not such vehicles are moving or parked except when at a destination or point of origin.

(C) Except as to any route which has been designated by the Department of Fire [Services] and Rescue as being more appropriate with respect to a particular shipment, pursuant to subsection (A) of Section 9.36.130, a transporter of hazardous materials by truck shall use only State-designated routes, listed in subsection (D) of this Section, to reach its destination or to reach a point as close as possible to the destination.

(D) For the purposes of this Chapter, the following are considered State-designated routes:

(1) Interstate 15;

(2) U.S. Highway 95;

(3) U.S. Highway 93.

SECTION 105: Title 9, Chapter 36, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.150: (A) With respect to rail shipments of hazardous materials, the Department of Fire

[Services] and Rescue, in order to ascertain if a local hazard exists, shall collect information from all railroads operating in or near the City or whose lines may present useful alternative routes to lines through the City. Such information shall include:

(1) The annual volumes of specific cargos;

(2) Containers used;

(3) Routes and switchyard data on hazardous cargos handled;

(4) Accident rates and track maintenance data;

(5) Whether each railroad has utilized an acceptable methodology for determining routes and yards of lowest risk for such cargos:

(6) The adequacy of each railroad's emergency response preparation in the event of a rail accident on its main tracks or sidings or in its yards, including, but not limited to, the established response times, staffing and emergency phone numbers of the nearest emergency response units, listed by mileposts of rail track, and the availability of fire hydrants and other emergency resources.

(B) The Department of Fire [Services] and Rescue, in order to remedy a local hazard related to rail shipments of hazardous cargos, may petition the Public [Services] Utilities Commission for remedial legislation or rulemaking.

SECTION 106: Title 9, Chapter 36, Section 160, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.160: In addition to criminal penalties, in the event of a hazardous materials incident, as described in Title 49 of the Code of Federal Regulations, Sections 171.15 and 171.16, requiring the response of the Department of Fire [Services] and Rescue and others to control the incident, the transporter shall be liable to the City for the payment of all costs and expenses which the Department incurs in and about the use of its employees, apparatus and materials in the control and neutralization of the incident.

SECTION 107: Title 9, Chapter 40, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.40.040: In the case of an odor episode that qualifies under Subsection (D) of Section 9.40.020, where

the source of the odor is a medical marijuana establishment licensed pursuant to LVMC Chapter 6.95 and the operator or owner disagrees with the objective measurement, an authorized official may require the operator or property owner to conduct air monitoring, at the operator's or owner's cost, in accordance with the Department of [Building and Safety's] Community Development's Odor Standard and Testing Protocol for Measuring Exterior Odors at Medical Marijuana Cultivation and/or Production Facilities.

SECTION 108: Title 10, Chapter 10, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10.10.010: It shall be unlawful for any person to willfully make to the Las Vegas Metropolitan Police Department or the Department of Fire [Services of the City] and Rescue any false, misleading or unfounded report, for the purpose of interfering with the operation of the Metropolitan Police Department or the Department of Fire [Services,] and Rescue, or with the intention of misleading any Peace Officer, or any member of the Department of Fire [Services of the City,] and Rescue, or to in any other manner interfere with the operations of the Metropolitan Police Department, or of the Department of Fire [Services of the City.] and Rescue. Any person violating any of the provisions of this Section shall be guilty of a misdemeanor.

SECTION 109: Title 10, Chapter 12, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10.12.010: It shall be unlawful for any person to interfere with the alarm boxes of the Metropolitan Police Department or Department of Fire [Services] and Rescue, or with the telephones, telephone or telegraph wires, or signal system or apparatus of either of such departments. Any person violating the provisions of this Section shall be guilty of a misdemeanor.

SECTION 110: Title 10, Chapter 78, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10.78.040: (A) The following are authorized to remove or cause to be removed, to a designated garage or storage area, any motor vehicle which is being displayed in violation of this Chapter if the vehicle has not been removed, or compliance with this Chapter achieved, within twenty-four hours after a written

notice to remove is attached to the vehicle:

(1) Officers of the Las Vegas Metropolitan Police Department;

(2) Officers of the Department of Public Safety;

(3) Parking enforcement officers assigned to the Department of Economic and Urban Development; and

(4) Employees of the Department of [Building and Safety] Community Development who are assigned responsibility for code enforcement.

(B) The costs of vehicle removal and storage pursuant to Subsection (A) shall be borne by the owner or operator of the vehicle.

SECTION 110.5: Title 10, Chapter 86, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10.86.040: (A) The Director of [the Office of Community] Neighborhood Services, or a designee, will immediately notify the Department of Public Safety and Metro when all of the following locations reach maximum occupancy:

(1) The Courtyard Homeless Resource Center;

(2) The Las Vegas Rescue Mission; and

(3) Publicly funded emergency shelters located within the City's jurisdiction.

(B) Notwithstanding any other provision of this Code, no arrest may be made nor any criminal penalty imposed for a violation of this Chapter if the violation occurs after the notification described in Subsection (A) of this Section. The suspension of this Chapter, described in the preceding sentence, will terminate at six a.m. immediately following the notification described in Subsection (A) of this Section, and enforcement of this Chapter resumes.

SECTION 111: Title 11, Chapter 22, Section 160, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.22.160: (A) Except as otherwise provided in this Section, it is unlawful for:

(1) A customer or potential customer of a motor vehicle dealership to test-drive

a vehicle on a residential street;

(2) An employee of a motor vehicle dealership to allow a customer or potential customer of the dealership to test-drive a vehicle on a residential street; or

(3) A principal or employee of an auto repair facility to test-drive a customer's vehicle on a residential street.

(B) The prohibitions contained in Subsection (A) of this Section do not apply to the test-driving of a vehicle on a residential street if the test-driving of vehicles on that particular street by customers or potential customers of a motor vehicle dealership, or by principals or employees of an auto repair facility, has been approved by the Department of [Planning] Community Development in connection with the Department's approval of a test-driving plan submitted by that dealership or auto repair facility.

(C) For purposes of this Section:

(1) "Residential street" means a street within a residential area that has a right-of-way width of less than eighty feet.

(2) "Test-drive a vehicle," with respect to a customer, potential customer, or employee of a motor vehicle dealership, means to test-drive a vehicle that is being offered for sale or lease by that dealership.

(3) "Test-drive a vehicle," with respect to a principal or employee of an auto repair facility, means to test-drive a customer vehicle.

(4) "Test-drive a vehicle on a residential street" does not include the necessary use of a residential street to gain access to, or return to, a street that is not a residential street, provided that travel on the residential street for that limited purpose does not exceed a speed of fifteen miles per hour.

(D) A dealership whose employees allow customers or potential customers of the dealership to test-drive vehicles on a residential street in violation of this Section, or in violation of an approved test-driving plan, is subject to disciplinary action against the dealership's business license, as well as action to revoke any associated Special Use Permit or Site Development Plan.

(E) An auto repair facility whose principals or employees test-drive vehicles on a

residential street in violation of this Section, or in violation of an approved test-driving plan, is subject to disciplinary action against the facility's business license, as well as action to revoke any associated Special Use Permit or Site Development Plan.

SECTION 112: Title 11, Chapter 48, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.48.100: No person shall operate any vehicle, or any combination of vehicles coupled together, which exceed seventy feet in length upon any street, highway or alley within the City except as follows:

(A) Such over-length vehicles are allowed on those routes described in Schedule 29-1, and as may be amended from time to time by resolution of the Board. Said Schedule 29-1 shall be kept in the office of the City Clerk for public inspection, and copies thereof may be obtained from the City Clerk or from the Traffic Engineer for the City.

(B) Such over-length vehicles are allowed on those routes or streets, other than those described in Schedule 29-1, for which the Department of Public [Services] Works has issued a permit. Upon receipt of a written application and the payment of a fifty dollar application fee, the Department of Public [Services] Works may issue a temporary permit authorizing the operation of such over-length vehicle on the routes or streets stated therein; provided, that the Department of Public [Services] Works determines that such operation will not unduly threaten the safety and convenience of persons or property. Such permit may contain limitations as to the origin, destination, time or specific routes of travel, and such other limitations as the Director of Public [Services] Works considers necessary to protect the interest of the public. If an application is denied, the applicant may appeal the denial to the Board by filing a written notice of appeal with the City Clerk within fifteen days following notice of denial. The notice of denial becomes effective upon its deposit in the U.S. mails addressed to the applicant at the address as shown on the application.

SECTION 113: Title 11, Chapter 52, Section 335, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.52.335: (A) When hours of closure have been established for a park and signs have been posted therein specifying the hours of closure, no person shall park a motor vehicle in the park, on a parking lot

therein, or in any publicly maintained parking lot immediately adjacent thereto during the hours of closure.

(B) No person shall park a motor vehicle on any surface area of a park except those portions which are either paved or, if unpaved, are specifically designated for the parking of vehicles.

(C) The prohibitions contained in Subsections (A) and (B) of this Section do not apply to the parking of a vehicle in connection with a duly authorized park improvement or maintenance activity, or to parking which is specifically authorized by the City's Department of [Parks and Recreation] Parks, Recreation and Cultural Affairs, or the Department of Public Safety.

SECTION 114: Title 11, Chapter 58, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.58.010: The Department of Public [Services] Works may, at its discretion, upon application in writing, issue a special permit in writing authorizing the applicant to operate or move a vehicle, combination of vehicles, special self-propelled equipment, special mobile equipment, or load thereon of a size or weight in excess of the legal maximums, in the following instances:

(A) Continuous special permits may be issued for the operation or movement of a vehicle or combination of vehicles of a size or weight in excess of the legal maximum when such vehicle or combination of vehicles does not exceed one hundred forty-four inches in overall width, or when the total gross weight imposed on any single axle or group of two or more consecutive axles does not exceed the legal maximum weight for such vehicle or combination of vehicles by more than twenty-five percent.

(B) Single-trip special permits may be issued for the operation or movement of vehicles or combinations of vehicles of an overall width in excess of one hundred forty-four inches, or when the total gross weight of such vehicle or combination of vehicles exceeds by more than twenty-five percent the legal maximum weight for such vehicle or combination of vehicles; provided, however, that in the event several movements to and from the same points in the City with the same vehicles or combinations of vehicles may be required, continuous special permits for that specific operation may be issued.

(C) Continuous or single-trip special permits may be issued for the operation or movement of special self-propelled equipment, such as truck cranes, truck shovels, loaders and similar equipment, of a size

or weight in excess of the legal maximums.

SECTION 115: Title 11, Chapter 58, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.58.020: In issuing any of the special permits provided for in Section 11.58.010, the Department of Public [Services] Works may impose such conditions thereon, such as routes to be followed, place of operation or movement, time of operation or movement or other matters, as it shall deem necessary or proper to protect the streets, highways and alleys from damage or to minimize the inconvenience or delays to the general public.

SECTION 116: Title 11, Chapter 58, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.58.040: Nothing contained in Sections 11.58.010 through this Section shall be deemed to authorize the issuance of special permits for the movement of buildings or other structures of a size or weight in excess of legal maximums, within, into or through the City. In the event such a permit is sought, application therefor shall be made to the Sheriff and to the Chief of the Department of Fire [Services] and Rescue in accordance with Section 11.58.060 et seq.

SECTION 117: Title 11, Chapter 58, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.58.050: If, after the issuance of a continuous special permit by the Department of Public [Services,] Works, pursuant to the provisions of Section 11.58.010 et seq., such Department determines that the traffic authorized by such continuous special permit has caused substantial highway distress, then such permit may be revoked summarily, but such revocation shall not operate to prevent a subsequent filing of a new application for another continuous special permit.

SECTION 118: Title 11, Chapter 58, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.58.060: The Sheriff and Chief of the Department of Fire [Services] and Rescue may, in their discretion, upon application in writing filed with their respective departments at least forty-eight hours in

advance of the requested movement, issue a special permit in writing authorizing the applicant to operate or move a vehicle, combination of vehicles or special mobile equipment for the purpose of transporting a building or other structure of a size or weight in excess of the legal maximums set forth in this Chapter, within, into or through the City. Such permits shall be issued on a single trip basis only.

SECTION 119: Title 11, Chapter 58, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.58.070: In issuing such special permits as are contemplated in Section 11.58.060, the Sheriff and Chief of the Department of Fire [Services] and Rescue may impose such conditions thereon, such as routes to be followed, place of operation or movement, time of operation or movement or other matters, as they shall deem necessary or proper to protect the streets, highways and alleys from excessive damage or to minimize the dangers, inconveniences or delays to the general public.

SECTION 120: Title 11, Chapter 58, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.58.090: Before a special permit may be issued under Section 11.58.060, the applicant shall first have obtained from the Department of [Building and Safety] Community Development the permit required in Chapter 16.04 of this Code and shall have paid to and deposited with the Director of the Department of [Business Activity] Community Development the license fee and bond required by Chapter 6.02.

SECTION 121: Title 11, Chapter 58, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.58.100: Every special permit or a photocopy thereof, issued pursuant to this Chapter, shall:

(A) Be carried in each vehicle, combination of vehicles, special self-propelled equipment or special mobile equipment to which it refers.

(B) Be open to inspection at all times by any officer of the Metropolitan Police Department or agent of the Department of Public [Services.] Works.

SECTION 122: Title 12, Chapter 2, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12.02.100: (A) Upon receipt of an application, the approval authority shall review the application as well as forwarding a copy to other departments and agencies as deemed appropriate, which may include without limitation:

(1) Office of Administrative Services;

(2) Public Works;

(3) Business Licensing Division;

(4) [Building and Safety,] The building code-related function of Community Development, if applicable;

(5) Fire and Rescue;

(6) [Planning;] The land use function of Community Development; and

(7) Metro.

(B) Receipt of an application shall be acknowledged by or on behalf of the approval authority shortly after receipt thereof. Action to approve, deny or return the application as incomplete shall be taken by the approval authority, and written notice thereof provided, within a reasonable time following receipt of the application. The approval authority may consider information contained in the application as well as additional information otherwise available.

(C) Except as otherwise provided in Subsections (D) and (E), the approval authority is the administrative services official.

(D) The approval authority for a residential block party is the Director of Public Works.

(E) The approval authority for a Tier 3 special event that proposes the closure of multiple streets on multiple days is the City Council. For purposes of receiving and processing an application up until the time of Council action, the administrative services official shall act on behalf of the City Council.

(F) No vendor other than a special event vendor is authorized to vend at a special event unless the special event permit issued therefor pursuant to this Section specifically lists that vendor as an approved vendor for the event.

SECTION 123: Title 12, Chapter 2, Section 230, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12.02.230: This Chapter may be enforced:

(A) By the Las Vegas Metropolitan Police Department, the Business Licensing Division of the [Planning Department,] Department of Community Development, the code enforcement function of the City, or any other department or function of the City specifically assigned to its enforcement by the City Manager; and

(B) By means of either a criminal prosecution or a civil proceeding in accordance with the provisions of LVMC 6.02.400 to 6.02.460, inclusive. In the case of a civil proceeding, any reference to the "Department" in LVMC 6.02.400 to 6.02.460, inclusive, shall pertain to the department or function assigned to enforce this Chapter.

SECTION 124: Title 13, Chapter 4, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.04.090: The Director of the Department of [Operations and Maintenance] Public Works is authorized to determine and to designate hours of cleaning for public sidewalks. The Director, or a designee, must place appropriate signs or markings to give notice of designated hours of cleaning. During such designated and noticed hours of cleaning, no person shall sit, lie, sleep, camp, or otherwise obstruct the cleaning of the designated public sidewalks by the Department of [Operations and Maintenance.] Public Works.

SECTION 125: Title 13, Chapter 32, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.32.020: (A) Except as otherwise provided in this Section or another provision of this Code, it is unlawful for any person to erect, place or maintain any obstruction, or to cause or permit any obstruction to encroach within, upon, or over any public right-of-way, including any public street, public sidewalk, or public alley. Each day any unauthorized obstruction is allowed to remain after ten days' notice to remove the obstruction shall constitute a separate offense. Such notice may be provided by:

(1) Any officer of the Las Vegas Metropolitan Police Department;

(2) Any officer or employee of the Department of [Building and Safety]

Community Development or the Department of Public Works; or

(3) Any other officer or employee of the City who has been specifically authorized to enforce this Section.

(B) An obstruction otherwise prohibited by Subsection (A) may be permitted by means of an encroachment agreement approved by the City in accordance with this Section. The agreement must be in a form prepared by, or otherwise acceptable, to the City. Approval by the City of an encroachment agreement:

(1) Is entirely within the City's discretion;

(2) Is contingent upon a determination by the Director of Public Works (or designee) that the obstruction or encroachment can be accomplished without negatively impacting traffic, public safety, pedestrian safety, or the use of and access to utility facilities; and

(3) May be denied based on plans for future improvements to the affected right-of-way, street, sidewalk or alley.

(C) An encroachment agreement under this Section:

(1) May include conditions reasonably calculated to mitigate any impact, including without limitation a time limit, provisions regarding ongoing maintenance, and appropriate remedial measures; and

(2) May be required to be recorded against property that is benefitted by the agreement.

(D) Except as otherwise provided in Subsections (E) and (F), the approval authority for an encroachment agreement under this Section shall be the Director of [Building and Safety] Community Development (or designee). Typical items qualifying under this Subsection (D) include:

(1) Encroachments related to a Site Development Plan Review under Title 19;

(2) Encroachments for monitoring wells;

(3) Encroachments necessary for compliance with a building-related code; and

(4) Other minor encroachments related to signage, outdoor dining, landscaping,

fencing, and similar minor intrusions into public right-of-way.

(E) The approval authority for the following items shall be the City Council:

(1) Encroachments which, in the judgment of the Director of [Building and Safety] Community Development (or designee), are of a significant nature, character or size so as to warrant consideration by the City Council; and

(2) Encroachments concerning which a member of the City Council, prior to administrative approval of an agreement pursuant to Subsection (D), has requested that the encroachment be considered by the City Council.

(F) In the case of encroachment agreements to be forwarded to the City Council for consideration pursuant to Subsection (E), the Director of [Building and Safety] Community Development (or designee) shall schedule the encroachment agreement for Council consideration at the next regular meeting of the City Council that is reasonably available.

(G) If the Director of [Building and Safety] Community Development (or designee) denies administrative approval of an encroachment agreement pursuant to Subsection (D), the person seeking encroachment approval may appeal the decision to the City Council within ten days after the denial decision is made. The appeal shall be in writing, shall be filed with the Director or designee, and shall state the factual basis for the appeal. The Director or designee shall schedule the matter for consideration by the City Council within thirty days following receipt of the appeal. The decision by the City Council shall be final.

(H) Encroachment agreements approved administratively pursuant to Subsection (D) shall be signed by the Director of [Building and Safety] Community Development (or designee). Agreements approved by the City Council shall be signed by the Mayor.

(I) Nothing in this Section shall apply to obstructions or improvements installed or made available:

(1) By or on behalf of the City, or pursuant to a franchise or formal regulatory action by the City; or

(2) By another governmental agency acting in accordance with an interlocal or

cooperative agreement with the City, if the Director of [Building and Safety] Community Development determines that the provisions of that agreement are an adequate substitute for the requirements of this Section.

(J) For purposes of this Section, "obstruction" means a structure, installation, amenity or improvement of any kind. The term also includes a bicycle, scooter or similar means of conveyance that is made available for consumer use as part of a commercial enterprise. For purposes of this Section, as well as other provisions of this Title and the Municipal Code, "encroachment agreement" includes any document or agreement, however named, that by its terms authorizes an encroachment within or obstruction upon a public right-of-way. Any such document or agreement may be called an encroachment agreement, encroachment permit, occupancy agreement, occupancy permit, license agreement, or similar term, whether or not in each case preceded by the term "right-of-way," and designed in each case to correspond to the rights being granted. Unless otherwise provided in the document or agreement:

(1) The rights granted by, and limitations described in, the document or agreement are intended as, and shall be deemed to be, an exercise of the City's Charter authority and responsibility to regulate the use of public rights-of-way, prevent the unlawful use thereof, and minimize the extent to which they are encumbered by encroachments or obstructions.

(2) The rights granted by, and limitations described in, the document or agreement are not intended, and shall not be deemed to be, an exercise of the City's authority to convey an interest in land or to authorize any use of a public right-of-way that interferes with, or is inconsistent with, the principal purposes and intended use of that right-of-way.

(3) Any document identified as a license agreement or granting a license does not constitute a real property license as recognized at common law and shall be deemed to grant only those rights specified in the document.

(4) The document or agreement does not constitute or substitute for any building or construction-related permit that is otherwise required by or under the Municipal Code.

(K) The Director of [Building and Safety] Community Development (or designee) is

authorized to create and disseminate such materials and publications as deemed necessary or appropriate in order to reduce confusion among the public and City staff regarding the relationship and roles of encroachment agreements under this Section and construction-related permits governed by other provisions of this Code.

SECTION 126: Title 13, Chapter 36, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.36.010: As used in this Chapter:

"Camping or lodging" means an unpermitted lodging, dwelling, residence, shelter or other similar structure, or a settlement of possessions, that is kept or maintained in a defined area, or is kept or maintained under circumstances where the owners or occupants knew or should have known that the area would be viewed by park patrons, park security or law enforcement officers as intended for non-recreational use to the exclusion of other citizens, patrons or members of the public. The term includes without limitation any of the following activities:

(A) Laying down bedding for the purpose of sleeping;

(B) Using a tent, shelter or structure for the purpose of sleeping; or

(C) Using a vehicle for purposes of sleeping.

"Department" means the Department of Parks, Recreation and [Neighborhood Services] Cultural Affairs or, for purposes of issuing permits, such other department or function of the City that the City Manager may designate.

"Director" means the Director of the Department, or the Director's designee.

"Hours of closure," with respect to a park or recreational facility, means the hours during which that park or recreational facility is closed, either as indicated on signs that have been posted pursuant to LVMC 13.36.110(B) or, as applicable, the prima facie hours of closure described in LVMC 13.36.110(C).

"Indoor recreation center" means a building owned or operated by or on behalf of the City and dedicated to public use for indoor recreational activities.

"Park" means an outdoor area owned or operated by or on behalf of the City and dedicated to public

use for recreational purposes.

"Public plaza" means:

(A) Boulder Plaza, located at Main Street and Boulder Avenue;

(B) Centennial Plaza, located at Fourth Street and Lewis Avenue; and

(C) Any other open outdoor area that is:

(1) Owned or operated by or on behalf of the City;

(2) Designed for use as a gathering place for the public or for public enjoyment of cultural activities; and

(3) Designated as a public plaza by resolution of the City Council.

"Recreational facility" means an outdoor facility, together with associated structures and amenities, owned or operated by or on behalf of the City and dedicated to public use for recreational purposes. The term includes a recreational trail and a trailhead.

"Recreational trail" means a paved or unpaved pathway with several entrance and exit points that has been designated and dedicated for public use for recreational purposes.

"Trailhead" means the beginning point of a recreational trail, including any improvements or amenities that have been established at that location for the benefit of users.

SECTION 127: Title 13, Chapter 52, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.52.020: Whenever in this Chapter the following words or phrases are used, they shall have the respective meanings assigned to them in the following definitions:

(A) "Approved poles" means shaved wood poles with a light-gray finish. Poles of other types and finish may be used by agreement between the utility and the Director of Public [Services.] Works.

(B) "Commercial development" means a multiple-store complex consisting of five or more stores within the complex, such as, but not necessarily limited to, shopping centers.

(C) "Commission" means the Public [Service] Utilities Commission of the State.

(D) "Overhead distribution lines" means the poles, overhead wires and associated overhead

structures, but not limited to, poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances, located aboveground upon, along, across or over the public streets, alleys and ways of the City and used or useful in supplying electric, communication or similar or associated services.

(E) "Replace" means and includes any reconstruction, re-erection or relocation of the overhead distribution lines.

(F) "Subdivision" means any land, vacant or improved, which is divided into five or more lots, parcels, sites, units or plots for the purpose of transfer or development, or any proposed transfer or development, or any building or buildings constructed for occupancy by five or more tenants for commercial or industrial purposes on the same parcel of land.

(G) "Utility" means and includes all persons or entities supplying electric, communication or similar or associated service by way of electrical means or devices.

SECTION 128: Title 13, Chapter 52, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.52.110: If a utility is not for whatever reason required to replace existing overhead distribution lines with an underground distribution line, then any utility obtaining a permit to replace a one-half-mile section, or more, of an existing overhead distribution line shall use or install approved poles. Where the continuity of alignment is broken by the intersection with a major thoroughfare, freeway or expressway, street or railroad overpass or underpass, railroad crossing, change in alignment of a street or a pole line, or the end of a pole line, or by City-owned property, the Department of Public [Services] Works may require the replacement of a quarter-mile section with approved poles.

SECTION 129: Title 13, Chapter 52, Section 130, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.52.130: The provisions of this Chapter shall not apply to any municipal facilities or equipment installed under the supervision of, and to the satisfaction of, the Director of Public [Services,] Works, including, but not necessarily limited to, poles and appurtenances used for street lighting purposes and poles

and appurtenances containing fire alarm boxes.

SECTION 130: Title 13, Chapter 56, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.56.060: Whenever the owner has failed to install a new sidewalk, maintain or repair an existing sidewalk, or maintain the transition strip as required by this Chapter, the Director of Public [Services] Works may notify the abutting property owner in writing that he has thirty days in which to remedy the situation or to file an appeal with the City Council. The notice shall also state that in the event the property owner fails to take appropriate action or file an appeal to the City Council that a lien may be imposed by the City against the property for the cost of remedying the situation.

SECTION 131: Title 13, Chapter 56, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.56.080: If after the expiration of thirty days from the date of receipt of the written notice required by Section 13.56.060, the property owner has refused or failed to install new sidewalk as required by Section 13.56.030, maintain or repair existing sidewalk as required by Section 13.56.040 or to maintain the transition strip as required by Section 13.56.050, and the property owner has not appealed the written notice from the Department of Public [Services] Works as provided under Section 13.56.060, then such refusal or failure and lack of appeal shall be reported to the City Council. The City Council shall determine if the remedial action, as recommended by the Department of Public [Services,] Works, is necessary and if so, the City Council may instruct and authorize the Director of Public [Services] Works to proceed with remedial action.

SECTION 132: Title 13, Chapter 56, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.56.090: In the event of hearing as provided by Section 13.56.060, the property owner may present evidence for consideration by the City Council. After considering the presentations and evidence of both the property owner and the Department of Public [Services,] Works, the City Council shall determine if remedial action on the part of the property owner is necessary to the health, safety, welfare or benefit of the public. If such action is found to be necessary to the public health, safety, welfare or benefit, then the property owner

shall be notified of the decision of the City Council that remedial action shall be commenced and completed within ten days from the date of notification of the City Council's decision and that failure to complete such action shall result in the Department of Public [Services] Works proceeding with such remedial action and a lien being placed against the property of the abutting property owner for the costs incurred by the City of Las Vegas.

SECTION 133: Title 13, Chapter 56, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.56.100: Subsequent to the completion of the work, the Director of Public [Services] Works shall forward to the property owner a statement as to cost incurred by the City in connection with the remedial action and informing the property owner that failure to pay the amount stated therein within thirty days from the date of the statement shall result in a lien being assessed against the property of the property owner.

SECTION 134: Title 13, Chapter 56, Section 120, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.56.120: The construction of new sidewalk, or the maintenance or repair of existing sidewalk, shall be in accordance with the Standard Plans, Specifications and Drawings on file in the office of the Department of [Engineering Services.] Public Works. Upon completion of the construction, maintenance or repair, the sidewalk shall be inspected and approved by the Department of [Engineering Services.] Public Works.

SECTION 135: Title 13, Chapter 56, Section 130, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.56.130: It is unlawful for any person including the owner of property abutting the public right-of-way, or the agent, servant, contractor or employee of the owner, to construct new sidewalk or to repair existing sidewalk located within the public right-of-way within the City without first obtaining a permit from the Director of [Engineering Services.] Public Works.

SECTION 136: Title 13, Chapter 56, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.56.140: It is unlawful for any person including the owner of property abutting the public right-of-

way, or the agent, servant, contractor or employee of the owner, to construct new sidewalk or to repair existing sidewalk located within the public right-of-way within the City if the construction or repair does not comply with the Standard Drawings, Plans and Specifications on file in the office of the Department of [Engineering Services,] Public Works, comply with the survey lines or grades submitted by the property owner and approved by the Department of [Engineering Services,] Public Works., or comply with any other conditions contained in the permit issued by the Department of [Engineering Services.] Public Works. Any approval of the survey lines or grades submitted by the property owner or his agent, servant, contractor or employee does not relieve the property owner for the accuracy of said survey lines and grades.

SECTION 137: Title 14, Chapter 4, Section 200, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14.04.200: The number of equivalent residential units from which sewer connection fees will be calculated shall be determined by the Department of [Building and Safety] Community Development in accordance with the schedule set forth at LVMC 14.04.020. For purposes of calculating the fees in accordance with this Section and LVMC 14.04.210, the customer class and the number and type of fixture shall be determined from the submitted construction documents. Credit will be given for fixtures removed on an ERU for ERU basis.

SECTION 138: Title 14, Chapter 4, Section 210, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14.04.210: Subject to the annual evaluations provided for in Section 14.04.220, connection fees within the City shall be determined as follows:

(A) User's class is determined.

(B) According to ERU schedule the number of ERU's for the user is determined.

(C) The occupancy fee for sewer connections is calculated by multiplying the number of ERU's by one thousand seven hundred and sixty-six dollars.

(D) The occupancy fee for sewer connection set forth in Subsection (C) of this Section shall be increased by the Director of Finance [and Business Services] on the first day of January, 2008, and annually

thereafter, in an amount equal to the annual charge rate of the preceding fiscal year, multiplied by the lesser of five percent or the average percentage for the preceding five years of increase in the Consumer Price Index for All Urban Consumers for All Items, U.S. City Average (1967=100) that is published by the Bureau of Labor Statistics, United States Department of Labor.

SECTION 139: Title 14, Chapter 4, Section 290, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14.04.290: (A) No sewer may be connected to, and no wastewater may be discharged into, the municipal sewer system unless and until the construction of the sewer and its connection to the system have been inspected and approved by the Director of **[**Building and Safety**]** Community Development or a designee.

(B) The applicant or its contractor shall notify the Department of **[**Building and Safety,**]** Community Development, either verbally or in writing, at least twenty-four hours before the construction work is to be inspected that the work is ready for inspection, and no work that cannot be visually inspected shall be accepted. A representative of the applicant or its contractor shall be present during the inspection by personnel of the Department of **[**Building and Safety.**]** Community Development.

SECTION 140: Title 16, Chapter 4, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16.04.020: The Director of the Department of **[**Building and Safety of the City, or his**]** Community Development, or an authorized representative, is designated as the Building Official referred to in the City's Building Code.

SECTION 141: Title 16, Chapter 18, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16.18.030: (A) For new construction, initial testing for compliance with Section 16.18.010 will be performed by the Department of Fire and Rescue or its authorized designee. A certificate of occupancy may be withheld by the Department of **[**Building and Safety**]** Community Development if a structure fails to comply.

(B) For existing construction, initial testing and periodic testing for compliance (annual or otherwise) will be performed by the Department of Fire and Rescue or its authorized designee, independently or in conjunction with regular inspection procedures.

SECTION 142: Title 16, Chapter 33, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16.33.030: (A) Except as otherwise provided in LVMC 16.33.070, any mortgagee who holds a mortgage on specified property shall inspect that property or cause it to be inspected in accordance with this Section. If the inspection reveals that the property is not being occupied by the mortgagor or by persons who are occupying the property with the mortgagor's consent, the mortgagee shall register the property with the Department of [Planning] Community Development on forms to be provided by the Department, or with another department, person or entity designated by the Department, on forms approved by the Department or the designee. In connection with that registration, the mortgagee shall also designate in writing a property manager to inspect, maintain and secure the property. A separate inspection, registration and designation are required for each specified property.

(B) Registration pursuant to Subsection (A) shall contain, at a minimum, the following information:

(1) The name and mailing address of the mortgagee, and the physical address of the mortgagee if the mailing address is a post office box.

(2) A direct contact name, phone number, and email address (if available), for purposes of contacting the mortgagee.

(3) The name, address, phone number, and email address (if available) of the property manager.

(4) The current disposition and occupancy status of the property.

(C) Any property manager designated pursuant to this Section must be located within Nevada and must be:

(1) A duly-licensed property management company or property preservation

company;

(2) A department or section of a mortgagee that is devoted to property management or preservation; or

(3) A service provider specifically employed by a mortgagee to provide property management or preservation within the City.

(D) The obligations listed in Subsection (A) shall be fulfilled within the following time frames:

(1) The property inspection must occur no later than fifteen calendar days following:

(a) The occurrence of the notice of default event regarding the property; or

(b) Receipt of notice from the City or another governmental agency that the property qualifies as abandoned residential property or may be in danger of so qualifying.

(2) The property registration and designation of a property manager must occur no later than ten calendar days after the inspection.

(E) A property inspection required by Subsection (A) may be conducted by the City pursuant to LVMC 16.33.100, upon request.

(F) With respect to each specified property, the mortgagee and its designated property manager shall be responsible for inspecting and maintaining the property on a monthly basis until the parcel no longer qualifies under the definition of "specified property."

SECTION 143: Title 16, Chapter 33, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16.33.070: A mortgagee's obligation under this Chapter regarding inspection and maintenance of a specified property may be waived by the Director of **[**Planning**]** Community Development or the Director's designee if the mortgagee can demonstrate to the satisfaction of the Director or designee that:

(A) The mortgage documents either expressly prohibit the mortgagee and its agents from

entering the property for those purposes or do not authorize such entry in order to protect the mortgagee's interests in the property; and

(B) There is a reasonable possibility, based on articulable evidence, that:

(1) The obligor under the mortgage or an authorized occupant of the premises will report as a trespass an entry on the premises by or on behalf of a mortgagee; or

(2) The obligor under the mortgage will assert against the mortgagee, whether in a foreclosure proceeding or otherwise, a claim that such entry is a breach of the mortgage documents or constitutes an illegal or unauthorized entry on the property.

SECTION 144: Title 16, Chapter 33, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16.33.080: (A) It is unlawful for a person or other responsible party under this Chapter to violate any provision of this Chapter.

(B) The provisions of this Chapter may be enforced by the Las Vegas Metropolitan Police Department, officers and employees of the Department of [Building and Safety,] Community Development, and any other officer or employee designated by the City Manager.

(C) The provisions of this Chapter may be enforced by means of:

(1) Criminal prosecution;

(2) To the extent adaptable, the same civil process that is available under LVMC Chapter 9.04 for the abatement of nuisances;

(3) An civil action in a court of competent jurisdiction to compel compliance; or

(4) Any other civil mechanism established by the City Council for use in connection with this Chapter.

(D) In addition to any enforcement remedy otherwise available, the Director of [Building and Safety] Community Development or a designee shall have the authority to require a responsible party to implement additional maintenance and/or security measures as may be reasonably required to arrest the

decline of the property.

SECTION 145: Title 16, Chapter 33, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16.33.100: For purposes of NRS 107.130(4) pertaining to the inspection of properties for purposes of an expedited sale under deed of trust:

(A) The Code Enforcement Division of the Department of **[**Planning**]** Community Development is designated as the agency to perform the services and functions required by NRS 107.130.

(B) If the beneficiary of a deed of trust pertaining to residential property located within the City reasonably believes that the property may be abandoned (as referenced in NRS 107.130), the beneficiary or an agent may request a certification relative to abandonment from the Code Enforcement Division, on a form provided by the Division for that purpose.

(C) In response to a request pursuant to Subsection (B), the Code Enforcement Division shall perform the inspection, notice and certification functions required and authorized by NRS 107.130 regarding the property that is the subject of the request, and shall do so in accordance with and subject to the provisions of NRS 107.130.

(D) The Code Enforcement Division is authorized to charge a fee of three hundred dollars for performing the services and functions described in Subsection (C) and may condition its performance on receipt of that fee.

SECTION 146: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Sections 147 to 153, inclusive, of this Ordinance. The amendments are deemed to be amendments to both Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

SECTION 147: Title 19, Chapter 6, Section 40, Subsection (H), Paragraph (3), Subparagraph (c), is hereby amended to read as follows:

c. **Wall Separation.** Where a screen or perimeter **[**walls**]** wall abuts another screen or perimeter wall, the separation shall either be:

i. A minimum of three feet from face of wall to face of wall, with access provided to the area between the walls for maintenance; or

ii. A maximum of eight inches, with the resulting gap between the walls to be filled and capped with a cementitious material that:

A) Will not increase the load on the walls; and

B) Has been approved by the Department [and the Department of Building and Safety.] as to both structural and land use considerations.

SECTION 148: Title 19, Chapter 8, Section 40, Subsection (G), Paragraph (3), Subparagraph (c), is hereby amended to read as follows:

c. **Wall Separation.** Where a screen or perimeter [walls] wall abuts another screen or perimeter wall, the separation shall either be:

i. A minimum of three feet from face of wall to face of wall, with access provided to the area between the walls for maintenance; or

ii. A maximum of eight inches, with the resulting gap between the walls to be filled and capped with a cementitious material that:

A) Will not increase the load on the walls; and

B) Has been approved by the Department [and the Department of Building and Safety.] as to both structural and land use considerations.

SECTION 149: Title 19, Chapter 12, Section 70, is hereby amended by amending the Conditional Use Regulations for the use "Temporary Real Estate Sales Office" to read as follows:

Conditional Use Regulations:

1. Within any residential district:

a. The use may be located within a model home or trailer;

b. The sales activity shall be limited to lots within the subdivision in which the model home or trailer is located; and

c. The use shall not be permitted to operate until the requirements of LVMC 19.16.190 have

been met, including the approval of a final subdivision map.

2. Within any commercial or industrial district:

a. The use may be located within a trailer or an existing commercial structure; and

b. The use shall not be permitted to operate and is not entitled to a certificate of occupancy until a Site Development Plan has been approved for the development to which the sales pertains.

3. If the temporary real estate sales office is a model home or is conducted from a commercial structure, the use shall expire 2 years from the date of building permit approval or whenever sales are completed, whichever occurs first. If the temporary real estate sales office is a trailer, the use shall expire 6 months from the date of approval by the Department [of Building and Safety.] as to structural and technical code concerns.

4. Upon termination of the use, all temporary access improvements from this site to the abutting street(s) shall be removed and replaced with permanent access improvements that meet all City standards, as required by the Department of Public Works.

5. Pursuant to LVMC 19.02.290, direct vehicular access from primary and secondary street(s) through the back of bordering lots is prohibited unless approval is granted by the Director.

6. All development must be in conformance with the submitted plot plan and floor plan.

7. Any signage for this use must first be approved in writing by the Department.

SECTION 150: Title 19, Chapter 12, Section 120, Subsection (D), is hereby amended to read as follows:

D. Additional Provisions

1. All structural elements of an off-premise sign to which the display panels are attached shall be screened from view. Display surface panels which are removed for the purpose of changing the advertising message shall be replaced within 30 days with display panels containing a new advertising message or uniformly painted blank panels.

2. All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

3. For any off-premise sign that is proposed within 660 feet of any highway classified by the State of

Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

4. No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

a. An accurate site plan of the lot, at the scale the Director requires;

b. The location of buildings, parking lots, driveways and landscaped areas on the lot;

c. An accurate indication of the location of all existing and proposed off-premise signs; and

d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

5. The permittee or holder of a sign certificate shall notify the Director in advance, by letter or fax and pursuant to LVMC 19.16.100(F) of any change in the characteristics of an off-premise sign, such as illumination, embellishment areas or moving parts, that are not shown on the approved site plan, and shall provide any additional supplemental drawings as the Director may require. Final approval of any changes under this Paragraph (5) shall be contingent upon final construction inspection and approval by the Department [of Building and Safety] regarding structural changes, including approval of any necessary electrical inspections. In the case of a proposed embellishment, the proposal shall be processed as in the case of a Minor Site Development Plan Review under LVMC 19.16.100(F), except that if the Director does not respond to the notice, within ten business days following receipt thereof, regarding whether or not the embellishment complies with this Title, the embellishment shall be deemed approved.

6. No display panel or advertising message may be placed upon a new off-premise sign structure until:

a. The Department [of Building and Safety] has performed all necessary final construction inspections of the structure and issued a certificate or other evidence of compliance with applicable codes; or

b. The applicant has obtained and filed with the City a certification by a licensed

professional engineer that the sign is structurally sound.

7. Any illumination of an off-premise sign shall be in accordance with the applicable standards and permit requirements of the City's Electrical Code and Administrative Code.

8. With respect to existing signs for which no final construction inspection and approval exists, the owner of the sign, upon notice from the City, shall, within thirty days, obtain either construction inspection and approval by the City or structural certification, as those items are described in Paragraph (6).

SECTION 151: Appendix F of Title 19 is amended by amending Section C.1.h.ii thereof to read as follows:

ii. Construction Fences. Construction fences within Area 1 of the DTLV-O (Downtown Las Vegas Overlay) shall be subject to the requirements listed in Title 19.16.160, "Temporary Commercial Permit." In addition to the requirements listed in Title 19.16.160, the following standards shall also apply:

a. The construction fencing shall be no higher than 12 feet.

b. Plywood fencing with a canopy over the sidewalk providing a covered walkway shall be required wherever multi-level construction is occurring adjacent to the sidewalk. These covered walkways must be designed per International Building Code Chapter 33, Section 3306 and permitted through the [Building] Department. Sidewalk closures with pedestrian detouring will not be permitted in lieu of the walkway canopy unless authorized by the City Traffic Engineer.

SECTION 152: Consistent with the provisions of this Ordinance renaming the Department of Planning as the Department of Community Development, the Department of Community Development is authorized and directed to change all references in the Unified Development Code (LVMC Title 19) accordingly. Therefore:

(A) All references to each of the following shall be changed to read "Department of Community Development":

Department of Planning

Department of Planning and Development

Planning Department

(B) All references to each of the following shall be changed to read "Director of Community Development":

Director of Planning

Director of Planning and Development

Planning Director

SECTION 153: Consistent with the provisions of this Ordinance reflecting changes in department names and functions that have occurred over time, the Department of Community Development is authorized and directed to change such references in the Unified Development Code (LVMC Title 19) accordingly. Therefore:

(A) All references to the "Department of Leisure Services" shall be changed to read "Department of Parks, Recreation and Cultural Affairs."

(B) All references to the "Department of Parks, Recreation and Neighborhood Services" shall be changed to read "Department of Neighborhood Services."

SECTION 154: For purposes of Section 2.100(3) of the City Charter, Sections 19.06.040, 19.08.040, 19.12.070 and 19.12.120 are deemed to be subchapters rather than sections.

SECTION 155: The Department of Community Development is authorized and directed to incorporate into the Unified Development Code the amendments set forth in Sections 147 to 153, inclusive, of this Ordinance.

SECTION 156: The City Manager is authorized to implement the changes made by this Ordinance immediately or in phases, as deemed appropriate.

SECTION 157: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,

sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 158: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 159: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2022.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 1-5-22
_____
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2022, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2022, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
25

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Bryan K. Scott

SUBJECT:
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2022-21 - For possible action - Adopts the 2021 International Wildland-Urban Interface Code, together with amendments thereto. Proposed by: Kevin McOsker, Director of Building and Safety

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This bill will adopt the 2021 International Wildland-Urban Interface Code, together with amendments thereto. Under State law, the adoption of this Code will allow the City to continue to apply and enforce its own building related regulations within the City's jurisdiction as an alternative to the State Fire Marshal's regulations on that subject.

RECOMMENDATION:
ADOPTION at the August 17, 2022 City Council Meeting pursuant to the August 15, 2022 Recommending Committee Meeting.

First Read – 8/3/2022 First Publication – 8/4/2022

BACKUP DOCUMENTATION:
1. Bill No. 2022-21

BILL NO. 2022-21

ORDINANCE NO. _____

AN ORDINANCE TO ADOPT THE 2021 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE, TOGETHER WITH AMENDMENTS THERETO, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Kevin McOsker, Director of Building and Safety

Summary: Adopts the 2021 International Wildland-Urban Interface Code, together with amendments thereto.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 16 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 50 and consisting of Section 10, reading as follows:

16.50.010: Those certain documents, three copies of which are on file in the Office of the City Clerk and are designated as follows, are adopted by reference as if set forth herein in full:

(A) The publication entitled "International Wildland-Urban Interface Code, 2021 Edition," as published by the International Code Council, including only those Appendices specified by the document described in Subsection (B) below, as Part 1 of this Chapter; and

(B) The document entitled "City of Las Vegas/City of Henderson Amendments to the 2021 Wildland-Urban Interface Code," which adds to, deletes from and amends the "International Wildland-Urban Interface Code, 2021 Edition," as Part 2 of this Chapter.

SECTION 2: The document entitled "City of Las Vegas/City of Henderson Amendments to the 2021 Wildland-Urban Interface Code," referred to in Section 1 of this Ordinance, is attached hereto.

SECTION 3: This Ordinance shall be deemed to be adopted as of August 17, 2022, but shall become effective on March 23, 2023.

SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the

remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2022.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 7-19-22
_____
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2022, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2022, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

CITY OF LAS VEGAS
CITY OF HENDERSON
AMENDMENTS TO THE

2021 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE

Time/Date Stamp: 6/2/2022 4:05 PM

Table of Contents

101.2.1 3
302.2 3
302.3 3
404.5 3
405.1 3

INTERNATIONAL WILDLAND-URBAN INTERFACE CODE

101.2.1

Revise as follows

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted. The following appendices are hereby adopted with this code:

Appendix A General Requirements
Appendix B Vegetation Management Plan
Appendix C Fire Hazard Severity Form

302.2

Revise as follows

302.2 Mapping. Any areas identified by the *code official* as *wildland-urban interface areas* shall be recorded on maps available for inspection by the public or made available to the public through an electronic mapping format.

Exception: The requirement for a map is waived if your fire department's published community risk assessment (CRA) does not identify any wildland-urban interface areas.

302.3

Revise as follows

302.3 Review of wildland-urban interface areas. Whenever new fire and building codes are adopted, the *code official* shall reevaluate and recommend modification to the *wildland-urban interface areas* in accordance with Section 302.1.

404.5

Revise as follows

404.5 Adequate water supply. Water supply shall be provided in accordance with the *International Fire Code* as adopted.

405.1

Revise as follows

405.1 General. Where a project includes a Vegetation Management Plan in accordance with Section 502.2 or where otherwise where required by the *code official*, a fire protection plan shall be prepared.

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
26

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Bryan K. Scott

SUBJECT:
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2022-17 - Amends LVMC 19.18.020 to expand the definition of "regional mall" for purposes of distance requirements. Sponsored by: Councilwoman Michele Fiore

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This bill will amend LVMC 19.18.020 to expand the definition of "regional mall" for purposes of distance requirements. According to the Department of Planning, the expansion will allow the consideration of additional types of malls with more contemporary designs and configurations that are consistent with the climate and development of Southern Nevada.

RECOMMENDATION:
ABEYANCE to the August 15, 2022 Recommending Committee Meeting pursuant to the July 18, 2022 Recommending Committee Meeting. ADOPTION as a First Amendment at the September 7, 2022 City Council Meeting pursuant to the August 15, 2022 Recommending Committee Meeting.

First Reading – 6/15/2022 First Publication – 8/25/2022

BACKUP DOCUMENTATION:
1. Bill No. 2022-17

BILL NO. 2022-17

ORDINANCE NO. _____

AN ORDINANCE TO AMEND LVMC 19.18.020 TO EXPAND THE DEFINITION OF "REGIONAL MALL" FOR PURPOSES OF DISTANCE REQUIREMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Michele Fiore

Summary: Amends LVMC 19.18.020 to expand the definition of "regional mall" for purposes of distance requirements.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Section 2 of this Ordinance. The amendment is deemed to be an amendment to both Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

SECTION 2: Title 19, Chapter 18, Section 20, is amended by amending the definition of the term "Regional Mall" to read as follows:

Regional Mall. A structure or area that qualifies under either 1 or 2 below:

1. An enclosed structure with a minimum square footage of three hundred fifty thousand square feet:

[1.] a. That is used or intended to be used as an assemblage of various tenants, including without limitation retail uses, personal service uses, food service uses, and other ancillary uses;

[2.] b. That includes a minimum of two major anchor tenants; and

[3.] c. In which the typical means of access to the various uses in from inside the mall structure.

2. A commercial area containing open spaces, plazas and enclosed structures, where the area:

a. Is used or intended to be used as an assemblage of various tenants, including without limitation retail uses, personal service uses, food service uses, and other ancillary uses;

b. Is located on one or more contiguous parcels with a minimum area of twenty five gross acres;

c. Includes enclosed structures with a minimum gross floor area of two hundred thousand square feet; and

d. Includes a minimum of one anchor tenant with a minimum of one hundred thousand square feet.

SECTION 3: For purposes of Section 2.100(3) of the City Charter, Section 19.18.020 is deemed to be a subchapter rather than a section.

SECTION 4: The Department of Planning is authorized and directed to incorporate into the Unified Development Code the amendment set forth in Section 2 of this Ordinance.

SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2022.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 6-1-2022
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2022, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2022, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
27

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Bryan K. Scott

SUBJECT:
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2022-20 - Updates LVMC 14.04.030 and 14.04.210 to implement increases in sewer service charges and sewer connection fees, including subsequent four percent annual fee increases and annual Consumer Price Index increases through calendar year 2032. Proposed by: Jorge Cervantes, City Manager

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This bill will update LVMC 14.04.030 and 14.04.210 to implement increases in sewer service charges and sewer connection fees, including subsequent four percent annual fee increases and annual Consumer Price Index increases through calendar year 2032. The proposed increases are in the amount of four percent annually (beginning on 1/1/2023) for a ten-year period, plus the applicable Consumer Price Index adjustments already built into the Municipal Code.

RECOMMENDATION:
FORWARDED with no recommendation to the Full Council of the August 17, 2022 City Council Meeting pursuant to the August 15, 2022 Recommending Committee Meeting.

First Read – 8/3/2022 First Publication – 8/25/2022

BACKUP DOCUMENTATION:
1. Bill No. 2022-20
2. Submitted after Final Agenda - Backup Documentation Submitted at the August 15, 2022 Recommending Committee Meeting

BILL NO. 2022-20

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE LVMC 14.04.030 AND 14.04.210 TO IMPLEMENT INCREASES IN SEWER SERVICE CHARGES AND SEWER CONNECTION FEES, INCLUDING SUBSEQUENT FOUR PERCENT ANNUAL FEE INCREASES AND ANNUAL CONSUMER PRICE INDEX INCREASES THROUGH CALENDAR YEAR 2032; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Jorge Cervantes, City Manager

Summary: Updates LVMC 14.04.030 and 14.04.210 to implement increases in sewer service charges and sewer connection fees, including subsequent four percent annual fee increases and annual Consumer Price Index increases through calendar year 2032.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 14, Chapter 4, Sections 30 and 210, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

SECTION 2: Title 14, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 14.04.030, reading as follows:

14.04.030: (A) The annual charge rate per ERU for a particular user shall be as set forth below (which includes the five percent assessment fee pursuant to Section 14.04.130):

User Category	**Annual charge per ERU commencing January 1, 2023 through December 31, 2023**
Domestic Strength	$289.12
High Strength Users:	
Bottlers	$408.63
Dairies	$378.92
Restaurants with garbage grinders	$544.90
Laundries	$382.15

(B) Commencing January 1, 2024, the charge rate per ERU set forth in Subsection (A) shall be increased by:

(1) Four percent, plus

(2) An amount equal to the charge rate of the preceding fiscal year (as actually implemented) multiplied by the lesser of five percent or the average percentage for the preceding five years of increase in the Consumer Price Index for All Urban Consumers for All Items, U.S. City Average (1967=100) that is published by the Bureau of Labor Statistics, United States Department of Labor.

(C) On January 1, 2025, as well as January 1st of each year thereafter up to and including January 1, 2032, the charge rated per ERU shall again be increased in the same manner as set forth in Subsection (B).

(D) Notwithstanding the provisions of Subsections (B) and (C), the City Manager may elect to forgo any annual increase described in those Subsections upon a determination that to do so is in the best interest of the City. Such election shall be by means of written notice to the Chief Financial Officer.

SECTION 3: Title 14, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 14.04.210, reading as follows:

14.04.210: Subject to the annual evaluations provided for in Section 14.04.220, connection fees within the City shall be determined as follows:

(A) User's class is determined.

(B) According to ERU schedule the number of ERU's for the user is determined.

(C) Commencing January 1, 2023, the occupancy fee for sewer connections is calculated by multiplying the number of ERU's by two thousand five hundred fifty-one dollars.

(D) Commencing January 1, 2024, the occupancy fee for sewer connections set forth in Subsection (C) shall be increased by:

(1) Four percent, plus

(2) An amount equal to the charge rate of the preceding fiscal year (as actually implemented) multiplied by the lesser of five percent or the average percentage for the preceding five years of increase in the Consumer Price Index for All Urban Consumers for All Items, U.S. City Average (1967=100) that is published by the Bureau of Labor Statistics, United States Department of Labor.

(E) On January 1, 2025, as well as January 1st of each year thereafter up to and including January 1, 2032, the occupancy fee for sewer connections shall again be increased in the same manner as set forth in Subsection (D).

SECTION 4: This Ordinance shall become effective on January 1, 2023.

SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2022.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 7-18-22
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2022, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2022, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

Bill No. 2022-20: Sewer Service Charges and Sewer Connection Fees Based on CITY OF LAS VEGAS 2022 SEWER RATE STUDY

Mike Janssen, P.E., PTOE
Executive Director of Infrastructure

Submitted at Recommending Committee
Date: 8/15/2022 Item: 4
Submitted by: Staff

Submitted after Final Agenda (City Council)
Date: 8/15/2022 Item: 27
Submitted by: Staff

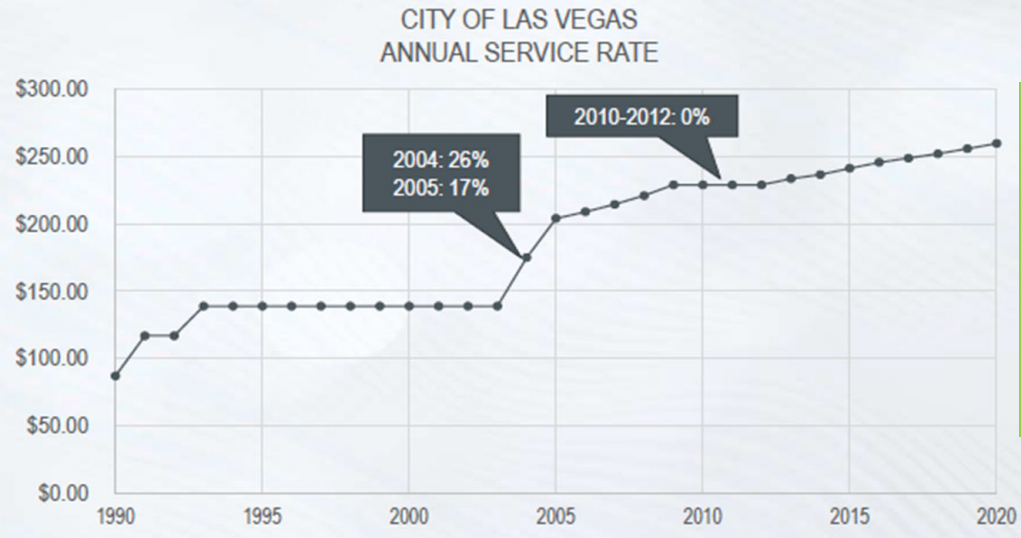
Sewer Rate Study

- Study largely completed by FCS Group in 2020 but due to the COVID pandemic, final recommendations put on hold until now
- Shows need for 4% per year rate increase on top of annual CPI adjustment for next 10 years (rates have not been increased above CPI since 2005 with no increase 2010-2012 due to Great Recession)
- Increase needs are largely capital project driven (treatment plant and collection system *capacity increases* to meet growth demands and rehab of aging infrastructure)

Sewer Rate Study

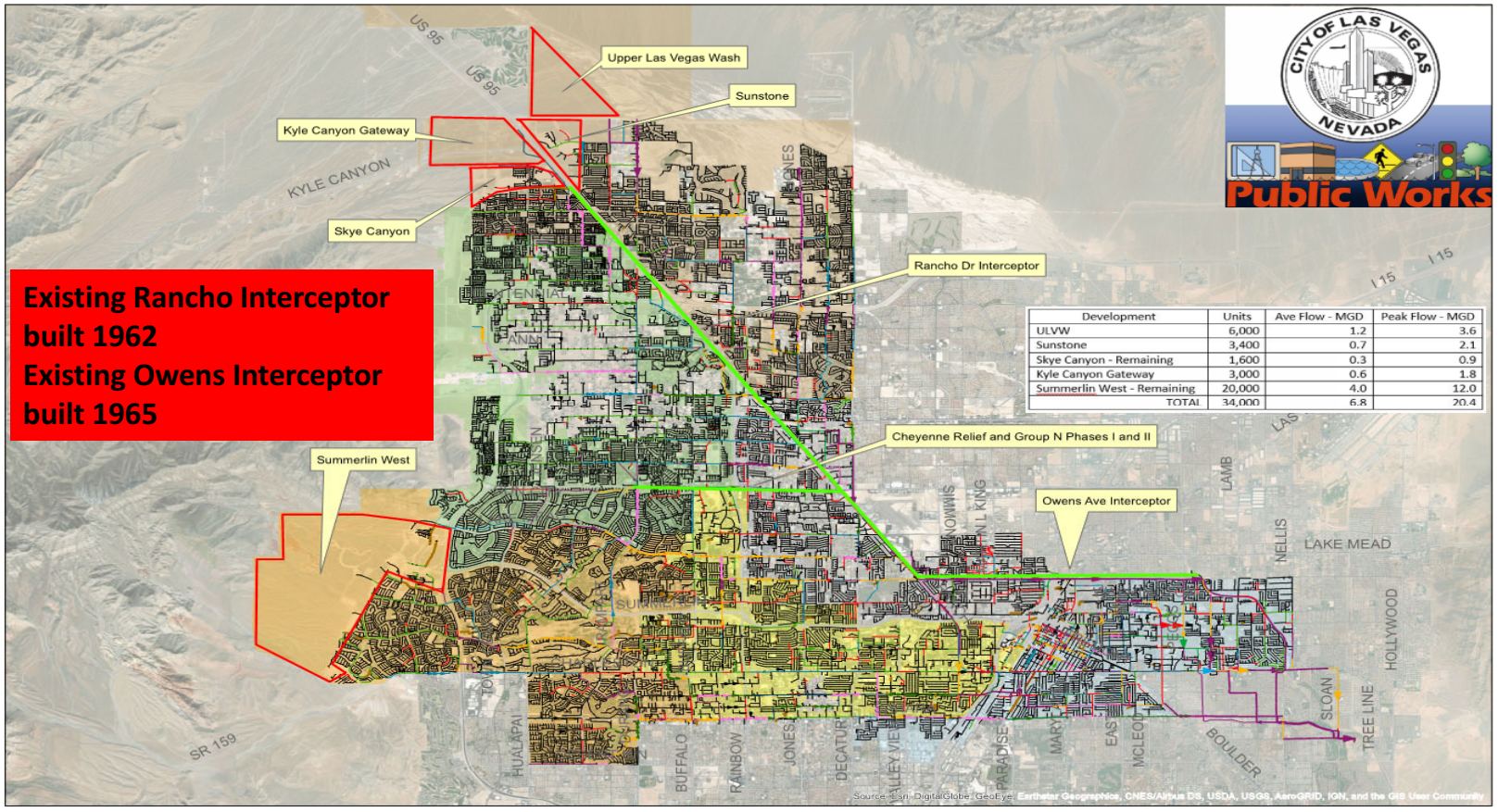
FREQUENTLY ASKED QUESTION

When was the last time the City increased rates higher than inflation?



Last study in 2011 recommended 3% increases but decision was to stay with CPI (which was about 1.5% at the time) and that has been used since 2013

34,000 NEW RESIDENTIAL UNITS JUST ALONG OUR OUTER EDGES WILL NEED ADDITIONAL SEWER CAPACITY



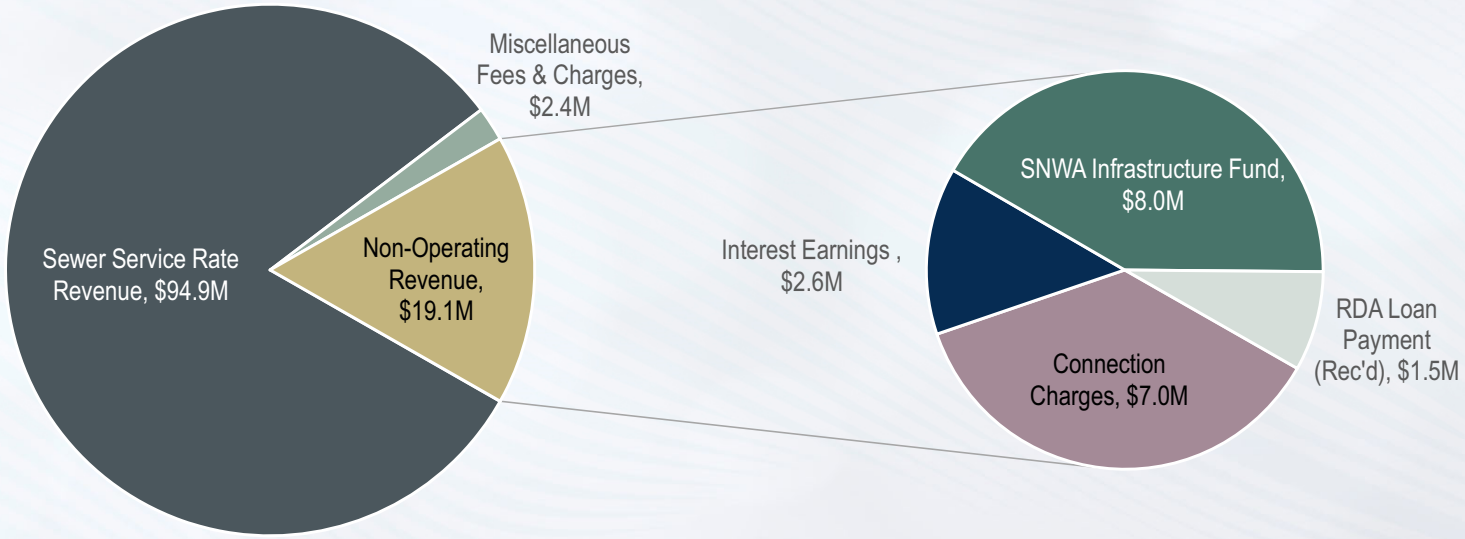
Development	Units	Ave Flow - MGD	Peak Flow - MGD
ULVW	6,000	1.2	3.6
Sunstone	3,400	0.7	2.1
Skye Canyon - Remaining	1,600	0.3	0.9
Kyle Canyon Gateway	3,000	0.6	1.8
Summerlin West - Remaining	20,000	4.0	12.0
TOTAL	34,000	6.8	20.4

Impacts of Deferring Capital Projects

- Inability to meet growth demands (we do not want to get to a situation where we can't issue a building permit for lack of sewer capacity)
- Higher operating expenses when lower cost sewer re-lining jobs are no longer feasible and more expensive R&R needed
- Regulatory issues (SSO's and EPA/NDEP MS4 permit violations will increase)

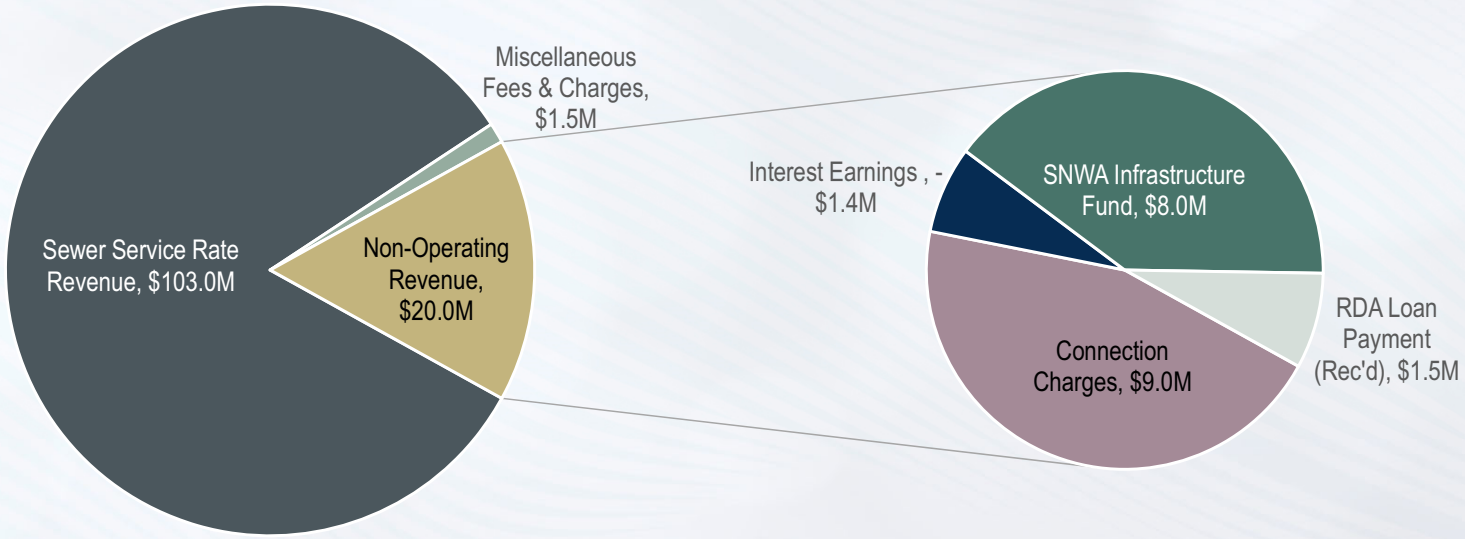
UNDERSTANDING THE SEWER FUNDS FINANCIAL STRUCTURE

FY 21 Adopted Budget - Revenues

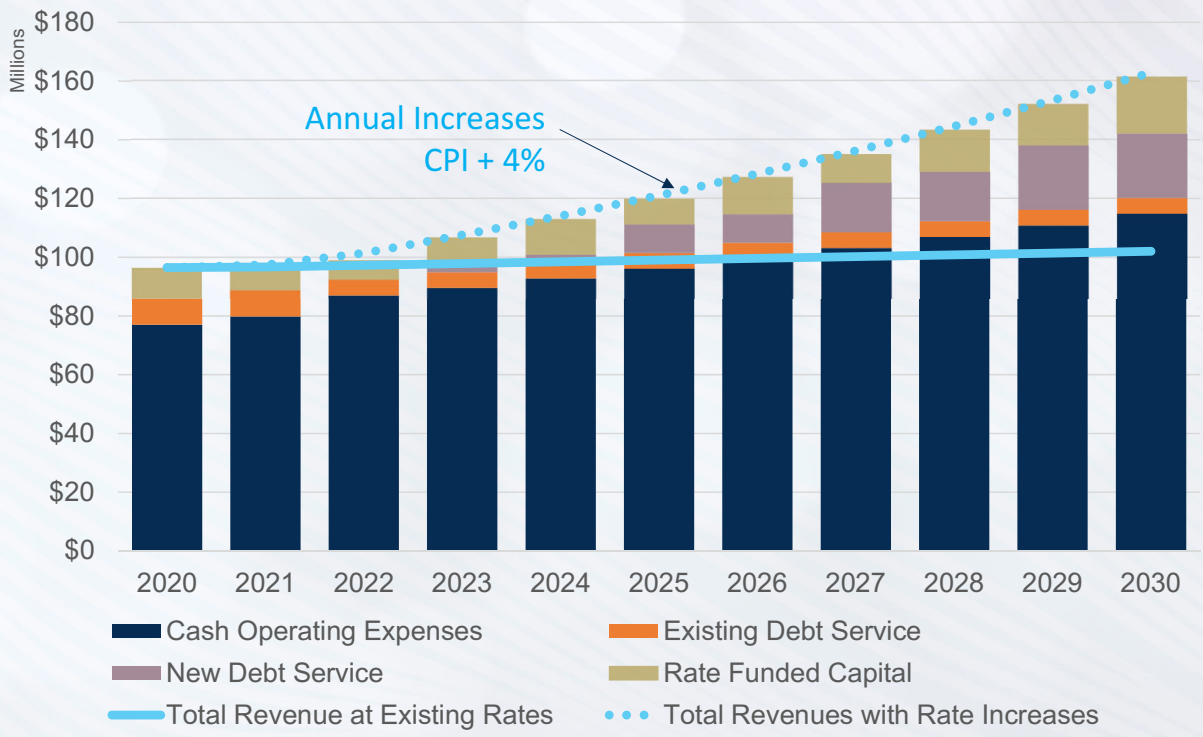


UNDERSTANDING THE SEWER FUNDS FINANCIAL STRUCTURE

FY 23 Adopted Budget - Revenues



CURRENT RATE REVENUES ARE TOO LOW BEGINNING IN 2023



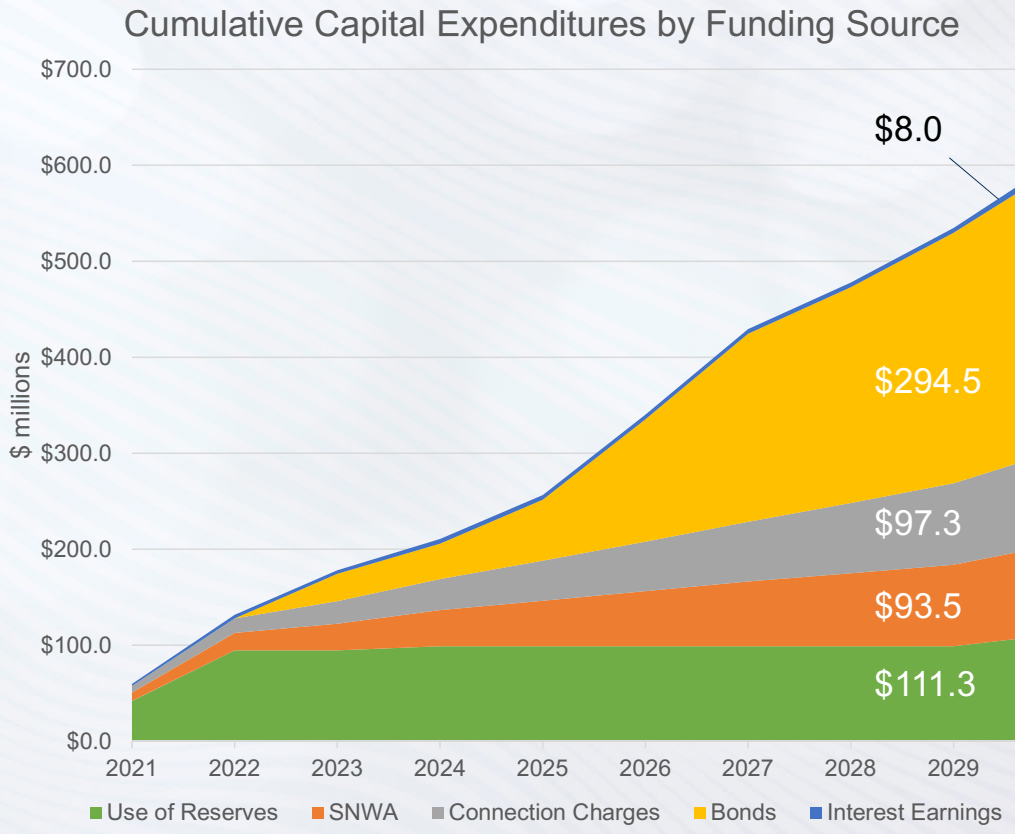
*Per LVMC 14.04.030, existing sewer rates were adjusted on 1/1/22 with a CPI change of 2.4% as per preceding 5 year rolling average CPI formula

CAPITAL PROJECTS

Capital funding relies on debt proceeds for about 50% of the total obligations.

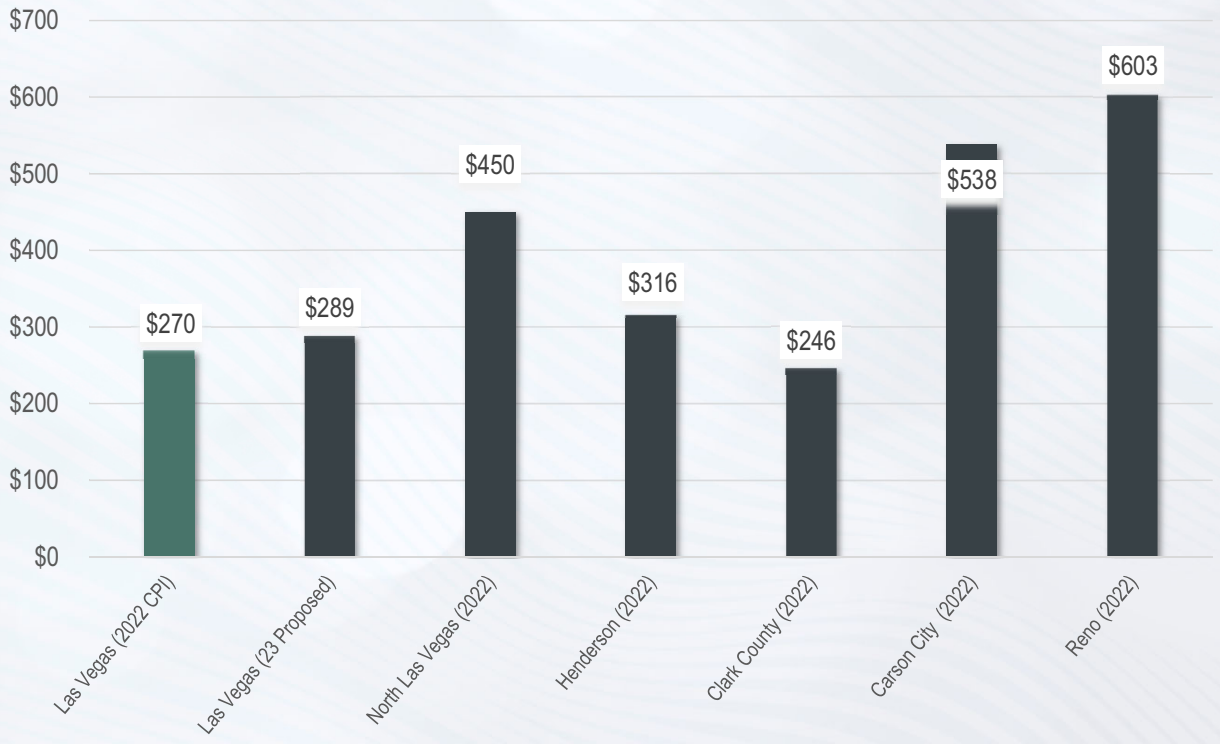
Total CIP = $605M

Major Projects:
WPCF 30MGD Expn - $100M
Owens Ave Interceptor - $60M
Rancho Dr Interceptor - $100M



*We currently have about 1700 miles of sewer main with some from 1911 in the Downtown Area

COMPARABLE SINGLE FAMILY SERVICE RATES IN THE REGION



Nationally, a single family residence pays an average rate of $504 annually for wastewater collection and treatment per 2021 IRC

PROPOSED CONNECTION FEE POLICY

Current Policy: Increase Connection Fee based on 5-year average change in Inflation

Proposed Policy: Increase Connection Fee based on the change in User Rates (4%+CPI)



Fees shown are for 1 Equivalent Residential Unit (ERU) or Single Family Dwelling

SEWER TREATMENT PROCESS CHEMICAL PRICE SURGE



The San Diego Union-Tribune 8/3/22

POLITICS

The cost of clean water: Inflation, supply-chain snarls force San Diego to pay $80M more for treatment chemicals

Primary Chemicals Used in Sewer Treatment Process:
Ferric Chloride increased 55% ($900k/Year Impact to CLV)
Sodium Hypochlorite increased 100% ($850k/Year Impact to CLV)
Aluminum Sulfite and Sodium Bisulfite expected to be 55% ($800k/Year Impact to CLV)
Total Increase Over Prior Year Expected to Be $2.55M (Total Chemical Budget expected to rise from $4.75 M in FY23 to $7.3M in FY24)

BLUE RIBBON PANEL INVOLVEMENT

Craig Galati – Vegas Chamber of Commerce

George Garcia – NAIOP

Peter Guzman – Latin Chamber of Commerce

Warren Hardy – Nevada Restaurant Association

Brian Walsh – SNHBA, Howard Hughes Corp

Sept. 3, 2020	1st Meeting discussed basic rate-setting process and historical context
Sept. 16, 2020	2nd meeting presented different forecast scenarios and potential outcomes
Oct. 6, 2020	3rd meeting presented answers to questions asked by BRP
Nov. 10, 2020	4th meeting solidified staff recommendations and BRP consensus

SUMMARY OF PROPOSED POLICIES

Rate Component	Existing Policy	Recommended Policy
Sewer Rates	CPI Increase	CPI + 4.0%/year
Sewer Connection Fees	CPI Increase	CPI + 4.0%/year

Major Steps:

Ordinance Sponsor – Jorge Cervantes

Prepare Ordinance and BIS Process – Completed

Council Meeting to Introduce Ordinance and BIS – August 3

Recommend Ordinance to Committee – August 15

Council Meeting for Second Reading of Ordinance – August 17

Council Meeting to Vote on Ordinance – September 7

*Policy changes would be for a 10 year period with a 5 year review to ensure projections in rate study are proper and necessary. For example, we are applying for federal grants that could offset some projected costs or we could see a significant slowdown in development that might allow delaying some CIP projects

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
28

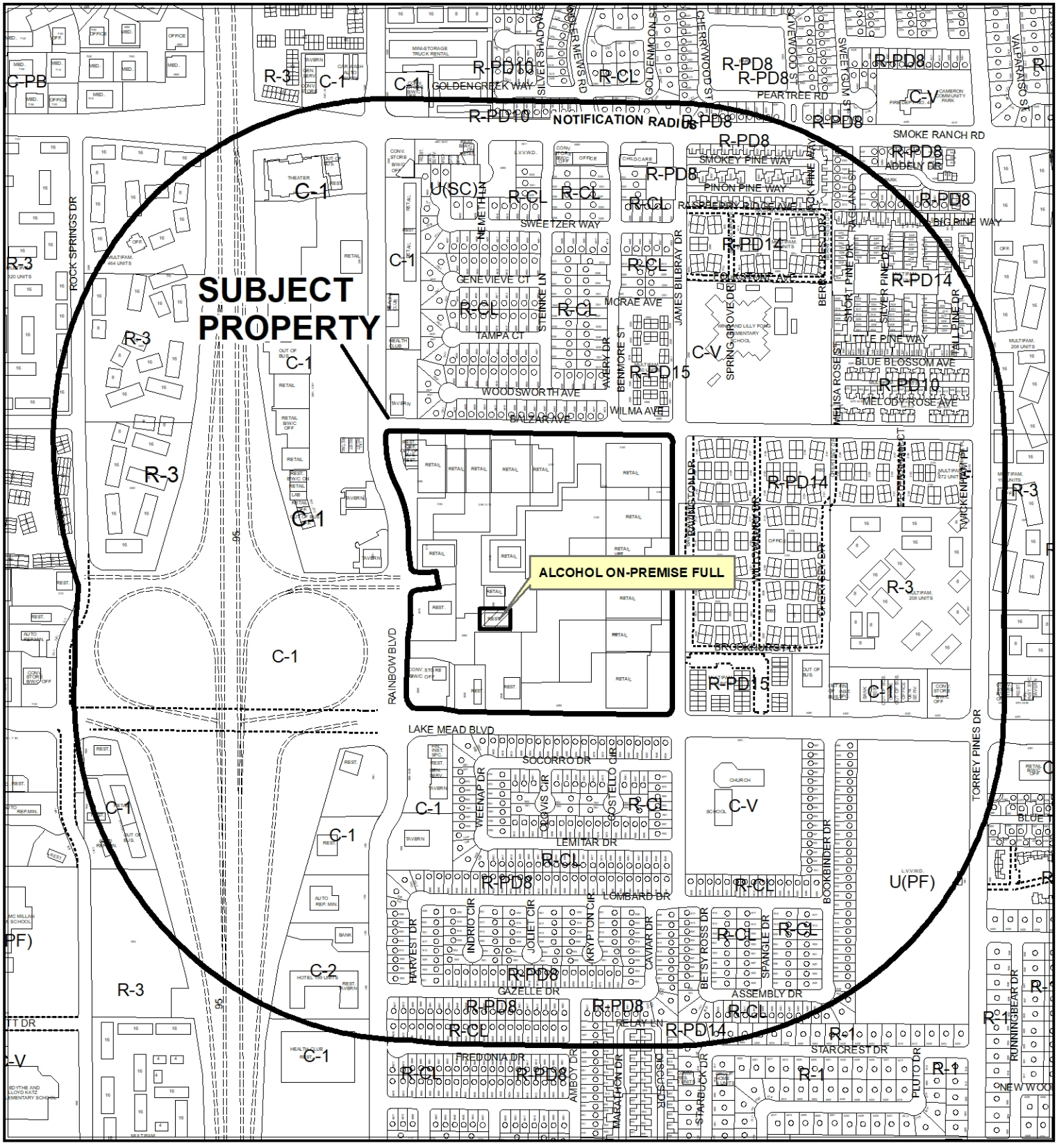
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0248-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAINBOW SEAFOOD GROUP, LLC - OWNER: VESTAR BEST IN THE WEST PROPERTY, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,482 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A SCHOOL AND A 162-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP USE WHERE 400 FEET IS REQUIRED at 2080 North Rainbow Boulevard (APN 138-23-215-012), C-1 (Limited Commercial) Zone, Ward 5 (Crear). The Planning Commission (5-0-1 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	6
City Council Meeting	4	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (5-0-1 vote) and Staff recommend APPROVAL, subject to conditions:

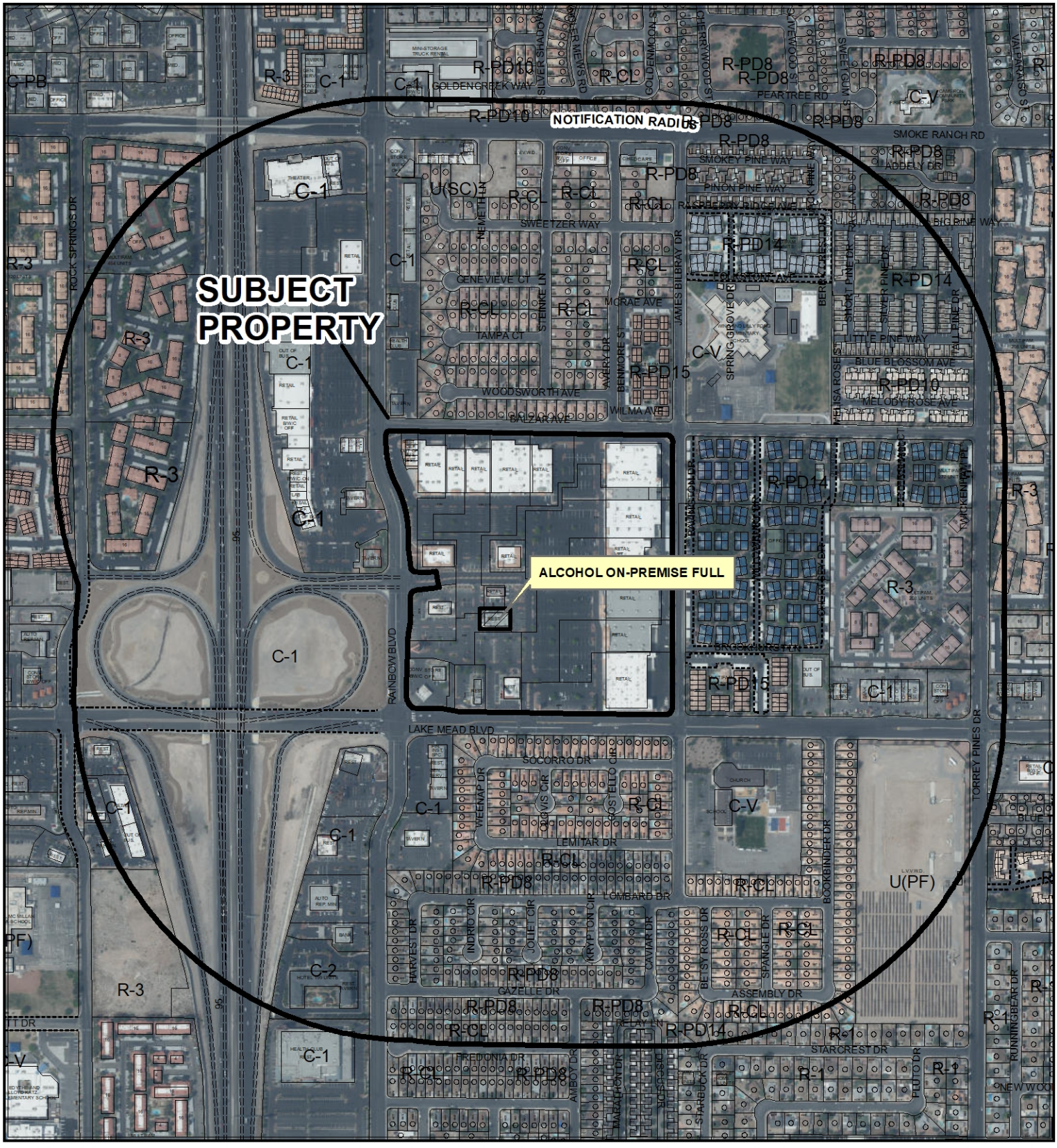
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Special Map
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Submitted after Final Agenda - Executed Condition Confirmation Documentation and Protest-Support Postcards
8. Backup Documentation Submitted for the July 12, 2022 Planning Commission Meeting



CASE: **22-0248-SUP1**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



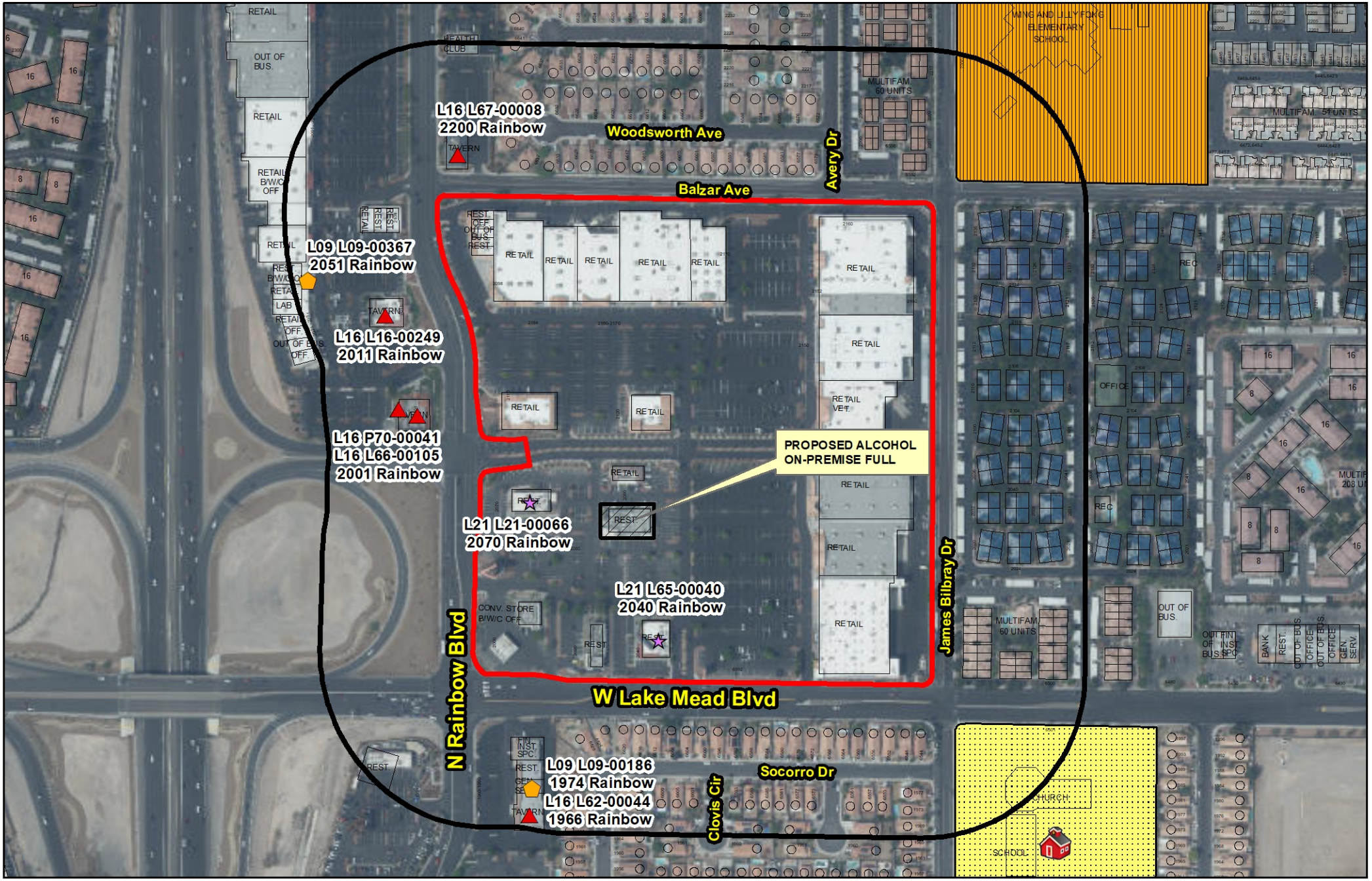
0 500 1,000 Feet

CASE: **22-0248-SUP1**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



22-0248-SUP1

Alcohol On-Premise Full

Business Licenses

- Tavern
- Tavern - Limited
- Urban Lounge
- Restaurant With Alcohol/ Restaurant With Service Bar/ Beer Wine Room/ Ancillary Brew Pub
- Beer/Wine/Cooler On-Sale

Protected Uses

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility
- Private Schools

- Subject Property
- 400 foot buffer

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, May 18, 2022

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: RAINBOW SEAFOOD GROUP, LLC - OWNER: VESTAR BEST IN THE WEST PROPERTY, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0248-SUP1	Staff recommends APPROVAL, subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 1775 (by City Clerk)

PROTESTS 0

APPROVALS 6

CS

**** CONDITIONS ****

22-0248-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Alcohol, On-Premise Full use.

2. This approval shall be void two 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. A Waiver from Title 19.12 is hereby approved, to allow a 100-foot distance separation from a School and a 162-foot distance separation from a Church/House of Worship use where 400 feet is required.

4. 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.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

6. Approval of this Special Use Permit does not constitute approval of a liquor license.

7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Special Use Permit request for a proposed Alcohol, On-Premise Full use within an existing restaurant at 2080 North Rainbow Boulevard.

ISSUES

- An Alcohol, On-Premise Full use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- Waivers are requested to allow a 100-foot distance separation from a School and a 162-foot distance separation from a Church/House of Worship use where 400 feet is required. Staff supports the requests.

ANALYSIS

The subject site is an existing shopping center that is zoned C-1 (Limited Commercial) and subject to Title 19 development standards. Per the submitted justification letter, the applicant requests a Special Use Permit to allow an Alcohol, On-Premise Full use within an existing 3,842 square-foot restaurant.

Per Title 19, the Alcohol, On-Premise Full use is defined as, “An establishment licensed to sell alcoholic beverages, not limited to the sale of beer, wine and coolers, for consumption on the premises where the same are sold.” The proposed use meets this definition as the applicant intends to offer alcoholic beverages in conjunction with meals served onsite.

Minimum Special Use Permit Regulations:
1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between an Alcohol, On-Premise Full establishment and certain other uses that should be protected from the impacts associated with that establishment. Therefore, except as otherwise provided in these Requirements, no Alcohol, On-Premise Full establishment may be located within 400 feet of any of the following uses:

a. Church/house of worship;
b. School;
c. Individual care center licensed for more than 12 children; or
d. City park.

This requirement is not met as Waivers are requested to allow 100-foot distance separation from a School and a 162-foot distance separation from a Church/House of Worship use where 400 feet is required. Staff supports the requests.

2. The distance separation requirement set forth in Requirement 1 does not apply to the following:

a. An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
b. Any Alcohol, On-Premise Full use located on property within the Pedestrian Mall, as defined in LVMC Chapter 11.68; the Downtown Entertainment Overlay District, as described in LVMC 19.10.120; or the 18b Arts District, as described in Appendix F to this Title. The Special Use Permit approval may include conditions designed to mitigate any impacts related to distance separation.

This requirement is not applicable as the subject site does not have a non-restricted gaming license in conjunction with a hotel and is not located on property within the Pedestrian Mall.

While distance separation Waivers are requested, the proposed use is located within a shopping center with other similar uses and is separated from the protected uses by an 80-foot Collector Street and a 100-foot Primary Arterial Street. Therefore, staff finds the proposed use can be conducted in a harmonious and compatible manner with the surrounding area and recommends approval, subject to conditions.

FINDINGS (22-0248-SUP1)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

The proposed land use can be conducted in a manner that is harmonious and compatible with the other existing commercial uses in the surrounding area.

2. The subject site is physically suitable for the type and intensity of land use proposed.

The subject site is located within a Shopping Center, located on the northeast corner of Rainbow Boulevard and Lake Mead Boulevard. The shopping center was designed to accommodate a variety of uses such as restaurants and retail stores and is physically suitable for the intensity of the proposed land use.

3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.

The subject site is accessed by Lake Mead Boulevard, a 100-foot Primary Arterial as defined by the Master Plan of Streets and Highways; and Rainbow Boulevard, a Major Collector as defined by the Master Plan of Streets and Highways. Both Lake Mead Boulevard and Rainbow Boulevard provide adequate access to the subject site for the proposed use.

4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

If approved, the Special Use Permit will be subject to licensure requirements, thereby protecting the public health, safety and welfare.

5. The use meets all of the applicable conditions per Title 19.12.

Waivers are requested to allow 100-foot distance separation from a School and a 162-foot distance separation from a Church/House of Worship use where 400 feet is required. Staff supports the requests as the proposed land use is separated from the protected uses by an 80-foot Collector Street and a 100-foot Primary Arterial Street.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
06/20/90	The City Council approved a Reclassification of Property (Z-61-90) from N-U (Non-Urban) to C-1 (Limited Commercial) for a proposed commercial shopping center on property located on the northeast corner of Rainbow Boulevard and Lake Mead Boulevard.
07/12/22	The Planning Commission (5-0-1 vote) recommends APPROVAL on a Land Use Entitlement project request FOR A PROPOSED 3,482 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A SCHOOL AND A 162-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP USE WHERE 400 FEET IS REQUIRED at 2080 North Rainbow Boulevard (APN 138-23-215-012), C-1 (Limited Commercial) Zone, Ward 5 (Crear)

Most Recent Change of Ownership	
02/09/18	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
02/16/22	Business License (#G70-00375) was issued for a seafood restaurant use at 2080 North Rainbow. The license remains active.

Pre-Application Meeting	
04/27/22	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Special Use Permit.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/07/22	Staff conducted a routine field check and found an existing shopping center. No issues were noted.

Details of Application Request	
Site Area	
Net Acres	1.26

CS

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Tavern		
	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
	Multi-family		R-PD15 (Residential Planned Development – 15 Units per Acre)
South	Financial Institution, Specified / General Retail / Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
East	Multi-Family Residential	M (Medium Density Residential)	R-PD14 (Residential Planned Development – 14 Units per Acre)
			R-PD15 (Residential Planned Development – 15 Units per Acre)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Master and Neighborhood Plan Areas	***Compliance***
2050 Master Plan Twin Lakes Area	Y
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (140 Feet)	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

CS

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Lake Mead Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y
Rainbow Boulevard	Major Collector	Master Plan of Streets and Highways	80	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	ADA	Regular	ADA	
Shopping Center	427,683 SF	1:250 SF	1,711				
TOTAL SPACES REQUIRED			1,711		1,853		Y
Regular and Handicap Spaces Required			1,690	21	1,803	50	Y

CS

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) RESTAURANT WITH ALCOHL ON PREMISES - 4 (WAIVER)

Project Address (Location) 2080 NORTH RAINBOW BOULEVARD LAS VEGAS NEVAD 89108

Project Name PIER 88 BOILING SEAFEED AND BAR **Proposed Use** SPECIAL USE PERMIT

Assessor's Parcel #(s) 13823215012 **Ward #** 5 CREAR

General Plan: Existing X Proposed _____ **Zoning:** Existing X Proposed _____

Additional Information NONE

Property Owner VESTAR BEST IN THE WEST PROPERTY, LLC Contact RYAN ASH

Address 7575 CARSON BLVD City LONG BEACH State CA Zip 90808

E-mail RASH@VESTAR.COM Phone 562-938-1722

Applicant RAINBOW SEAFOOD GROUP LLC dba PIER 88 BOILING SEAFOOD AND BAR Contact ZHANG, SHI HE

Address 2816 STERLING SILVER ST City LAS VEGAS State NV Zip 89108

E-mail RAINBOWSEAFOODLLC@GMAIL.COM Phone 563-505-6888

Representative ADM CONTROLLER Contact TRAVIS LU

Address 6767 W TROPICANA AVE 202 City LAS VEGAS State NV Zip 89103

E-mail TLUTAX@GMAIL.COM Phone 702-234-3058

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official NONE **Partner(s)** NONE

Partner(s) NONE

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Ryan Ash

Subscribed and sworn before me

This 28th day of April, 20 22

_____

Notary Public in and for said County and State

Diane Engebretson
Notary Public
Maricopa County, Arizona
My Comm. Expires 05-31-23
Commission No. 542876

22-0248
05/03/2022



City Council - Page 387

Vestar

Total Site Area
33.89 Acres

Building Area
427,683 Square Feet

Parking
1,853 Total Spaces

# of Standard: 1,775
# of Handicap: 50
# of Compact: 28
1,853

Best In The West

Las Vegas, NV

North Rainbow Blvd & West Lake Mead Blvd

brr ARCHITECTURE

PARKING SPACES

NUMBER OF STANDARD PARKING SPACES	1775
NUMBER OF HANDICAPPED SPACES	50
NUMBER OF COMPACT SPACES	28
TOTAL NUMBER OF PARKING SPACES	1853

22-0248
05/05/2022

TITLE COMMITMENT

THIS ALTA/NSPS LAND TITLE SURVEY IS BASED ON COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO.: NCS–866107–PHXT. GCW, INC. ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE COMPLETENESS OR ACCURACY OF THE ABOVE MENTIONED REPORT. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH AND IS SUBJECT TO THE EXCLUSIONS, RESTRICTIONS AND EXCEPTIONS LISTED IN THE REFERENCES AND DESCRIBED IN SAID COMMITMENT FOR TITLE INSURANCE.

TITLE REPORT EXCEPTIONS

(#) =NUMERIC SEQUENCE – ITEMS WHICH CAN BE VISUALLY LOCATED AND/OR MAPPED WHICH AFFECT THE SUBJECT PROPERTY, EXCEPTING TAXES, SUPPLEMENTAL TAXES, LEASE AGREEMENTS, FINANCING STATEMENTS, DEEDS OF TRUST AND OTHER MISCELLANEOUS DOCUMENTS.

(1) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

(26) RESERVATIONS AND PROVISIONS AS CONTAINED IN PATENT FROM THE UNITED STATES OF AMERICA, RECORDED JUNE 21, 1962, IN BOOK 368 OF OFFICIAL RECORDS, AS INSTRUMENT NO. 297342. **(BLANKE–IN–NATURE)**

(27) AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED DECEMBER 17, 1976 IN BOOK 689 AS INSTRUMENT NO. 648338 OF OFFICIAL RECORDS. **(PLOTTED)**

(28) ANY PRIVATE EASEMENTS OR LESSER RIGHTS TOGETHER WITH THE RIGHTS, IF ANY, OF THE CITY OF LAS VEGAS AND/OR THE COUNTY OF CLARK, PUBLIC UTILITIES OR SPECIAL DISTRICTS, WHICH MAY NOT HAVE BEEN AFFECTED BY THE PROCEEDINGS VACATING A PORTION OF SAID LAND AS THE SAME WAS RECORDED FEBRUARY 07, 1992 IN BOOK 920207 AS INSTRUMENT NO. 00661 OF OFFICIAL RECORDS. **(PLOTTED)**

(29) AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED FEBRUARY 07, 1992 IN BOOK 920207 AS INSTRUMENT NO. 00661 OF OFFICIAL RECORDS. **(PLOTTED)**

(30) EASEMENTS AS SHOWN AND/OR DEDICATED UPON THE FINAL MAP OF BEST IN THE WEST, ON FILE IN BOOK 72 OF PLATS, PAGE 73 , OF OFFICIAL RECORDS. **(PLOTTED)**

(33) AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AUGUST 26, 1996 IN BOOK 960826 AS INSTRUMENT NO. 01426 OF OFFICIAL RECORDS. **(PLOTTED)**

(36) AN EASEMENT AND RIGHT–OF–WAY FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, RENEWAL, RECONSTRUCTION, AND REMOVAL OF PIPELINES FOR CONDUCTING WATER WITH THE RIGHT OF INGRESS AND EGRESS, AS CONVEYED TO LAS VEGAS VALLEY WATER DISTRICT, A QUASI–MUNICIPAL CORPORATION, BY AN INSTRUMENT RECORDED JANUARY 16, 1997, IN BOOK 970116 AS INSTRUMENT NO. 00878 OF OFFICIAL RECORDS, OVER A PORTION OF THE LAND. **(PLOTTED)**

(37) AN EASEMENT AND RIGHT–OF–WAY FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, RENEWAL, RECONSTRUCTION, AND REMOVAL OF PIPELINES FOR CONDUCTING WATER WITH THE RIGHT OF INGRESS AND EGRESS, AS CONVEYED TO LAS VEGAS VALLEY WATER DISTRICT, A QUASI–MUNICIPAL CORPORATION, BY AN INSTRUMENT RECORDED MARCH 03, 1997, IN BOOK 970303 AS INSTRUMENT NO. 00784 OF OFFICIAL RECORDS, OVER A PORTION OF THE LAND. **(PLOTTED)**

(39) COVENANTS, CONDITIONS, AND RESTRICTIONS IN A DECLARATION OF RESTRICTION RECORDED MARCH 04, 1997, IN BOOK 970304 AS INSTRUMENT NO. 00280 OF OFFICIAL RECORDS. **(PLOTTED)**

DOCUMENT(S) DECLARING MODIFICATIONS THEREOF RECORDED MAY 10, 2012 IN BOOK 20120510 AS INSTRUMENT NO. 00044 OF OFFICIAL RECORDS.

(46) AN EASEMENT FOR BUS STOP PADS AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED MAY 16, 2003 IN BOOK 20030516 AS INSTRUMENT NO. 01984 OF OFFICIAL RECORDS. **(PLOTTED)**

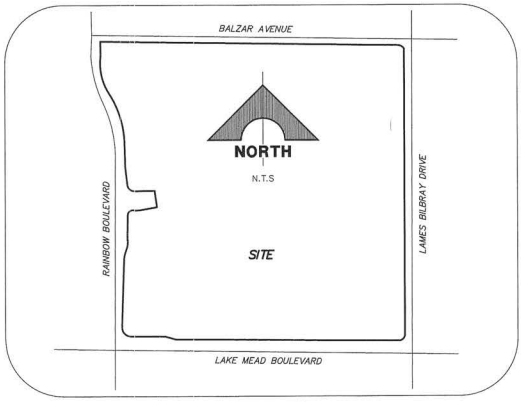
(47) AN EASEMENT FOR TELECOMMUNICATION FACILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED NOVEMBER 05, 2003 IN BOOK 20031105 AS INSTRUMENT NO. 00446 OF OFFICIAL RECORDS. **(EASEMENT AREA PER DOCUMENT IS OVER APN: 138–23–215–019)**

(49) COVENANTS, CONDITIONS, AND RESTRICTIONS IN A DECLARATION OF ENVIRONMENTAL RESTRICTION AND OTHER ENVIRONMENTAL COVENANTS AND CONDITIONS ENCUMBERING GROUND LEASEHOLD INTEREST RECORDED DECEMBER 29, 2004, IN BOOK 20041229 AS INSTRUMENT NO. 00652 OF OFFICIAL RECORDS. **(PLOTTED)**

(52) COVENANTS, CONDITIONS, AND RESTRICTIONS IN A CITY OF LAS VEGAS NOTICE OF ZONING ACTION RECORDED MARCH 03, 2016, IN BOOK 20160303 AS INSTRUMENT NO. 00913 OF OFFICIAL RECORDS. **(BLANKE–IN–NATURE)**

(53) COVENANTS, CONDITIONS, AND RESTRICTIONS IN A CITY OF LAS VEGAS NOTICE OF ZONING ACTION RECORDED AUGUST 17, 2016, IN BOOK 20160817 AS INSTRUMENT NO. 01728 OF OFFICIAL RECORDS. **(BLANKE–IN–NATURE)**

City Council - Page 389



VICINITY MAP

LEGAL DESCRIPTION

LOT ONE (1) OF BLOCK A OF BEST IN THE WEST (A COMMERCIAL SUBDIVISION), AS SHOWN BY MAP THEREOF ON FILE IN BOOK 72 OF PLATS, PAGE 73, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO THE CITY OF LAS VEGAS, A MUNICIPAL CORPORATION BY GRANT DEED RECORDED MAY 16, 2003 IN BOOK 20030516 AS DOCUMENT NO. 01983, OF OFFICIAL RECORDS.

BASIS OF BEARING

NORTH 00°07'03" WEST, BEING THE BEARING OF THE WEST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 23, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M. AS SHOWN IN BOOK 72, PAGE 73 OF PLATS ON FILE AT CLARK COUNTY, NEVADA RECORDER'S OFFICE.

SURVEYOR'S NOTES

1. NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WERE OBSERVED IN THE PROCESS OF CONDUCTING FIELD WORK.

2. THE CERTIFYING SURVEYOR IS NOT AWARE OF CHANGES IN STREET RIGHT–OF–WAY LINES ALONG RAINBOW BOULEVARD, LAKE MEAD BOULEVARD, JAMES BILBRAY DRIVE AND BALZAR AVENUE.

3. NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WERE OBSERVED IN THE PROCESS OF CONDUCTING FIELD WORK.

4. NO WETLAND DELINEATION MARKERS WERE OBSERVED IN THE PROCESS OF CONDUCTING FIELD WORK.

SURVEYOR'S CERTIFICATE

TO: FIRST AMERICAN TITLE INSURANCE COMPANY, J.P MORGAN CHASE BANK, N.A., AND ITS SUCCESSORS AND/OR ASSIGNS AND VESTAR BEST IN THE WEST PROPERTY LLC.:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(A), 6(B), 7(A), 7(B)(1), 7(C), 8, 9, 10(A), 11, 13, 14, 16, 17, 18, 19 AND 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 5, 2017.

DATE OF PLAT OR MAP: JANUARY 9, 2018

RUSTY A. WONDERS, PLS
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 19751

PROFESSIONAL LAND SURVEYOR · STATE OF NEVADA · RUSTY A. WONDERS · No. 19751 · 1/9/18 · Exp. 6/30/18

CONTACT INFORMATION

RUSTY A. WONDERS, PLS
1555 S. RAINBOW BOULEVARD
LAS VEGAS, NV 89146
702–804–2061
RWONDERS@GCWENGINEERING.COM

FLOOD ZONE

FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL 32003C2155F, EFFECTIVE AUGUST 16, 1995, REVISED NOVEMBER 16, 2011, INDICATED THAT THE SUBJECT PROPERTY LIES WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).

UTILITY NOTE

ANY BURIED UTILITIES OR PIPELINES ARE AS SHOWN PER SURFACE EVIDENCE. GCW, INC. AND THE CERTIFYING SURVEYOR SHALL NOT BE LIABLE FOR THE LOCATION OF OR THE FAILURE TO NOTE THE LOCATION OF NON–VISIBLE UTILITIES.

PARKING

THE SUBJECT PROPERTY CONTAINS 1,882 PARKING SPACES, 61 OF WHICH ARE HANDICAPPED.

ZONING

NO ZONING REPORT PROVIDED TO THE CERTIFYING SURVEYOR.

22-0248
05/05/2022

REV	DATE	DESCRIPTION
1.	9/14/17	DATE OF ORIGINAL CERTIFICATION
2.	1/9/18	REVISED CERTIFICATION

LOT 1 AS SHOWN IN BOOK 72, PAGE 73 OF PLATS ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 23, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

GCW
ENGINEERS \ SURVEYORS
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2100
F: 702.804.2299
gcwengineering.com

BEST IN THE WEST SHOPPING CENTER
VESTAR
ALTA/NSPS LAND TITLE SURVEY

SHEET 1 OF 5 SHEETS

ECV ENGINEERS & SURVEYORS
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
ecvengineers.com

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REV	DATE	DESCRIPTION
1.	9/14/17	DATE OF ORIGINAL CERTIFICATION
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22-0248
05/05/2022

NORTH
GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.

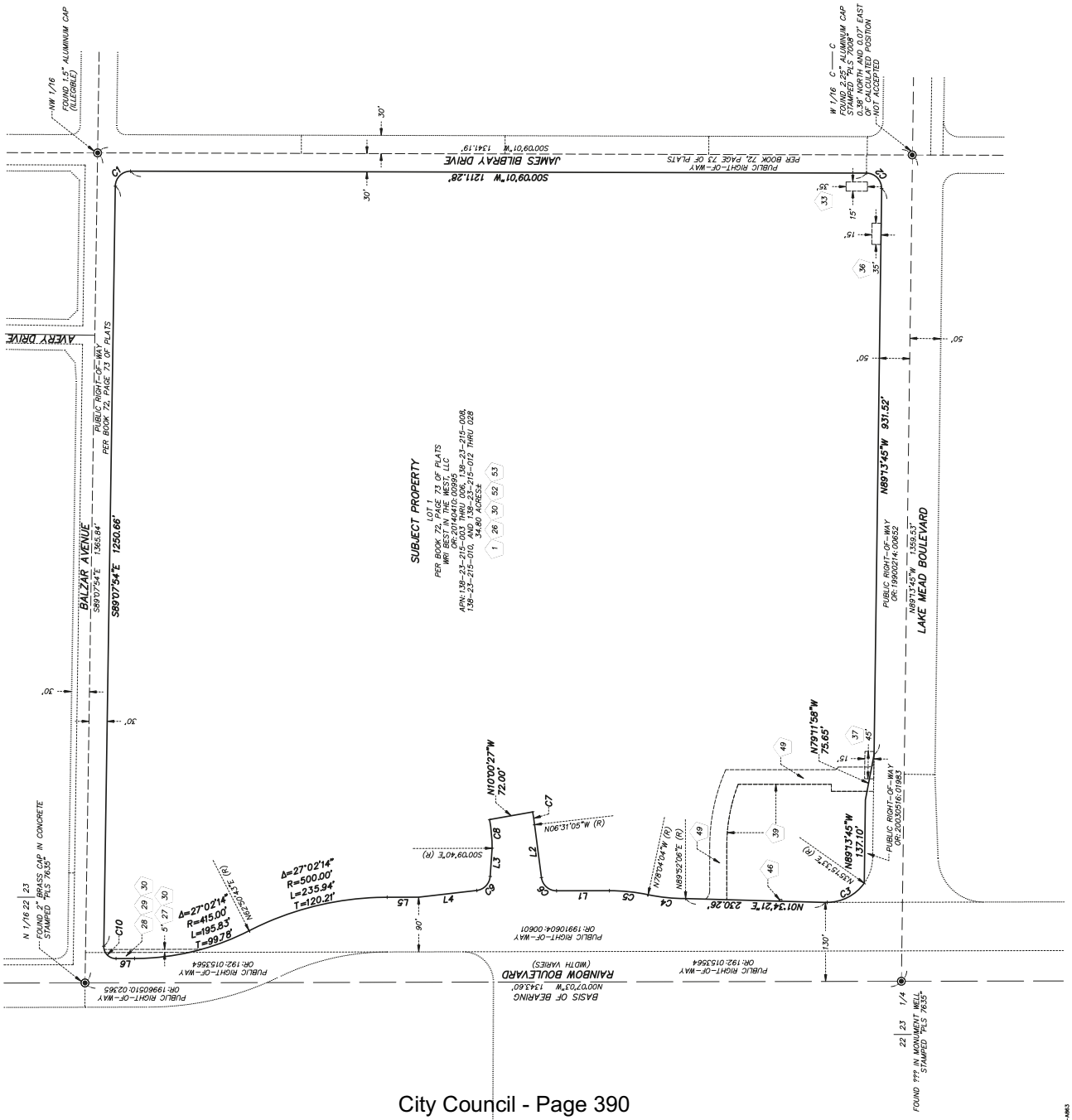
LEGEND
- SURVEY BOUNDARY LINE
- EXISTING LOT/RIGHT-OF-WAY LINE
- STREET CENTERLINE
- SECTION LINE
- QUARTER SECTION LINE
- SIXTEENTH SECTION LINE
- EASEMENT LINE
- FOUND MONUMENTATION AS SHOWN AND DESCRIBED
- L1 LINE SEGMENT NUMBER
- C1 CURVE NUMBER
- (R) RADIAL LINE
- APN: ASSESSOR'S PARCEL NUMBER
- OR: OFFICIAL RECORDS
- TITLE REPORT EXCEPTION NUMBER (SEE SHEET 1)

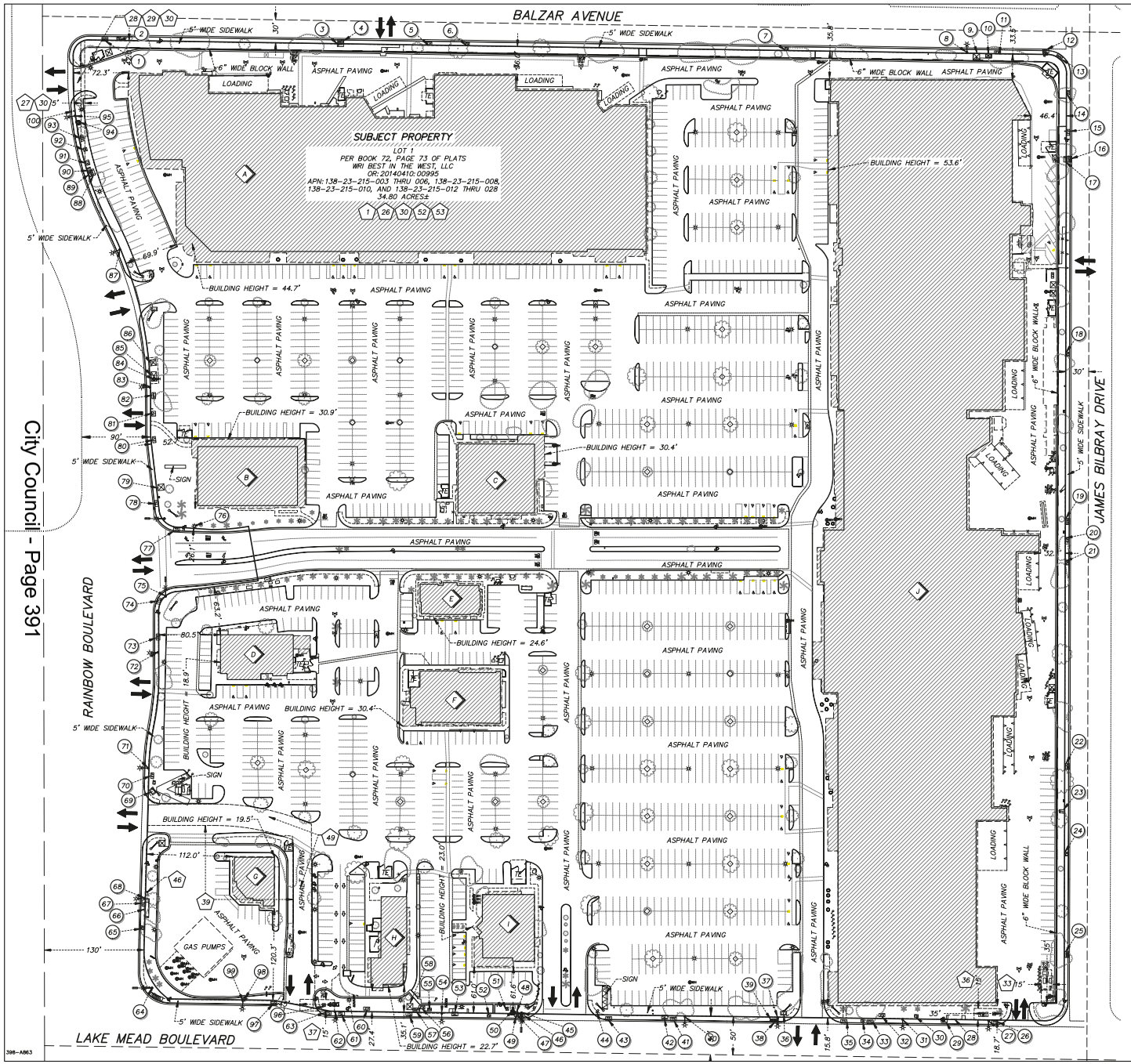
LINE TABLE

LINE	BEARING	LENGTH
L1	N00°07'03"W	87.03'
L2	N82°31'39"E	87.72'
L3	N88°01'55"W	46.46'
L4	N06°34'05"W	96.33'
L5	N00°07'03"W	51.83'
L6	N00°07'03"W	30.60'

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	TANGENT
C1	89°16'55"	25.00'	38.96'	24.69'
C2	90°37'14"	25.00'	39.54'	25.27'
C3	54°37'24"	75.00'	71.50'	38.73'
C4	12°03'50"	295.00'	62.11'	31.17'
C5	12°02'59"	305.00'	64.14'	32.19'
C6	82°38'42"	25.00'	36.06'	21.98'
C7	3°29'22"	348.00'	21.19'	10.60'
C8	9°50'47"	276.00'	47.43'	23.77'
C9	79°27'50"	25.00'	34.67'	20.28'
C10	90°59'09"	25.00'	39.71'	25.32'





City Council - Page 391

NORTH

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

LEGEND

- SURVEY BOUNDARY LINE
- EXISTING LOT/RIGHT-OF-WAY LINE
- STREET CENTERLINE
- SECTION LINE
- QUARTER SECTION LINE
- SIXTEENTH SECTION LINE
- EASEMENT LINE
- BUILDING
- CURB & GUTTER
- EDGE OF CONCRETE
- BLOCK WALL
- FENCE
- VALLEY GUTTER
- CABLE T.V. BOX
- ELECTRIC BOX
- STREET LIGHT BOX
- WATER METER
- TRAFFIC SIGNAL BOX
- TELEPHONE BOX
- WATER BOX
- WATER AIR RELEASE VALVE
- STORM DRAIN MANHOLE
- VALVE
- PALM TREE
- TREE
- PEDESTRIAN SIGNAL
- GATE
- TRAFFIC SIGNAL
- FIRE HYDRANT
- DROP INLET
- SIGNS
- POST
- AREA LIGHT
- STREET LIGHT
- TRAFFIC SIGNAL
- VAULT: E-ELECTRIC, T-TELEPHONE, W-WATER, C-CABLE T.V.
- TRANSFORMER PAD
- APN: ASSESSOR'S PARCEL NUMBER
- OR: OFFICIAL RECORDS
- S.F. SQUARE FEET
- TE TRASH ENCLOSURE
- TITLE REPORT EXCEPTION NUMBER (SEE SHEET 1)
- LOCATION NOTE (SEE SHEET 5)
- SEE SHEETS 4 AND 5 FOR BUILDING DIMENSIONS AND SQUARE FOOTAGE
- INGRESS/EGRESS

22-0248
05/05/2022

REV	DATE	DESCRIPTION
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1555 S. RAINBOW BLVD.
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T: 702.804-2000
F: 702.804-2299
gcwengineering.com

BEST IN THE WEST SHOPPING CENTER
VESTAR
ALTA/NSPS LAND TITLE SURVEY

SHEET 3 OF 5 SHEETS

398-A863

BEST IN THE WEST SHOPPING CENTER
VESTAR
ALTA/NSPS LAND TITLE SURVEY

SHEET 4 OF 5 SHEETS

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REV	DATE	DESCRIPTION
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22-0248
05/05/2022

NORTH

2070 N. RAINBOW BOULEVARD
BUILDING AREA = 5,209 S.F.±

2040 N. RAINBOW BOULEVARD
BUILDING AREA = 5,804 S.F.±

2120 N. RAINBOW BOULEVARD
SUITE 110 AND 120
BUILDING AREA = 8,991 S.F.±

2000 N. RAINBOW BOULEVARD
BUILDING AREA = 2,803 S.F.±

2110 N. RAINBOW BOULEVARD
SUITE 101, 102 AND 110
BUILDING AREA = 10,030 S.F.±

2080 N. RAINBOW BOULEVARD
BUILDING AREA = 7,448 S.F.±

2090 N. RAINBOW BOULEVARD
BUILDING AREA = 3,006 S.F.±

2020 N. RAINBOW BOULEVARD
BUILDING AREA = 4,223 S.F.±

2192 N. RAINBOW BOULEVARD
SUITE 100, 101, 102, 103 AND 104

2190 N. RAINBOW BOULEVARD

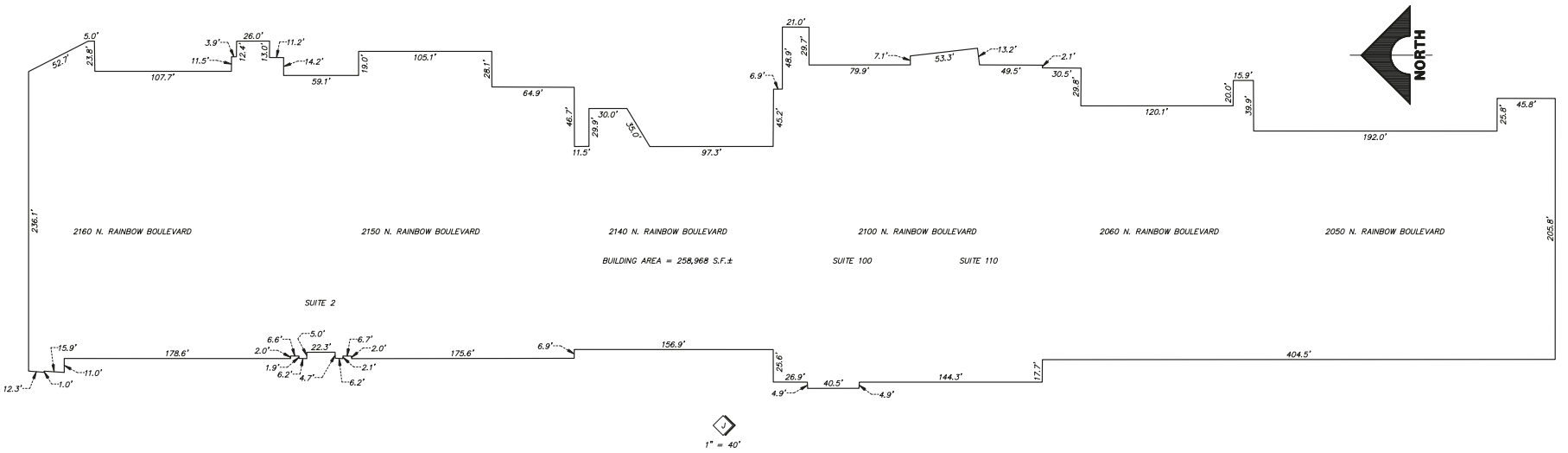
2186 N. RAINBOW BOULEVARD

2184 N. RAINBOW BOULEVARD

2182 N. RAINBOW BOULEVARD
BUILDING AREA = 127,398 S.F.±

2178 N. RAINBOW BOULEVARD

2170 N. RAINBOW BOULEVARD



LOCATION NOTES (AS OBSERVED)

1. CABLE TV BOX IS 1.2' NORTH OF BOUNDARY LINE.
2. SOUTH FACE OF TELEPHONE VAULT IS 0.7' NORTH OF BOUNDARY LINE.
3. TELEPHONE BOX IS 1.3' SOUTH OF BOUNDARY LINE.
4. CABLE TV BOX IS 3.1' NORTH OF BOUNDARY LINE.
5. SOUTH FACE OF ELECTRIC VAULT IS 0.2' NORTH OF BOUNDARY LINE.
6. SOUTH FACE OF TELEPHONE VAULT IS 0.6' NORTH OF BOUNDARY LINE.
7. SOUTH FACE OF TELEPHONE VAULT IS 0.4' NORTH OF BOUNDARY LINE.
8. STREET LIGHT IS 1.0' NORTH OF BOUNDARY LINE.
9. NORTH FACE OF TRANSFORMER PAD IS 0.1' SOUTH OF BOUNDARY LINE.
10. NORTH FACE OF TRANSFORMER PAD IS 0.3' SOUTH OF BOUNDARY LINE.
11. SOUTH FACE OF ELECTRIC VAULT IS 0.2' SOUTH OF BOUNDARY LINE.
12. STREET LIGHT BOX IS 4.1' NORTH OF BOUNDARY LINE.
13. CABLE TV BOX IS 2.0' NORTHEAST OF BOUNDARY LINE.
14. WEST FACE OF TELEPHONE VAULT 0.9' OF BOUNDARY LINE.
15. WEST FACE OF ELECTRIC VAULT IS 0.4' EAST OF BOUNDARY LINE.
16. CABLE TV BOX IS 3.7' EAST OF BOUNDARY LINE.
17. TELEPHONE BOX IS 1.2' WEST OF BOUNDARY LINE.
18. WEST FACE OF TELEPHONE VAULT IS 0.7' EAST OF BOUNDARY LINE.
19. CABLE TV BOX IS 3.4' EAST OF BOUNDARY LINE.
20. WEST FACE OF ELECTRIC VAULT IS 0.1' EAST OF BOUNDARY LINE.
21. WEST FACE OF TELEPHONE VAULT IS 0.6' EAST OF BOUNDARY LINE.
22. CABLE TV BOX IS 3.6' EAST OF BOUNDARY LINE.
23. TELEPHONE BOX IS 2.9' WEST OF BOUNDARY LINE.
24. WEST FACE OF TELEPHONE VAULT IS 1.0' EAST OF BOUNDARY LINE.
25. CABLE TV BOX IS 3.4' EAST OF BOUNDARY LINE.
26. TRAFFIC SIGNAL BOX IS 3.0' SOUTH OF BOUNDARY LINE.
27. STREET LIGHT IS 0.7' SOUTH OF BOUNDARY LINE.
28. SOUTH FACE OF BUS STOP IS 0.3' NORTH OF BOUNDARY LINE.
29. STREET LIGHT BOX 1.5' SOUTH OF BOUNDARY LINE.
30. SOUTH FACE OF TELEPHONE VAULT IS 2.3' NORTH OF BOUNDARY LINE.
31. STREET LIGHT IS 0.7' SOUTH OF BOUNDARY LINE.
32. SOUTH FACE OS ELECTRIC VAULT IS 2.6' NORTH OF BOUNDARY LINE.
33. TRAFFIC SIGNAL BOX IS 4.5' SOUTH OF BOUNDARY LINE.
34. NORTH FACE OF TELEPHONE VAULT IS 1.5' SOUTH OF BOUNDARY LINE.
35. TRAFFIC SIGNAL BOX IS 4.2' SOUTH OF BOUNDARY LINE.
36. ELECTRIC BOX IS 5.2' NORTH OF BOUNDARY LINE.
37. STREET LIGHT IS 0.9' SOUTH OF BOUNDARY LINE.
38. TRAFFIC SIGNAL BOX IS 4.5' SOUTH OF BOUNDARY LINE.
39. STORM DRAIN MANHOLE IS 4.4' SOUTH OF BOUNDARY LINE.
40. STREET LIGHT IS 0.9' SOUTH OF BOUNDARY LINE.
41. TRAFFIC SIGNAL BOX IS 4.2' SOUTH OF BOUNDARY LINE.
42. STREET LIGHT BOX IS 1.8' SOUTH OF BOUNDARY LINE.
43. TRAFFIC SIGNAL BOX IS 4.6' SOUTH OF BOUNDARY LINE.
44. PEDESTRIAN CROSSING POLE IS 4.6' SOUTH OF BOUNDARY LINE.
45. TRAFFIC SIGNAL IS 1.0' NORTH OF BOUNDARY LINE.
46. TRAFFIC SIGNAL BOX 2.5' SOUTH OF BOUNDARY LINE.
47. TRAFFIC SIGNAL IS 1.9' SOUTH OF BOUNDARY LINE.
48. SOUTH FACE OF UTILITY CABINET IS 0.2' NORTH OF BOUNDARY LINE.
49. STREET LIGHT BOX IS 1.1' SOUTH OF BOUNDARY LINE.
50. ELECTRIC METER IS 1.1' SOUTH OF BOUNDARY LINE.
51. SOUTH FACE OF TRANSFORMER PAD IS 4.2' NORTH OF BOUNDARY LINE.
52. NORTH FACE OS TELEPHONE VAULT IS 1.7' SOUTH OF BOUNDARY LINE.
53. STREET LIGHT BOX IS 1.4' SOUTH OF BOUNDARY LINE.
54. STREET LIGHT IS 1.0' SOUTH OF BOUNDARY LINE.
55. SOUTH FACE OF TELEPHONE VAULT IS 2.1' NORTH OF BOUNDARY LINE.
56. SOUTH FACE OF ELECTRIC VAULT IS 4.6' NORTH OF BOUNDARY LINE.
57. CABLE TV BOX IS 3.3' NORTH OF BOUNDARY LINE.
58. SOUTH FACE OF TRANSFORMER PAD IS 3.3' NORTH OF BOUNDARY LINE.
59. TRAFFIC SIGNAL BOX IS 2.2' SOUTH OF BOUNDARY LINE.
60. SOUTH FACE OF ELECTRIC VAULT IS 1.9' NORTH OF BOUNDARY LINE.
61. STREET LIGHT BOX IS 3.2' SOUTH OF BOUNDARY LINE.
62. STREET LIGHT IS 0.9' SOUTH OF BOUNDARY LINE.
63. TRAFFIC SIGNAL BOX IS 2.4' SOUTH OF BOUNDARY LINE.
64. TRAFFIC SIGNAL IS 5.0' SOUTHWEST OF BOUNDARY LINE.
65. EAST FACE OF TELEPHONE VAULT IS 1.3' WEST OF BOUNDARY LINE.
66. WEST FACE OF BUS STOP IS 1.1' WEST OF BOUNDARY LINE.
67. STREET LIGHT BOX IS 1.9' WEST OF BOUNDARY LINE.
68. STREET LIGHT IS 1.3' WEST OF BOUNDARY LINE.
69. ELECTRIC BOX IS 5.1' EAST OF BOUNDARY LINE.
70. WEST FACE OF ELECTRIC VAULT IS 2.6' EAST OF BOUNDARY LINE.
71. STREET LIGHT IS 1.2' WEST OF BOUNDARY LINE.
72. STREET LIGHT IS 1.1' WEST OF BOUNDARY LINE.
73. TRAFFIC SIGNAL BOX IS 0.8' WEST OF BOUNDARY LINE.
74. TRAFFIC SIGNAL BOX IS 2.8' NORTHWEST OF BOUNDARY LINE.
75. TRAFFIC SIGNAL IS 0.1' SOUTHEAST OF BOUNDARY LINE.
76. AREA LIGHT IS 2.9' NORTH OF BOUNDARY LINE.
77. TRAFFIC SIGNAL BOX IS 3.1' SOUTH OF BOUNDARY LINE.
78. TRAFFIC SIGNAL BOX IS 2.3' WEST OF BOUNDARY LINE.
79. WEST FACE OF TRANSFORMER PAD IS 2.0' EAST OF BOUNDARY LINE.
80. WEST FACE OF ELECTRIC VAULT IS 2.2' EAST OF BOUNDARY LINE.
81. WEST FACE OF TELEPHONE VAULT IS 1.4' EAST OF BOUNDARY LINE.
82. CABLE TV BOX IS 4.1' EAST OF BOUNDARY LINE.
83. STREET LIGHT IS 0.7' WEST OF BOUNDARY LINE.
84. ELECTRIC MANHOLE IS 5.0' EAST OF BOUNDARY LINE.
85. WEST FACE OF TRANSFORMER PAD IS 1.8' EAST OF BOUNDARY LINE.
86. WEST FACE OF TRANSFORMER PAD IS 2.0' EAST OF BOUNDARY LINE.
87. STREET LIGHT IS 1.0' SOUTHWEST OF BOUNDARY LINE.
88. TELEPHONE BOX IS 6.4' NORTHWEST OF BOUNDARY LINE.
89. CABLE TV BOX IS 3.3' NORTHWEST OF BOUNDARY LINE.
90. SOUTHWEST FACE OF TELEPHONE CABINET 2.3' NORTHWEST OF BOUNDARY LINE.
91. SOUTHWEST FACE OF TELEPHONE VAULT IS 1.7' NORTHWEST OF BOUNDARY LINE.
92. SOUTHWEST FACE OF TRANSFORMER PAD IS 2.6' NORTHWEST OF BOUNDARY LINE.
93. SOUTHWEST FACE OF ELECTRIC VAULT IS 2.1' NORTHWEST OF BOUNDARY LINE.
94. ELECTRIC METER IS 2.2' NORTHWEST OF BOUNDARY LINE.
95. STREET LIGHT IS 0.7' WEST OF BOUNDARY LINE.
96. SOUTH FACE OF WATER VAULT IS 4.3' NORTHEAST OF BOUNDARY LINE.
97. CABLE TV BOX IS 4.2' SOUTH OF BOUNDARY LINE.
98. AREA LIGHT IS 1.6' NORTH OF BOUNDARY LINE.
99. STREET LIGHT IS 1.1' SOUTH OF BOUNDARY LINE.
100. STREET LIGHT BOX IS 1.6' WEST OF BOUNDARY LINE.

22-0248
05/05/2022

REV	DATE	DESCRIPTION
1.	9/14/17	DATE OF ORIGINAL CERTIFICATION
2.	1/9/18	REVISED CERTIFICATION

LOT 1 AS SHOWN IN BOOK 72, PAGE 73 OF PLATS ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 23, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

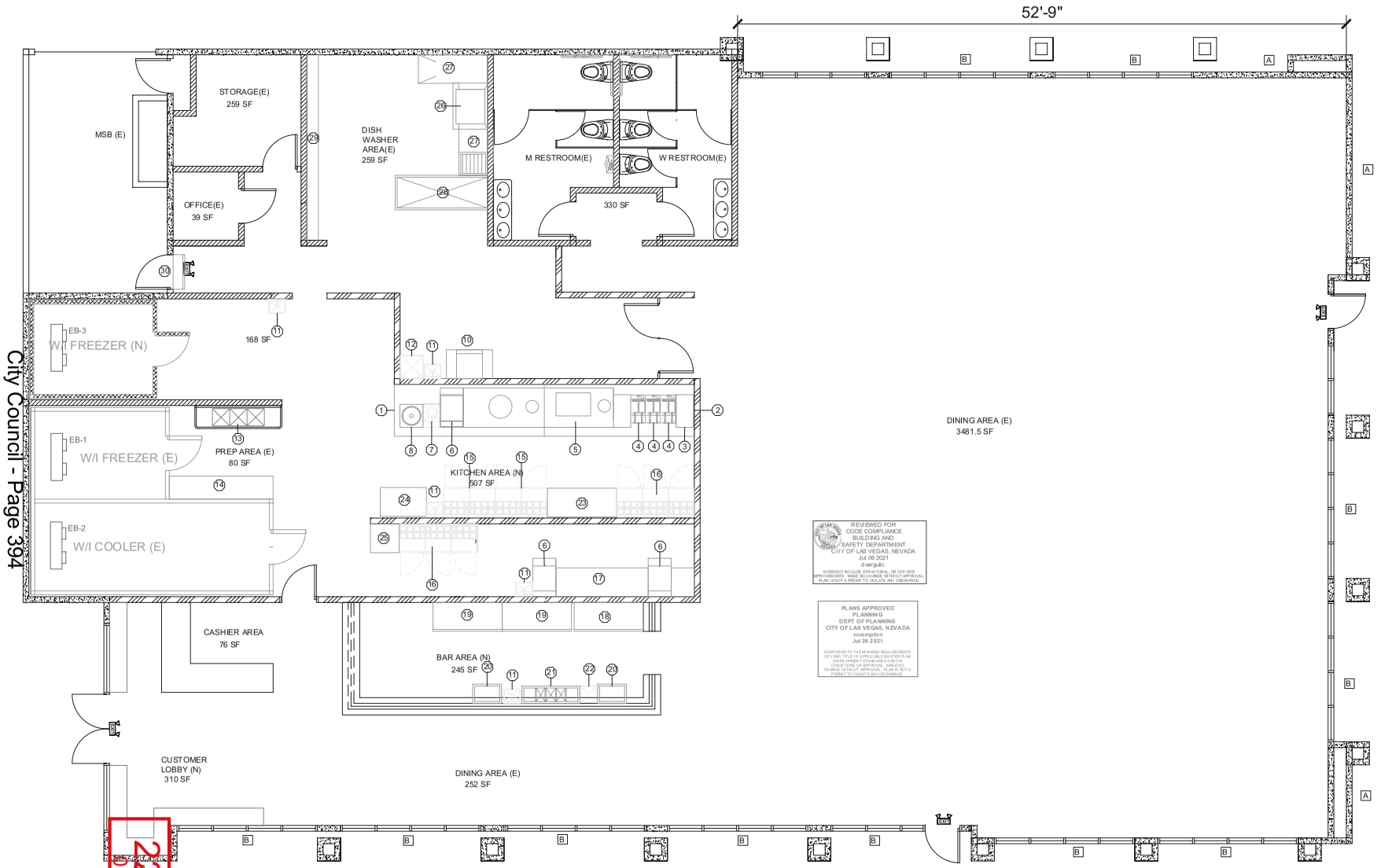
GCW ENGINEERS \ SURVEYORS
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804-2000
F: 702.804-2299
gcwengineering.com

BEST IN THE WEST SHOPPING CENTER
VESTAR
ALTA/NSPS LAND TITLE SURVEY

SHEET 5 OF 5 SHEETS

398-A863

City Council - Page 393



NEW FLOOR PLAN

SCALE ¼" - 1'

City Council - Page 394

22-0248
05/03/2022

Revision/Issue

PIER 88
2080 N RAINBOW BLVD
LAS VEGAS ,NEVADA 89108

PANDA CONSTRUCTION
NCL # 39554 - B2
PH # 702 - 334-0560

DRAWN
CHECKED
DRAWN BY: C.G.
DATE: 04-15-2021
SCALE: 1/4" - 1'
JOB NO.
SHEET

A-4



22-0248-SUP1 - APPLICANT: RAINBOW SEAFOOD GROUP, LLC - OWNER: VESTAR BEST IN THE WEST PROPERTY, LLC
2080 NORTH RAINBOW BOULEVARD

06/07/2022

A Justification Letter

Application Filed: 4/27/2022
22-0248 - Project Application (PRJ)
Key Number: 1710931
Project Name: PIER 88 BOILING SEAFOOD AND BAR
Parcel: 13823215012
Location of the Project: 2080 North Rainbow Boulevard
Description: 22-0248 - SUP
Special Use Permit application:
Apply for temporary alcohol Service license and liquor alcohol license.

Managing Member
SHI HE ZHANG, TEL563-505-6888
Representative, ADM Controller
TRAVIS LU / TEL, 702-234-3058

LEASING AGENT:
VESTAR BEST IN THE WEST PROPERTY, LLC
Ryan Ash, 7575 Carson Blvd.,
Long Beach, CA 90808, (562)-938-1722

The request and the intended use of the property:
FULL-SERVICE SEAFOOD RESTAURANT WITH ALCOHLO ON REMISES; 4 (WAIVER)

- General seating area,130 person, no outdoor dining area;
- The establishment has 15 Fulltime and 5 Parttime of employees;
- Hours of operation: 11:30 am till 11:00pm; 7 days weekly;
- No existing similar uses owned or operated by the applicant and their location;
- No required state licenses specific to the use requested;
- The Restaurant is not participated in the City of Las Vegas Green Building Program;
- The Restaurant is not constructed to LEED or other equivalent standards;
- The Restaurant is not utilized alternative energy sources or water savings measures;
- The Restaurant is not connectivity to adjacent parcels;
- The Restaurant is not qualified as a walkable community;
- The Restaurant is not using any means of sustainable construction?
- The Restaurant is not need to meet the intent of the Urban Forestry Initiative.

TRAVIS LU / 702-234-3058
Representative / ADM Controller
April 30, 2022

22-0248
05/03/2022

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Department of Planning
495 South Main Street, 3rd Floor
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 464-7499 Fax

CASE: 22-0248-SUP1

SUBJECT: APPLICANT: RAINBOW SEAFOOD GROUP, LLC - OWNER: VESTAR BEST IN THE WEST PROPERTY, LLC

The above item has been placed on the One Motion/One Vote portion of the City Council Agenda for the ***August 17, 2022 City Council*** meeting. All of these items will be placed at the beginning of the agenda. The Mayor will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares and Emily Wetzstein*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov*** and ***ewetzstein@lasvegasnevada.gov*** . If there is no one present at the City Council meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any City Councilperson or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***TUESDAY, AUGUST 16, 2022.***

	8/11/2022
Signature	Date
Ryan Ash	
Please Print Name	
Vestar Best In The West Property, LLC	
Company Name	

Sincerely,

Seth Floyd
Director of Community Develpment
Department of Planning

Submitted after Final Agenda

AGENDA ITEM 28
RECEIVED 08.11.22
08.17.22 CC

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

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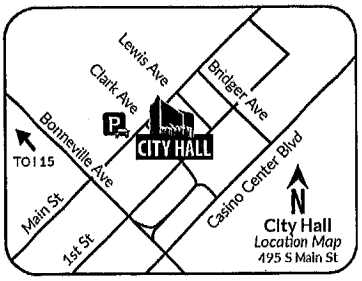

Scan or go to:
www.lasvegasnevada.gov/meetings

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Office Of The City Clerk at the above address or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0248-SUP1

City Council Meeting of **08/17/2022**

22-0248-SUP1
13823117033
FILIGENZI ROBIN
6605 TAMPA CT
LAS VEGAS NV 89108-7040

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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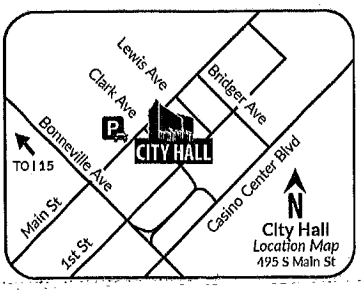

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0248-SUP1

City Council Meeting of **08/17/2022**

22-0248-SUP1
13823313011
B O A ENTERPRISES L L C
7925 TARA AVE
LAS VEGAS NV 89117-2621

Submitted after final agenda
Item 28

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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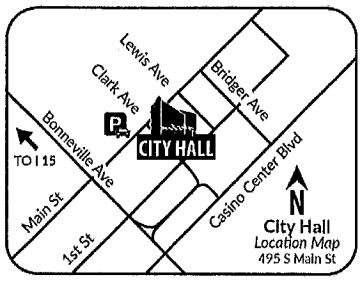
2022 AUG 15 P 1:13



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22-0248-SUP1
13823121008
B O A ENTERPRISES L L C
7925 TARA AVE
LAS VEGAS NV 89117-2621

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0248-SUP1

City Council Meeting of **08/17/2022**

143 FRDFNP1 89117

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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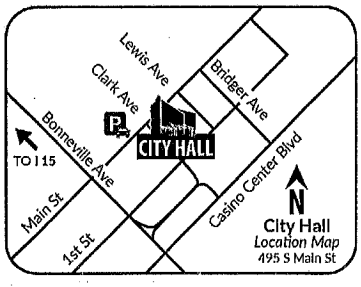
2022 AUG 15 P 1:13



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22-0248-SUP1
13823121009
B O A ENTERPRISES L L C
7925 TARA AVE
LAS VEGAS NV 89117-2621

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0248-SUP1

City Council Meeting of **08/17/2022**

143 FRDFNP1 89117

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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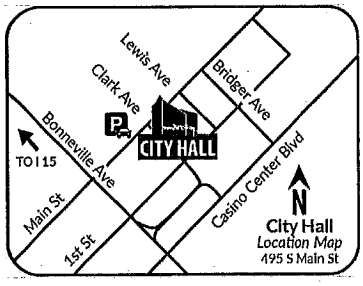
2022 AUG 15 P 1:13



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22-0248-SUP1
13823115046
SWEET LARRY L & DESIREE L
2200 TALL PINE DR
LAS VEGAS NV 89108-3421

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0248-SUP1

City Council Meeting of **08/17/2022**

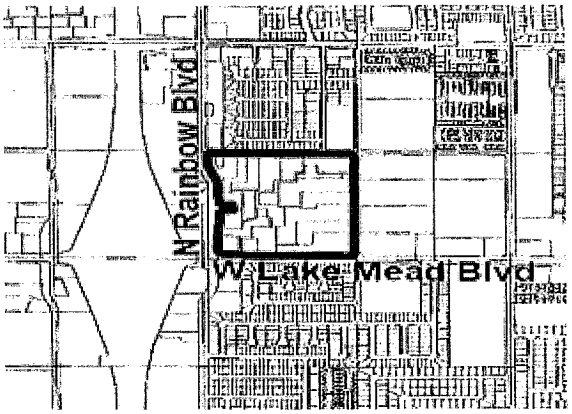
99 PROMPT 89106

Application Information

22-0248-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAINBOW SEAFOOD GROUP, LLC - OWNER: VESTAR BEST IN THE WEST PROPERTY, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,482 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A SCHOOL AND A 162-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP USE WHERE 400 FEET IS REQUIRED at 2080 North Rainbow Boulevard (APN 138-23-215-012), C-1 (Limited Commercial) Zone, Ward 5 (Crear). The Planning Commission (5-0-1 vote) and Staff recommend APPROVAL.

Is there to be a restaurant/bar type place or a store? I oppose either one - just curious

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	08/17/2022
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Time:	9:30 a.m.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For more information, go to www.lasvegasnevada.gov/meetings or call (702) 229-6311 (TTY 7-1-1). Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

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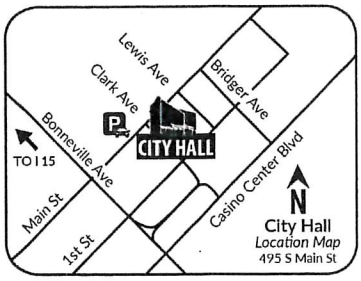


Scan or go to:
www.lasvegasnevada.gov/meetings

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Office Of The City Clerk at the above address or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

22-0248-SUP1
13823214078
CANDELORI RODNEY
6500 W LAKE MEAD BLVD UNIT 105
LAS VEGAS NV 89108

[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

22-0248-SUP1

City Council Meeting of **08/17/2022**

89108$7030 C099

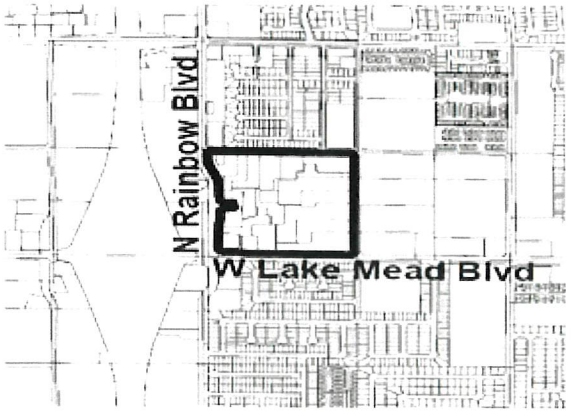
Application Information

22-0248-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAINBOW SEAFOOD GROUP, LLC - OWNER: VESTAR BEST IN THE WEST PROPERTY, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,482 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A SCHOOL AND A 162-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP USE WHERE 400 FEET IS REQUIRED at 2080 North Rainbow Boulevard (APN 138-23-215-012), C-1 (Limited Commercial) Zone, Ward 5 (Crear). The Planning Commission (5-0-1 vote) and Staff recommend APPROVAL.

I support this request.

Rodney Candelori

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	08/17/2022
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Time:	9:30 a.m.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For more information, go to www.lasvegasnevada.gov/meetings or call (702) 229-6311 (TTY 7-1-1). Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
495 South Main Street, 3rd Floor
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 464-7499 Fax

RECEIVED
JUL 6 - 2022
City of Las Vegas
Department of Planning

CASE: 22-0248-SUP1

SUBJECT: APPLICANT: RAINBOW SEAFOOD GROUP, LLC - OWNER: VESTAR BEST IN THE WEST PROPERTY, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***JULY 12, 2022*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov*** and ***Emily Wetzstein*** to ***ewetzstein@lasvegasnevada.gov*** If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***MONDAY, JULY 11, 2022.***

7/6/2022

Signature _____ Date _____

Ryan Ash

Please Print Name

Vestar Best In The West Property, LLC

Company Name

Sincerely,

Submitted after final agenda

#10

Nicole Eddowes
Community Development Coordinator
Case Planning Division

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
495 South Main Street, 3rd Floor
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 464-7499 Fax

RECEIVED
JUL 11 2022
City of Las Vegas
Department of Planning

CASE: 22-0248-SUP1

SUBJECT: APPLICANT: RAINBOW SEAFOOD GROUP, LLC - OWNER: VESTAR BEST IN THE WEST PROPERTY, LLC

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Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***MONDAY, JULY 11, 2022.***

SHI HE ZHANG — Signature

07/11/2022 — Date

SHI HE ZHANG — Please Print Name

RAINBOW SEAFOOD GROUP LLC — Company Name

Sincerely,

Nicole Eddowes
Community Development Coordinator
Case Planning Division

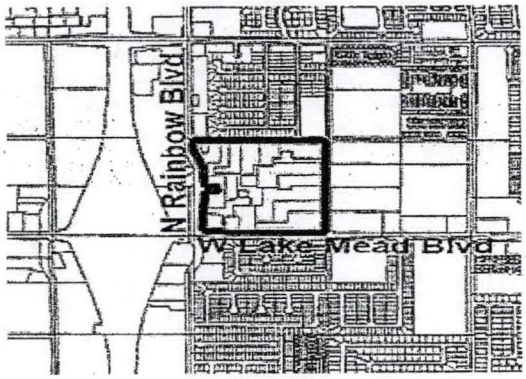
#10

Application Information

22-0248-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAINBOW SEAFOOD GROUP, LLC - OWNER: VESTAR BEST IN THE WEST PROPERTY, LLC - For possible action on a Land Use Entitlement project request FOR A PROPOSED 3,482 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A SCHOOL AND A 162-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP USE WHERE 400 FEET IS REQUIRED at 2080 North Rainbow Boulevard (APN 138-23-215-012), C-1 (Limited Commercial) Zone, Ward 5 (Crear).

a nice restaurant, would help to have wine or beer to help pay the rent. Not much else around there. Should help the area and have activity.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***07/12/2022***
Time:	6:00 PM
Location:	Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request, or may, prior to this meeting, file a written objection thereto or approval thereof with the Department of Planning, 495 South Main Street, 3rd Floor, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For more information, including the full staff report, please call (702) 229-6301 (TTY 7-1-1) or go to www.lasvegasnevada.gov/meetings.

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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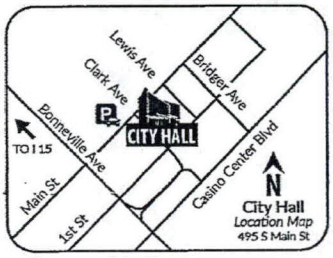


Scan or go to:
www.lasvegasnevada.gov/meetings

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Planning at the above address, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0248-SUP1
Planning Commission Meeting of **07/12/2022**

22-0248-SUP1
13823114033
LITTLEFORD WILMA LEE
6600 PICKFORD LN
LAS VEGAS NV 89107-2425

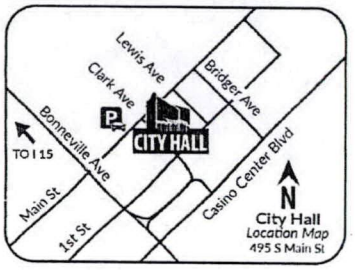
10A

97 DRDFNP1 89107

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing



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www.lasvegasnevada.gov/meetings

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Planning at the above address, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) 229-6405.

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0248-SUP1

Planning Commission Meeting of **07/12/2022**

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Dept of Planning
City of Las Vegas

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Las Vegas, NV
Permit No. 1630

22-0248-SUP1
13823210061
WILLISTON JUDY G
2132 WILLOWBURY DR # A
LAS VEGAS NV 89108-3491

99 DRDFNP1 89108

10A

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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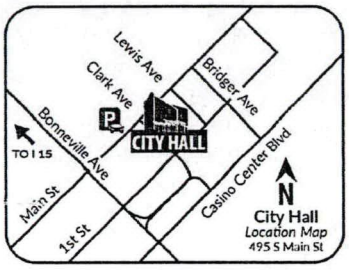
City of Las Vegas



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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

22-0248-SUP1

Planning Commission Meeting of **07/12/2022**

22-0248-SUP1
13823214078
CANDELORI RODNEY
6500 W LAKE MEAD BLVD UNIT 105
LAS VEGAS NV 89108

I am in support of this seafood restaurant to get a going business to the area and we need at show along with the new jobs.

99 DRDFNP1 89108

10A

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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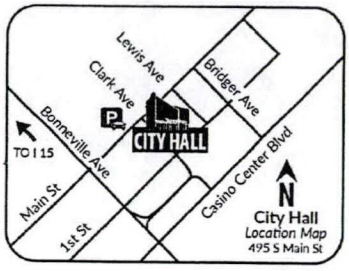
Official Notice of Public Hearing



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City of Las Vegas

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Las Vegas, NV
Permit No. 1630

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0248-SUP1

Planning Commission Meeting of **07/12/2022**

22-0248-SUP1
13823115046
SWEET ~~LARRY L~~ & DESIREE L
2200 TALL PINE DR
LAS VEGAS NV 89108-3421

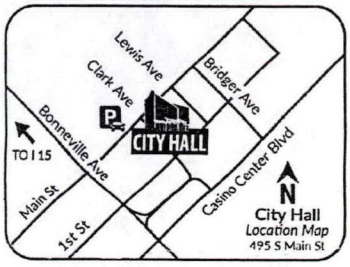
99 DRDFNP1 89108

10A

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0248-SUP1

Planning Commission Meeting of **07/12/2022**

RECEIVED
JUL 07 2022
Dept of Planning
City of Las Vegas

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

22-0248-SUP1
13823313058
PONTNAK RICKEY G & DIANE S
1848 BOOKBINDER DR
LAS VEGAS NV 89108

99 DRDFNP1 89108

10A

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

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Las Vegas, NV
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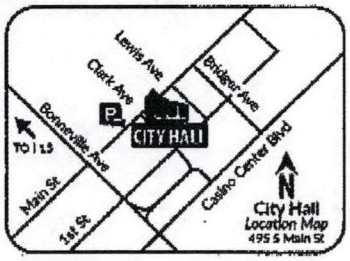

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RECEIVED
JUL 12 2022
City of Las Vegas
Department of Planning

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Planning at the above address, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) 229-6405.

[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

22-0248-SUP1

Planning Commission Meeting of **07/12/2022**

22-0248-SUP1
13823212058
HUNG-LYU KIM
HUNG DAVID
67758 RIO ARAPAHO RD
CATHEDRAL CITY CA 92234

10A

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
29

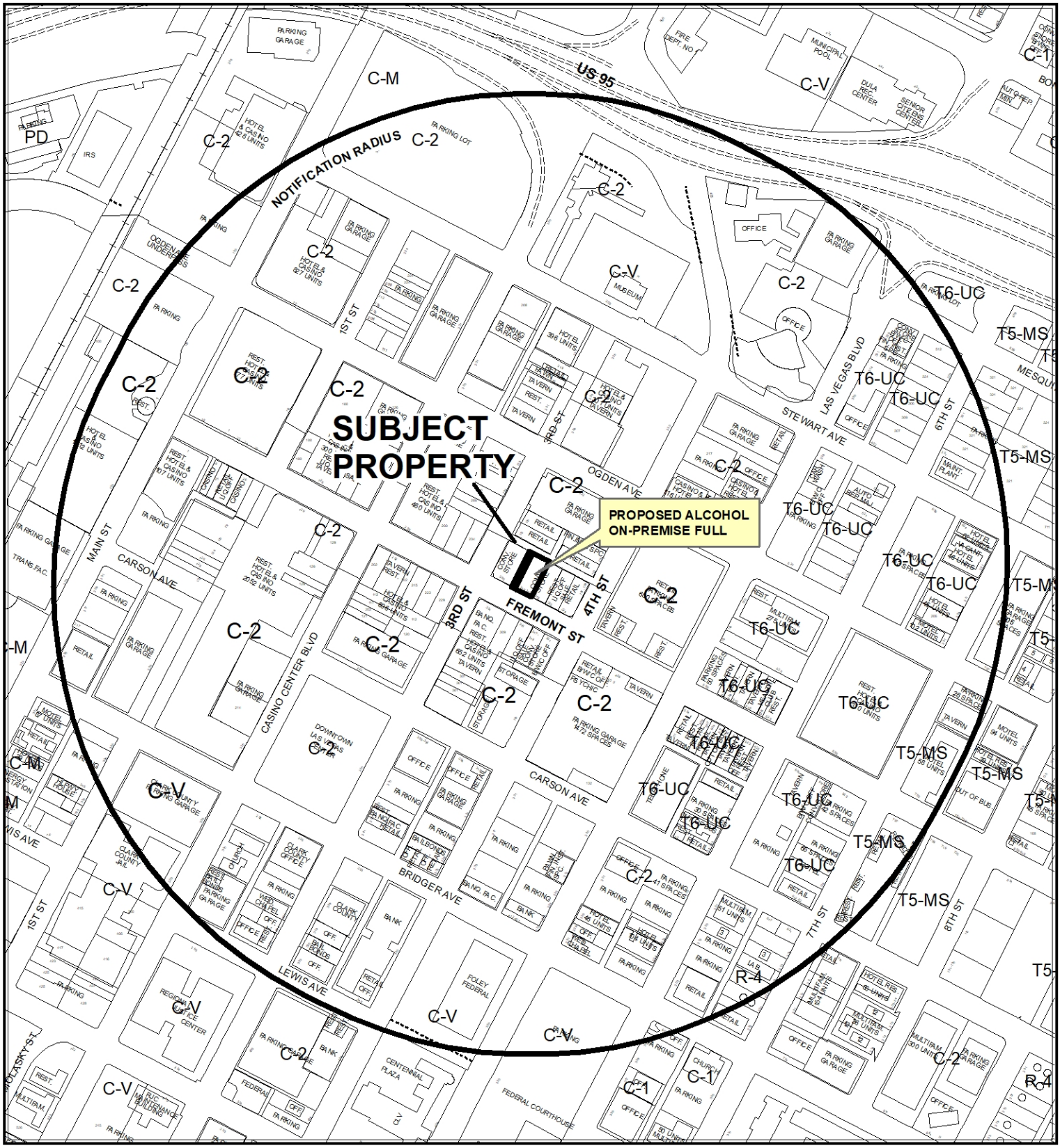
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0249-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BH GROUP CORP - OWNER: HS FAMILY LIMITED PARTNERSHIP - For possible action on a Land Use Entitlement project request FOR A PROPOSED 7,456 SQUARE-FOOT ALCOHOL, ON PREMISE FULL USE at 310 Fremont Street (APN 139-34-510-024), C-2 (General Commercial) Zone, Ward 5 (Crear). The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Special Map
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Submitted after Final Agenda - Executed Condition Confirmation Documentation
8. Backup Documentation Submitted for the July 12, 2022 Planning Commission Meeting



CASE: **22-0249-SUP1**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



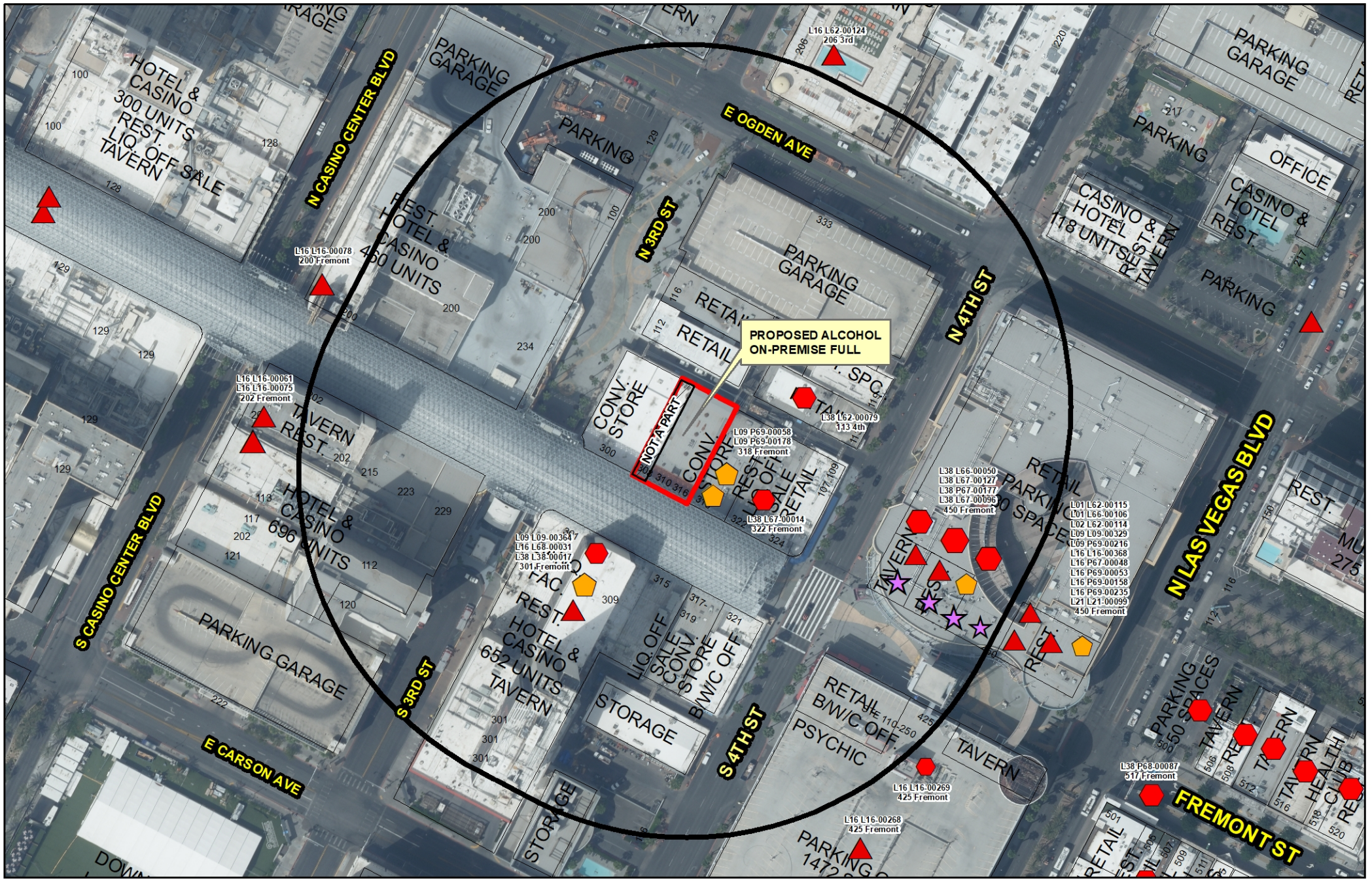
0 375 750 Feet

CASE: **22-0249-SUP1**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



22-0249-SUP1

Alcohol On-Premise Full

Business Licenses

- Tavern
- Tavern - Limited
- Urban Lounge
- Restaurant With Alcohol/ Restaurant With Service Bar/ Beer Wine Room/ Ancillary Brew Pub
- Beer/Wine/Cooler On-Sale

Protected Uses

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility
- Private Schools

- Subject Property
- 400 foot buffer

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Tuesday, May 31, 2022

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: BH GROUP CORP – OWNER: HS FAMILY LIMITED PARTNERSHIP

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0249-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 31

NOTICES MAILED 497 (by City Clerk)

PROTESTS 0

APPROVALS 0

CG

**** CONDITIONS ****

22-0249-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Alcohol, On-Premise Full use.

2. This approval shall be void two 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. Design approval shall be obtained from the Fremont Street Experience prior to any changes to the façade and/or signage.

4. 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.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

6. Approval of this Special Use Permit does not constitute approval of a liquor license.

7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

9. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-2338 or emailed at ece@lasvegasnevada.gov.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a project request for a 7,456 square-foot Alcohol, On-Premise Full establishment in conjunction with a Commercial Recreation/Amusement (Indoor) establishment located on 0.22 acres at 310 Fremont Street. The project application meets the minimum Special Use Permit requirements for an Alcohol, On-Premise Full use, specifically as distance separation requirements do not apply for projects located within the Pedestrian Mall.

ISSUES

- The Alcohol, On-Premise Full use is allowed in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- A Condition of Approval has been added requiring design approval by the Fremont Street Experience prior to any changes to the façade and/or signage.

ANALYSIS

The applicant is requesting to convert the subject site into an arcade with counter food service and alcohol for on premise consumption that would total 7,456 square feet. In the C-2 (General Commercial) zoning district, the Commercial Recreation/Amusement (Indoor) use is permitted by right. Per the submitted justification letter and floor plans, dated May 19, 2022, the applicant would place amusement machines towards the Fremont Street entrance while a physical bar with bar-stool seating long the length of the west wall. Counter service and family style table seating will also be available in the proposed establishment.

The Alcohol, On-Premise Full use is defined as, “An establishment licensed to sell alcohol beverages, not limited to the sale of beer, wine and coolers, for consumption on the premises where the same are sold.” The proposed use meets the definition as indicated in the applicant’s justification letter, as the proposed use would allow for on premise alcohol consumption. While no parking is provided, it is expected that visitors will utilize nearby parking garages throughout the Fremont Street Experience.

The subject site is located within the Downtown Las Vegas planning area as defined by the City of Las Vegas 2050 Master Plan, which presents a series of ideas and recommendations for achieving a compact, vibrant urban environment. This plan identifies key land use tools like historic preservation and adaptive reuse to achieve these goals. The proposed Special Use Permit, if approved, would include façade improvements that would preserve the existing/historical projecting signage structures and Juliet balconies of the property. Design approval shall be obtained from the Fremont Street Experience prior to any changes to the façade and/or signage. The proposed special use permit would fulfill the goals outlined by the City of Las Vegas 2050 Master Plan.

The Minimum Special Use Permit Requirements for this use include:

1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between an Alcohol, On-Premise Full establishment and certain other uses that should be protected from the impacts associated with that establishment. Therefore, except as otherwise provided in these Requirements, no Alcohol, On-Premise Full establishment may be located within 400 feet of any of the following uses:

   a. Church/house of worship;
   b. School;
   c. Individual care center licensed for more than 12 children; or
   d. City park.

   The proposed use meets this requirement, as the proposed Alcohol, On-Premise Full use is not located within 400 feet of the above protected uses.

2. The distance separation requirement set forth in Requirement 1 does not apply to the following:

   a. An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or

   b. Any Alcohol, On-Premise Full use located on property within the Pedestrian Mall, as defined in LVMC Chapter 11.68; the Downtown Entertainment Overlay District, as described in LVMC 19.10.120; or the 18b Arts District, as described in Appendix F to this Title. The Special Use Permit approval may include conditions designed to mitigate any impacts related to distance separation.

The proposed use is within the Pedestrian Mall, as defined in LVMC Chapter 11.68; therefore, the minimum Special Use Permit requirements do not apply.

Staff finds that the proposed Alcohol, On-Premise Full use can be conducted in a compatible and harmonious manner with the surrounding area; therefore, staff recommends approval of the Special Use Permit subject to conditions. If denied, the applicant would not be allowed to open an Alcohol, On-Premise Full establishment at this property.

FINDINGS (22-0249-SUP1)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

   The proposed Alcohol, On-Premise Full establishment is located in the Downtown Las Vegas overlay and will provide entertainment options, food service, and on premise alcohol sale and consumption that is harmonious and compatible with the existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site can physically accommodate the proposed Alcohol, On-Premise Full use and is in close proximity to other similar land uses in the area.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   Access to the site will not change. There is no vehicle access to the subject site. The site is accessed by the Pedestrian Mall under the canopy controlled by the Fremont Street Experience. Fremont Street is an 80-foot Major Collector, as classified by the Master Plan of Streets and Highways. This street is sufficient in size to accommodate the needs of the proposed use.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   Approval of this proposed Special Use Permit will not compromise the public health, safety and general welfare of the public. The use will be subject to regular inspections and is subject to licensing restrictions.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed use meets all applicable conditions for an Alcohol, On-Premise Full Use per Title 19.12.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
12/16/64	The City Council approved Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 Acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south, Wards 1 and 3. The Planning Commission recommended approval on 12/10/64.
06/13/17	The Planning Commission approved a request for a Special Use Permit (SUP-69672) for a proposed 3,015 square-foot Tavern-Limited Use at 310 Fremont Street.
	The Planning Commission approved a request for a Special Use Permit (SUP-69674) for a proposed 6,869 square-foot liquor establishment (Tavern) use with waivers to allow an 80-foot distance separation from an existing liquor establishment (Tavern) and a 1,158-foot distance separation from an existing church/house of worship where 1,500 feet is required at 310 Fremont Street.
07/19/17	The City Council voted to approve a request for a Site Development Plan (SDR-69675) Review to add 6,869 square-feet of floor area to an existing 7,488 square-foot commercial space with façade improvements at 310 Fremont Street.
07/20/17	The City Council accepted the applicant's request to withdraw without prejudice a request for a Special Use Permit (SUP-69672) for a proposed 3,015 square-foot Tavern-Limited Use at 310 Fremont Street.
07/12/22	The Planning Commission (6-0 vote) recommends APPROVAL on a Land Use Entitlement project request FOR A PROPOSED 7,456 SQUARE-FOOT ALCOHOL, ON PREMISE FULL USE at 310 Fremont Street (APN 139-34-510-024), C-2 (General Commercial) Zone, Ward 5 (Crear)

CG

Most Recent Change of Ownership	
11/21/02	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
06/18/15	A Business License (G63-04534) was issued for one Coin Amusement Machine placed inside 310 Fremont Street. The license is active as of 06/22/22 and is awaiting renewal.
06/18/15	A Business License (G64-04302) was issued for the retail sale of cosmetic products located at 308 Fremont Street. The license is active as of 06/22/22 and is awaiting renewal.
03/13/21	A Business License (G69-01036) was issued for the general retail sale of Hemp and CBD products at 316 Fremont Street. The license is active as of 06/22/22 and is awaiting renewal.

Pre-Application Meeting	
04/27/22	A pre-application meeting was held to discuss the submittal requirements for a Special Use Permit.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/02/22	A field check was conducted by staff and noted nothing of concern.

Details of Application Request	
Site Area	
Net Acres	0.22

CG

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail Store, Other Than Listed	C (Commercial)	C-2 (General Commercial)
North	General Retail Store, Other Than Listed	C (Commercial)	C-2 (General Commercial)
South	Pedestrian Mall (Right-of-Way)	Pedestrian Mall (Right-of-Way)	C-2 (General Commercial)
East	General Retail Store, Other Than Listed	C (Commercial)	C-2 (General Commercial)
West	General Retail Store, Other Than Listed	C (Commercial)	C-2 (General Commercial)

Master and Neighborhood Plan Areas	***Compliance***
Master Plan 2050 Area: Downtown Las Vegas	Y
2045 Downtown Las Vegas Master Plan (Resort and Casino District)	Y
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District 200 Feet	Y
DC-O (Downtown Casino Overlay) District	Y
DTLV-O (Downtown Las Vegas Overlay) District – Area 1	Y
LW-O (Live/Work Overlay) District	Y
Other Plans or Special Requirements	***Compliance***
Trails (Fremont Street [Pedestrian Mall])	Y
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Fremont Street	Major Collector	Master Plan of Streets and Highways Map	80 Feet	Y

CG

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Commercial Recreation/ Amusement (Indoor)	2,120 SF /207 OCC.	1 space for each 200 SF of GFA, plus 1 space per 3 persons that the facility is designed to accommodate at maximum capacity.	79				
Alcohol, On-Premise Full	7,456 SF	One space for each 50 square feet of public seating and waiting area (including outdoor areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area	45				
TOTAL SPACES REQUIRED			124		0		Y*
Regular and Handicap Spaces Required			119	5	0	0	Y*

Projects located within the Downtown Las Vegas Overlay – Area 1 are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.

CG

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) SUP Alcohol on-premise

Project Address (Location) 310 Fremont Street

Project Name Fremont Street Arcade **Proposed Use**

Assessor's Parcel #(s) 139-34-510-024 **Ward #** 5 - Crear

General Plan: Existing Proposed **Zoning:** Existing C-2 Proposed C-2

Additional Information Alcohol on-premise Full with indoor amusement (arcade games), architectural features on the facade to remain

Property Owner HS Family Limited Partnership **Contact**

Address 300 South Fourth Street #701 City Las Vegas State NV Zip 89101

E-mail Phone

Applicant BH Group Corp **Contact** Eli Gold

Address 6236 West Desert Inn Road #100 City Las Vegas State NV Zip 89146

E-mail Phone

Representative Brown, Brown and Premsrirut **Contact** Lora Dreja

Address 520 South Fourth Street City Las Vegas State NV Zip 89135

E-mail Lora@Brownlawlv.com Phone (702) 598-1408

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official **Partner(s)**

Partner(s)

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature Jerom L. Blut, General partner

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Jerome L. Blut

Subscribed and sworn before me

This 10th day of May, 20 22

Notary Public in and for said County and State

22-0249
05/19/2022

HILARY A DANIELS
Notary Public
State of Nevada
Appt. No. 00-63569-1
My Appt. Expires Aug. 19, 2025

ADDRESS:
310 FREMONT ST.
LAS VEGAS, NV 89101

PARCEL NUMBER:
139-34-510-024

ZONING CLASSIFICATION:
GENERAL COMMERCIAL DISTRICT
(C-2)

LOT SIZE:
0.15 ACRES

PARKING ANALYSIS:

1:200 SF - COMMERCIAL RECREATION/AMUSEMENT (INDOOR), VIDEO ARCADE
+ ONE SPACE PER 3 PERSONS

9,825 SF / 200 = 49.1 SPACES
207 OCC. / 3 - 69 SPACES

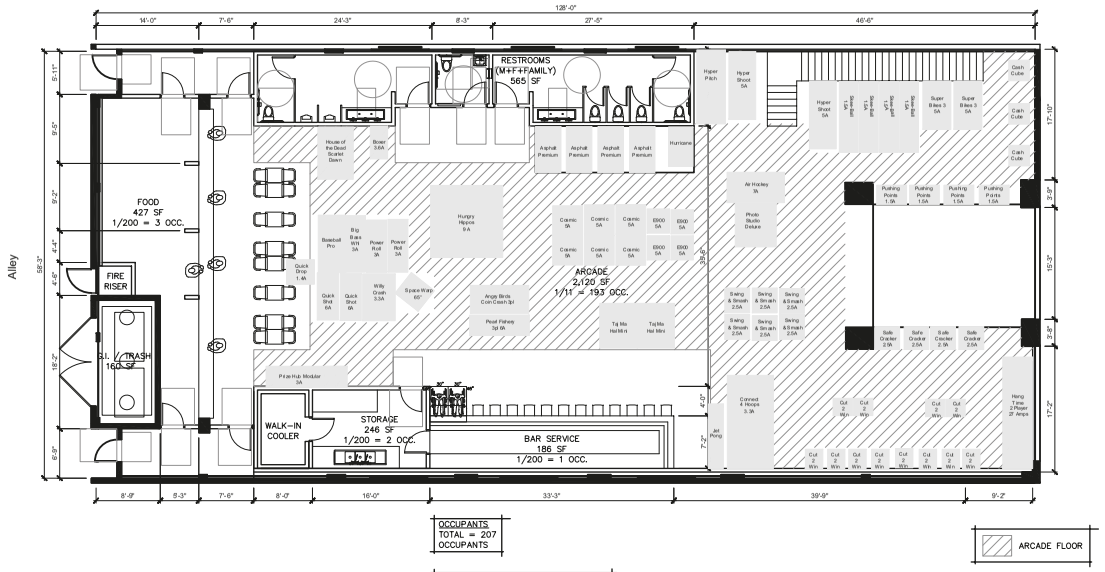
119 SPACES REQUIRED
0 SPACES PROVIDED

PARKING REQUIRED:
PER VISION 2045 -TITLE 19 REQUIREMENTS ARE NOT AUTOMATICALLY APPLIED.



22-0249
05/19/2022

310 FREMONT ARCADE
SITE PLAN
05.19.22



Fremont
Street
Pedestrian
Area

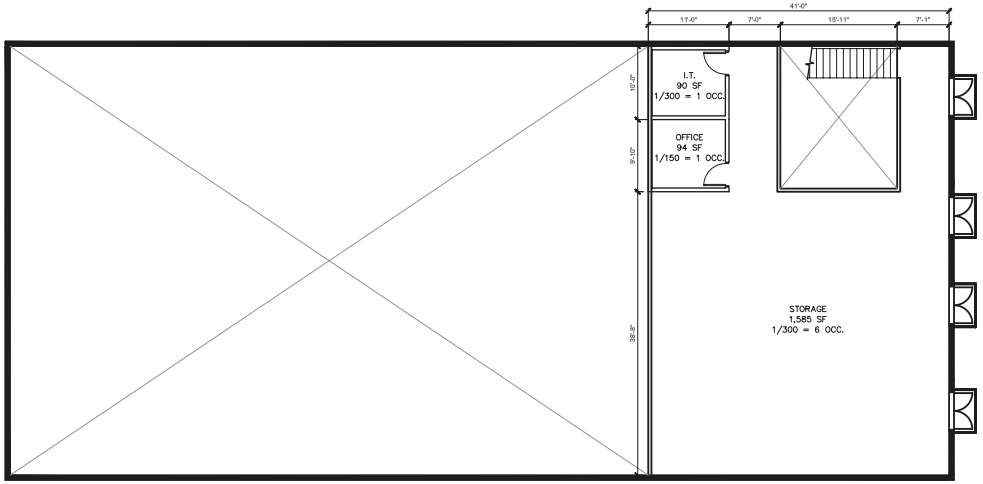
22-0249
05/19/2022

310 FREMONT ARCADE

FLOOR PLAN - OPT 4.5

05.19.22

LEVEL 1



22-0249
05/19/2022

310 FREMONT ARCADE

FLOOR PLAN - OPT 4.5

05.19.22

LEVEL 2



22-0249-SUP1 - APPLICANT: BH GROUP CORP - OWNER: HS FAMILY LIMITED PARTNERSHIP
310 FREMONT STREET

06/01/2022



22-0249-SUP1 - APPLICANT: BH GROUP CORP - OWNER: HS FAMILY LIMITED PARTNERSHIP
310 FREMONT STREET

06/01/2022

LAW OFFICE
Brown, Brown & Premsrirut
AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6520
TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jbrown@brownlawlv.com

May 19, 2022

City of Las Vegas Planning and Zoning
495 South Main Street
Las Vegas, Nevada 89101

RE: 310 Fremont Street convert space from General Retail to Alcohol on-premise, Full with Commercial Recreation/Amusement indoor. 139-34-510-024

Dear Mr. Gates,

Our client owns the building addressed as 310 Fremont street. The property has operated as General Retail *dba* Indian Arts and Crafts for many decades. Our request is to convert the space into an arcade with counter food service, and alcohol for on premise consumption. The floor plans show amusement machines toward the Fremont Street entrance with a physical bar with bar- stool seating along the length of the west wall. A kitchen with counter service is adjacent to the ally and family style table seating is available.

Cosmetic changes are proposed to the color scheme on the front façade. The existing/historical projecting signage structures and Juliet balconies will remain.

Waiver of Parking Requirements: The most intense parking standard that can be applied to this business is the 1 space per 200 square feet applicable to a Commercial Recreation Amusement, Indoor. A video arcade has an additional requirement of one space per every three people at maximum occupancy. With a gross area of 7,456 SF the parking required is comparable to what is required for the current retail use (1:175).

Use Permit for Alcohol on-premise Full – The operating hours are expected to be 9:00 AM to 4:00 PM but may vary with different visitor volumes on Fremont Street. Curfews and supervision for minors will be observed.

Please phone me if you have considerations or suggestions.

Respectfully,

L A Dreja

Lora Dreja
Land Entitlements
(702) 598-1408

22-0249
06/27/2022

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Department of Planning
495 South Main Street, 3rd Floor
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 464-7499 Fax

CASE: 22-0249-SUP1

SUBJECT: APPLICANT: BH GROUP CORP - OWNER: HS FAMILY LIMITED PARTNERSHIP

The above item has been placed on the One Motion/One Vote portion of the City Council Agenda for the ***August 17, 2022 City Council*** meeting. All of these items will be placed at the beginning of the agenda. The Mayor will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares and Emily Wetzstein*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov*** and ***ewetzstein@lasvegasnevada.gov .*** If there is no one present at the City Council meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any City Councilperson or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***TUESDAY, AUGUST 16, 2022.***



Signature

08-11-2022

Date

Edvin Efraimov

Please Print Name

BH Group Corp

Company Name

Sincerely,

Seth Floyd
Director of Community Develpment
Department of Planning

Submitted after Final Agenda

AGENDA ITEM 29
RECEIVED 08.11.22
08.17.22 CC

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
495 South Main Street, 3rd Floor
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 464-7499 Fax

RECEIVED
JUL 6 - 2022
City of Las Vegas
Department of Planning

CASE: 22-0249-SUP1

SUBJECT: APPLICANT: BH GROUP CORP - OWNER: HS FAMILY LIMITED PARTNERSHIP

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***JULY 12, 2022*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov*** and ***Emily Wetzstein*** to ***ewetzstein@lasvegasnevada.gov*** If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***MONDAY, JULY 11, 2022.***

Signature

07/06/22
Date

Edvin EFRAIMOV
Please Print Name

BH Group Corp
Company Name

Sincerely,

Nicole Eddowes
Community Development Coordinator
Case Planning Division

Submitted after final agenda

#11

LAW OFFICE
Brown, Brown & Premsrirut
AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6520
TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jbrown@brownlawlv.com

July 11, 2022

City of Las Vegas Planning and Zoning
495 South Main Street
Las Vegas, Nevada 89101

RE: *Revised Letter:* 310 Fremont Street convert space from General Retail to Alcohol on-premise, Full with Commercial Recreation/Amusement indoor. 139-34-510-024

Dear Mr. Gates,

Our client owns the building addressed as 310 Fremont Street. The property has operated as General Retail *dba* Indian Arts and Crafts for many decades. Our request is to convert the space into an arcade with counter food service, and alcohol for on premise consumption. The floor plans show amusement machines toward the Fremont Street entrance with a physical bar with bar- stool seating along the length of the west wall. A kitchen with counter service is adjacent to the ally and family style table seating is available.

Cosmetic changes are proposed to the color scheme on the front façade. The existing/historical projecting signage structures and Juliet balconies will remain.

Waiver of Parking Requirements: The most intense parking standard that can be applied to this business is the 1 space per 200 square feet applicable to a Commercial Recreation Amusement, Indoor. A video arcade has an additional requirement of one space per every three people at maximum occupancy. With a gross area of 9,825 SF the parking required is comparable to what is required for the current retail use (1:175).

Use Permit for Alcohol on-premise Full – The operating hours are expected to be 9:00 AM to 4:00 ***AM*** but may vary with different visitor volumes on Fremont Street. Curfews and supervision for minors will be observed.

Please phone me if you have considerations or suggestions.

Respectfully,

Lora Dreja
Land Entitlements
(702) 598-1408

Submitted after final agenda

22-0249
07/11/2022
Item 11

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JULY 12, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: BH GROUP CORP – OWNER: HS FAMILY LIMITED PARTNERSHIP

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0249-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 31

NOTICES MAILED 498

PROTESTS 0

APPROVALS 0

CG

** CONDITIONS **

22-0249-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Alcohol, On-Premise Full use.

2. This approval shall be void two 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, as well as submitted as part of any business license application.

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

8. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-2338 or emailed at ece@lasvegasnevada.gov.

CG

** STAFF REPORT **

PROJECT DESCRIPTION

This is a project request for a 7,456 square-foot Alcohol, On-Premise Full establishment in conjunction with a Commercial Recreation/Amusement (Indoor) establishment located on 0.22 acres at 310 Fremont Street. The project application meets the minimum Special Use Permit requirements for an Alcohol, On-Premise Full use, specifically as distance separation requirements do not apply for projects located within the Pedestrian Mall.

ISSUES

- The Alcohol, On-Premise Full use is allowed in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

ANALYSIS

The applicant is requesting to convert the subject site into an arcade with counter food service and alcohol for on premise consumption that would total 7,456 square feet. In the C-2 (General Commercial) zoning district, the Commercial Recreation/Amusement (Indoor) use is permitted by right. Per the submitted justification letter and floor plans, dated May 19, 2022, the applicant would place amusement machines towards the Fremont Street entrance while a physical bar with bar-stool seating long the length of the west wall. Counter service and family style table seating will also be available in the proposed establishment.

The Alcohol, On-Premise Full use is defined as, "An establishment licensed to sell alcohol beverages, not limited to the sale of beer, wine and coolers, for consumption on the premises where the same are sold." The proposed use meets the definition as indicated in the applicant's justification letter, as the proposed use would allow for on premise alcohol consumption. While no parking is provided, it is expected that visitors will utilize nearby parking garages throughout the Fremont Street Experience.

CG

The subject site is located within the Downtown Las Vegas planning area as defined by the City of Las Vegas 2050 Master Plan, which presents a series of ideas and recommendations for achieving a compact, vibrant urban environment. This plan identifies key land use tools like historic preservation and adaptive reuse to achieve these goals. The proposed Special Use Permit, if approved, would include façade improvements that would preserve the existing/historical projecting signage structures and Juliet balconies of the property. The proposed special use permit would fulfill the goals outlined by the City of Las Vegas 2050 Master Plan.

The Minimum Special Use Permit Requirements for this use include:

1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between an Alcohol, On-Premise Full establishment and certain other uses that should be protected from the impacts associated with that establishment. Therefore, except as otherwise provided in these Requirements, no Alcohol, On-Premise Full establishment may be located within 400 feet of any of the following uses:

   a. Church/house of worship;
   b. School;
   c. Individual care center licensed for more than 12 children; or
   d. City park.

   The proposed use meets this requirement, as the proposed Alcohol, On-Premise Full use is not located within 400 feet of the above protected uses.

2. The distance separation requirement set forth in Requirement 1 does not apply to the following:

   a. An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or

   b. Any Alcohol, On-Premise Full use located on property within the Pedestrian Mall, as defined in LVMC Chapter 11.68; the Downtown Entertainment Overlay District, as described in LVMC 19.10.120; or the 18b Arts District, as described in Appendix F to this Title. The Special Use Permit approval may include conditions designed to mitigate any impacts related to distance separation.

CG

The proposed use is within the Pedestrian Mall, as defined in LVMC Chapter 11.68; therefore, the minimum Special Use Permit requirements do not apply.

Staff finds that the proposed Alcohol, On-Premise Full use can be conducted in a compatible and harmonious manner with the surrounding area; therefore, staff recommends approval of the Special Use Permit subject to conditions. If denied, the applicant would not be allowed to open an Alcohol, On-Premise Full establishment at this property.

FINDINGS (22-0249-SUP1)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

   The proposed Alcohol, On-Premise Full establishment is located in the Downtown Las Vegas overlay and will provide entertainment options, food service, and on premise alcohol sale and consumption that is harmonious and compatible with the existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site can physically accommodate the proposed Alcohol, On-Premise Full use and is in close proximity to other similar land uses in the area.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   Access to the site will not change. There is no vehicle access to the subject site. The site is accessed by the Pedestrian Mall under the canopy controlled by the Fremont Street Experience. Fremont Street is an 80-foot Major Collector, as classified by the Master Plan of Streets and Highways. This street is sufficient in size to accommodate the needs of the proposed use.

CG

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   Approval of this proposed Special Use Permit will not compromise the public health, safety and general welfare of the public. The use will be subject to regular inspections and is subject to licensing restrictions.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed use meets all applicable conditions for an Alcohol, On-Premise Full Use per Title 19.12.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
12/16/64	The City Council approved Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 Acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south, Wards 1 and 3. The Planning Commission recommended approval on 12/10/64.
06/13/17	The Planning Commission approved a request for a Special Use Permit (SUP-69672) for a proposed 3,015 square-foot Tavern-Limited Use at 310 Fremont Street.
	The Planning Commission approved a request for a Special Use Permit (SUP-69674) for a proposed 6,869 square-foot liquor establishment (Tavern) use with waivers to allow an 80-foot distance separation from an existing liquor establishment (Tavern) and a 1,158-foot distance separation from an existing church/house of worship where 1,500 feet is required at 310 Fremont Street.
07/19/17	The City Council voted to approve a request for a Site Development Plan (SDR-69675) Review to add 6,869 square-feet of floor area to an existing 7,488 square-foot commercial space with façade improvements at 310 Fremont Street.
07/20/17	The City Council accepted the applicant's request to withdraw without prejudice a request for a Special Use Permit (SUP-69672) for a proposed 3,015 square-foot Tavern-Limited Use at 310 Fremont Street.

CG

Most Recent Change of Ownership	
11/21/02	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
06/18/15	A Business License (G63-04534) was issued for one Coin Amusement Machine placed inside 310 Fremont Street. The license is active as of 06/22/22 and is awaiting renewal.
06/18/15	A Business License (G64-04302) was issued for the retail sale of cosmetic products located at 308 Fremont Street. The license is active as of 06/22/22 and is awaiting renewal.
03/13/21	A Business License (G69-01036) was issued for the general retail sale of Hemp and CBD products at 316 Fremont Street. The license is active as of 06/22/22 and is awaiting renewal.

Pre-Application Meeting	
04/27/22	A pre-application meeting was held to discuss the submittal requirements for a Special Use Permit.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/02/22	A field check was conducted by staff and noted nothing of concern.

Details of Application Request	
Site Area	
Net Acres	0.22

CG

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	General Retail Store, Other Than Listed	C (Commercial)	C-2 (General Commercial)
North	General Retail Store, Other Than Listed	C (Commercial)	C-2 (General Commercial)
South	Pedestrian Mall (Right-of-Way)	Pedestrian Mall (Right-of-Way)	C-2 (General Commercial)
East	General Retail Store, Other Than Listed	C (Commercial)	C-2 (General Commercial)
West	General Retail Store, Other Than Listed	C (Commercial)	C-2 (General Commercial)

Master and Neighborhood Plan Areas	***Compliance***
Master Plan 2050 Area: Downtown Las Vegas	Y
2045 Downtown Las Vegas Master Plan (Resort and Casino District)	Y
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District 200 Feet	Y
DC-O (Downtown Casino Overlay) District	Y
DTLV-O (Downtown Las Vegas Overlay) District – Area 1	Y
LW-O (Live/Work Overlay) District	Y
Other Plans or Special Requirements	***Compliance***
Trails (Fremont Street [Pedestrian Mall])	Y
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Fremont Street	Major Collector	Master Plan of Streets and Highways Map	80 Feet	Y

CG

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	ADA	Regular	ADA	
Commercial Recreation/ Amusement (Indoor)	9,825 SF / 207 OCC.	*1 space for each 200 SF of GFA, plus 1 space per 3 persons that the facility is designed to accommodate at maximum capacity.	119				
Alcohol, On-Premise Full	9,825 SF	One space for each 50 square feet of public seating and waiting area (including outdoor areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area					
TOTAL SPACES REQUIRED			119		0		Y
Regular and Handicap Spaces Required			114	5	0	0	Y

Projects located within the Downtown Las Vegas Overlay – Area 1 are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.

*When there are multiple land uses proposed, when calculating the parking requirements the most intense of the uses is utilized for the parking calculations. In this instance, the Commercial Recreation/Amusement (Indoor) was the most intense of the two land uses proposed.

CG

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
30

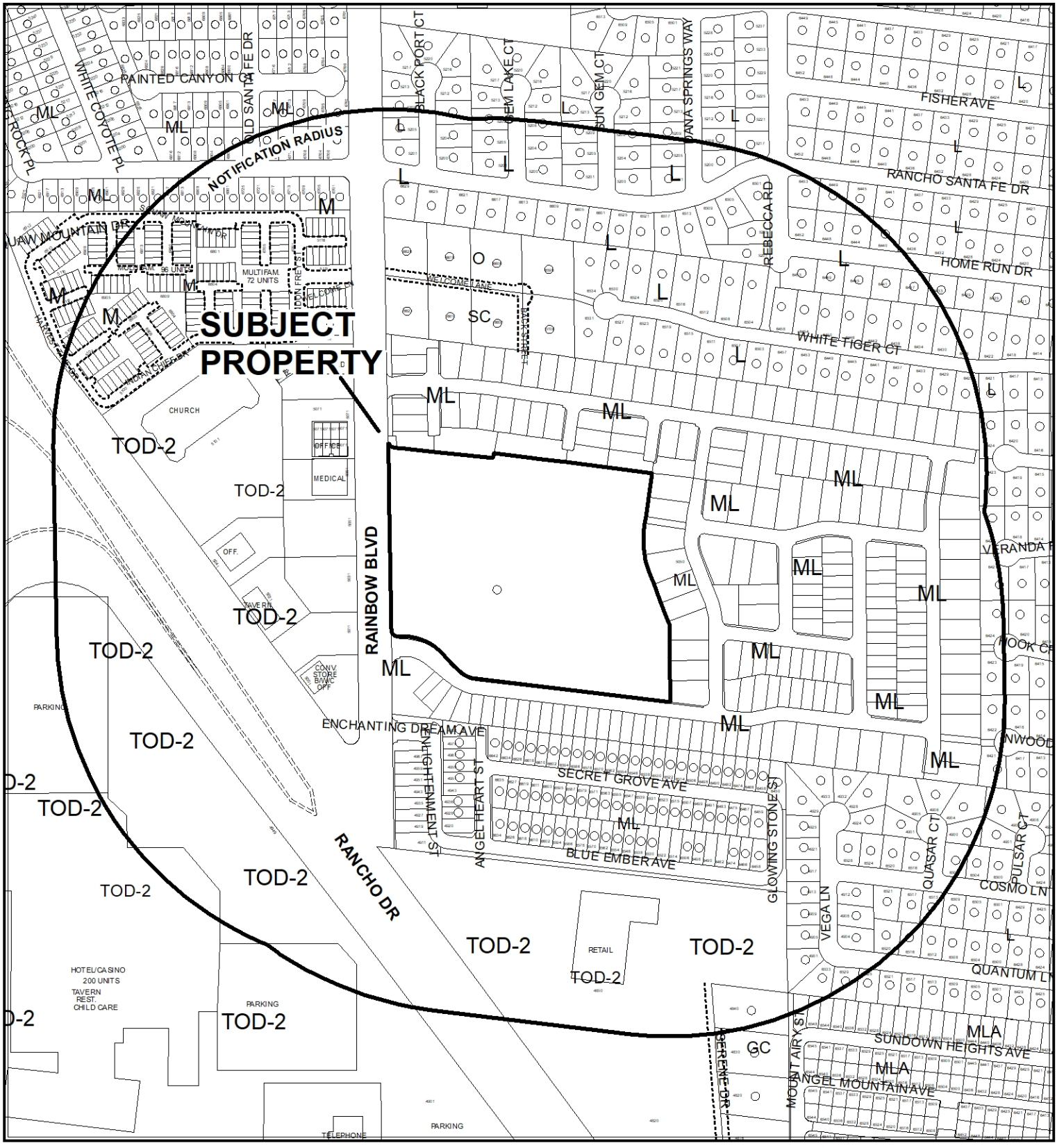
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0265 - PUBLIC HEARING - APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: RANCHO DRIVE, LLC - For possible action on the following Land Use Entitlement project requests on 12.05 acres on the east side of Rainbow Boulevard, approximately 490 feet north of Rancho Drive (APN 125-35-301-021), Ward 6 (Fiore). The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - 22-0265-GPA1
2. Land Use Map - 22-0265-GPA1
3. Land Use Map - 22-0265-ZON1
4. Location and Aerial Maps
5. Conditions and Staff Report
6. Supporting Documentation
7. Photo(s)
8. Justification Letter
9. Traffic Notes Submitted by City of Las Vegas Department of Public Works Traffic Engineering Division - 22-0265-SDR1
10. Support Postcards
11. Submitted after Final Agenda - Executed Condition Confirmation Documentation, Corrected Land Use Map - 22-0265-GPA1, Corrected Location and Aerial Maps, Protest Postcards with Comment Letters and Documentation Not Vetted - Protest Comment Form
12. Backup Documentation Submitted for the July 12, 2022 Planning Commission Meeting

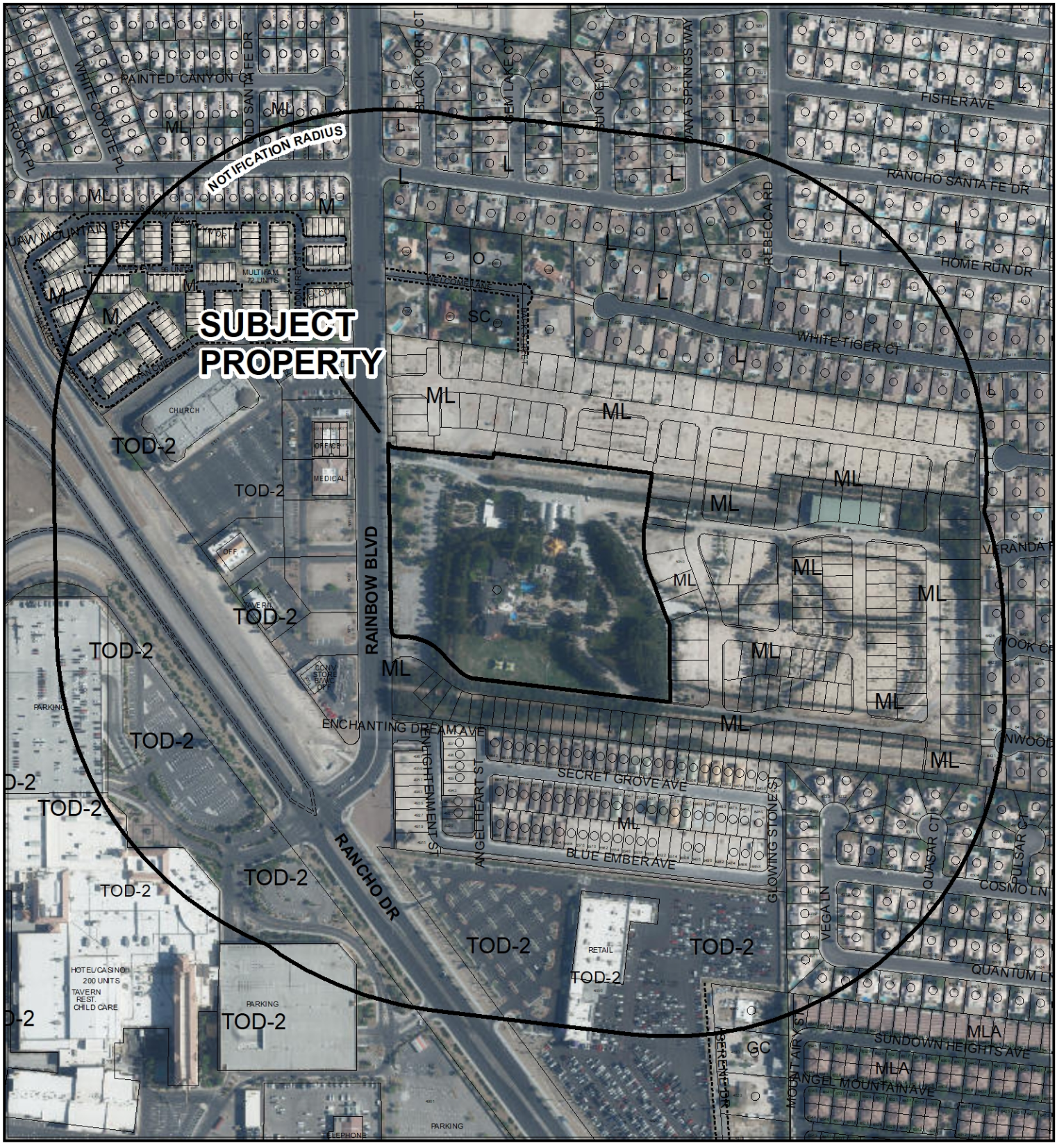


CASE: **22-0265-GPA1**

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: H (HIGH DENSITY RESIDENTIAL)



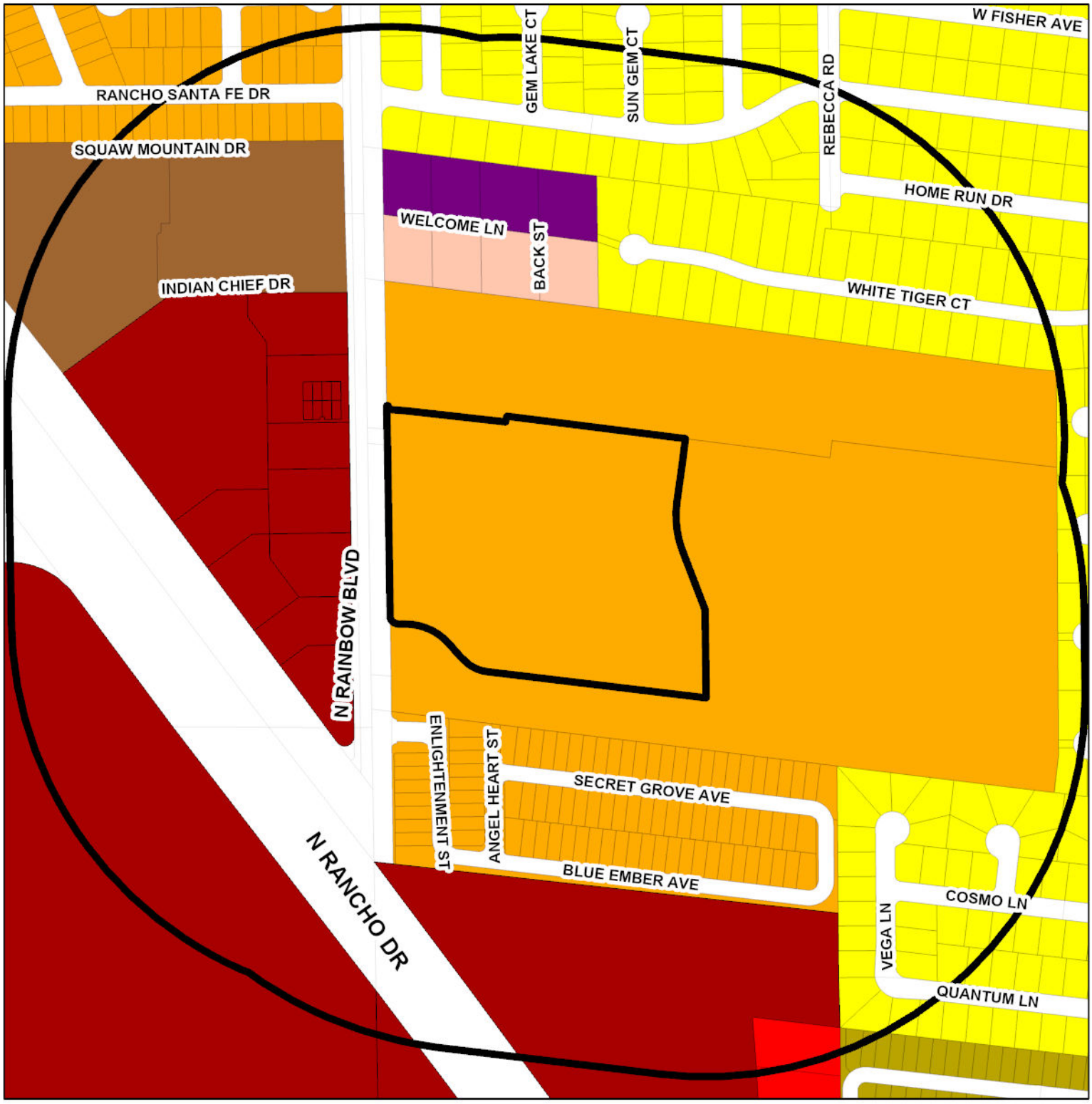
CASE: **22-0265-GPA1**

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: H (HIGH DENSITY RESIDENTIAL)

22-0265-GPA1



General Plan
- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium Low
- Medium Low Attached
- Medium
- High

- Form-Based Code
- Neighborhood Mixed Use Center
- Transit Oriented Corridor -1
- Transit Oriented Corridor -2
- Transit Orented Development - 1
- Transit Orented Development - 2
- Planned Community Development
- Office
- Service Commercial
- General Commercial

- Tourist Commercial
- Light Industry / Research
- Traditional Neighborhood Development
- Parks/Recreation/Open Space
- Public Facilities
- Town Center
- Commercial (Downtown Land-Use)
- Mixed Use (Downtown Land-Use)

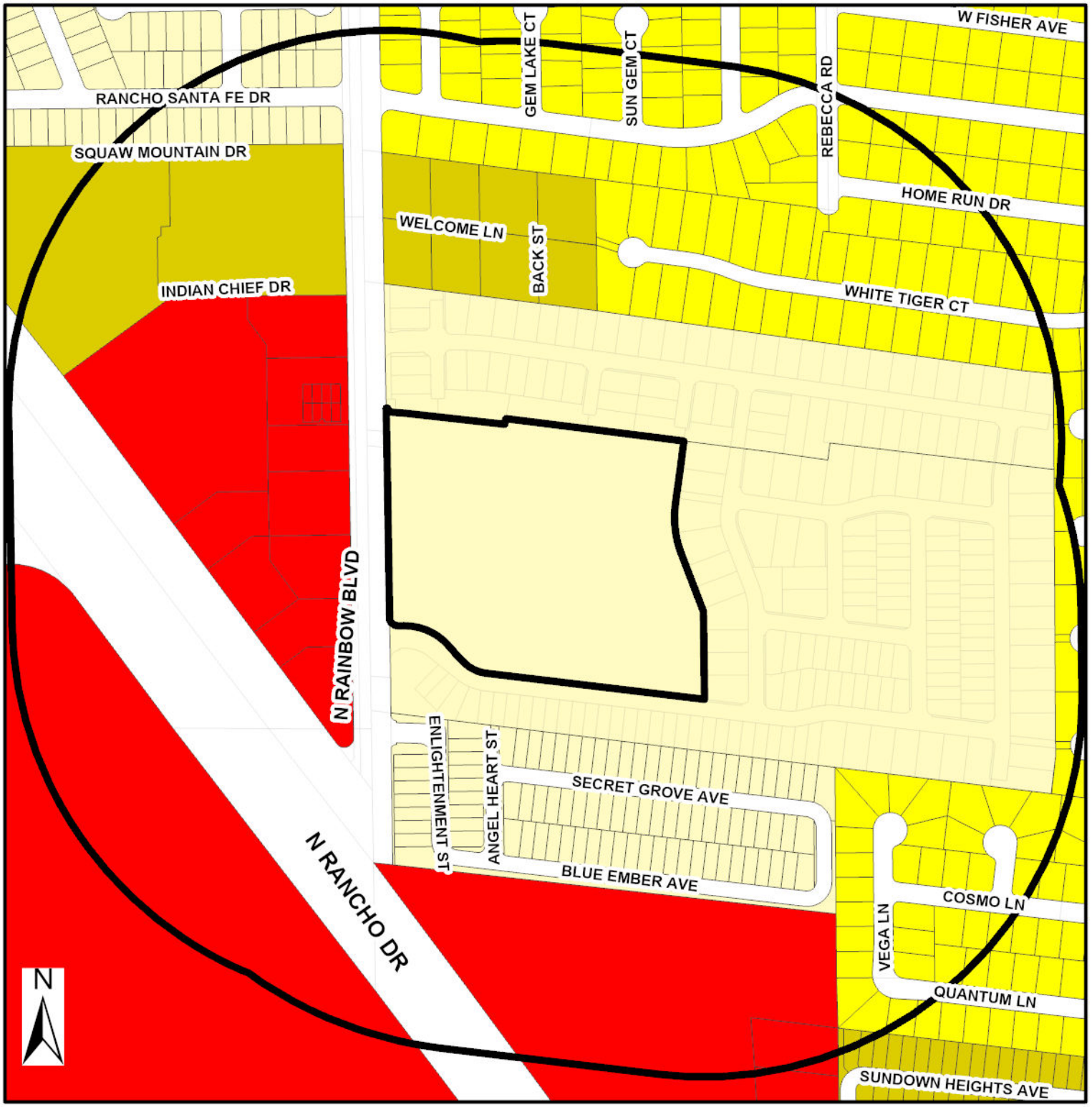
FROM ML
TO H

- Subject Property
- Not City
- City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Tuesday, May 31, 2022

22-0265-ZON1



Zoning

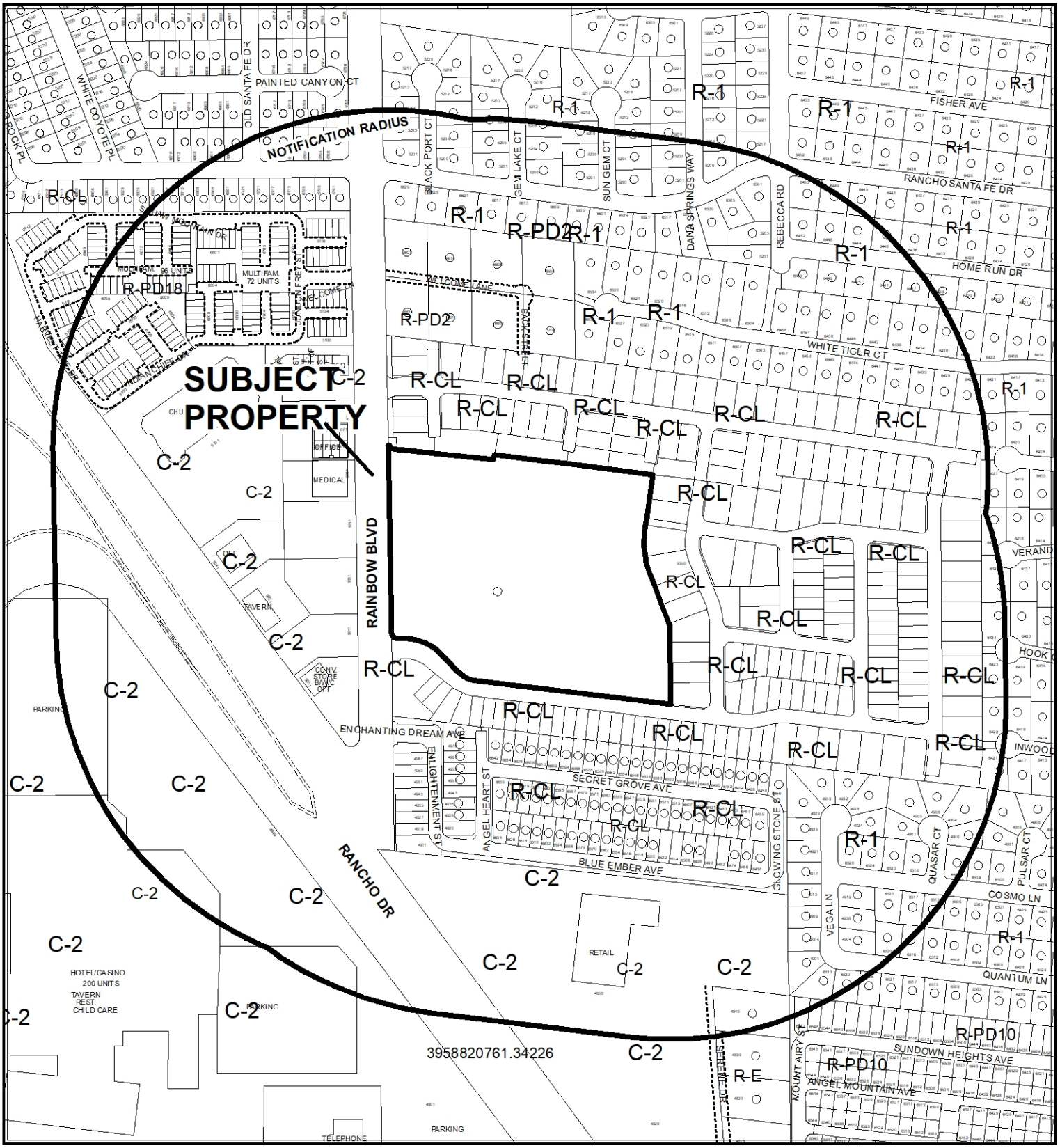
- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single Family Compact-Lot
- R-SL - Residential Small Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- T3-N - T3 Neighborhood
- T3-N-O - T3 Neigborhood Open
- T4-C - T4 Corridor
- T4-MS - T4 Main Street
- T4-N - T4 Neighborhood
- T5-N - T5 Neighborhood
- T5-M - T5 Maker
- T5-MS - T5 Main Street
- T5-C - T5 Corridor
- T6-UC - T6 Urban Core
- T6-UG - T6 Urban General
- T6-UG-L -T6 Urban General Limited
- P-R - Professional Offices and Parking
- P-O - Professional Office
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PB - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- [illegible] - Traditional Development
- PD - Planned Development
- T-C - Town Center

FROM R-CL TO R-4

- Subject Property
- Not City
- City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Tuesday, May 31, 2022



CASE: **22-0265**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-CL (SINGLE FAMILY COMPACT-LOT)

PROPOSED ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

GENERAL PLAN OF SUBJECT PROPERTY: ML (MEDIUM LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: H (HIGH DENSITY RESIDENTIAL)



0 340 680 Feet

CASE: **22-0265**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-CL (SINGLE FAMILY COMPACT-LOT)

PROPOSED ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

GENERAL PLAN OF SUBJECT PROPERTY: ML (MEDIUM LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: H (HIGH DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: RANCHO DRIVE, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0265-GPA1	Staff recommends APPROVAL.	
22-0265-ZON1	Staff recommends APPROVAL.	22-0265-GPA1
22-0265-SDR1	Staff recommends APPROVAL, subject to conditions	22-0265-GPA1 22-0265-ZON1

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 28

NOTICES MAILED 695 (by City Clerk)

PROTESTS 12

APPROVALS 0

JB

** CONDITIONS **

22-0265-SDR1 CONDITIONS

Planning

1. Approval of a General Plan Amendment (22-0265-GPA1) and Rezoning (22-0265-ZON1) shall be required, if approved.

2. This approval shall be void two 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 development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/15/22, except as amended by conditions herein.

4. 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.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

7. 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.

8. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

9. A revised site plan shall be submitted to and approved by the Department of Planning Department, prior to the time application is made for a building permit, to reflect the changes herein. The applicant is required to submit a revised site plan that provides one additional ADA parking space, for a total of 11 overall ADA parking spaces.

10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. The sidewalks along Rainbow Boulevard adjacent to this site shall meet Public Right of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement, if any, needed to complete this requirement. 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.

12. Coordinate the sewer connection at a size, depth, and location acceptable to the Sanitary Sewer Section of the Department of Public Works. There is a point of connection to the east that goes through the future residential development, but would require potential offsite sewer relief downstream.

13. 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. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the "Rancho Complete Street NEPA (Mesquite to Rainbow)" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer

15. 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, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. The Traffic Impact Analysis shall also include a pedestrian circulation/access plan 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the 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.

16. 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to develop a 334-unit, four-story multi-family development on 12.05 acres on the east side of Rainbow Boulevard, approximately 490 feet north of Rancho Drive.

ISSUES

- The applicant has requested a General Plan Amendment (22-0265-GPA1) from SC (Service Commercial) to H (High Density Residential). Staff recommends approval.
- The applicant has requested a Rezoning (22-0265-ZON1) from R-E (Residence Estates) to R-4 (High Density Residential). Staff recommends approval.
- Access to the subdivision will be from Rainbow Boulevard, a 100-Foot Primary Arterial Street as designated by the Master Plan of Streets and Highways.
- The proposed Multi-Family Residential land use is permitted in the proposed R-4 (High Density Residential) zoning district.

ANALYSIS

On February 17th, 2021 the Department of Planning processed a request for a Final Map (100091-PMP) of a three-lot parcel map at 5050 North Rainbow Boulevard. The map recorded on May 17th, 2021 and created three individual lots (Lot #1 – Lot #3). The applicant is proposing a Site Development Plan Review (22-0265-SDR1) for a 334-unit, four story tall multi-family residential development on the 12.05-acre which is located on Lot #3 of the recorded Parcel Map (100091-PMP) (Book: 127, Page: 31) (APN 125-35-301-021). The proposed subject site consist of one parcel zoned R-E (Residence Estates) with a SC (General Commercial) General Plan land use designation. Site access is proposed from a non-gated entrance located on the western perimeter of the site adjacent to Rainbow Boulevard.

JB

City of Las Vegas 2050 Master Plan

The Las Vegas 2050 Master Plan identifies the vision and goals of the community and provides a "road map" identifying where land use changes may be anticipated or desired. The Plan provides guidance and recommendations on the forms and functions of these future land uses. Understanding how future demographic changes, such as increasing population or socio-economic shifts, affect land uses is essential for effective master planning. In Las Vegas, demographic projections anticipate upwards of 300,000 new residents within the city limits by 2050. We know that past development practices relied on a suburban expansion model, where undeveloped lands at edge of city are incorporated into the City proper and developed - primarily as single-family housing developments. This pattern of development may ultimately prove unsustainable should it continue, exacerbating a range of issues and associated mitigation costs. Single-family housing consumes the greatest amounts of water - are preciously and tightly managed resources, especially if needing to accommodate 300,000 new residents. Further suburban expansion requires significant infrastructure investment to expand sewer and water service, while often leaving aging infrastructure in older parts of the city in poorer condition. Suburban expansion means ever increasing commute times for workers, while making it increasingly expensive to provide mass transit service to outlying areas. At the same time, Las Vegas struggles with the same issues of equality that are common across urban environments in the US: gentrification, affordable housing, and fair access to schools, hospitals, and critical services. A number of alternative strategies and development practices are at the city's disposal, which have the ability to accommodate future population growth in a more resilient manner, leading to better outcomes for all of Las Vegas.

Key land use planning strategies include prioritizing and incentivizing construction of "Missing Middle" housing: low-rise (3-5 story) multi-family units in key areas that have the smallest water footprint per dwelling unit. For Las Vegas, increasing density and population in select areas is vital to help maximize the efficiency of existing city services and to accommodate an increasing population. It will also provide the population concentration needed to support more accessible and equitable mobility and transportation systems and nearby, walkable neighborhood stores and businesses. Density is frequently perceived as a "bad" word because it connotes a wide array of ill-conceived or poorly-designed buildings and developments. These include past attempts at public housing, overcrowded and out-of-scale apartment complexes, and the conversion of single-family homes into multi-unit boarding houses. Well-planned and designed medium- to higher-density housing strategies could help transform and re-energize certain areas.

General Plan Amendment and Rezoning

The applicant has proposed a General Plan Amendment (22-0265-GPA1) from SC (General Commercial) to H (High Density Residential), which has an unlimited allowable density of dwelling units per gross acre. The proposed 334-unit multi-family residential development on 12.05 acres proposes a maximum density of 27.72 units per acre. The H (High Density Residential) General Plan land use designation allows the R-TH (Single Family Attached), R-2 (Medium-Low Density Residential), R-3 (Medium Density Residential) and the proposed R-4 (High Density Residential) zoning districts.

The applicant has proposed to Rezone (22-0265-ZON1) the subject site from R-E (Residence Estates) to R-4 (High Density Residential). The zoning district is intended to allow for the development of high density multi-family units in areas suitable for high density residential development. Existing single-family detached dwellings zoned R-CL (Single Family Compact-Lot) are located to the north, east and south of the subject site. In addition, the subject site is located directly adjacent to C-2 (General Commercial) zoning to the west, which fronts Rainbow Boulevard.

Staff has determined that the proposed R-4 (High Density Residential) zoning district is consistent with the proposed H (High Density Residential) General Plan land use designation and supports the goals and objectives of the 2050 Master Plan by providing "Missing Middle" housing, low-rise (3-5 story) multi-family units in a key area that has the smallest water footprint per dwelling unit. In addition, the subject site is within walking distance of two bus stops. The first bus stop is located on the southeast side of Rainbow Boulevard just east of Rancho Drive. The second bus stop is located on the west side of Rainbow Boulevard, almost directly in front of the proposed entrance to the multi-family development allowing future residents of the proposed multi-family development the option of utilizing public transit. The proposed multi-family development provides the population concentration needed to support more accessible and equitable mobility and transportation systems desired by the master plan.

The subject site is located within the Rancho Area of The City of Las Vegas 2050 Master Plan which states, "The future of the Rancho Area will see directed medium to higher-density, suburban-oriented transit-oriented development to support existing well-established, yet older, shopping centers at key nodes that have potential to become neighborhood mixed-use centers. Staff has determined that the proposed projects proximity to the existing shopping center and major commercial corridor located along Rancho Drive to the south of the subject site meets the future vision of the Rancho Area. Also, the project represents a much needed multi-family housing development within the City of Las Vegas and will assist with the housing shortage seen thought the Las Vegas Valley. Therefore, staff is recommending approval of the requested General Plan Amendment and Rezoning applications.

JB

Site Development Plan Review

The applicant has proposed to develop a four-story and three-story, 334-unit multi-family residential (apartment) development consisting of 236 one-bedroom units, 82 two-bedroom units and 16 three-bedroom units. The proposed development also provides a one-story, 9,000 square-foot private community center and leasing office with amenities that include fitness rooms, pool, sports courts and open space areas. All structures have been designed to comply with Title 19.06.040 residential adjacency development standards to the adjacent single-family dwellings. The four-story, 43-foot tall building is adjacent to Rainbow Boulevard, with the three-story, 32-foot tall building being more centralized to the site. In comparison, a two-story single-family home is allowed heights up to 35 feet. There are also additional areas of open space spread throughout the development for the residents to utilize which include a dog park and two courtyard areas.

Pursuant to Title 19.12 on-site parking requirements which require 1.25 (one-bedroom units), 1.75 (two-bedroom units) and 2.00 (three-bedroom units) and one guest parking space per six units the proposed development is required to have a minimum of 527 parking spaces. The submitted site plan indicates that the site will provide 542 overall parking spaces, which complies with Title 19.12 requirements. In addition, leasable 15-foot tall parking garages and covered parking are provided throughout the development. However, the site plan currently depicts 10 ADA parking space where 11 spaces are required. A condition of approval has been added, which will require the applicant to submit a revised site plan that provides one additional ADA parking space, prior to the time application is made for a building permit.

The proposed multi-family development meets residential adjacency standards, is located along an established Regional Transportation Commission (RTC) bus line and supports the goals and objectives of the City of Las Vegas 2050 Master Plan. Therefore, staff recommends approval off the requested General Plan Amendment (22-0265-GPA1), Rezoning (22-0265-ZON1) and Site Development Plan Review (22-0265-SDR1).

JB

FINDINGS (22-0265-GPA1)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

   The proposed H (High Density Residential) General Plan designation is consistent and harmonious with the existing single-family compact-lot residential land uses to the north, south and east and shopping center to the west of the subject site.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

   The H (High Density Residential) General Plan land use designation supports the proposed R-4 (High Density Residential) zoning district. The applicant has proposed a Rezoning (22-0265-ZON1) from R-E (Residence Estates) to R-4 (High Density Residential) on the subject site, which is consistent with the proposed H (High Density Residential) General Plan designation.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

   There are adequate transportation (bus stops) and commercial facilities within close proximity to the subject site.

4. **The proposed amendment conforms to other applicable adopted plans and policies.**

   All applicable plans and policies are met with the proposed amendment.

JB

FINDINGS (22-0265-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

   The proposed R-4 (High Density Residential) zoning district conforms to the proposed H (High Density Residential) General Plan designation which allows four zoning districts: R-TH (Single Family Attached), R-2 (Medium-Low Density Residential), R-3 (Medium Density Residential) and R-4 (High Density Residential).

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

   The multi-residential uses allowed in the proposed R-4 (High Density Residential) zoning district are compatible with the existing surrounding single-family compact-lot and commercial land uses and zoning districts located within the area.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

   Growth and future development factors outlined in the City of Las Vegas – Rancho Area plan indicate the need for medium to higher-density, suburban-oriented transit-oriented development to support existing well-established, yet older, shopping centers and commercial corridors.

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

   The property is located on Rainbow Boulevard, which is classified as a 100-foot Primary Arterial street, as defined by the Master Plan of Streets and Highways. Access to the subject site will be provided by a driveway on Rainbow Boulevard that is aligned with the existing driveway for the commercial property to the west and is adequate in size to meet the requirements of the proposed R-4 zoning district.

FINDINGS (22-0265-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed 334-unit, multi-family development is compatible with the surrounding residential and commercial uses in the area.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

   The proposed development is consistent with the proposed H (High Density Residential) General Plan designation, Title 19, and other duly-adopted city plans, policies and standards, including the City of Las Vegas 2050 Master plan.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   The property is located on Rainbow Boulevard, which is classified as a 100-foot Primary Arterial street, as defined by the Master Plan of Streets and Highways. Access to the subject site will be provided by a driveway on Rainbow Boulevard that is aligned with the existing driveway for the commercial property to the west and will not negatively impact the adjacent roadway.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The proposed stucco building façade and color palette has been deemed appropriate for the desert environment. The primary tree species being utilized are the 24-inch box “Multi-Trunk Sweet Bay”, “African Sumac”, “Chinese Pistache” and “Holly Oak” trees with a variety of five-gallon shrubs, which are consistent with the Southern Nevada Regional Plan Coalition Regional Plant List.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

   The proposed building elevations and materials are not unsightly, undesirable, or obnoxious in appearance, which will be harmonious and compatible with the proximate environment. The building façades will have a “Alabaster”, “Alpaca”, “Burlap”, “Rockweed” and “Cooled Blue” stucco finish, which have been incorporated along all sides of the building.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   Site development is subject to building permit review and inspection, thereby protecting the health, safety and general welfare of the public.

JB

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
05-06-64	The City Planning Commission approved an Annexation (A-0003-64) of approximately 5,000 acres located north of Lone Mountain Road, and west of Decatur Boulevard.
02/25/71	The Board of Zoning Adjustment approved a request for a Variance (V-0006-71) to allow the construction and maintenance of a paddock, arenas, runs for boarding, to operate a training facility and have competitive events concerning horses and to also allow a six-foot high fence in the front yard where four foot maximum height is allowed; to allow accessory stables and runs situated outside of the rear yard area on property located on the east side of Lorenzi Boulevard, northeasterly of Tonopah Highway.
06/18/80	The City Council denied a request for a Rezoning (Z-0038-80) from R-E (Residence Estates) and C-2 (General Commercial) to C-2 (General Commercial) on property located at 5050 North Lorenzi Boulevard.
12/05/80	The City Council approved a request for a Variance (V-0085-80) to allow use of the premises for the retail and wholesale sale of sod, trees, fertilizer and related products in addition to the existing approved tack and feed store operation on property located at 5050 North Lorenzi Boulevard.
08/28/85	The City Council approved a request for an Extension of Time [V-0085-80(1)] of an approved Variance (V-0085-80) to allow use of the premises for the retail and wholesale sale of sod, trees, fertilizer and related products in addition to the existing approved tack and feed store operation on property located at 5050 North Lorenzi Boulevard.
03/31/86	The Board of Zoning and Adjustment approved a request for a Variance (V-0029-86) to allow an accessory building and the keeping of horses on property without a main dwelling, where such uses are not permitted on property located at 5050 North Lorenzi Boulevard.
01/06/88	The City Council approved a request for an Extension of Time [V-0085-80(2)] of an approved Variance (V-0085-80) to allow use of the premises for the retail and wholesale sale of sod, trees, fertilizer and related products in addition to the existing approved tack and feed store operation on property located at 5050 North Lorenzi Boulevard.
05/17/89	The City Council approved a request for an Extension of Time [V-0085-80(3)] of an approved Variance (V-0085-80) to allow use of the premises for the retail and wholesale sale of sod, trees, fertilizer and related products in addition to the existing approved tack and feed store operation on property located at 5050 North Lorenzi Boulevard.

JB

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
06/20/90	The City Council approved a request for an Extension of Time [V-0085-80(4)] of an approved Variance (V-0085-80) to allow use of the premises for the retail and wholesale sale of sod, trees, fertilizer and related products in addition to the existing approved tack and feed store operation on property located at 5050 North Lorenzi Boulevard.
11/18/92	The City Council approved a request for an Extension of Time [V-0085-80(5)] of an approved Variance (V-0085-80) to allow use of the premises for the retail and wholesale sale of sod, trees, fertilizer and related products in addition to the existing approved tack and feed store operation on property located at 5050 North Lorenzi Boulevard.
10/27/97	The City Council approved a request for an Extension of Time [V-0085-80(6)] of an approved Variance (V-0085-80) to allow use of the premises for the retail and wholesale sale of sod, trees, fertilizer and related products in addition to the existing approved tack and feed store operation on property located at 5050 North Rainbow Boulevard.
05/09/02	The Planning Commission approved a request for a Variance (V-0018-02) to allow an addition to an existing single-family residence to be 40 feet in height and three stories tall where the maximum allowed is 35 feet in height and two stories tall on approximately 74.46 acres located at 5050 North Rainbow Boulevard.
10/04/06	The City Council approved a request for a Special Use Permit (SUP-15050) for the proposed addition of three habitable accessory structures and one non-habitable accessory structure at 5050 North Rainbow Boulevard. The Planning Commission recommended approval of the request.
	The City Council approved a request for a Variance (VAR-15051) to allow the total square footage of proposed accessory structures to exceed 50% of the floor area of the main dwelling and to allow an accessory structure in front of the main dwelling at 5050 North Rainbow Boulevard. The Planning Commission recommended approval of the request.
10/05/06	The Planning Commission approved a request for a Variance (VAR-16531) to allow proposed accessory structures to exceed the height of the main dwelling at 5050 North Rainbow Boulevard.
08/31/20	A Code Enforcement case (#CE20-04788) was processed for numerous pine trees and the ground is covered with pine needles (8 to 10 inches) creating a fire hazard along the property line at 5050 North Rainbow Boulevard. The case was resolved on 11/23/20.
02/17/21	The Department of Planning processed a request for a Final Map (100091-PMP) of a three-lot parcel map at 5050 North Rainbow Boulevard. The map recorded on 05/17/21.

JB

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
07/12/22	The Planning Commission (6-0 vote) recommends APPROVAL on the following Land Use Entitlement project requests on 12.05 acres on the east side of Rainbow Boulevard, approximately 490 feet north of Rancho Drive (APN 125-35-301-021), Ward 6 (Fiore) • **22-0265-GPA1** - GENERAL PLAN AMENDMENT - FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL) • **22-0265-ZON1** - REZONING - FROM R-E (RESIDENCE ESTATES) TO: R-4 (HIGH DENSITY RESIDENTIAL) • **22-0265-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 334-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT

Most Recent Change of Ownership	
02/21/02	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/05/06	A building permit (#L-17647) was issued for civil improvement plans for an addition of three habitable accessory structures and one non-habitable accessory structure (Little Bavaria) on property located at Rainbow Boulevard and Rancho Drive. The permit was finalized on 04/01/08.
05/14/07	A building permit (#L-21859) was issued for minor onsite grade changes (Little Bavaria) on property located at Rainbow Boulevard and Rancho Drive. The permit was finalized on 05/21/07.
07/03/07	A building permit (#L-22966) was issued to add a water line (Little Bavaria) on property located at Rainbow Boulevard and Rancho Drive. The permit was finalized on 07/12/07.
07/23/07	A building permit (#L-23306) was issued revisions to a garage addition (Little Bavaria) on property located at Rainbow Boulevard and Rancho Drive. The permit was finalized on 12/03/07.
11/05/08	A building permit (#A-31795) was issued for a covenant running with the land for a multi-purpose trail system along Rainbow Road at 5050 North Rainbow Boulevard.

Pre-Application Meeting	
05/03/22	A pre-application meeting was conducted with the applicant to go over the application materials and submittal requirements for a General Plan Amendment, Rezoning and Site Development Plan Review on the subject site for a Multi-Family Residential development.

JB

Neighborhood Meeting	
06/23/22	A neighborhood meeting was held at Centennial Hills YMCA at 6601 North Buffalo Drive, at 5:30pm to discuss the proposed General Plan Amendment, Rezoning and Site Development Plan Review at Assessor's Parcel 125-35-301-021. The meeting was attended by one staff member and one representative from the Council Ward 6 Office. There were 37 members of the public; as such, the following concerns were raised regarding the proposed development proposal: • Are these apartments or condos? Apartments. • What about the existing trees, can they be saved? The trees on the Richmond American site were cut down because "it was cheaper to do so" as the neighbors were told by Richmond American. The removal of those existing mature trees eliminating the natural wind and dust block. • Apartments by a casino (Santa Fe Station) will turn the neighborhood into a bad area and the crime rate will go up. • There is no dust monitoring going on with the Richmond American single-family home development currently under construction, this will only add to it. The dust is affecting their health and quality of life since the existing adjacent neighbors are now unable to go outside in their yards because the dust is so bad. • The schools in the area are already overwhelmed, this will make the schools even more overcrowded. • There will be too many people in the area and there will be fights all the time. • The existing neighbors feel as if they will lose their community, there will be crime, fighting, and it won't be a safe neighborhood anymore. • Why didn't the property owner just sell the whole piece of land to Richmond American so it could all be homes, • This will mean three more driveways on Rainbow (two for Richmond American and one for the multi-family) this will result in too much traffic and a lot of congestion. The left hand turn lane from southbound Rainbow to go left (south) on Rancho already back-ups and is not deep enough to accommodate all the cars for the turn lane. This blocks travel lanes. • The existing home to be demolished might have asbestos, how is this going to be removed safely without polluting the existing adjacent neighborhood.

JB

Neighborhood Meeting	
	• What is the price range of the apartments? These will be market rate. • Is the applicant buying or leasing the property. It is a contingent sale upon the granting of the necessary land use entitlements applied for. • The applicant is trying to "pull a fast one" so it can get approval prior to the future Richmond American home owners actually being there to object to an apartment complex being located in the center of their neighborhood. The applicant's representative informed the neighbors in attendance that Richmond American homes will be required to disclose the future apartment complex to home buyers. The neighbors balked at this saying that would be buried in the home buying process and mounds of paperwork. • Neighbors asked if traffic medians would be installed. Planning staff informed the neighbors that a full traffic study would be required upon approval and that traffic study would dictate the need for the medians and/or pedestrian crosswalks. • Apartments never increase the value of homes, always devalue the area. • This development is too intense and needs to be reduced to two and three-stories, not three and four-stories. This proposal is grossly out of scale for the area. There are no four story apartment buildings in the area. These need to be low density apartments. • Some neighbors would rather it stay commercial and see a "big box store" be built instead. • The City should buy this property and make it a park. There is no green space in this area. • This apartment complex will turn the Rainbow Corridor into the second "Boulder Highway" corridor with apartments, casinos and high crime. • This proposal is the worst case scenario for the area, and will oversaturate the area with people and cars. • What time will construction start? Richmond American has been starting at 4:00 a.m. waking up the adjacent neighborhood and disturbing them with lights and dust. • Is this development owned or going to be built by Richmond American? Associated with them at all? The applicant's representative stated that the developments are not related at all, Calida is a separate entity and builder.

Neighborhood Meeting	
	• If approved, when would construction start? The applicant's representative stated around January/February. • Calida should postpone this project until there are actual homeowners surrounding the subject site. • Will the developer (Calida) raise the ground level of the site? Richmond American raised their site and now those homes (windows) peer into the existing residential neighborhood and "we have lost all sense of privacy." • The neighbors feel as though there is insufficient parking being provided even though they exceed code requirements. Neighbors feel that each apartment will have two cars and there will be overflow parking on Rainbow Boulevard. • The City is "screwing" us (neighbors), first with high density homes (Richmond American) and now with high density apartments.

Field Check	
05/26/22	Staff conducted a routine site visit and found the subject site to be a well maintained property with robust perimeter landscaping materials. The site is currently developed with a single-family dwelling.

Details of Application Request	
Site Area	
Net Acres	12.05

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single-Family Detached	SC (Service Commercial)	R-E (Residence Estates)
North	Single-Family Detached	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
South	Single-Family Detached	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
East	Single-Family Detached	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
West	Shopping Center	GC (General Commercial)	C-2 (General Commercial)

JB

Master and Neighborhood Plan Areas	***Compliance***
Master Plan 2050 Area: Rancho	Y
Northwest Open Space Plan	Y
Rainbow Blvd North Corridor Plan	Y
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District – (200 Feet)	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.120, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	7,000 SF	524,898 SF	Y
Min. Setbacks – Clubhouse			
• Front (west)	10 Feet	105 Feet	Y
• Side (north)	5 Feet	257 Feet	Y
• Side (south)	5 Feet	205 Feet	Y
• Rear (east)	20 Feet	574 Feet	Y
Min. Setbacks – Building #100			
• Front (west)	10 Feet	217 Feet	Y
• Side (north)	5 Feet	152 Feet	Y
• Side (south)	5 Feet	180 Feet	Y
• Rear (east)	20 Feet	472 Feet	Y
Min. Setbacks – Building #200			
• Front (west)	10 Feet	392 Feet	Y
• Side (north)	5 Feet	161 Feet	Y
• Side (south)	5 Feet	98 Feet	Y
• Rear (east)	20 Feet	105 Feet	Y
Min. Distance Between Buildings	Unlimited	47 Feet	Y

Standard	***Required/Allowed***	***Provided***	***Compliance***
Max. Building Height – Clubhouse/Leasing Office	N/A	One Story; 17 Feet, Eight Inches	
Max. Building Height – Building #100	N/A	Four Stories; 46 Feet, Four Inches	Y
Max. Building Height – Building #200	N/A	Three Stories; 35 Feet, Six Inches	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.06.040, the following standards apply

Residential Adjacency Standards	***Required/Allowed***	***Provided***	***Compliance***
3:1 proximity slope	106 Feet	107 Feet	Y
Trash Enclosure	50 Feet	60 Feet	Y

Existing Zoning	***Permitted Density***	***Units Allowed***
R-E (Residence Estates)	1 du/lot	1 du/lot
Proposed Zoning	***Permitted Density***	***Units Allowed***
R-4 (High Density Residential)	Unlimited	Unlimited
Existing General Plan	***Permitted Density***	***Units Allowed***
SC (Service Commercial)	N/A	N/A
Proposed General Plan	***Permitted Density***	***Units Allowed***
H (High Density Residential)	Unlimited	Unlimited

JB

Pursuant to Title 19.06, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	38 Trees	38 Trees	Y
• South	1 Tree / 20 Linear Feet	47 Trees	47 Trees	Y
• East	1 Tree / 20 Linear Feet	34 Trees	34 Trees	Y
• West	1 Tree / 20 Linear Feet	26 Trees	26 Trees	Y
TOTAL PERIMETER TREES		**145 Trees**	**145 Trees**	**Y**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	6 Feet		8 Feet	Y
• South	6 Feet		10 Feet	Y
• East	6 Feet		10 Feet	Y
• West	10 Feet		38 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		6 Feet	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Rainbow Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	100	Y

JB

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	ADA	Regular	ADA	
Multi-Family Residential	236 Units (Studio and One bedroom)	1:1.25	295				
	82 Units (Two bedroom)	1:1.75	143.50 (144)				
	16 Units (Three bedroom)	1:2.00	32				
	Guest Parking	1:6	55.66 (56)				
TOTAL SPACES REQUIRED			527		542		Y
Regular and Handicap Spaces Required			516	11	532	10	N*

** A condition of approval has been added, which will require the applicant to submit a revised site plan that provides one additional ADA parking space.*

JB

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) _____

Project Address (Location) Rainbow Boulevard / Rancho Drive

Project Name Rancho Rainbow **Proposed Use** _____

Assessor's Parcel #(s) 125-35-301-021 **Ward #** 6 - Fiore

General Plan: Existing SC Proposed HIGH **Zoning:** Existing R-E Proposed R-3

Additional Information _____

Property Owner Rancho Drive, LLC Contact Harvey Gettleson

Address 16000 Ventura Boulevard, Suite 900 City Encino State CA Zip 91436

E-mail Hgettleson@getwitz.com Phone 310-288-9970

Applicant Calida Residential, LLC Contact Brian Fridman

Address 10777 W. Twain Avenue, Suite 115 City Las Vegas State NV Zip 89135

E-mail bfridman@thecalidagroup.com Phone 702.947.2000

Representative Kaempfer Crowell Contact Tony Celeste

Address 1980 Festival Plaza Drive, Suite 650 City Las Vegas State NV Zip 89135

E-mail aceleste@kcnvlaw.com Phone 702-792-7000

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☑ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

• I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

• Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Randal O'Connor

Subscribed and sworn before me

This _____ day of _____, 20 _____

_____

Notary Public in and for said County and State

22-0265
05/20/2022

SEE ATTACHED CA NOTARY CERTIFICATE

CALIFORNIA JURAT WITH AFFIANT STATEMENT GOVERNMENT CODE § 8202

☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], not Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me

on this 25 (Date) day of April (Month), 20 22 (Year),

by

(1) Randal O'Connor

(and ~~(2)~~ _____),

Name(s) ~~of Signer(s)~~

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

ISABELLA CABALLERO
Notary Public - California
Los Angeles County
Commission # 2340291
My Comm. Expires Dec 14, 2024

Signature _____
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Application / Petition Form & Statement of Financial Interest

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

22-0265
05/20/2022

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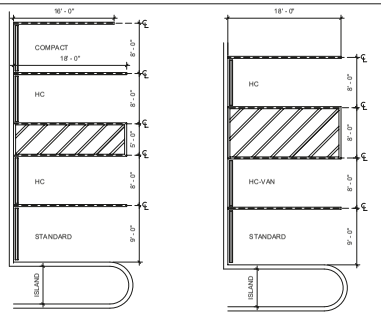
UNIT SUMMARY

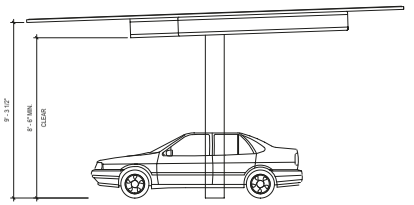
UNIT SUMMARY
Rainbow & Rancho
DATE: 6/6/2022

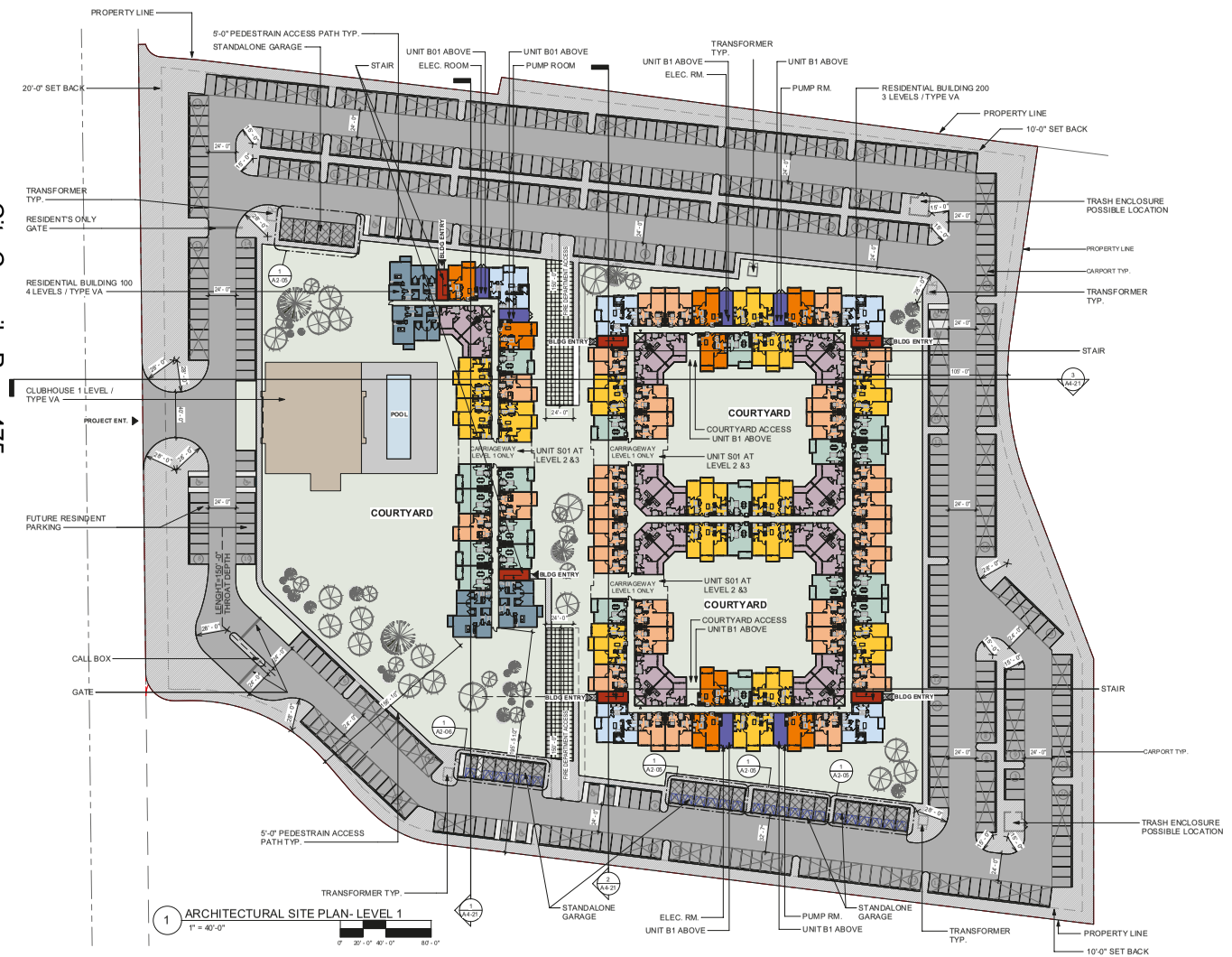
UNIT TYPE	BUILDING 100 UNITS/FLR				BUILDING 200 UNITS/FLR			QUANTITY	UNIT TYPE	AREA NET (MEASTED)			TOTAL BAL	AREA GROSS				
	1	2	3	4	1	2	3			NET	NET TOTAL		BALC	GROSS	GROSS TOTAL			ACTUAL
STUDIO																		
400 1 BED/ 1 BATH	8	10	10	10	12	16	16	82	501	588	SF	48,216	SF	69	5,658	657	SF	53,874	SF	24.6%
TOTAL PER FLOOR	8	10	10	10	12	16	16													
TOTAL PER BUILDING			54			44		82	S TOTAL	588	AVG	48,216	SF	SF	5,658	657	SF	53,874	SF	S TOTAL 24.6%
1 BED UNITS																		
A01A 1 BED/ 1 BATH	3	3	3	3	16	20	26	90	A01A	595	SF	62,510	SF	61	5,082	757	SF	68,130	SF	26.9%
A01 1 BED/ 1 BATH	2	2	2	2	16	16	16	56	A02	728	SF	41,328	SF	100	5,600	838	SF	46,928	SF	16.8%
A01C 1 BED/ 1 BATH	0	0	0	0	0	0	0	0	A01A	727	SF	5,976	SF	83	498	808	SF	6,864	SF	2.4%
TOTAL PER FLOOR	5	5	5	5	32	36	42													
TOTAL PER BUILDING			27			110		154	A TOTAL	713	AVG	109,814	SF		10,680	2,403	SF	121,522	SF	A TOTAL 46.1%
2 BED UNITS																		
A02 2 BED/ 2 BATH	5	5	5	5	12	16	16	66	B01A	1,089	SF	71,514	SF	61	4,026	1,193	SF	74,580	SF	33.8%
B02 2 BED/ 2 BATH	3	3	3	3	4	4	4	16	B02	1,163	SF	18,576	SF	93	372	1,231	SF	19,692	SF	4.8%
TOTAL PER FLOOR	8	8	8	8	16	20	20													
TOTAL PER BUILDING			27			56		82	B TOTAL	1,087	AVG	89,130	SF		4,040	1,346	SF	94,030	SF	B TOTAL 24.6%
3 BED UNITS																		
C01A 2 BED/ 2 BATH	1	1	1	1	4	5	6	19	C01A	1,340	SF	21,440	SF	52	832	1,392	SF	22,272	SF	4.8%
TOTAL PER FLOOR	1	1	1	1	4	5	6													
TOTAL PER BUILDING			4			15		19	C TOTAL	1,340	AVG	21,440	SF		832	1,392	SF	22,272	SF	C TOTAL 4.8%
TOTALS PER FLOOR	13	15	15	15	36	41	48	234	TOTAL			288,600	SF		21,864	6,798	SF	291,704	SF	TOTAL 100.0%
									NET			304	AVG			GROSS		870	AVG	
TOTAL UNITS WITH BALCONY	234							100.00% of total units												
TOTAL UNITS WITHOUT BALCONY	0							0.00% of total units												

TYPICAL PARKING DETAIL



TYPICAL CARPORT ELEVATION





1 ARCHITECTURAL SITE PLAN- LEVEL 1
1" = 40'-0"
0' 20' - 0" 40' - 0" 80' - 0"

City Council - Page 475

SITE INFO

SITE INFO:
ACRES: +/- 12.05 AC
ADDRESS
CURRENT ZONING: R-E (RESIDENCE ESTATE DISTRICT / CURRENT)
DENSITY PROVIDED: 28 UNITS/ ACRE
OF UNITS: 334 UNITS
HEIGHT MAXIMUM: ***50'-0"***
"Building Height" means the vertical distance from the average grade to the highest point of the building'
HEIGHT PROVIDED: 49'-0"
OPEN SPACE PROVIDED 144,077 SF (434 SF PER UNIT)
BUILDING AREAS:

BUILDING 100 24,437 SF LEVEL 1
25,869 SF LEVEL 2-4
TOTAL = 102.017 SF

BUILDING 200 77,254 SF LEVEL 1
78,618 SF LEVEL 2&3
TOTAL = 234,490 SF

CLUBHOUSE 9,000 SF TOTAL

YARD SETBACKS:
FRONT 20'-0"
INTERIOR SIDE STREET: 5'-0"
CORNER SIDE 10'-0"
REAR 10'-0"
BUILDING SEPARATION 20'-0"

PARKING REQUIRED:
9'x18' PARKING STALLS WITH MIN. 24' WIDE DRIVE (SEE REQ. PARKING CALC.)
1 BED UNITS 1/1.25 UNIT
2 BED UNITS 1/1.75 UNIT
3 BED UNITS 1/2 UNIT
VISITOR PARKING 1:6 UNIT
COMMUNITY CENTER 1:200 SF
TOTAL *572 SPACES*
TOTAL REQUIRED: 560 SPACES
HC PARKING REQUIRED: 12 SPACES

PARKING PROVIDED:
REGULAR PARKING: 502 SPACES
HC PARKING: 8 SPACES
HCV PARKING: 1 SPACE
HC EV PARKING 1 SPACE
STANDALONE GARAGE 29 SPACES
HC GARAGE 1 SPACE
TOTAL: ***542 SPACES***

COVERED PARKING 334

ON SITE LOADING REQUIRED: ***N/A- NONE REQUIRED***

PARKING DIMENSION PROVIDED:
REGULAR PARKING 9' x 18'
HC PARKING 8' x 18'
COMPACT PARKING 8' x 16'

REQUIRED PARKING CALCULATION

REQUIRED PARKING CALCULATION				
STUDIOS	82	x 1.25		102.5
1 BEDROOMS	154	x 1.25		192.5
2 BEDROOMS	82	x 1.75		143.5
3 BEDROOMS	16	x 2		32
VISITOR = 1 SPACE/6 UNITS	334	/6		55.67
COMMUNITY CENTER	9000 SF	/200		45
TOTAL				572

22-0265
06/15/2022

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8200 GREENSBORO SUITE 650
MCLEAN, VA 22102
PHONE: 571.253.6930
dwell-designstudio.com

RAINBOW AND RANCHO
APN: 125-38-301-021

THE CALIDA GROUP

ISSUE
DATE	DESCRIPTION	BUILDING
05/20/2022	ENTITLEMENT RESUBMISSION	1
05/23/2022	ENTITLEMENT RESUBMISSION	2
05/27/2022	ENTITLEMENT RESUBMISSION	3
06/06/2022	ENTITLEMENT RESUBMISSION	4

REVISION
DATE	DESCRIPTION	REV

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ARCHITECTURAL SITE PLAN

JOB NUMBER:

DRAWN BY: Author
CHECKED BY: Checker

SP-01

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APN #: 125-35-301-021



VICINITY MAP - NTS

PLANTING SCHEDULE

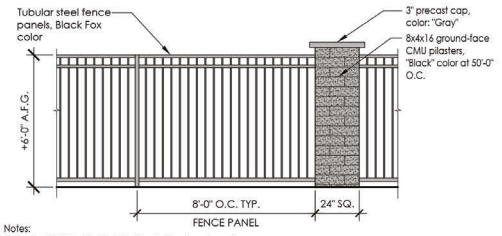
TREES	BOTANICAL NAME	COMMON NAME	SIZE	QTY	REMARKS
	Laurus nobilis	Multi-Trunk Sweet Bay	24" Box	106	Multi-Trunk
	Pistacia chinensis	Chinese Pistache	24" Box	80	Multi-Trunk
	Quercus ilex	Holly Oak	24" Box	84	Standard
	Rhus lancea	African Sumac	24" Box	104	Standard
SHRUBS	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**QTY**	**REMARKS**
	Dodonaea viscosa 'Purpurea'	Purple Hopseed Bush	5 gal.	47	Column
	Leucophyllum frutescens ' Green Cloud '	Green Cloud Texas Sage	5 gal.	310	Can Full
	Ligustrum japonicum 'Texanum'	Texas Japanese Privet	5 gal.	583	Can Full
	Pyracantha koidzumii 'Santa Cruz'	Santa Cruz Pyracantha	5 gal.	99	Can Full
	Teucrium chamaedrys	Germander	5 gal.	556	Can Full
GRASSES	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**QTY**	**REMARKS**
	Muhlenbergia rigens	Deer Grass	5 gal.	227	Can Full
	Nassella tenuissima	Mexican Feather Grass	5 gal.	1,329	Can Full

Open Space Calculations:

Total Site Area: Approx. 12.05 Acres (524,898 SF)

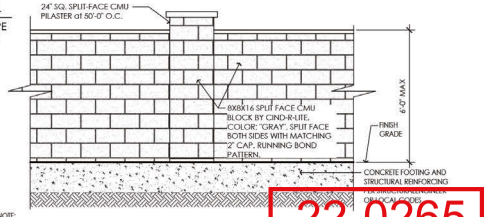
Open Space Requirements:
100 SF Per Dwelling Unit = 334 x 100 = 33,400 SF open space required

Open Space Provided: 132,484 SF (3.3 Acres) - 27.4% of total site area



Notes:
1. Pilaster CMU shall be installed in pinwheel configuration.
2. Concrete footing, steel reinforcing, etc. by structural engineer or local codes.

Typical CMU & Wrought Iron Perimeter Fence (1)
Scale: 3/8"=1'-0"



NOTE:
CONCRETE FOOTING, STEEL REINFORCING, ETC. BY STRUCTURAL ENGINEER. REFER TO STRUCTURAL ENGINEERING DRAWINGS.

Typical CMU Screen Wall (2)
SCALE: 3/8"=1'-0"

22-0265
06/15/2022

SITE VISIBILITY ZONES:
OWNER SHALL MAINTAIN ALL PLANT MATERIALS OCCURRING WITHIN SITE VISIBILITY ZONES AT 24" MAX. HEIGHT, TYPICAL.

0' 20' 40' 80'
GRAPHIC SCALE (1"=40'-0")

SILVER LANDS INC.
LANDSCAPE ARCHITECTURE
1310 S. 3rd St., Ste. 1008
Las Vegas, NV 89104
702.459.3192
SILVERLANDSINC.COM

SEAL:

CLIENT:

DESIGN REVIEW SUBMITTAL

DEVELOPMENT INFO:
RAINBOW & RANCHO
APN: 125-35-301-021
Las Vegas, NV 89130

SUBMITTALS:

#	DATE	DESCRIPTION

PROJECT DATA:
SLI PRJ NO: .
PROJECT ARCHITECT: EDK
ISSUED FOR: DESIGN REVIEW
DATE: 06.07.2022

SHEET:
LP001
LANDSCAPE PLAN

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RAINBOW AND RANCHO

APN: 125-35-301-021

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PARKING GARAGE PLAN AND ELEVATIONS

A2-05

1 PARKING GARAGE TYP. FLOOR PLAN
1/8" = 1'-0"

2 PARKING GARAGE TYP. - ELEVATION 1
1/8" = 1'-0"

3 PARKING GARAGE TYP. - ELEVATION 2
1/8" = 1'-0"

4 PARKING GARAGE TYP. - ELEVATION 3
1/8" = 1'-0"

5 PARKING GARAGE TYP. - ELEVATION 4
1/8" = 1'-0"

22-0265
06/15/2022

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APN: 125-35-301-021

THE CAUDA GROUP

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PARKING GARAGE 2 PLAN AND ELEVATIONS

A2-06

1 PARKING GARAGE 2 TYP. - FLOOR PLAN
1/4" = 1'-0"

2 PARKING GARAGE 2 TYP. - ELEVATION 1
1/8" = 1'-0"

3 PARKING GARAGE 2 TYP. - ELEVATION 2
1/8" = 1'-0"

4 PARKING GARAGE 2 TYP. - ELEVATION 3
1/8" = 1'-0"

5 PARKING GARAGE 2 TYP. - ELEVATION 4
1/8" = 1'-0"

22-0265
06/15/2022

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06/15/2022

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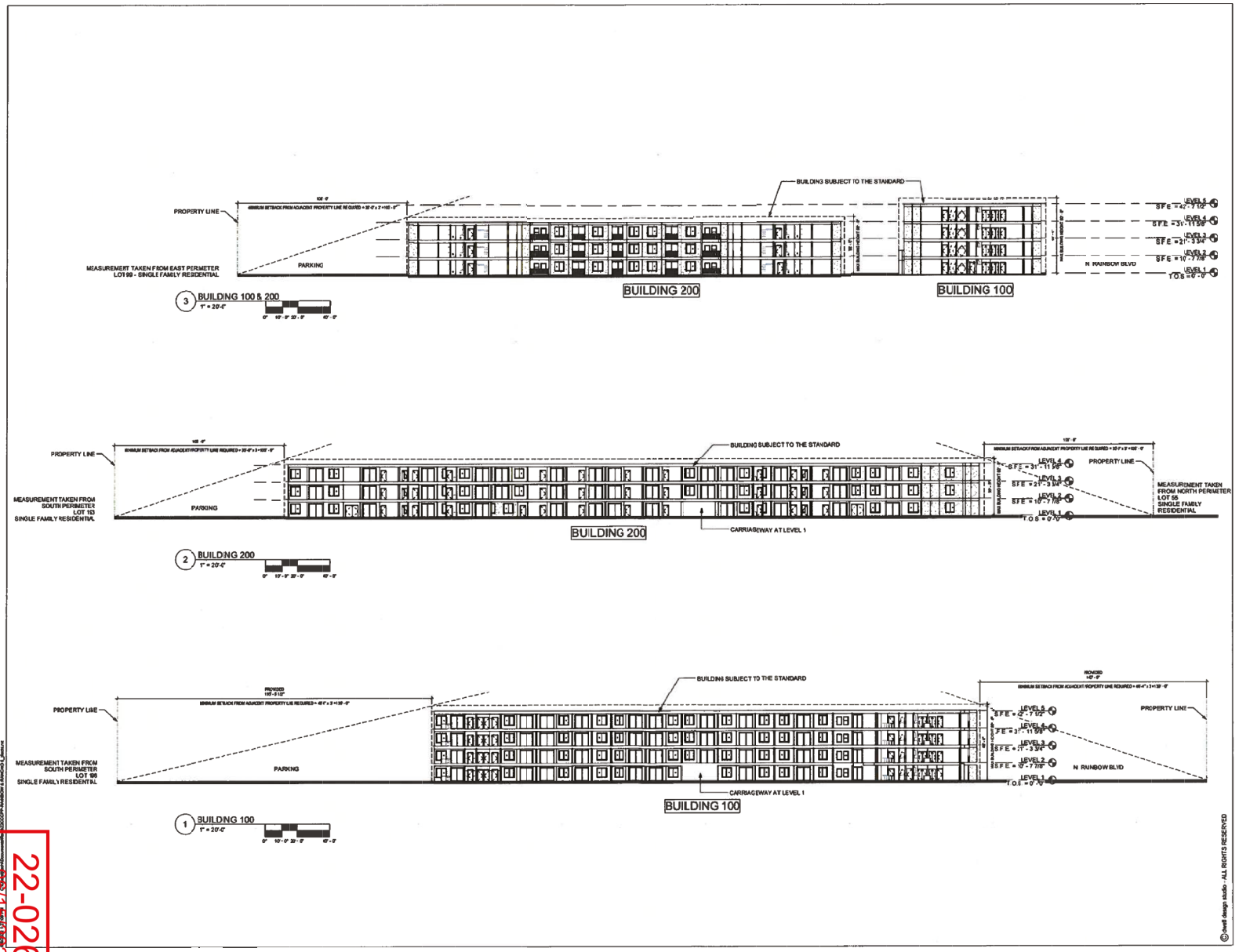
06/15/2022



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RAINBOW AND RANCHO

APN: 125-35-301-021

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OVERALL ELEVATION AND HEIGHT LIMITATION

A4-21

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CALIDA RANCHO & RAINBOW - MAIN CORNER APPROACH

WINDOW
MI VINYL WINDOW - WHITE

CANOPY
MAPES CANOPIES - DARK BRONZE

CTB 01
CEMENTITIOUS TRIM BOARD
REFLECTIVE WHITE- SW 7672

STO 01
ALABASTER - SW 7008

STO 02
ALPACA - SW 7022

STO 03
BURLAP- SW 6137

STO 04
ROCKWEED - SW 2735

STO 05
COOLED BLUE - SW 6759

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RAINBOW AND RANCHO
APN: 123-35-301-021

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MATERIAL BOARD

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RAINBOW AND RANCHO

APN: 125-35-301-021

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OVERALL FLOOR PLAN- BLDG 100 LEVEL 1-4

A0-01

KEY PLAN

2 OVERALL FLOOR PLAN- BLDG 100 LEVEL 2-4
1/16" = 1'-0"

1 OVERALL FLOOR PLAN- BLDG 100 LEVEL 1
1/16" = 1'-0"

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RAINBOW AND RANCHO

APN: 125-35-001

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OVERALL FLOOR PLAN- BLDG 200 LEVEL 1

A0-02

KEY PLAN

BUILDING ENTRY

COURTYARD

CARPORT/ENTRY LEVEL 1 ONLY

1 OVERALL FLOOR PLAN- BLDG 200 LEVEL 1

1/16" = 1'-0"

22-0265

06/15/2022

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CLUBHOUSE - OVERALL PLAN

A0-04

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KEY PLAN

1 CLUBHOUSE - FLOOR PLAN

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06/15/2022

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OVERALL FLOOR PLAN- BLDG 200 LEVEL 2-3

A0-03

KEY PLAN

1 OVERALL FLOOR PLAN - BLDG 200 LEVEL 2-3
1/16" = 1'-0"

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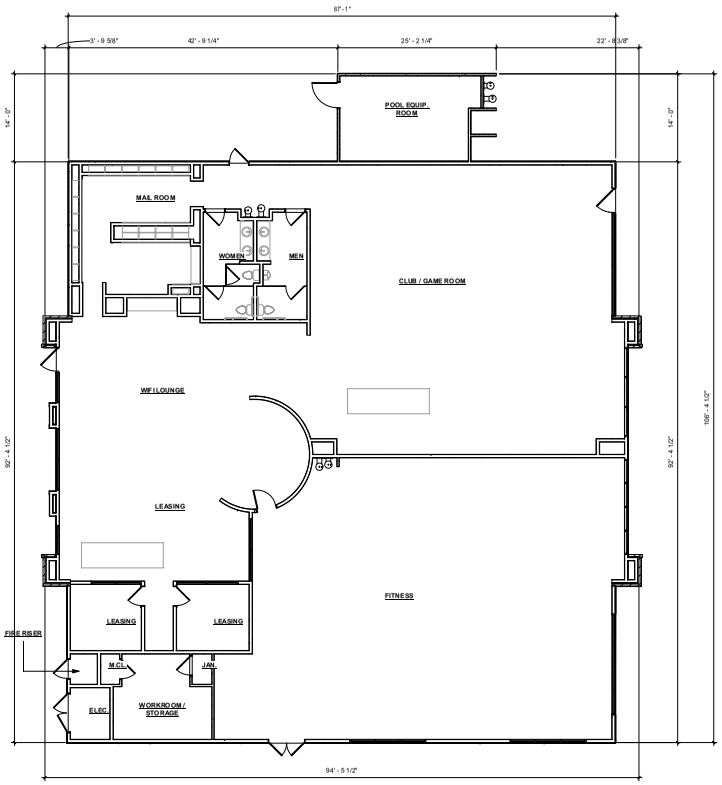
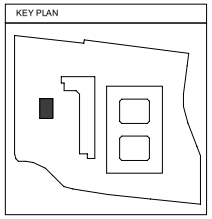
06/15/2022



1 CLUBHOUSE - FLOOR PLAN
1/8" = 1'-0"

KEY PLAN



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RAINBOW AND RANCHO

APN: 125-35-301-021

THE CALIDA GROUP

ISSUE

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05/20/2022	INSTRUMENT PACKAGE	1

REVISION

DATE	DESCRIPTION	REV

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CLUBHOUSE - OVERALL PLAN

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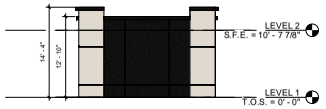
2 PARKING GARAGE TYP. - ELEVATION 1
1/8" = 1'-0"



3 PARKING GARAGE TYP. - ELEVATION 2
1/8" = 1'-0"



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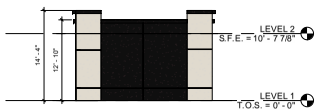
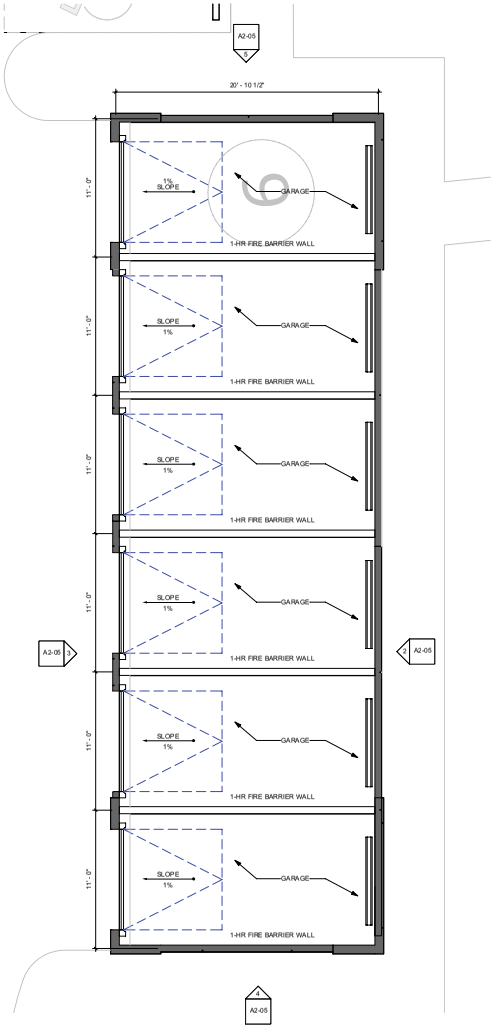


5 PARKING GARAGE TYP. - ELEVATION 4
1/8" = 1'-0"



1 PARKING GARAGE TYP. FLOOR PLAN
1/4" = 1'-0"

22-0265
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8200 GREENSBORO
SUITE 650
MCLEAN, VA 22102
PHONE: 571.253.6950
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PARKING GARAGE PLAN AND ELEVATIONS

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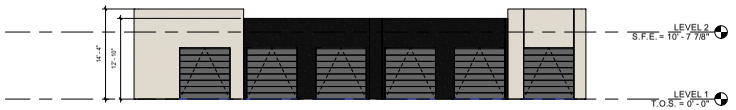
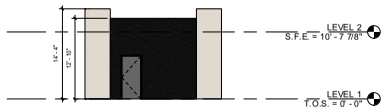
2 PARKING GARAGE 2 TYP. - ELEVATION 1
1/8" = 1'-0"



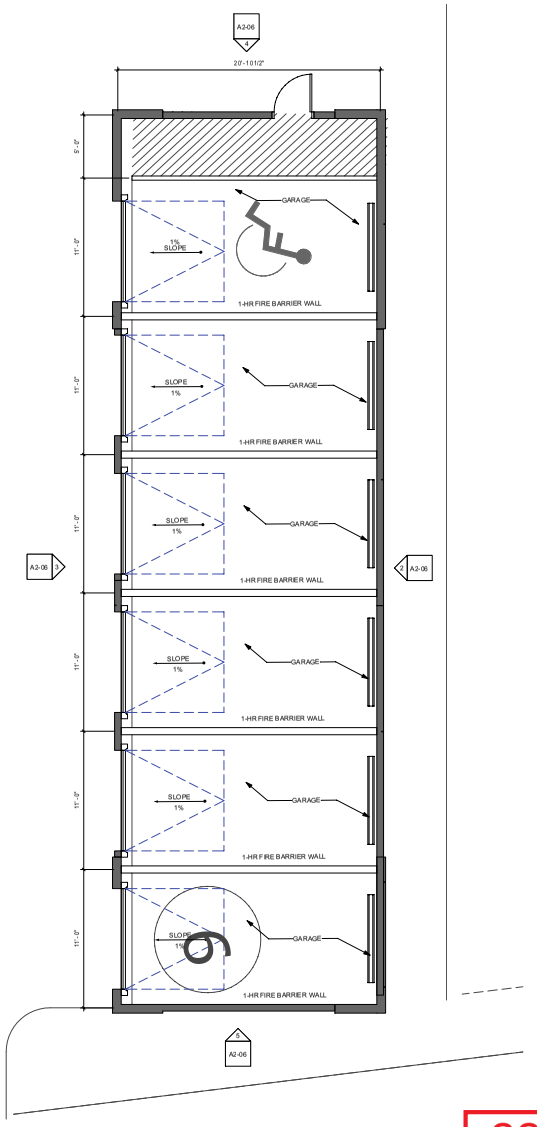
3 PARKING GARAGE 2 TYP. - ELEVATION 2
1/8" = 1'-0"



4 PARKING GARAGE 2 TYP. - ELEVATION 3
1/8" = 1'-0"



5 PARKING GARAGE 2 TYP. - ELEVATION 4
1/8" = 1'-0"



1 PARKING GARAGE 2 TYP. FLOOR PLAN
1/4" = 1'-0"

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8200 GREENSBORO
SUITE 650
MCLEAN, VA 22102
PHONE: 571.253.6930
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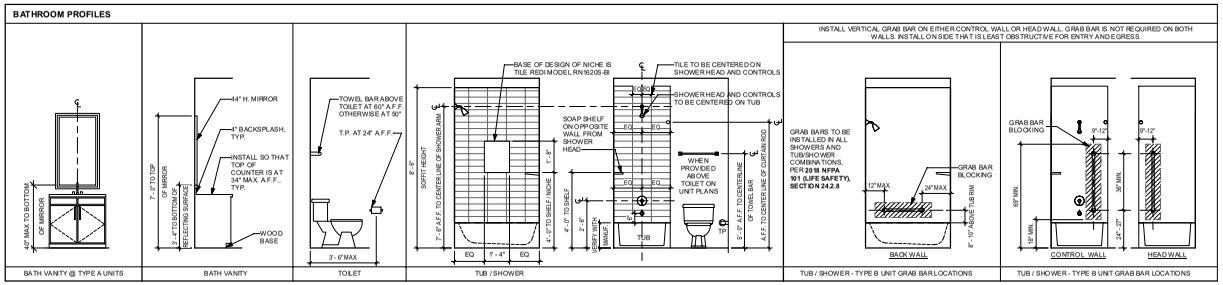
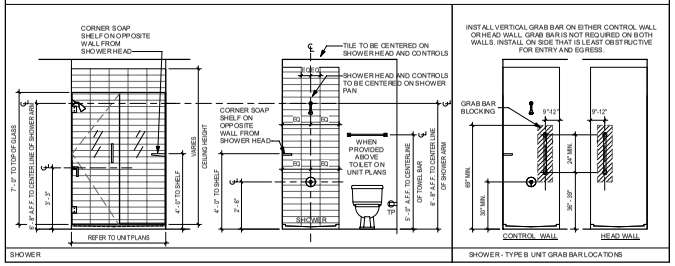
BATHROOM PROFILES



BATH VANITY @ TYPE A UNITS | BATH VANITY | TOILET | TUB / SHOWER | TUB / SHOWER - TYPE B UNIT GRAB BAR LOCATIONS | TUB / SHOWER - TYPE B UNIT GRAB BAR LOCATIONS

BATHROOM PROFILES



SHOWER | SHOWER - TYPE B UNIT GRAB BAR LOCATIONS

UNIT PLAN NOTES

1. ALL FLOOR PLAN DIMENSIONS ARE TO FACE OF STUD FRAMING UNLESS NOTED OTHERWISE.
2. ALL REFLECTED CEILING PLAN DIMENSIONS ARE TO FACE OF STUD FRAMING UNLESS NOTED OTHERWISE
3. ALL ANGLED WALLS ARE 45 DEGREES UNLESS NOTED OTHERWISE
4. REFER TO STRUCTURAL DRAWINGS FOR SHEAR WALL LOCATIONS.
5. REFERENCE BUILDING PLAN WITH ELEVATIONS TO COORDINATE WINDOW LOCATION. PARTICULAR CONDITIONS MAY EXIST. NOTIFY ARCHITECT IN WRITING WITH QUESTIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
6. DOOR LOCATIONS NOT DIMENSIONED SHALL BE LOCATED AT MIDPOINT OF ROOM OR 4" CLEAR FROM ADJACENT WALL CORNER, TYPICAL.
7. ALL PLUMBING WALLS SHALL BE FRAMED WITH 2X6 STUDS, REFER TO PLANS FOR LOCATIONS.
8. CONTRACTOR TO PROVIDE STENCIL LABELING ON ALL FIRE RATED WALLS (TYP. ALL WALLS)
9. ALL GYP. B.D. TO BE 5/8" TYPE "X". PROVIDE WATER-RESISTANT GYPSUM BOARD AT ALL WET LOCATIONS (KITCHEN/TOILET) BACKSPLASHES, TUB SURROUNDS AND LAUNDRY WET WALLS).
10. PROVIDE 2'-8" DEEP PLATFORM IN MECHANICAL CLOSET (3/4" PLYWOOD OVER 2X6 FRAMING @ 16" O.C.) WHERE WATER HEATER OCCURS.
11. CONTRACTOR TO VERIFY AND COORDINATE PLUMBING ROUGH-IN DIMENSIONS WITH PLUMBER.
12. FOR TYPICAL BATHTUB INSTALLATION, SEE DETAIL.
13. FRAMING CONTRACTOR SHALL PROVIDE BLOCKING FOR ALL CABINETS, CEILING FANS, AND BATH ACCESSORIES. INCLUDE BLOCKING FOR GRAB BARS AT ALL LOCATIONS.
14. SHADED AREAS INDICATE FURR DOWN BELOW THE 1 HR. RATED FLOOR/CEILING ASSEMBLY FOR MECHANICAL EQUIPMENT. OTHER FURR DOWN AREAS ARE INDICATED.
15. VENT DRYERS TO OUTSIDE. SEE MECHANICAL DRAWINGS.
16. MECHANICAL DUCTWORK TO BE SEPARATED FROM ELECTRICAL PANELS.
17. CONTRACTOR TO COORDINATE RECESSED LIGHTING WITH MECHANICAL DUCT LOCATIONS.
18. ALL OUTLETS @ KITCHEN SINK & BATH LAVATORY COUNTER TO BE GFCI.
19. PROVIDE (1) 5 LB ABC FIRE EXTINGUISHER @ KITCHEN CABINET RANGE, TYP.
20. SMOKE DETECTORS SHALL NOT BE PLACED IN FRONT OF EXHAUST GRILLS.
21. SMOKE DETECTORS SHALL BE CONTINUOUSLY POWERED BY BUILDING ELECTRICAL SYSTEM AND INSTALLED IN ACCORDANCE WITH NFPA 101, 7-6.29 AND NFPA 74 W/BATTERY BACK UP.
22. QUICK RESPONSE SPRINKLER SYSTEM TO BE PROVIDED THROUGHOUT, EXACT DESIGN AND SPECIFICATIONS TO BE NFPA 13 SUBMITTED BY CONTRACTOR TO ARCHITECT FOR SHOP DRAWING APPROVAL.
23. INSPECT, REPAIR, AND PREPARE FLOORS AS REQUIRED TO PROVIDE A SATISFACTORY SUB-FLOOR FOR FLOOR FINISH MATERIALS. SATISFACTORY SUB-FLOOR IS DEFINED AS A SURFACE THAT IS F REE FROM CRACKS, HOLES, RIDGES, COATINGS, OR DEFECTS THAT WOULD PREVENT ADHESIVE BOND OR IMPAIR PERFORMANCE OR APPEARANCE OF FINISHED MATERIALS.
24. SEE FINISH SCHEDULES FOR ACTUAL FLOOR FINISH MATERIALS. FLOOR DEMARCATION LINES ON PLANS ARE FOR REFERENCE WHEN MATERIALS ARE TO DIFFER.
25. CONTRACTOR TO COORDINATE WITH CABINET MANUFACTURER FOR EXACT LOCATIONS OF KITCHEN EQUIPMENT AND FIXTURES. CONTRACTOR TO REVIEW PLUMBING, ELECTRICAL, AND FINISH LOCATIONS WITH CABINET DESIGN.
26. ALL SHELVING IN CLOSETS, LAUNDRY ROOMS, AND LINEN CLOSETS TO BE VENTILATED W/ OPEN WIRE SHELVING, PROVIDED AND MOUNTED IN ACCORDANCE WITH SHELVING PROFILES ON A3-00.
27. ALL SHELVING IN PANTRY CLOSETS TO BE "CLOSET MESH" VENTILATED WIRE SHELVING SYSTEM, PROVIDED AND MOUNTED IN ACCORDANCE WITH SHELVING PROFILES ON A3-00.
28. PROVIDE 2" FAUX WOOD BLINDS AT ALL APARTMENT FRENCH DOORS AND WINDOWS.
29. MEZZANINE WINDOWS DO NOT RECEIVE MINI BLINDS.

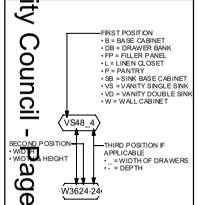
UNIT ELEVATION NOTES

1. INTERIOR ELEVATIONS ARE DRAWN TO FACE OF INTERIOR FINISH, U.N.O.
2. BATHROOM ACCESSORIES ARE TO BE MOUNTED AT THE FOLLOWING HEIGHTS.
   A. PROVIDE TOILET PAPER HOLDER ON WALL ADJACENT TO WATER CLOSET, TYPICAL (2'-0" A.F.F. TO CENTER).
   B. PROVIDE 18" TOWEL BAR, TYPICAL (4'-2" A.F.F. TO CENTER)
   C. PROVIDE CERAMIC TOWEL BAR OPPOSITE WET WALL AT BATHTUB, TYPICAL (4'-0" A.F.F. +/- TO CENTER)
   D. PROVIDE CERAMIC SOAP DISH, CENTERED ON BATHTUB SIDEWALL TYPICAL (2'-2" A.F.F. TO CENTER)
   E. SHOWER HEAD SHALL BE MOUNTED AT 6'-6" A.F.F.
   F. SHOWER CURTAIN ROD TO BE AT 6'-8" A.F.F. TO CENTER.
   G. TILE TUB SURROUND SHALL EXTEND 5'-0" ABOVE RIM OF BATHTUB (6'-4" A.F.F.).
3. WALL MOUNTED LIGHT FIXTURES SHALL BE LOCATED PER ARCHITECT.
4. REFER TO ENLARGED UNIT PLANS FOR MILLWORK ELEVATIONS.

CABINET NOTES

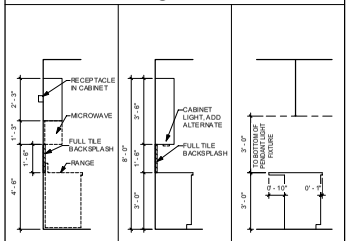
1. ALL CABINETS ARE ON 3" MODULE.
2. KITCHEN BASE CABINETS SHALL BE 24" DEEP AND WALL CABINETS SHALL BE 12" DEEP, UNLESS OTHERWISE NOTED.
3. MAXIMUM WIDTH OF CABINET DOORS NOT TO EXCEED 24". DOOR SWING AS INDICATED ON INTERIOR ELEVATIONS.
4. BATHROOM VANITY CABINETS SHALL BE 21" DEEP, UNLESS OTHERWISE NOTED.
5. ALL SHELVES TO HAVE HARD SURFACE EDGES.
6. FIELD VERIFY ALL DIMENSIONS.
7. DWR = DRAWERS
   H = HAMPER
   MC= MEDICINE CABINET
8. PROVIDE BLIND CABINET IN CORNERS OF ALL CABINETS.
9. CABINET SUB TO CONSTRUCT AND INSTALL ALL DESK COUNTERTOPS SO THAT THEY DO NOT DEFLECT UNDER LOADS OF 75 LBS.
10. ALL DESK COUNTERTOPS TO HAVE A SLIDE-OUT COMPUTER KEYBOARD TRAY MOUNTED TO BOTTOM OF COUNTERTOP.
11. REFER TO FINISH PACKAGES FOR CABINET, HARDWARE, COUNTERTOP FINISHES AND APPLIANCES.
12. PROVIDE SCRIBE MOLDING AND/OR FINISHED ENDS AS REQUIRED.
13. SUPPLIER TO FIELD VERIFY AREA OF WORK AFTER ROUGH FRAMING TO ASSURE FIT. THE CABINETS SHALL MATCH PLANS (NOTIFY ARCHITECT IN WRITING OF ANY DISCREPANCIES.)
14. SUBMIT SHOP DRAWINGS TO ARCHITECT FOR APPROVAL PRIOR TO FABRICATIONS.

CABINETRY TAG LEGEND



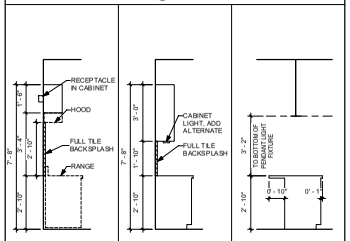
NOTE: DIMENSIONS SHOWN ARE IN INCHES

KITCHEN CABINETRY PROFILES @ TYPICAL UNITS



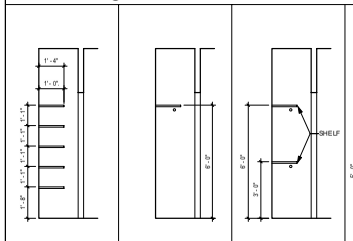
CABINETRY @ RANGE | TYPICAL | KITCHEN ISLAND

KITCHEN CABINETRY PROFILES @ TYPE A UNITS



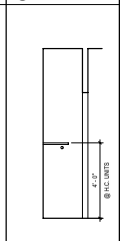
CABINETRY @ RANGE | TYPICAL | KITCHEN ISLAND

SHELVING PROFILES @ TYPICAL UNITS



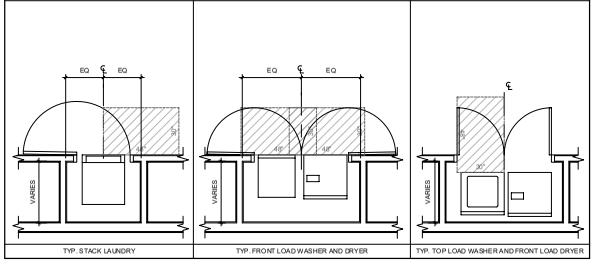
B C - 5 SHELVES | B CLOSET - 1R/1S | B CLOSET - 3R/2S | A LAUNDRY - 1 SHELF

@ TYPE A UNITS



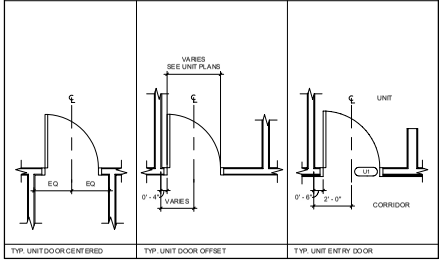
D CLOSET - 1R/1S

CLEAR FLOOR SPACE REQUIREMENTS @ WASHER AND DRYER



TYP. STACK LAUNDRY | TYP. FRONT LOAD WASHER AND DRYER | TYP. TOP LOAD WASHER AND FRONT LOAD DRYER

DOOR PLACEMENT



TYP. UNIT DOOR CENTERED | TYP. UNIT DOOR OFFSET | TYP. UNIT ENTRY DOOR

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dwell design studio
8200 GREENSBORO
SUITE 650
MCLEAN, VA 22102
PHONE: 571.253.6930
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RAINBOW AND RANCHO
APN: 125-35-301-021

STRUCTURAL ENGINEER
THE CALIDA GROUP

ISSUE
DATE DESCRIPTION INCLUDED
05/20/2022 BUILDING PERMIT PACKAGE 1-5

REVISION
DATE COMMENTS REV

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SHEET NAME
UNIT NOTES

JOB NUMBER:

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A3-00

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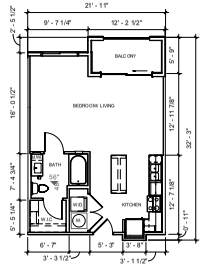
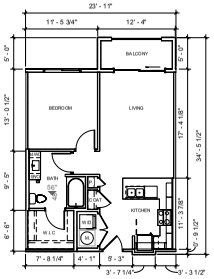
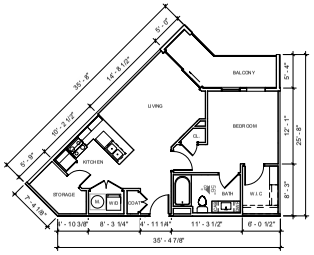


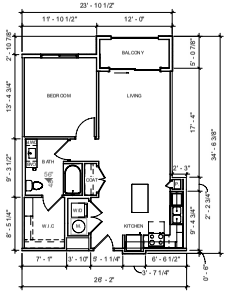
1 UNIT S01 - STUDIO (N = 82)
1/8" = 1'-0"



2 UNIT A01A - 1 BED (N = 90)
1/8" = 1'-0"

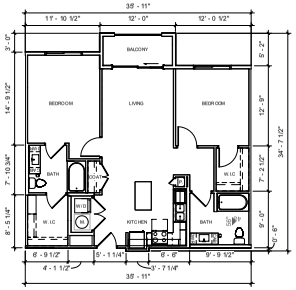


3 UNIT A02 - 1 BED (N = 56)
1/8" = 1'-0"

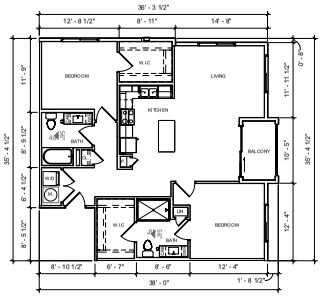


4 UNIT A03A - 1 BED (N = 8)
1/8" = 1'-0"

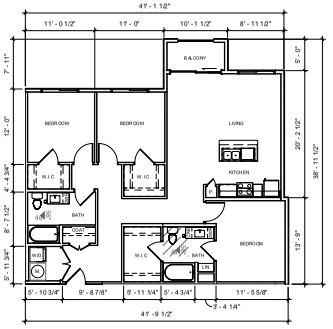
City Council - Page 494



5 UNIT B01A - 2 BED (N = 66)
1/8" = 1'-0"



6 UNIT B02 - 2 BED (N = 16)
1/8" = 1'-0"



7 UNIT C01A - 3 BED (N = 16)
1/8" = 1'-0"

UNIT MIX

UNIT SUMMARY
Rainbow & Rancho
DATE: 5/20/2022

UNIT TYPE		BUILDING 100 LEVELS 1	2	3	4	BUILDING 200 LEVELS 1	2	3	QUANTITY	UNIT TYPE	AREA NET (HEATED) NET		NET TOTAL		TOTAL BAL. BALC	TOTAL	AREA GROSS UNIT GROSS ONLY GROSS		GROSS TOTAL			ACTUAL
STUDIO																						
S01	1 BED/ 1 BATH	8	10	10	10	12	16	16	82	S01	588	SF	48,216	SF	69	5,658	657	SF	53,874	SF		24.6%
TOTAL PER FLOOR		8	10	10	10	12	16	16														
TOTAL PER BUILDING		38				44			82	S TOTAL	588	AVG.	48,216	SF	SF	5,658	657	SF	53,874	SF	S TOTAL	24.6%
1 BED UNITS																						
A01A	1 BED/ 1 BATH	3	3	3	3	26	26	26	90	A01A	695	SF	62,550	SF	62	5580	757	SF	68,130	SF		26.9%
A02	1 BED/ 1 BATH	2	2	2	2	16	16	16	56	A02	738	SF	41,328	SF	100	5600	838	SF	46,928	SF		16.8%
A03A	1 BED/ 1 BATH	2	0	0	0	6	0	0	8	A03A	747	SF	5,976	SF	61	488	808	SF	6,464	SF		2.4%
TOTAL PER FLOOR		7	5	5	5	48	42	42														
TOTAL PER BUILDING		22				132			154	A TOTAL	713	AVG.	109,854	SF		11668	2,403	SF	121,522	SF	A TOTAL	46.1%
2 BED UNITS																						
B01A	2 BED/2 BATH	3	5	5	5	12	18	18	66	B01A	1,069	SF	70,554	SF	61	4026	1,130	SF	74,580	SF		19.8%
B02	2 BED/2 BATH	1	1	1	1	4	4	4	16	B02	1,161	SF	18,576	SF	55	880	1,216	SF	19,456	SF		4.8%
TOTAL PER FLOOR		4	6	6	6	16	22	22														
TOTAL PER BUILDING		22				60			82	B TOTAL	1,087	AVG.	89,130	SF		4906	2,346	SF	94,036	SF	B TOTAL	24.6%
3 BED UNITS																						
C01A	3 BED/2 BATH	4	4	4	4	0	0	0	16	C01A	1,340	SF	21,440	SF	52	832	1,392	SF	22,272	SF		4.8%
TOTAL PER FLOOR		4	4	4	4	0	0	0														
TOTAL PER BUILDING		16				0			16	C TOTAL	1,340	AVG.	21,440	SF		832	1,392	SF	22,272	SF	C TOTAL	4.8%
TOTALS PER FLOOR		23	25	25	25	76	80	80	334	TOTAL			268,640	SF		23,064	6,798	SF	291,704	SF	TOTAL	100.0%
											NET		804	AVG.			GROSS		873	AVG.		

TOTAL UNITS WITH BALCONY	334		100.00% of total units
TOTAL UNITS WITHOUT BALCONY	0		0.00% of total units

22-0265
05/20/2022

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8200 GREENSBORO
SUITE 650
MCLEAN, VA 22102
PHONE: 571.253.6930
dwell-designstudio.com

RAINBOW AND RANCHO
APN: 125-38-301-021

THE CALIDA GROUP

ISSUE
DATE DESCRIPTION INCLUDED
05/20/2022 ENTITLEMENT PACKAGE 1-8

REVISION
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SHEET NAME
UNIT PLANS

JOB NUMBER:

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22-0265-GPA1, 22-0265-ZON1, AND 22-0265-SDR1 - APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: RANCHO DRIVE, LLC
EAST SIDE OF RAINBOW BOULEVARD, APPROXIMATELY 490 FEET NORTH OF RANCHO DRIVE

05/26/2022



22-0265-GPA1, 22-0265-ZON1, AND 22-0265-SDR1 - APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: RANCHO DRIVE, LLC
EAST SIDE OF RAINBOW BOULEVARD, APPROXIMATELY 490 FEET NORTH OF RANCHO DRIVE

05/26/2022



22-0265-GPA1, 22-0265-ZON1, AND 22-0265-SDR1 - APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: RANCHO DRIVE, LLC
EAST SIDE OF RAINBOW BOULEVARD, APPROXIMATELY 490 FEET NORTH OF RANCHO DRIVE

05/26/2022

KAEMPFER CROWELL
ATTORNEYS AT LAW
LAS VEGAS OFFICE
ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

May 20, 2022

VIA UPLOAD

City of Las Vegas
PLANNING & DEVELOPMENT DEPARTMENT
495 S. Main Street
Las Vegas, NV 89101

Re: Justification Letter – Calida Development
General Plan Amendment, Zone Change, and Site Development Plan Review
APN: 125-35-301-021 (Rancho Drive/Rainbow Boulevard)

To Whom It May Concern:

Our Firm represents Calida Development (the "Applicant") with respect to a request for a general plan amendment, zone change, and site development plan review for property located at the northeast corner of Rancho Drive and Rainbow Boulevard, more particularly described as APN: 125-35-301-021 (the "Site"). The Site is approximately 12.05 acres. The Applicant is proposing a multi-family development consisting of 334-units along with a clubhouse and other on-site amenities for residents.

GENERAL PLAN AMENDMENT & ZONE CHANGE

The Applicant is seeking to change the general plan from Medium Low (ML) to High Density (H). The Applicant is requesting to rezone the Site from R-E to R-4. An R-4 zoning designation is an allowed zoning designation under H. The general plan to H and the zone change to R-4 will allow the Applicant to develop a multi-family development.

A change to the general plan to (H) and a zone change to R-4 are appropriate for the following reasons:

(1) The Site shares a property line to the north, east, and south with a recently approved 207-lot single family compact lot development. The City of Las Vegas, at their August 18, 2021 hearing, approved the following:

a. 21-0332-GPA1 – Amending the General Plan from Commercial and Office to ML.

b. 21-0332-ZON1 – Rezoning from R-E to R-CL.

22-0265
05/20/2022

c. 21-0332-TMP1 – Allowing for the development of 207-lots.

The approval of the R-CL development provides for the appropriate buffer the proposed multi-family development along Rainbow Boulevard and the larger single family lot development to the east. Therefore, a general plan to (H) and a zone change to R-4 is compatible.

(2) This Site is on Rainbow Boulevard and near Rancho Drive. Both streets are designed to accommodate increased traffic patterns.

(3) The proposed project will provide the ideal buffer between Rainbow Boulevard and the R-CL lots to the west.

(4) The proposed project will also provide a good transition from the large scale commercial shopping centers located Rainbow Boulevard to less intense single-family developments east of the Site.

SITE DEVELOPMENT PLAN REVIEW

The Applicant is proposing to develop a high-end multi-family development consisting of a 334-units. The unit mix is as follows: 236 one-bedroom units, 82 two-bedroom units, and 16 three-bedroom units. Importantly, the Site is meeting parking by providing 541 parking spaces. Additionally, the Site is meeting all landscaping, setbacks, and opens space requirements of Title 19.

Access to the Site will be off of Rainbow Boulevard. At the main entry will be visitor parking in front of the leasing/clubhouse building with gated access for the residents to the north and south. Importantly, the entrance to Site will align with the driveway on the other side of Rancho Boulevard. There will be a drive aisle around the entire Site providing for ideal on-site circulation. There are 2-multi-family buildings. The first building is an upside down "L" shaped building located behind the clubhouse building near Rainbow Boulevard and is 4-stories and approximately 47-feet in height. The second building is located on the eastern half of the Site and tiered down to 3-stories and approximately 35-feet in height. Both buildings meet the setback requirement to the developing single-family residential to the north, east, and south. Additionally, there will be a one-story, 16-foot tall clubhouse building closer to the south property line.

With respect to the elevations, the multi-family buildings will be enhanced by a spectrum of colors. Likewise, the elevations show enhanced articulation to break up a monolithic look as well as providing enhanced finishes such as stucco trim, concrete roof tile, pop outs, and varying rooflines. Each apartment unit will have the following amenities: open floor plans, chef-inspired kitchens, granite countertops, hard surface flooring, full kitchen appliance package, and luxurious bathrooms and showers. Also, the Site will provide outdoor amenities such as a centralized pool/spa area as well as three-courtyard areas. The indoor amenities will include: a business center with classroom and facilities for meetings and social gatherings, and fitness center.

22-02655
05/20/2022

We thank you in advance for your time and consideration of this request. Should you have any questions, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL

Anthony J. Celeste

AJC/

22-0265-SDR1
Calida Residential, LLC

ES Rainbow Boulevard, N of Rancho Drive

Proposed 334 unit apartment complex.

Traffic produced by proposed development:

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	MULTIFAMILY HOUSING (MID-RISE) [DU]	334	5.44	**1,817**
AM Peak Hour			0.36	**120**
PM Peak Hour			0.44	**147**

Existing traffic on all nearby streets:

Rainbow Boulevard

Average Daily Traffic (ADT)	9,110
PM Peak Hour	729
(heaviest 60 minutes)	

Rancho Drive

Average Daily Traffic (ADT)	31,621
PM Peak Hour	2,530
(heaviest 60 minutes)	

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity
Rainbow Boulevard	41,790
Rancho Drive	62,895

This project will add approximately 1,817 trips per day on Rainbow Blvd. and Rancho Dr. Currently, Rainbow is at about 22 percent of capacity and Rancho is at about 50 percent of capacity. With this project, Rainbow is expected to be at about 26 percent of capacity and Rancho to be at about 53 percent of capacity.

Based on Peak Hour use, this development will add about 147 vehicles in the peak hour, or about five every two minutes.

Note that this report assumes all traffic from this development uses all named streets.

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
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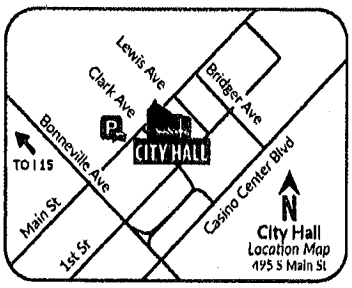

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

City Council Meeting of **08/17/2022**

22-0265
12534714020
TAKASHIMA GILBERT & AUDREY TRUST
TAKASHIMA GILBERT H & AUDREY F TRS
6029 S RAINBOW BLVD
LAS VEGAS NV 89118

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495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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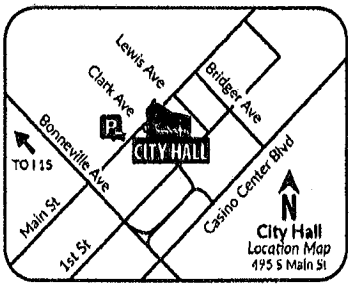

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22-0265
12534714062
MILLWOOD ARLETTE L REVOCABLE LIVING TRUST ETAL
MILLWOOD ARLETTE L TRS
6029 S RAINBOW BLVD # 100
LAS VEGAS NV 89118

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CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Department of Planning
495 South Main Street, 3rd Floor
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 464-7499 Fax

CASE: 22-0265 [GPA1, ZON1, AND SDR1]

SUBJECT: APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: RANCHO DRIVE, LLC

The above item has been placed on the One Motion/One Vote portion of the City Council Agenda for the ***August 17, 2022 City Council*** meeting. All of these items will be placed at the beginning of the agenda. The Mayor will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares and Emily Wetzstein*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov*** and ***ewetzstein@lasvegasnevada.gov*** **.** If there is no one present at the City Council meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any City Councilperson or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***TUESDAY, AUGUST 16, 2022.***

DocuSigned by:
HARVEY GETTLESON
89E769DEF3E34F7...

Signature

8/11/2022

Date

Harvey Gettleson

Please Print Name

Rancho Drive, LLC

Company Name

Sincerely,

Seth Floyd
Director of Community Develpment
Department of Planning

Submitted after Final Agenda

AGENDA ITEM 30
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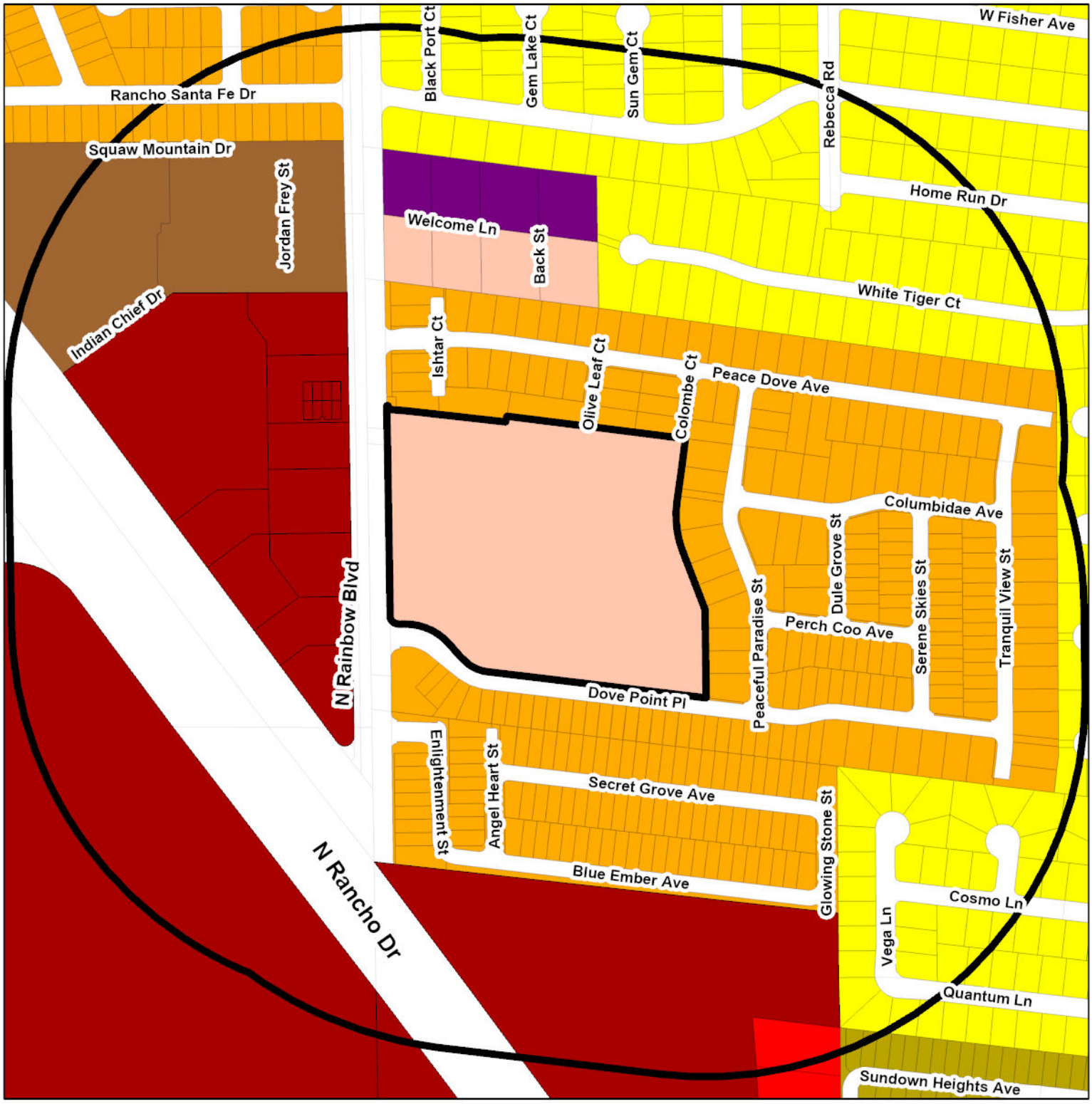
08.17.22 CC

22-0265-GPA1



General Plan
- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium Low
- Medium Low Attached
- Medium
- High

- Form-Based Code
- Neighborhood Mixed Use Center
- Transit Oriented Corridor -1
- Transit Oriented Corridor -2
- Transit Orented Development - 1
- Transit Orented Development - 2
- Planned Community Development
- Office
- Service Commercial
- General Commercial

- Tourist Commercial
- Light Industry / Research
- Traditional Neighborhood Development
- Parks/Recreation/Open Space
- Public Facilities
- Town Center
- Commercial (Downtown Land-Use)
- Mixed Use (Downtown Land-Use)

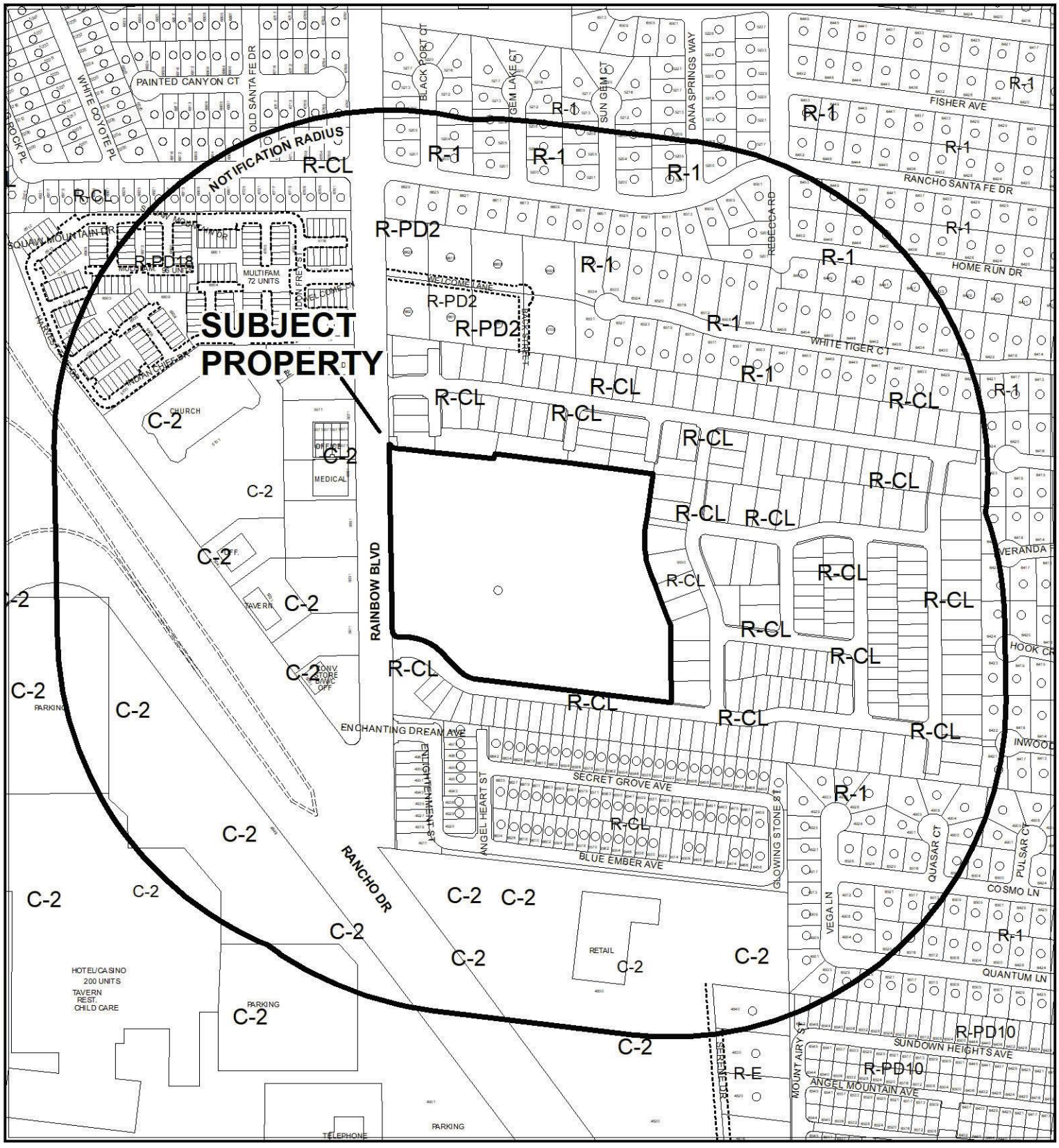
FROM SC
TO H

- Subject Property
- Not City
- City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, August 10, 2022

Submitted after final agenda
Date: 8/11/2022 Items: 30a-30c
Submitted by: Staff

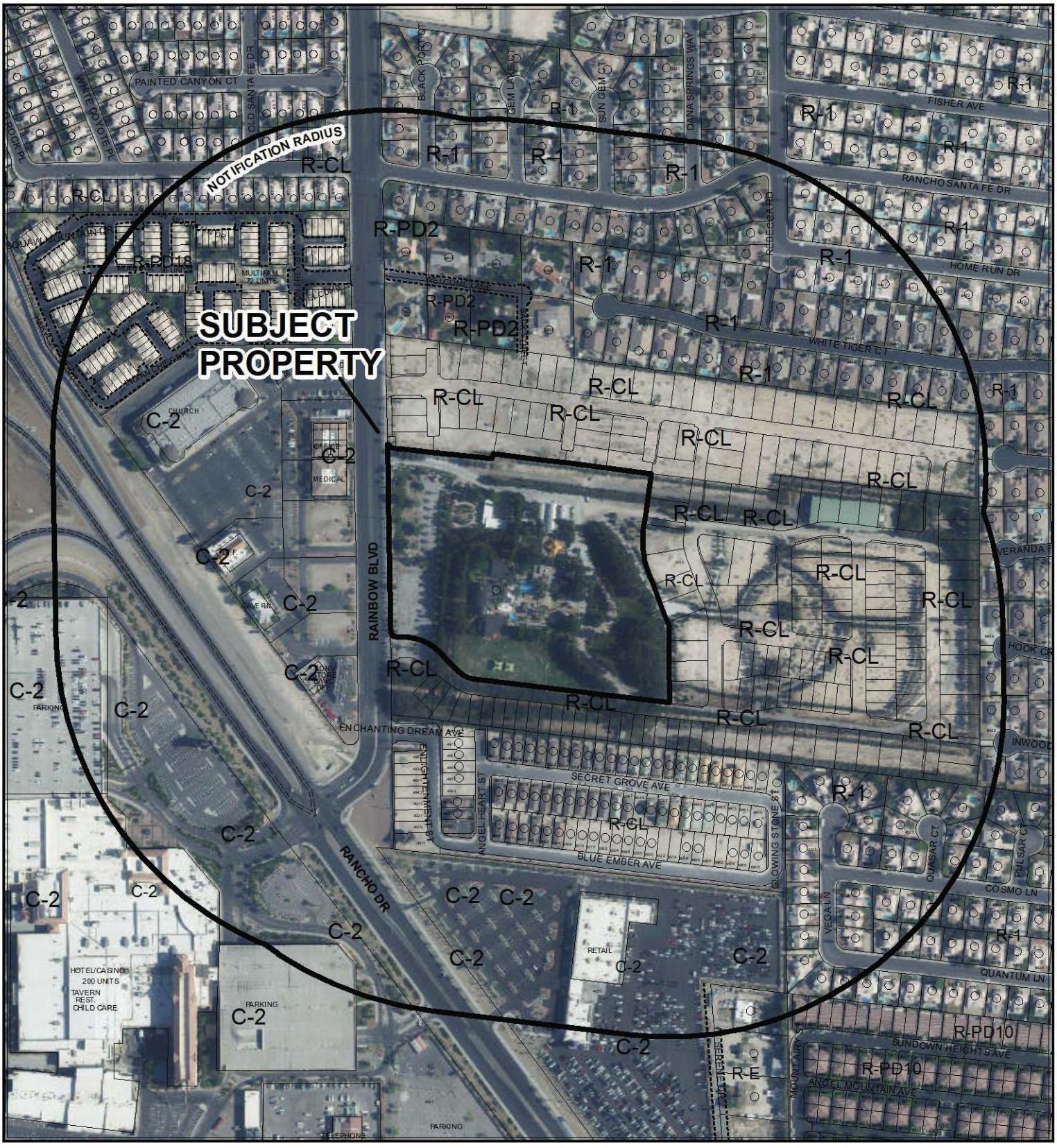


CASE: **22-0265**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)



CASE: **22-0265**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

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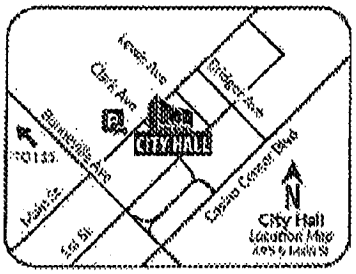
HORRIBLE IDEA & RUINS MY PROPERTY VALUE COMPLETELY!



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank spaces on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

City Council Meeting of **08/17/2022**

NO, NO, NO!

22-0265
12534713021
CARLSON JEFFREY R
20233 WHITE ROCK LOOP SW
CENTRALIA WA 98531

22 PRSRT STD

Submitted after final agenda
Items 30a-30c

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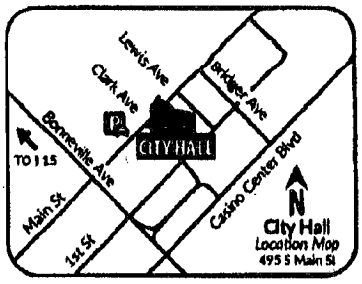

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22-0265
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ALVIREZ FAMILY TRUST
ALVIREZ ANDRES S & LISA R TRS
6530 WHITE TIGER CT
LAS VEGAS NV 89130-1877

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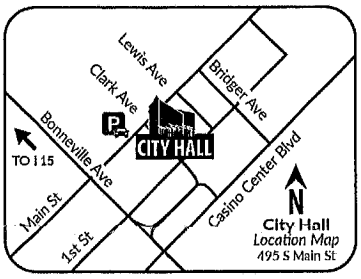

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22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

City Council Meeting of **08/17/2022**

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22-0265
12535417032
AQUINO ROBERT & RACHEL
6530 SECRET GROVE AVE
LAS VEGAS NV 89130

39 PRPMP1 8310

City of Las Vegas, Office of The City Clerk
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Las Vegas, Nevada 89101

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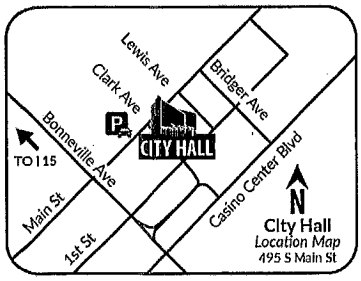
- See Attached Letter.
- Please Forward to Councilwoman Fiore



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

City Council Meeting of **08/17/2022**

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22-0265
12535301010
RENNIE DONALD S FAMILY TRUST
RENNIE DONALD S TRS
5108 BACK ST
LAS VEGAS NV 89130-1809

39 PRPMP1 8310

5108 Back Street
Las Vegas, NV 89130-1809
9 August 2022

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Las Vegas City Council
ATTN: Councilwoman Ward 6, Michele Fiore
495 South Main Street
Las Vegas, NV 89101

Subject: **Opposition to 22-0265, 22-0265-GPA1, 22-0265-ZON1, 22-0265-SDR1**

Dear Councilwoman Fiore:

I am writing to express my opposition to the application by Calida Residential, LLC for the above requested actions. My opposition is for the following reasons.

Background:

All the structures on North Rainbow from the intersection of North Rainbow Blvd and North Rancho Drive (across from the Santa Fe Hotel Casino) to Ann Road are no higher than 2 stories. With the exception of a small shopping area, with few stores, a private day care/pre-school, and the Santa Fe Condos, the structures are all single family residences of 1 or 2 stories along this corridor.

Opposition Points:

1. Calida wants to build a complex of 334 units consisting of **one** - 4 story apartment building, **one** - 3 story apartment building and **one** -1 story club house. Their development would not be appropriate to be in this residential area of predominately single family homes of 1 and 2 stories and the 2 story Santa Fe Condo complex.. The 4 story building would definitely be blatant eye sore to the neighborhood.

2. Calida states they will have 512 parking spaces for their complex. That will be totally insufficient. Many renters will have multiple people living with them with multiple vehicles per rental unit, including the renters of the single bedroom apartments. Where will the over flow parking go? On North Rainbow? Across North Rainbow into the small shopping area parking lot? Down Welcome Lane?

3. Traffic congestion on North Rainbow will become a nightmare of congestion. We now have the traffic from all the current single family residences, the Santa Fe Condos, the recently completed Mirage Landing development, the small shopping area, the private daycare/pre-school, and the soon to be completed 207 single family homes of the Dove Point and Dove Place developments.

5. Children residing in this proposed development will only add more students to the already

overly crowded Ernest May Elementary School, which already has portables on its campus on Torrey Pines.

5. Lake Mead is receding monthly and this development will only draw much more water from that shrinking resource. The lake is not currently refilling due to the long and protracted drought of Southern Nevada. This should be a major factor in denial of this project.

6. On 24 June 2022 on the 4 AM Fox news (channel 5), Clark County Commissioner. Michael Naft, discussed the possibility that the Commission might consider a proposal requiring all new apartment construction be required to set aside 10% of the total units as low income. For this Calida project that would mean 33 units. If this comes to fruition it could have a catastrophic impact on the local area for numerous reasons.

7. It appears, according to the proposed Calida landscaping plan, all the remaining pine tress on the former Siegfried and Roy property would be removed. These trees would at least provide some sort of a privacy barrier against this project for the close by family homes.

Suggestion for other uses of this 12 acre property:

1. This area could be better used as a park area for the current residents of the North Rainbow corridor as there is none in this vicinity. The closest parks are at Lone Mountain and Durango and Lone Mountain and the West 215 beltway.

2. A two story multi-specialty medical/dental/physical therapy complex. Other than a single medical office on North Rainbow Blvd and a single dental office on North Rancho, north of Craig Road, there are no other medica/dental facilities in the area. This would be a great community asset for this growing area, especially for its senior citizen population.

3. A small community of ½ acre residential estate homes. This would greatly add to the area theme of single family homes of quality and would increase the value of existing properties..

4. A small mini-mall complex of individual stores. Currently this does not exist in this area to its full potential. This might stabilize and add more stores to the area located across North Rainbow Blvd from the property in question.

Thank you for your consideration of my concerns

Sincerely,

Donald S. Rennie, PhD, RN (Retired)
Colonel (Retired) Army Nurse Corps

No. 0550 P. 1/1

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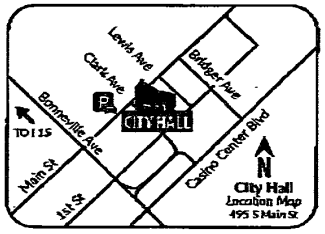

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

City Council Meeting of **08/17/2022**

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22-0265
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HAMM MICHELLE R
5204 BLACK PORT CT
LAS VEGAS NV 89130-1721

Aug. 12. 2022 8:17AM

Submitted after final agenda
Items 30a-30c

p.1

7022022247

Aug 14 22 10:56p Kurt.zimmerman

CITY CLERK

2022 AUG 15 A 7:32

City of Las Vegas, Office of The City Clerk
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Las Vegas, Nevada 89101

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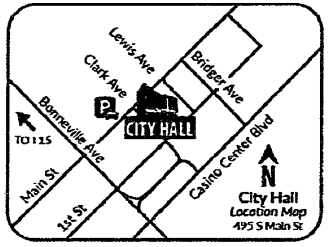

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

City Council Meeting of **08/17/2022**

22-0265
12535310040
SKROVE ROBERTA J
6503 WHITE TIGER CT
LAS VEGAS NV 89130-1877

39 FRDFMP1 89130

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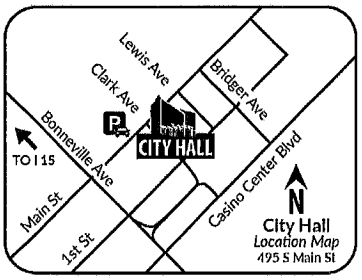
2022 AUG 15 P 1:14



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22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

City Council Meeting of **08/17/2022**

22-0265
12535310047
GUBATON ROSE LILY & NOEL
6433 WHITE TIGER CT
LAS VEGAS NV 89130-1876

39 FRDFNP1 89130

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Las Vegas, Nevada 89101

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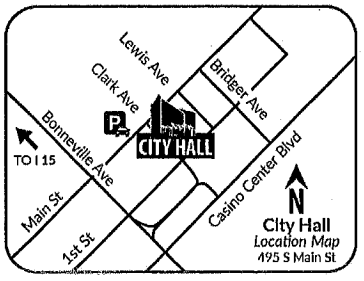

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22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

City Council Meeting of **08/17/2022**

22-0265
12535310048
RICHARDS DAVID B & CANDIDA L
6429 WHITE TIGER CT
LAS VEGAS NV 89130-1875

39 FRDFNP1 89130

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Proposal is not in the best interests of the surrounding neighborhoods and community

Gary Ward

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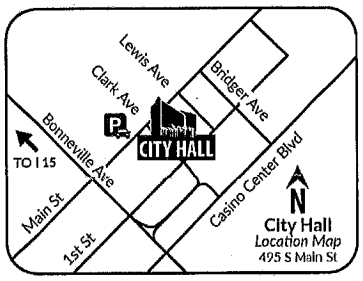

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22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1
City Council Meeting of **08/17/2022**

22-0265
12535417042
WARD GARY S & JOYCE E
6450 SECRET GROVE AVE
LAS VEGAS NV 89130

39 FRDFMP1 89130

HAVE ANY OF YOU BOTHERED TO VISIT THIS AREA? YOU KEEP ADDING DEVELOPMENT YET NEVER FIX THE TRAFFIC FLOW YOU TRY SITTING THROUGH 4-5 LIGHTS - JUST TO TURN LEFT AS IT IS NOW YOU WANT MORE? JUST TRY TURNING LEFT FROM RAINBOW ONTO RANCHO OR FROM RANCHO 95 EXIT ONTO RAINBOW — SO.

THIS IS SIMPLY VERY DUMB PLANNING!

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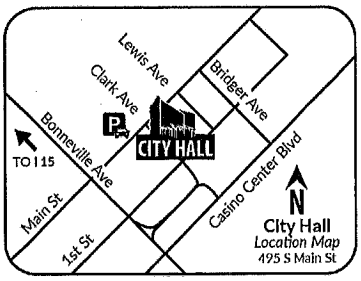

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Please use available blank space on card for your comments.
22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1
City Council Meeting of **08/17/2022**

22-0265
12534714092
JASON JANI K
6900 INDIAN CHIEF DR # 102
LAS VEGAS NV 89130-3826

39 FRDFMP1 89130

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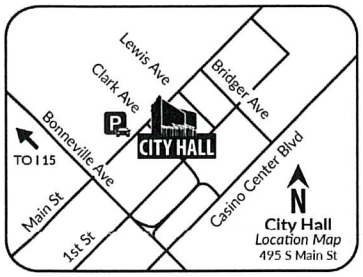

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22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

City Council Meeting of **08/17/2022**

22-0265
12535310098
BUSWELL TINA & BERNARD III
6421 INWOOD PARK CT
LAS VEGAS NV 89130-1881

89130$1881 C019

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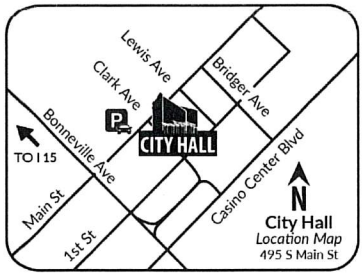

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22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

City Council Meeting of **08/17/2022**

22-0265
12535213007
MILLIGAN FAMILY TRUST
5208 DANA SPRINGS WAY
LAS VEGAS NV 89130-1726

39 FRDFNP1 89130

* 1 of 3 pages

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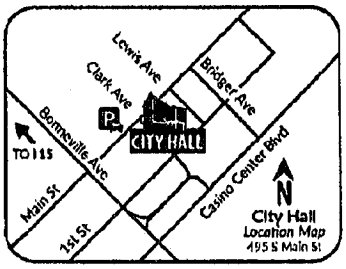

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22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1
City Council Meeting of **08/17/2022**

22-0265
12535310039
DODDS MICHELLE E TRUST
DODDS MICHELLE E TRS
6507 WHITE TIGER CT
LAS VEGAS NV 89130-1877

Please consider declining this project. Our neighborhood has already been hard hit with the R.A. Dove Point Project which has literally ruined our lives. Our home values are already declining and our privacy has been destroyed. Four stories/high density cannot be supported in the midst of the traffic problems already being created on Rainbow with the KB development and Dove Point. With this apartment building, there will be 4 driveways dumping onto Rainbow in 2/10 mile at all turning right to go through a neighborhood (Confetti). The increased traffic onto Rancho Santa Fe to Rebecca to Home Run will dump hundreds of cars onto Torrey Pines, right in the May Elementary School zone. The increased danger & potential harm to our children is

Michelle Dodds p. 2

unconscionable!

There are so many other locations that would be better for Calida to build. The area where Texas Station and Fiesta are being torn down is ideal for a high-density complex and would have area to have enough parking for 334 apartments, unlike the smaller property of Siegfried & Roy's homes. The current plan does not even have enough parking spaces to accommodate a minimum of 2 vehicles per apartment, and the higher the number of bedrooms, the more vehicles will need parking space. There is no room for overflow onto Rainbow, and will cause the apartment residents the either park in the Dove Point area or across the street in the parking lot of several commercial businesses, as well as the very large Church that is there as well.

Please consider 1.) Finding a new location;

2.) Lower the number of stories to 2 or at least 3 maximum;

3. Making this a beautiful green area to be a tribute to Siegfriend & Roy for all they did for this city for decades. Tyler Whitney can represent the park idea to the trustees as a donation to the city on behalf of S. + R's estate. The employees hired Jay Pleggenkuhl, Landscape Architect, to draw up a plan for a

Michelle Dodds p.3

park in this area. It was presented some time ago to the Planning Commission, but I do not know what happened to it. I'm sure another plan could be drawn up if Mr. PleggenKahl's cannot be found.

Please quit making decisions based solely on money. There are lives being impacted by every decision you make; lives of people already here in the valley, not the ones yet to move in!

Sincerely,

Michelle E. Dodds

OPPOSE For the following reasons:

1. PARKING: Most families have at least 2 cars. Plus guests, There is Not enough street parking.
2. TRAFFIC: US95 north EXIT at Rancho already gets backed up. Access to US95 south from Craig RD is already congested as is.
3. NEIGHBORHOOD RESOURCES: PARKS, Rec Centers, walking paths, public pools are scarce in this neighborhood. 334 units would increase loitering and wandering in the area.
4. ALTERS THE SPIRIT OF OUR COMMUNITY: This area prides itself on being single family dwellings with a rural feel. High Density development will change the characteristic of our homesteads.

City of Las Vegas, Office of The City Clerk
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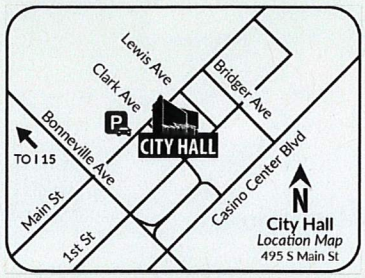

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

City Council Meeting of **08/17/2022**

22-0265
12534713035
UENO PAMELA S
6808 INIDAN CHIEF DR UNIT 202
LAS VEGAS NV 89130

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39 FRDFMP1 89130

From: Office of the Mayor
To: City Clerk, Deputies
Subject: FW: CLV Contact Form: Mayor
Date: Monday, August 15, 2022 2:44:06 PM
Attachments: image006.png
image007.png
image008.png
image009.png
image010.png

For the record, please. Thank you.

Lora Kalkman

Special Assistant to Mayor Goodman
Office of the Mayor
702-229-6241
495 S. Main St. | Las Vegas, NV 89101

lasvegasnevada.gov

City Hall is closed on Fridays

From: Contact the City Form <noreply@formstack.com>
Sent: Friday, August 12, 2022 4:51 PM
To: Office of the Mayor <officeofthemayor@lasvegasnevada.gov>
Subject: CLV Contact Form: Mayor

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Formstack Submission For: Contact the City

Submitted at 08/12/22 4:51 PM

Who to contact?:	Mayor
Your name:	Teresa and Craig Jidov

Comments:	Dear Mayor Goodman, This is in regard to rezoning requests: 22-0265; 22-0265-GPS1; 22-0265-ZON1; 22-0625-SDR1. We've lived in our home on the property Southeast of this project for 29 years. High density three-four story apartments are completely out of character with this community. All of the homes on the north, east and southeast corner are one story homes. Our development and the newer development on the south also have two-story homes. The architecture of these neighborhoods is more traditional and Southwest. The proposed building is industrial in style, unlike any other nearby buildings, including the Santa Fe Hotel. A four-story apartment building is way too tall and will overpower the look and feel of the nearby neighborhoods. Three other apartment buildings exist on Lone Mountain and at the corner of Rainbow and Lone Mountain, approximately 0.6 miles. This complex is too close to these existing apartments. The proposed 346 apartment, 1, 2 and 3-bedroom complex has the potential for over 500 plus people and 500 plus cars. The number of children to be expected, in addition to the currently incomplete Richmond America homes, will overwhelm already overcrowded schools. Traffic is a concern on Rainbow, but also for cars and foot traffic going to the elementary school due east on N. Torrey Pines. The most direct route is through the residential neighborhood to the north (W. Rancho Santa Fe Dr. right on N. Rebecca, left on W. Home Run Dr. to Torrey Pines Dr.) causing a negative environmental impact to the neighborhood. Traffic and environmental studies should be conducted before approval is given to a development of any type. Southern Nevada Water Authority recently advised of more pending water restrictions and conservation. In light of this, should this type of high density development be permitted? We strongly oppose this rezoning request and ask you to vote NO. Our sincere thanks.
Phone:	(702) 656-3573
Email:	gotclassinlv@gmail.com

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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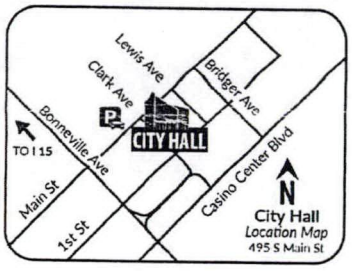

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City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

Planning Commission Meeting of **07/12/2022**

22-0265
12535213007
MILLIGAN FAMILY TRUST
5208 DANA SPRINGS WAY
LAS VEGAS NV 89130-1726

NO! NO! NO! NO! Not just plain NO, but, ABSOLUTELY NO!!!

39 DRDFNP1 89130

Submitted after final agenda

28a-CP

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JUL 06 2022
Dept of Planning
City of Las Vegas

5108 Back Street
Las Vegas, NV 89130-1809
2 July 2022

City of Las Vegas
Department of Planning
495 South Main Street
Las Vegas, NV 89101

Subject: **Opposition to 22-0265, 22-0265-GPA1, 22-0265-ZON1, 22-0265-SDR1**

Dear Sirs:

I am writing to express my opposition to the application by Calida Residential, LLC for the above requested actions. My opposition is for the following reasons.

1. All the structures on North Rainbow from the intersection of North Rainbow Blvd and North Rancho Drive to Ann Road are no higher than 2 stories.

2. With the exception of a small shopping. a private day care/pre-school, and the Santa Fe Condos, the structures are all single family residences of 1 or 2 stories along this corridor. Calida wants to build a complex of 334 units consisting of one - 4 story apartment building, one - 3 story apartment building and one -1 story club house. Their development would not be appropriate to be in this residential area of predominately single family homes.

3. Calida states they will have 512 parking spaces for their complex. That will be totally insufficient. Many renters will have multiple people living with them with multiple vehicles per rental unit. Where does the over flow parking go? On North Rainbow? Across North Rainbow into the small shopping center parking lot? Down Welcome Lane?

4. Traffic congestion on North Rainbow will become a nightmare. We now have the traffic from all the current single family residences, the Santa Fe Condos, the Mirage Landing development, the small shopping center, the private daycare/pre-school, and the soon to be built 207 single family homes of the Dove Point and Dove Place developments.

5. Children residing in this proposed development will only add more students to the already overly crowded Ernest May Elementary School

6. Lake Mead is receding monthly and this development will only draw much more water from that shrinking resource.

29a-c P
Pg 1 of 2

7. On 24 June 2022 on the 4 AM Fox news (channel 5), a Clark County Commissioner discussed the possibility that the Commission might consider a proposal requiring all new apartment construction be required to set aside 10% of the total units as low income. For this Calida project that would mean 33 units. If this comes to fruition it could have a catastrophic impact on the local area for many reasons.

Suggestion:

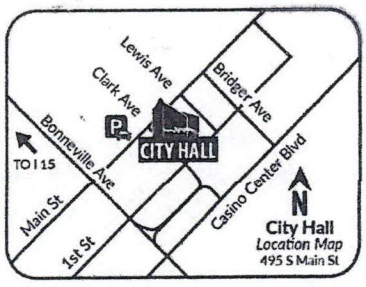
This area could be better used as a park area for the current residents of this area, as there is none in this vicinity. The closest parks are at Lone Mountain and Durango and Lone Mountain and the West 215 beltway.

Thank you for your consideration of my concerns

Sincerely,

Donald S. Rennie

Donald S. Rennie



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Dept of Planning
Las Vegas

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nning Commission Meeting of **07/12/2022**

22-0265
12535301010
RENNIE DONALD S FAMILY TRUST
RENNIE DONALD S TRS
5108 BACK ST
LAS VEGAS NV 89130-1809

39 DRDPMP1 89130

28a-c
pg 2 of 2

City of Las Vegas, Department of Planning
495 South Main Street
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over 200+ homes were just approved and now they want 300+ apartments. This area does not have the schools or traffic accomodations.

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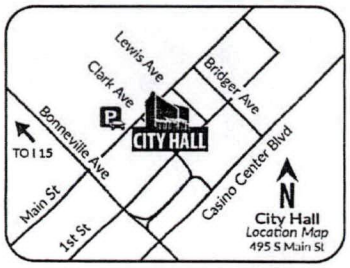

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☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

Planning Commission Meeting of **07/12/2022**

22-0265
12535310098
BUSWELL TINA & BERNARD III
6421 INWOOD PARK CT
LAS VEGAS NV 89130-1881

39 DRDFNP1 89130

28a-cP

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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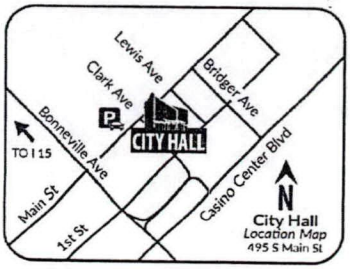

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

Planning Commission Meeting of **07/12/2022**

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Dept of Planning
City of Las Vegas

22-0265
12535310048
RICHARDS DAVID B & CANDIDA L
6429 WHITE TIGER CT
LAS VEGAS NV 89130-1875

39 DRDFNP1 89130

28acp

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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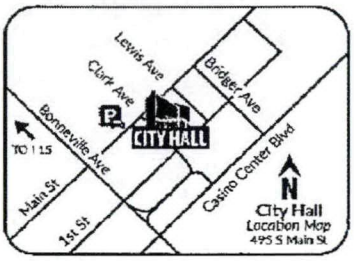
Las Vegas, NV
Permit No. 1630



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City of Las Vegas
Department of Planning

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

Planning Commission Meeting of **07/12/2022**

22-0265
12535310040
SKROVE ROBERTA J
6503 WHITE TIGER CT
LAS VEGAS NV 89130-1877

39 DRDFNP1 89130

28 a-c P

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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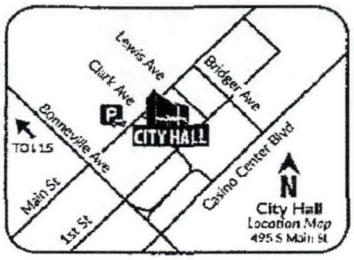
Las Vegas, NV
Permit No. 1630



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City of Las Vegas
Department of Planning

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

Planning Commission Meeting of **07/12/2022**

22-0265
12535310049
POWELL ERIC L & APRIL M
6425 WHITE TIGER CT
LAS VEGAS NV 89130-1875

39 DRDFNP1 89130

28a-CP

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City of Las Vegas
Department of Planning

1. This plan is not in keeping with the one-two story single family homes in our community, some on larger lots, from Lone Mountain to Ann Road, bordered by Rancho Road and Jones Blvd.
2. This large apartment development will cause further overcrowding at the area schools that negatively impacts students and teachers.
3. Access to May Elementary for students is not direct and will cause foot traffic and excessive vehicle traffic through the neighborhood directly North following Rancho Santa Fe Drive east to Rebecca Rd. south, then on Home Run Drive east out to Torrey Pines. This will have a negative impact on the current residents in this quiet neighborhood and poses a potential hazard due to excess vehicle traffic.
4. This traffic to the school will also affect Torrey Pines, Lone Mountain and Rancho Drive as possible routes. Traffic on these streets often exceeds the posted traffic limit making it unsafe for foot and vehicle traffic.
5. Rancho Drive at the Rainbow intersection is already overloaded all day and more so during the times when people are going to work and returning home.
6. Environmental studies should consider the negative impact on quality of living and air quality already negatively impacted by the development surrounding the property in question.

We are very unhappy with the lack of respect on the part of the city and developers for how current residents are affected by the changes to the quality of our life style.
We *strongly oppose* this development and the change from estate size lots.

City of Las Vegas, Department of P
495 South Main Street
Las Vegas, Nevada 89101

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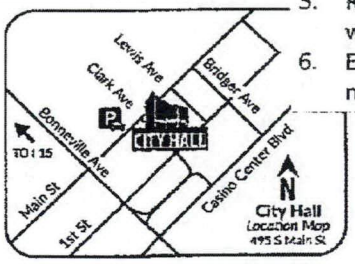

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

Planning Commission Meeting of **07/12/2022**

22-0265
12535412018
C T J TRUST
JIDOV CRAIG A & TERESA L TRS
4908 QUASAR CT
LAS VEGAS NV 89130-1821

28a-CP

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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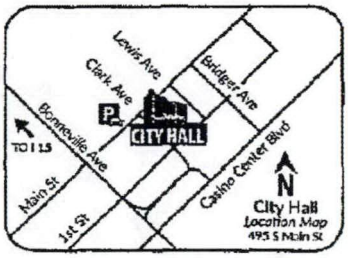

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

Planning Commission Meeting of **07/12/2022**

22-0265
12535310097
MAURICE HANS D
6422 INWOOD PARK CT
LAS VEGAS NV 89130-1881

89 DROPHP1 89130

28a-c P

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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Las Vegas, NV
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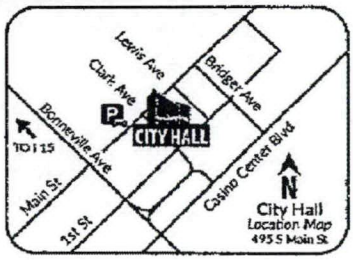

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☐ I SUPPORT this Request
☒ I OPPOSE this Request

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22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1
Planning Commission Meeting of **07/12/2022**

22-0265
12535310039
DODDS MICHELLE E TRUST
DODDS MICHELLE E TRS
6507 WHITE TIGER CT
LAS VEGAS NV 89130-1877

39 DRDFNP1 89130

Please do not approve this Zoning change for a 4-Story apartment Complex on Rainbow. This neighborhood has already been devastated by the Richmond American Dove Point Project with drainage problems & 6 foot high pads putting houses at the top of our walls. Now if you add 334 more apartments tying into our sewer system, 668+ cars pouring out onto Rainbow and coming through our neighborhoods, increasing traffic onto Torrey Pines in front of May elementary. Also increasing will be the number of Children going to an over-capcity elementary, walking on Rainbow, Causing a dangerous Situation for those childen. The plan does not take into account that there will be 2 or more cars per unit, so where will the 126+ extra vehicles park? Look at the parking lanes on Lone Mountain between Rancho and Torrey Pines for the overflow of vehicles at the 3-Story Community there. With the cry of "water shortage" on every news report, every day, When will the city Control the influx of people moving in by restricting the building?! Michelle Dodds

28A-C P

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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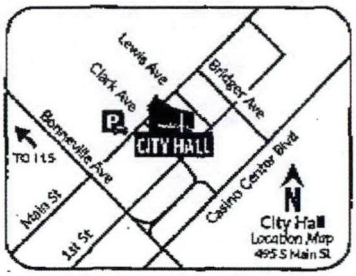

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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Planning Commission Meeting of **07/12/2022**

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Department of Planning

22-0265
12535212010
HAMM MICHELLE R
5204 BLACK PORT CT
LAS VEGAS NV 89130-1721

89 DROPMP1 89130

28a-c P

Jul 12 22 12:14p R Nicholas 7024538636 p.1

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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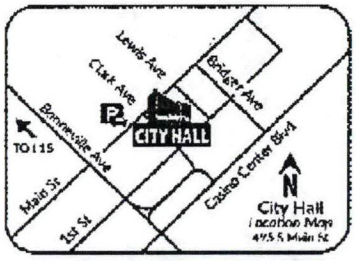

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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Planning Commission Meeting of **07/12/2022**

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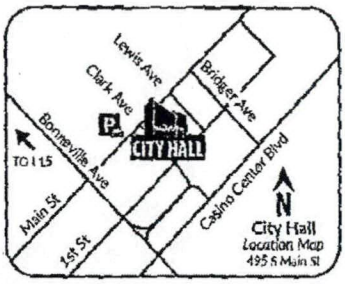
Permit No. 1630

22-0265
12535310036
NICHOLAS FAMILY TRUST
NICHOLAS RICKIE D & DONNA M TRS
6519 WHITE TIGER CT
LAS VEGAS NV 89130-1877

28a-cP

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request
☒ I OPPOSE this Request

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Planning Commission Meeting of **07/12/2022**

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22-0265
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HACKNEY JOHN T LIVING TRUST
HACKNEY JOHN T TRS
6423 TIGERS LAIR CT
LAS VEGAS NV 89130

39 DRDFNP1 89130

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495 South Main Street
Las Vegas, Nevada 89101

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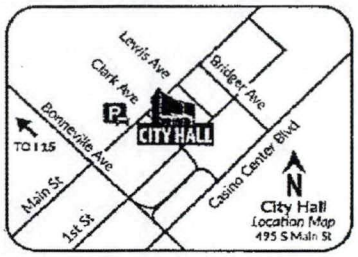

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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Planning Commission Meeting of **07/12/2022**

22-0265
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HACKNEY JOHN T LIVING TRUST
HACKNEY JOHN T TRS
6423 TIGERS LAIR CT
LAS VEGAS NV 89130

39 DROPNP1 89130

Duplicate
Not included in count

28a-CP

p.1

Jul 11 22,06:19p

Nora Lares

From: Planning Internet Email
Sent: Thursday, July 7, 2022 2:56 PM
To: Nora Lares
Subject: FW: CLV Contact Form: Planning & Zoning

From: Contact the City Form <noreply@formstack.com>
Sent: Thursday, July 7, 2022 2:49 PM
To: Planning Internet Email <planning@LasVegasNevada.GOV>
Subject: CLV Contact Form: Planning & Zoning

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formstack

Formstack Submission For: Contact the City
Submitted at 07/07/22 2:49 PM

Who to contact?:	Planning & Zoning
Your name:	GARY WARD
Comments:	Regarding 22-0265 Public hearing 7/12/2022 for zoning request to "HIGH DENSITY". I am opposed to this. Similar request was made last year from low density. It was change to "MEDIUM DENSITY" instead. First, from the area north of Rancho Dr & the 95fwy to Rancho Dr & Decatur. There are no multi story buildings more than 2 stories tall! Such a building would be a visual obstruction and eye sore for the people in the surrounding community. Homeowners in the surrounding community would no longer have any privacy in their own backyards. There are already issues with traffic jams and delays at the intersections of Ann Rd and 95fwy. Intersections of Rancho dr & Rainbow and Rancho dr & Lone Mountain already experience heavy volumes of traffic. In fact a widening of the Lone Mountain overpass over the 95 fwy has already begun. On another note. The property in question here is the Sigfreid & Roy estate. In my humble opinion this property should be declared a "HISTORIC SITE". This is a very unique property as it represents Roy Horn's vision of Bavaria built in the Las Vegas Desert! There is nothing like it within hundreds of miles. Unique Bavarian style

28a-c P
Pg 1 of 2

	buildings, architecture, decor, trees and landscaping. Whoever owns the property should be required to preserve and maintain the property in perpetuity.
Phone:	(702) 755-0255
Email:	gsward5@yahoo.com

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

28a-c
pg 2 of 2

Nora Lares

From:	Octavia Bell <belloctavia773@gmail.com>
Sent:	Tuesday, July 12, 2022 12:36 PM
To:	Nora Lares; Octavia Bell
Subject:	Calida on Rancho/Rainbow (City Planning Commission Meeting at 6:00 p.m. on July 12, 2022)
Attachments:	DL1.jpg

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To: Nora Lares, Agenda Tech, City of Las Vegas, Department of Planning, 495 So. Main St., Las Vegas, Nv 89101

This is to inform the Commission of my **opposition** and **protest** for subject request of the following:

28. 22-0265 - PUBLIC HEARING - APPLICANT: CALIDA RESIDENTIAL, LLC - OWNER: RANCHO DRIVE, LLC -
For possible action on the following Land Use Entitlement project requests on 12.05 acres on the east side of
Rainbow Boulevard, approximately 490 feet north of Rancho Drive (APN 125-35-301-021), Ward 6 (Fiore). Staff
recommends APPROVAL on the Land Use Entitlement project.
28a. 22-0265-GPA1 - GENERAL PLAN AMENDMENT - FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH
DENSITY RESIDENTIAL)
28b. 22-0265-ZON1 - REZONING - FROM R-E (RESIDENCE ESTATES) TO: R-4 (HIGH DENSITY
RESIDENTIAL)
28c. 22-0265-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 334-UNIT
MULTI-FAMILY RESIDENTIAL DEVELOPMENT

I did not receive an Official Notice of Public Hearing card in the mail and will not be able to attend tonight's meeting.

Thank you for your assistance in this matter.

Octavia S. Bell
Bavaria Estates

28a-GP
Pg 1 of 2

6419 Tigers Lair Ct.
Las Vegas, NV 89130-1878
702-776-7230

28a-c
Pg 2 of 2

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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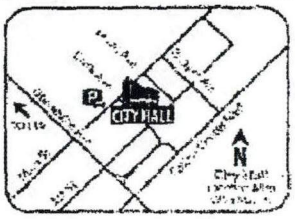
Official Notice of Public Hearing





scan & go to
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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

Planning Commission Meeting of 07/12/2022

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JUL 12 2022
City of Las Vegas
Department of Planning

22-0265
125-35-310-072
SWALLIE FAM TRUST
NORVEL SWALLIE, ANNE SWALLIE
6418 VERANDA FALLS CT
LAS VEGAS, NV 89130

Application Information

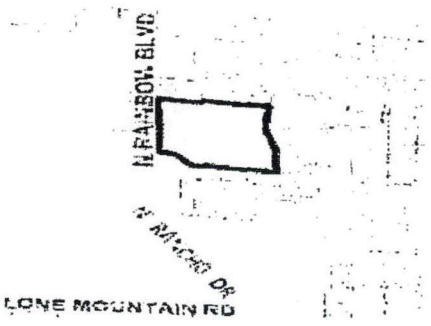
22-0265 - PUBLIC HEARING - APPLICANT: CV-LOVA RESIDENTIAL, LLC OWNER: RANCHO DRIVE, LLC - For possible action on the Silverstone Land Use Entitlement project requests on 12.65 acres at the east side of Rainbow Boulevard, approximately 400 feet north of Rancho Drive (APN: 125-35-310-072, Ward 6 (Fiore).

22-0265-GPA1 - GENERAL PLAN AMENDMENT FROM: SUBURBAN COMMERCIAL TO: HIGH DENSITY RESIDENTIAL.

22-0265-ZON1 - REZONING - FROM: R (RESIDENCE ESTATES) TO: U (HIGH DENSITY RESIDENTIAL).

22-0265-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 334-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT.

Application Location



The proposed project site is generally located on the east side of Rainbow Boulevard, approximately 400 feet north of Rancho Drive.

Public Hearing Information

Meeting: Planning Commission
Date: — 07/12/2022
Time: — 6:00 PM
Location: Council Chambers
495 South Main Street
Las Vegas, Nevada

If you need special assistance to participate in this meeting, please contact the Department of Planning at (702) 229-6405 at least 24 hours in advance of the meeting. Hearing impaired persons may contact Relay Nevada at 1-800-326-6868 (TTY, VCO or HCO) or 711 (Voice) for assistance.

28a-cp

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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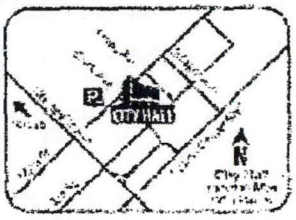

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JUL 12 2022
City of Las Vegas
Department of Planning

22-0265

- PARCEL # 125-35-310-106
- NAME Gary S & Adriana R White
- ADDRESS 5010 Murage Garden St
Las Vegas NV 89130

For additional information scan the QR Code below and find the referenced project. To file your position on this request, check one box below and return this card to the Department of Planning at the address provided on the reverse side of this card or to (702) 486-3799 or make your position known via the website listed above. To contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request
☒ I OPPOSE this Request

Please use available blank space on card for your comments.
22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1
Planning Commission Meeting of 07/12/2022

Application Information

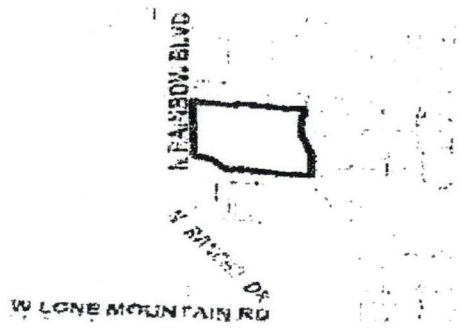
22-0265 - PUBLIC HEARING - APPROVAL OF A TENTATIVE MAP FOR CHANEL RANCH DRIVE, LLC, ...

22-0265-GPA1 - GENERAL PLAN AMENDMENT TO ADD 5.5 ACRES OF COMMERCIAL (CC) TO HIGH DENSITY RESIDENTIAL (HDR)

22-0265-ZON1 - REZONING - FROM R-E (RESIDENCE ESTATES) TO R-4 (HIGH DENSITY RESIDENTIAL)

22-0265-SDR1 - SITE DEVELOPMENT PLAN REVIEW FOR A PROPOSED FOUR STORY, 375 UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT

Application Location



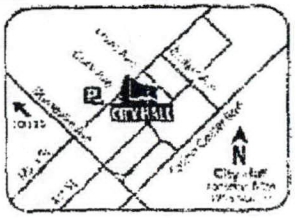
Public Hearing Information

Meeting:		Planning Commission
Date:	—	07/12/2022
Time:	—	6:00 PM
Location:		Council Chambers 495 South Main St., 2nd Floor Las Vegas, Nevada

28a-cp

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



Scan or go to
www.lasvegasnevada.gov/meetings

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Planning at the above address. Fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) [illegible].

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

Planning Commission Meeting of 07/12/2022

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JUL 12 2022
City of Las Vegas
Department of Planning

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. [illegible]

22-0265
125-35-310-74
RUBEN ARREGLO
DOMINICA LI
6421 VERANDA FALLS CT
LAS VEGAS, NV 89130

Application Information

22-0265 - PUBLIC HEARING - APPLICANT: CALDA RESIDENTIAL, LLC; OWNER: RANCHO DRIVE, LLC - For possible action on the following Land Use Entitlement project requests on 12.1 acres on the west side of Rainbow Boulevard, approximately 190 feet north of Rancho Drive (APN 125-35-310-[illegible]), Ward 6 (Fiore).

22-0265-GPA1 - GENERAL PLAN AMENDMENT - FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL)

22-0265-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-4 (HIGH DENSITY RESIDENTIAL)

22-0265-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 334-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT

Application Location



The proposed project may not remain to the entire [illegible] project site.

Public Hearing Information

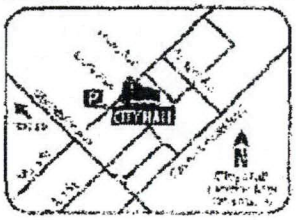
Meeting:		Planning Commission
Date:	—	07/12/2022
Time:	—	6:00 PM
Location:		Council Chambers 495 South Main St. 2nd Fl. Las Vegas, Nevada

[illegible]

28a-CP

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



www.lasvegasnevada.gov/meetings

For additional information scan the QR Code above for more information or log on to the website listed below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in the envelope provided with postage to the Department of Planning at the above address. You may also fill out this card and fax to (702) 474-7420 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on back for your comments.
22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR3
Planning Commission Meeting of: 07/12/2022

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City of Las Vegas
Department of Planning

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22-0265
125-35-310-092 PARCEL
~~ARTIAL~~ #
Brandy Bax
Jason Potter NAME
6402 Inwood Park Ct. ADDRESS
Las Vegas, NV 89130

Page

Application Information

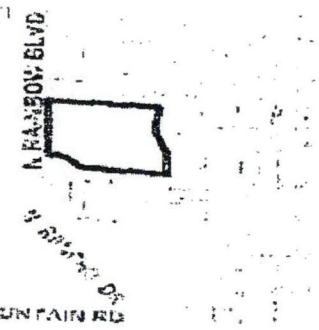
22-0265 - PUBLIC HEARING - APPLICANT AND/OR AUTHORIZED OWNER: RANCHO DRIVE LLC - For possible action on the adoption of Bill No. ____, Entitlement request(s) on 1.0 acre(s) of vacant land located at the northwest corner of Rainbow Boulevard and Lone Mountain Road, and approximately 600 feet north of Rancho Drive within Ward 6 (Fiore).

22-0265-GPA - GENERAL PLAN AMENDMENT - FROM: NEIGHBORHOOD COMMERCIAL TO: NEIGHBORHOOD LOW (UP TO 8 DU/AC).

22-0265-ZON - REZONING - FROM: R-E (RURAL ESTATES RESIDENTIAL) TO: R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - UP TO 7 DU/AC).

22-0265-SDR3 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 75-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT.

Application Location



The proposal may not be pertinent to your specific property.

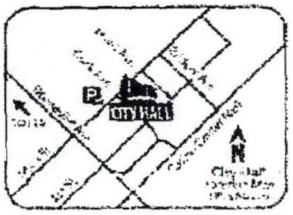
Public Hearing Information

Meeting:		Planning Commission
Date:	—	07/12/2022
Time:	—	9:00 AM
Location:		Council Chambers 495 South Main Street Las Vegas, Nevada

28a-EP

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



www.lasvegasnevada.gov/meetings

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JUL 12 2022
City of Las Vegas
Department of Planning

22-0265
125-35-310-075
JACK & PAMELA LEVINE
6417 VERAND FALLS CT
LAS VEGAS, NV 89130

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Planning at the above address. Fax this side of this card to (702) 464-7490 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) 229-6[illegible].

☐ I SUPPORT this Request
☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

Planning Commission Meeting of 07/12/2022

Application Information

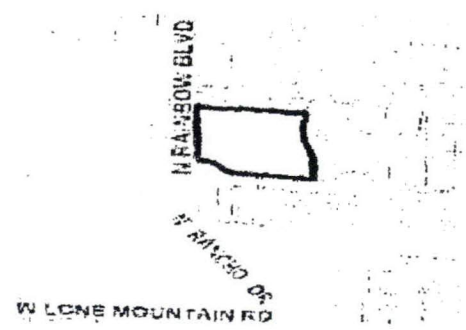
22-0265 - PUBLIC HEARING - APPLICANT: CALIDA RESIDENTIAL, LLC OWNER: RANCHO DRIVE, LLC - [illegible] the action on the following Land Use Entitlement project requests on 12.65 acres on the east side of Rainbow Blvd and approximately 490 feet north of Rancho Drive (APN 125-35-310-075), Ward 6 (Fiore).

22-0265-GPA1 - GENERAL PLAN AMENDMENT - FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL)

22-0265-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-4 (HIGH DENSITY RESIDENTIAL)

22-0265-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 334-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT

Application Location



The proposed project may not pertain to the entire [illegible] project site.

Public Hearing Information

Meeting: Planning Commission
Date: — 07/12/2022
Time: — [illegible] PM
Location: Council Chambers
495 South Main St, 2nd Fl.
Las Vegas, Nevada

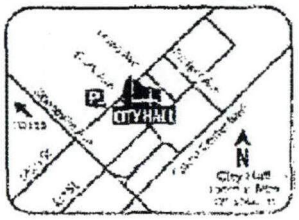
[illegible]

28a-c P

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing



For additional information, scan the QR Code, select the matter of interest below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Planning at the above address. You may also call (702) 229-6301 or (702) 464-7590 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) 229-6405.

☐ SUPPORT this Request ☒ OPPOSE the Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

Planning Commission Meeting of: 07/12/2022

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JUL 12 2022

City of Las Vegas
Department of Planning

22-0265
125-35-310-093
Roy ARAKAKI
JAYNIE ARAKAKI
6406 INWOOD PARK CT
LAS VEGAS, NV, 89130

Application Information

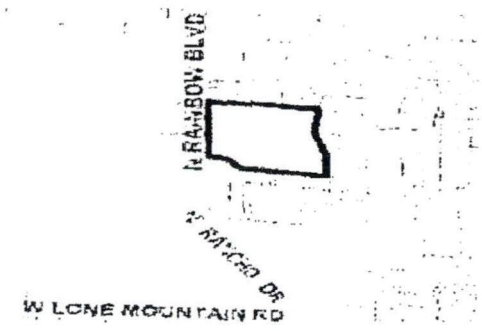
22-0265 - PUBLIC HEARING - APPLICANT: COMMERCIAL LAS VEGAS, INC. OWNER: RANCHO DRIVE, LLC - For possible action on the following Land Use Entitlement request on 12.6 acres at the southeast corner of Rainbow Boulevard and approximately 100 feet north of Rancho Drive (APN: 125-35-310-093, Ward 2).

22-0265-GPA1 - GENERAL PLAN AMENDMENT FROM: NEIGHBORHOOD COMMERCIAL TO: HIGH DENSITY RESIDENTIAL

22-0265-ZON1 - REZONING - FROM: R-PD7 RESIDENCE DISTRICT (PLANNED DEVELOPMENT) TO: R-4 HIGH DENSITY RESIDENTIAL

22-0265-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 331-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT

Application Location



The proposed project is not located within the current Redevelopment project area.

Public Hearing Information

Meeting: Planning Commission
Date: 07/12/2022
Time: 9:00 AM
Location: Council Chambers
495 South Main St, 2nd Flr.
Las Vegas, Nevada

If you have any questions regarding this Public Hearing Notice, please contact the Department of Planning at (702) 229-6301. Copies of the application and all documentation may be obtained at the Department of Planning, 495 South Main Street, 2nd Floor, Las Vegas, Nevada. Copies will be provided at reasonable cost. Any person may appear and speak either in favor of or in opposition to the request. Any person may also submit written comments prior to the meeting. Written comments should be addressed to the Department of Planning, 495 South Main Street, 2nd Floor, Las Vegas, Nevada 89101. Comments must be received by the Department of Planning by 11:00 a.m. the day before the meeting in order to be included in the staff report.

28a-CP

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

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City of Las Vegas
Department of Planning

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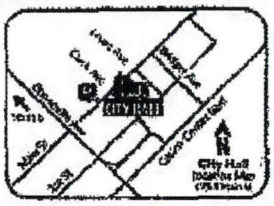


Scan or go to
www.lasvegasnevada.gov/meetings

22-0265
125-35-310-008
JAMES FOUST
ROBBI FOUST
5132 MIRAGE GARDEN ST.
LAS VEGAS, NV 89130

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Planning at the above address, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0265 and 22-0265-GPA1 and 22-0265-ZON1 and 22-0265-SDR1

Planning Commission Meeting of 07/12/2022

Application Information

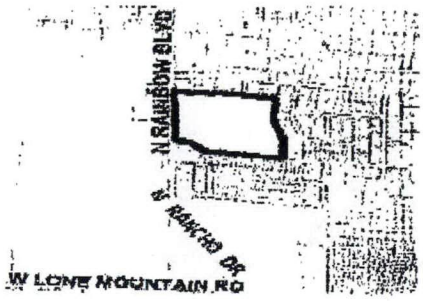
22-0265 - PUBLIC HEARING - APPLICANT: CALIDA RESIDENTIAL LLC OWNER: RANCHO DRIVE, LLC - For possible action on the following Land Use Entitlement project requests on 12.65 acres on the east side of Rainbow Boulevard, approximately 490 feet north of Rancho Drive (APN 125-35-301-021), Ward 6 (Fiore).

22-0265-GPA1 - GENERAL PLAN AMENDMENT - FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL)

22-0265-ZON1 - REZONING - FROM R-E (RESIDENCE ESTATES) TO: R4 (HIGH DENSITY RESIDENTIAL)

22-0265-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 334-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:		Planning Commission
Date:	—	*07/12/2022*
Time:	—	6:00 PM
Location:		Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission to object or comment by representative or by letter. Objections must be in writing, giving full particulars. Each written objection, protest or approval thereof with the Department of Planning, 495 South Main Street, 3rd Floor, Las Vegas, Nevada 89101. Final Action of Official Plan Amendments and rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting and included in the notice of decision. If you have questions or concerns regarding the following application(s), please call (702) 229-6444 or visit us at www.lasvegasnevada.gov/planning

28a-c P

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
30a

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0265-GPA1 - GENERAL PLAN AMENDMENT - FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	12	Planning Commission Mtg.	0
City Council Meeting	14	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
30b

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0265-ZON1 - REZONING - FROM R-E (RESIDENCE ESTATES) TO: R-4 (HIGH DENSITY RESIDENTIAL)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	12	Planning Commission Mtg.	0
City Council Meeting	14	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
30c

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0265-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 334-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	12	Planning Commission Mtg.	0
City Council Meeting	14	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
31

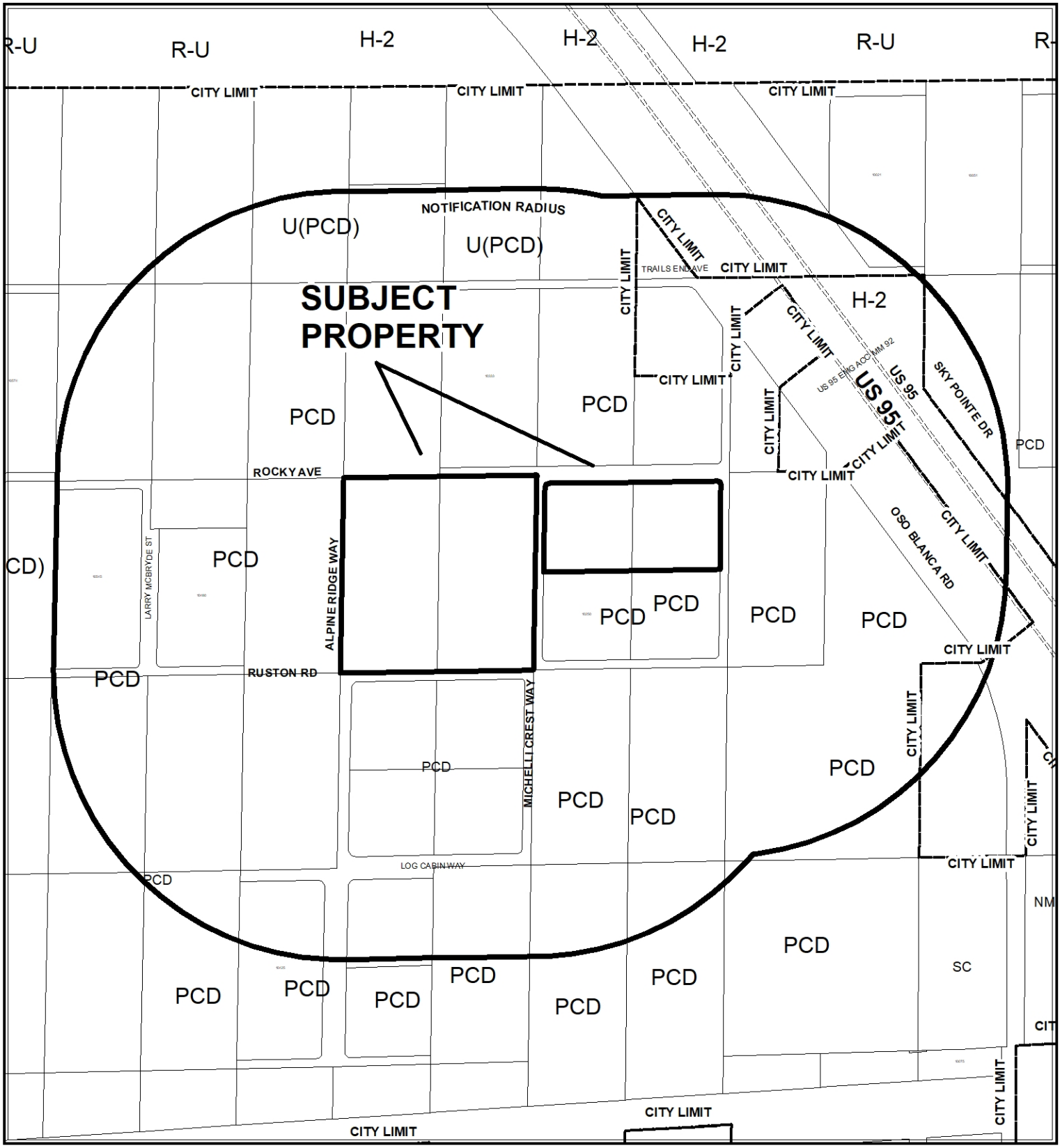
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0270 - PUBLIC HEARING - APPLICANT: TRI POINTE HOMES NEVADA, INC. - OWNER: VFR SOUTHWEST DESERT EQUITIES II, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 15.84 acres at the northeast corner of Ruston Road and Alpine Ridge Way (APNs 126-01-601-001 through 003 and 005), U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and PD (Planned Development) Zones, Ward 6 (Fiore). The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the Land Use Entitlement project.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - 22-0270-MOD1
2. Land Use Map - 22-0270-ZON1
3. Location and Aerial Maps - 22-0270-VAC1
4. Location and Aerial Maps
5. Conditions and Staff Report
6. Supporting Documentation
7. Photo(s)
8. Justification Letter
9. Traffic Notes Submitted by City of Las Vegas Department of Public Works Traffic Engineering Division - 22-0270-TMP1
10. Submitted after Final Agenda - Executed Condition Confirmation Documentation and Support Postcards
11. Backup Documentation Submitted for the July 12, 2022 Planning Commission Meeting

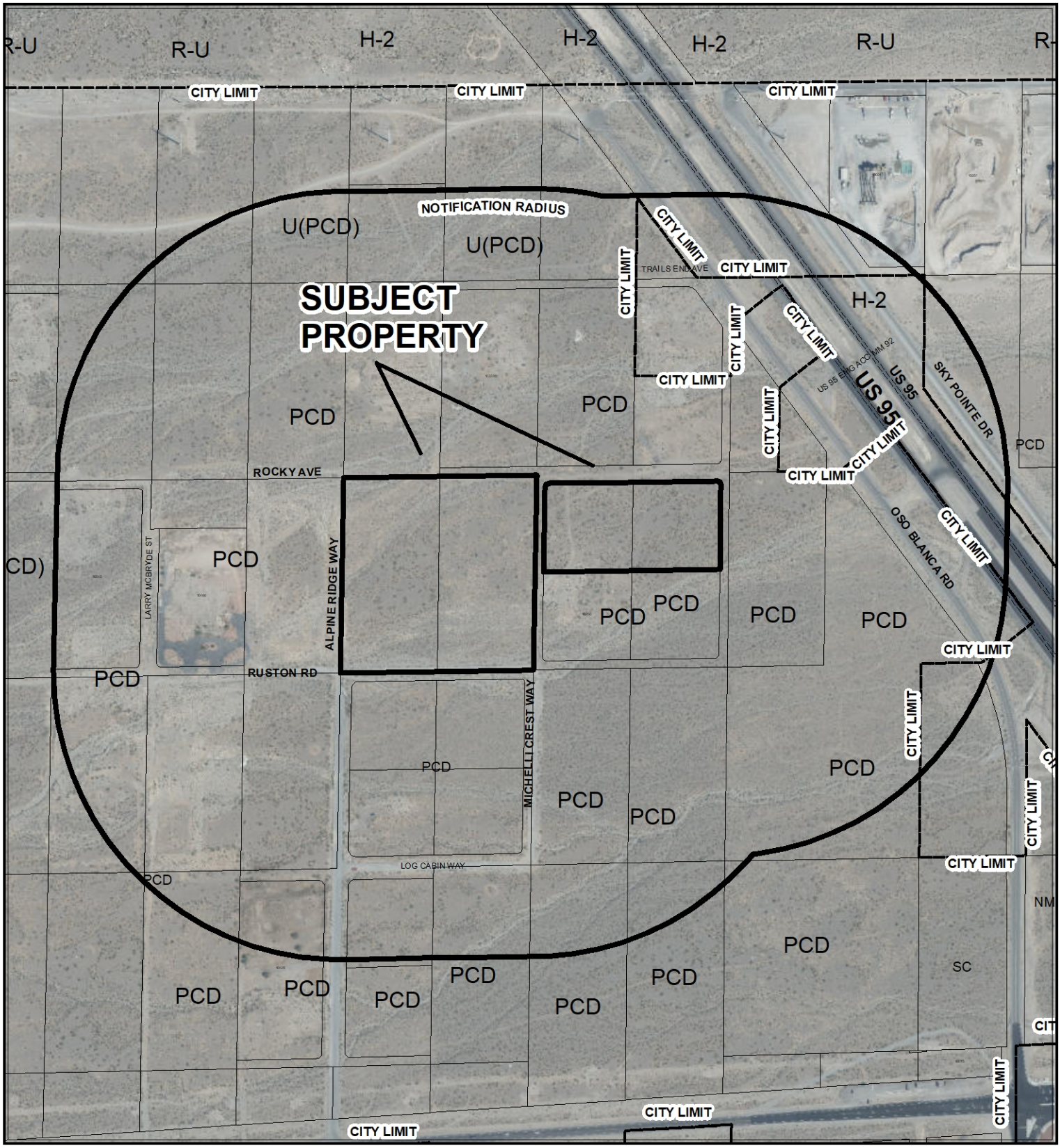


CASE: **22-0270-MOD1**

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: PCD(PLANNED COMMUNITY DEVELOPMENT)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: PCD(PLANNED COMMUNITY DEVELOPMENT)
[L (LOW) KYLE CANYON GATEWAY
SPECIAL LAND USE DESIGNATION]



CASE: **22-0270-MOD1**

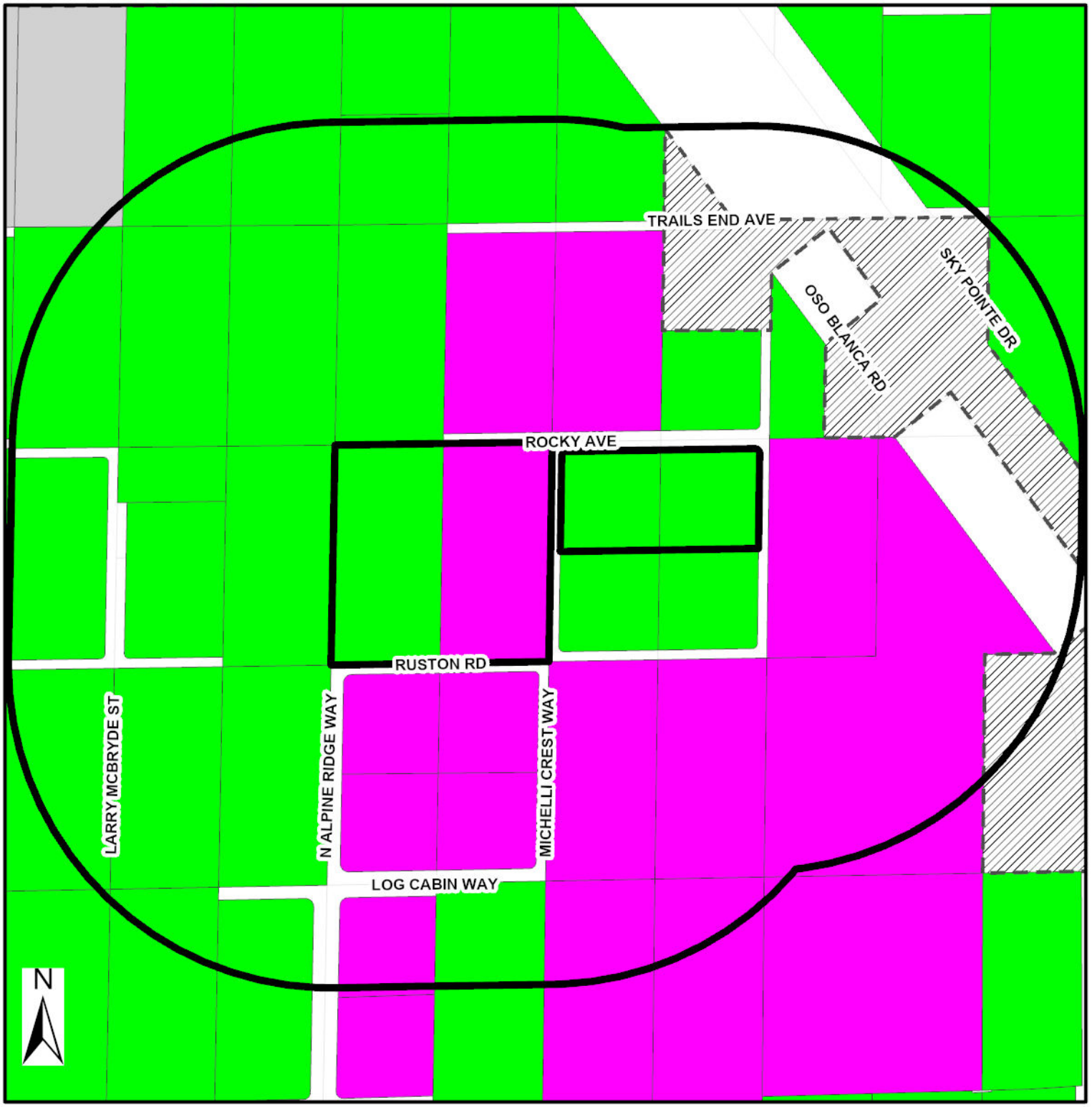
RADIUS: 1000 FEET

0 400 800 Feet

GENERAL PLAN OF SUBJECT PROPERTY: PCD(PLANNED COMMUNITY DEVELOPMENT)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: PCD(PLANNED COMMUNITY DEVELOPMENT) [L (LOW) KYLE CANYON GATEWAY SPECIAL LAND USE DESIGNATION]

22-0270-ZON1



Zoning

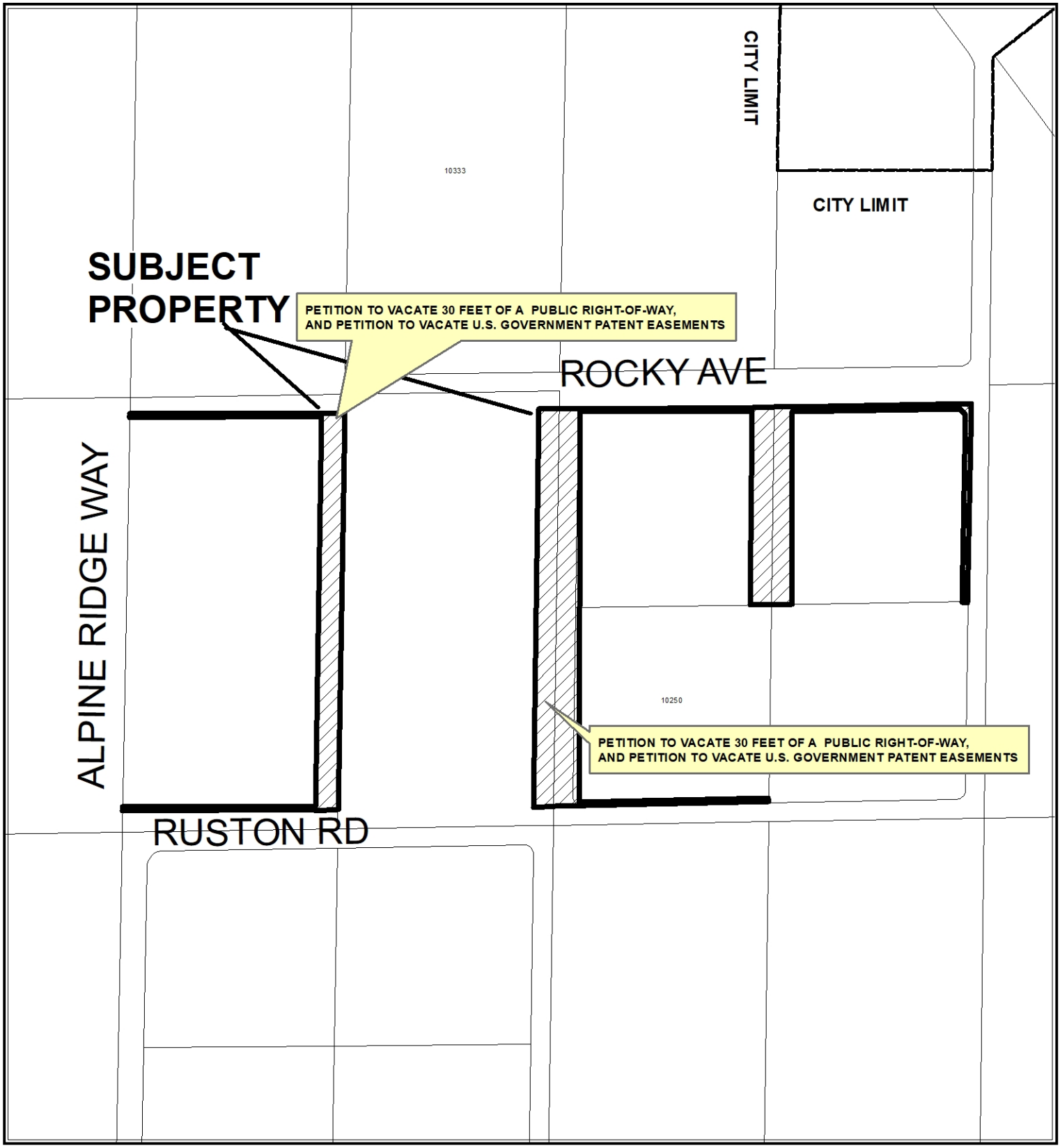
- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single Family Compact-Lot
- R-SL - Residential Small Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- T3-N - T3 Neighborhood
- T3-N-O - T3 Neigborhood Open
- T4-C - T4 Corridor
- T4-MS - T4 Main Street
- T4-N - T4 Neighborhood
- T5-N - T5 Neighborhood
- T5-M - T5 Maker
- T5-MS - T5 Main Street
- T5-C - T5 Corridor
- T6-UC - T6 Urban Core
- T6-UG - T6 Urban General
- T6-UG-L -T6 Urban General Limited
- P-R - Professional Offices and Parking
- P-O - Professional Office
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PB - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- [illegible] Development
- PD - Planned Development
- T-C - Town Center

FROM U TO PD

- Subject Property
- Not City
- City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only. Geographic Information System Planning & Development Dept. 703-229-6301

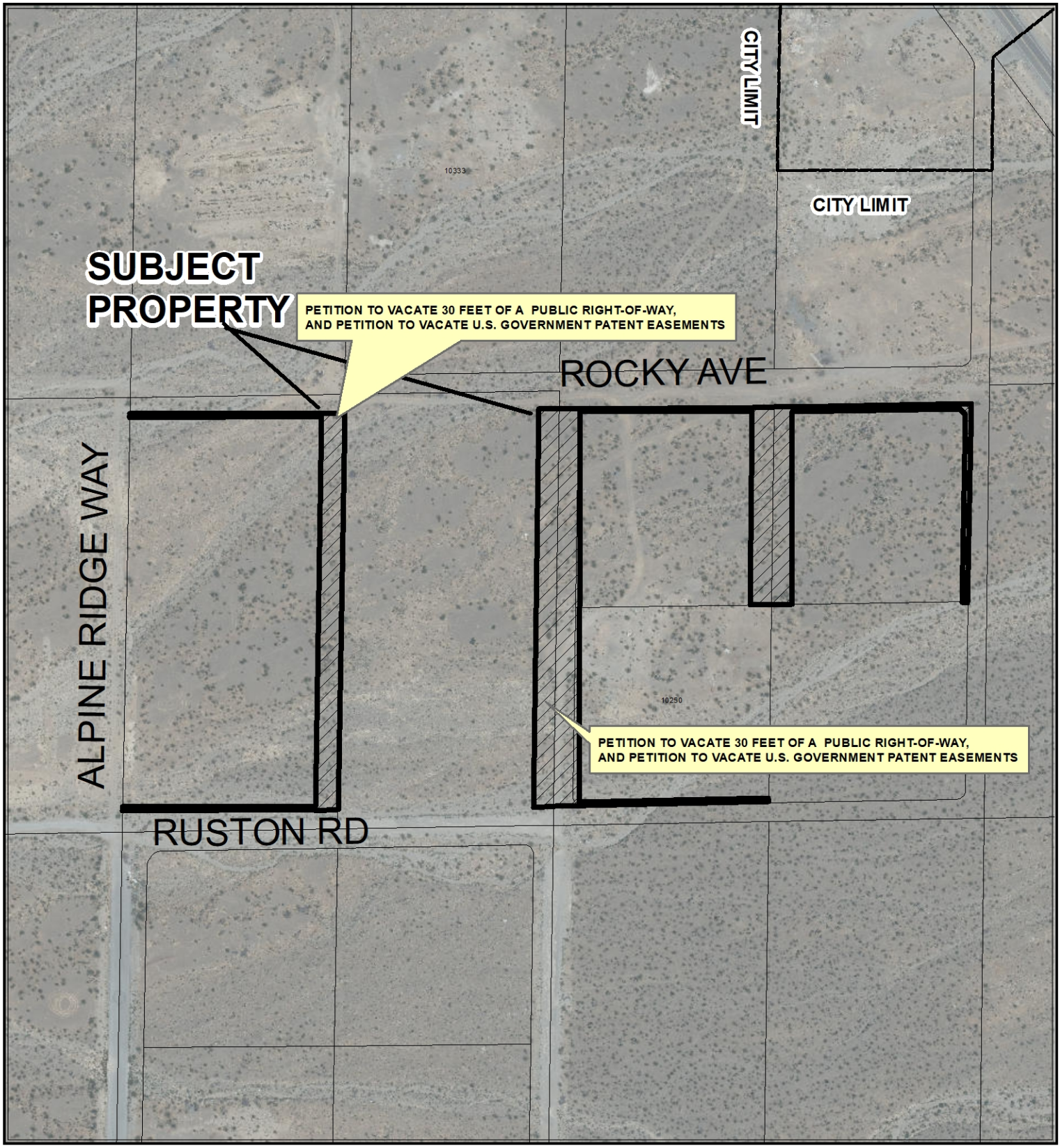
Date: Thursday, May 26, 2022



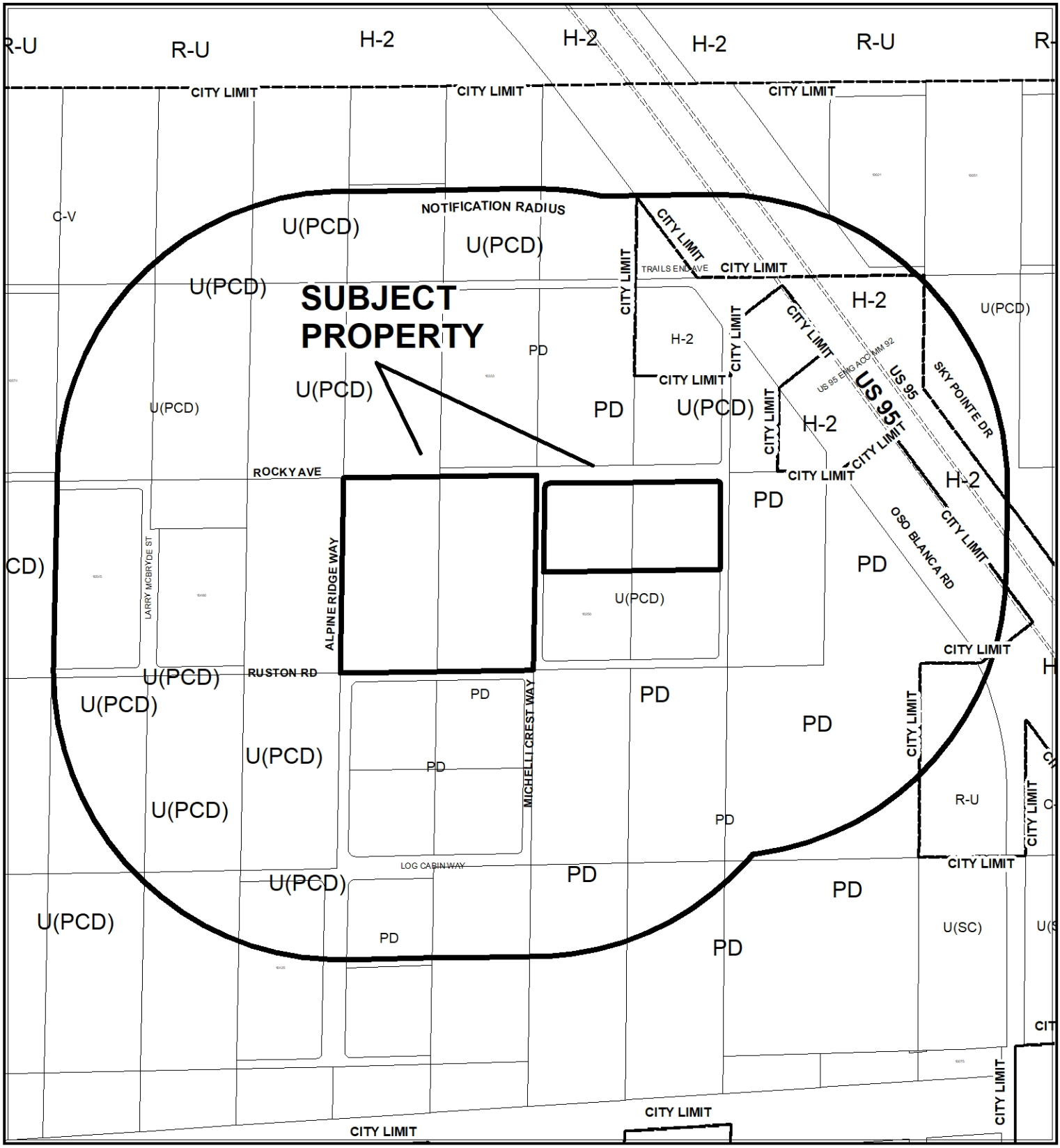
CASE: 22-0270-VAC1

0 180 360 Feet

N



CASE: 22-0270-VAC1

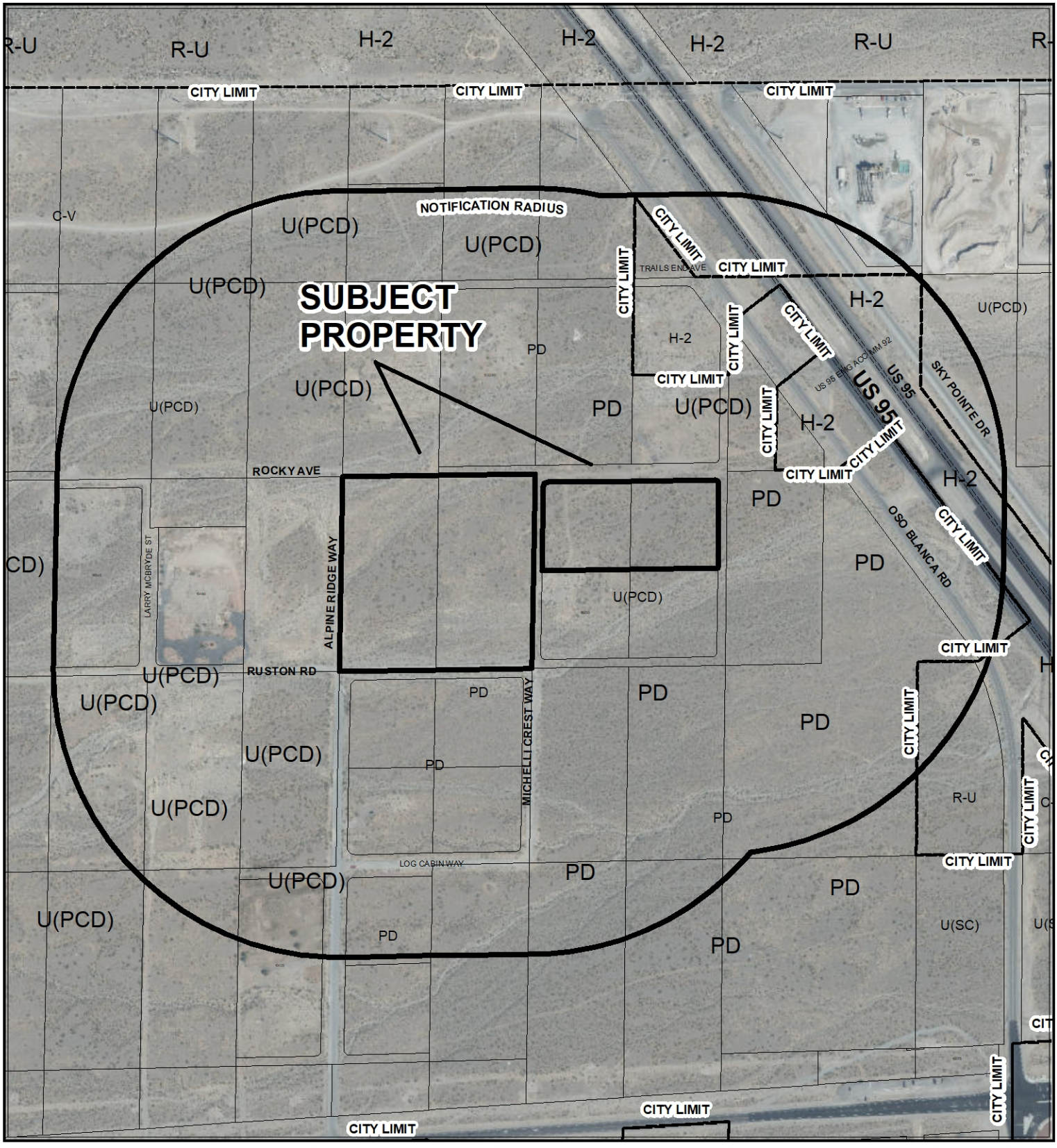


CASE: **22-0270**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED), [PCD (PLANNED COMMUNITY DEVELOPMENT), GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



CASE: **22-0270**

RADIUS: 1000 FEET

0 400 800 Feet

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED), [PCD (PLANNED COMMUNITY DEVELOPMENT), GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: TRI POINTE HOMES NEVADA, INC. – OWNER: VFR SOUTHWEST DESERT EQUITIES II, LLC, ET AL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0270-MOD1	Staff recommends APPROVAL.	
22-0270-ZON1	Staff recommends APPROVAL.	22-0270-MOD1
22-0270-VAC1	Staff recommends APPROVAL, subject to conditions:	22-0270-MOD1 22-0270-ZON1
22-0270-SDR1	Staff recommends APPROVAL, subject to conditions:	22-0270-MOD1 22-0270-ZON1 22-0270-VAC1
22-0270-TMP1	Staff recommends APPROVAL, subject to conditions:	22-0270-MOD1 22-0270-ZON1 22-0270-VAC1 22-0270-SDR1

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED 48 (by City Clerk)

PROTESTS 0

APPROVALS 3

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**** CONDITIONS ****

22-0270-VAC1 CONDITIONS

1. The limits of this Petition of Vacation shall be defined as the unused patent easements on Assessor Parcel Numbers 126-01-601-001 through 126-01-601-005 and all of the right-of way for Michelli Crest Way between Rocky Avenue and Ruston Road.

2. The Order of Vacation and Order of Relinquishment of Interest shall record concurrently with the Final Map associate with 22-0270-TMP1.

3. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties so that an unmaintained “no-man’s land” area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first.

4. 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 Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by 22-0270-TMP1 may be used to satisfy this requirement provided that it addresses the area to be vacated.

5. The Order of Vacation shall reserve easements for the facilities of all City of Las Vegas Franchise Holders unless written verifiable letters of consent without reservation are received prior to recordation.

6. 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.

7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

8. All development shall be in conformance with code requirements and design standards of all City Departments.

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9. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that 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 or easement being vacated must be retained.

10. If the Order of Vacation and 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.

22-0270-SDR1 CONDITIONS

Planning

1. Approval of a Major Modification of the Kyle Canyon Gateway Master Development Plan and Design Guidelines (22-0270-MOD1) and Rezoning (22-0270-ZON1), and approval of and conformance to the conditions of approval for a Petition to Vacate (22-0270-VAC1) and a Tentative Map (22-0270-TMP1) shall be required, if approved.

2. This approval shall be void four 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 development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 05/21/22, except as amended by conditions herein.

4. 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.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

8. 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.

9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. Landscape and maintain all unimproved right-of-way 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.

11. Submit a License Agreement for landscaping and private improvements in the public rights-of-way 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 within 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 applicant and any successors in interest to the property and assigns pursuant to the terms 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).

22-0270-TMP1 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 a Major Modification of the Kyle Canyon Gateway Master Development Plan and Design Guidelines (22-0270-MOD1) and Rezoning (22-0270-ZON1) and approval of and conformance to the conditions of approval for a Petition to Vacate (22-0270-VAC1) and a Site Development Plan Review (22-0270-SDR1) 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 22-0270-VAC1 shall be recorded to eliminate the public right of way and patent easements in conflict with this proposed.

8. Dedicate 30 feet on Ruston Road, 40 feet on Alpine Ridge Way, 30 feet on Rocky Avenue including 15-foot radii at the northeast corner of Alpine Ridge Way and Ruston Road and the southeast corner of Alpine Ridge Way and Rocky Avenue adjacent to this site on the Final Map for this site.

9. Private streets must be granted and labeled on the Final Map for this site as Public Utility Easements (P.U.E.), Public Sewer Easements, and Public Drainage Easements to be privately maintained by the Homeowner's Association.

10. Grant a minimum 20-foot wide Public Sewer Easement over the public sewer lines within Common Elements "N" and "B" on the appropriate Final Map for this site.

11. Construct half-street improvements including a minimum four-foot overpaving for Alpine Ridge Way, Rocky Avenue, and Ruston Road adjacent to this site, concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). 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.

12. Per the Kyle Canyon Gateway Master Sewer Study, coordinate with the Sanitary Sewer Planning Section to execute a sewer oversizing/extension agreement with Sanitary Sewer Section of the Department of Public Works to extend sewer the full frontage on Rocky Avenue.

13. 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.

14. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50 percent of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75 percent. The above thresholds notwithstanding, all required Improvements shall be constructed in accordance with Title19.02.130.D.

15. An update to the previously approved Master 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 submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved update to the Traffic Impact Analysis prior to occupancy of the 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

16. 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.

17. Provide for adequate separation requirements between proposed 60" RCP storm drain and proposed sewer line in Blue Ridge Street.

18. No structures, or permanent landscaping having a mature height of greater than 3-feet shall be placed anywhere in any Public Sewer Easement.

19. 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.

20. 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to develop a 54-lot single-family residential development on four undeveloped parcels on 15.84 acres at the northeast corner of Ruston Road and Alpine Ridge Way. One of the parcels is included in the Kyle Canyon Gateway (KCG) Master Plan area; the other three are not and require modification of the Plan to be annexed into the KCG Plan area. Michelli Crest Way between Rocky Avenue and Ruston Road would need to be vacated to include this area within the proposed development, as well as U.S. Government patent easements in conflict with the site.

ISSUES

- Rezoning of the three new parcels is requested from U (Undeveloped) [PCD] to PD (Planned Development), which would match the zoning of other KCG parcels and provide flexibility to use special KCG development standards.
- A Major Modification of the KGC Master Development Plan and Design Guidelines is requested to add three parcels totaling 9.13 acres to the plan, to update the Master Development Plan land use map and to amend various provisions within the Design Guidelines, including perimeter wall heights.
- A new procedure similar to the Administrative Deviation process is proposed in Section 8 of the Design Guidelines to provide for minor deviations from certain design standards.
- The applicant is petitioning to vacate certain public rights-of-way and U.S. Government patent easements in conflict with the proposed development. Staff recommends approval.
- Title 19.10.040 requires all development within a PD (Planned Development) zoning district to be subject to the site development plan review procedures set forth in Title 19.16.100.
- If approved, the applicant has requested to build this development to the KCG R-1 residential development standards.

ANALYSIS

A Rezoning to PD (Planned Development) is necessary in order for the parcel to be integrated into the KCG master development plan and be subject to KCG Design Standards. A Major Modification pursuant to Title 19.10.040.G is required to add the three parcels (which total 9.13 acres) and to designate them as L (Residential Low) for compatibility with the adjacent parcels.

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On the KCG Master Development Plan land use map, the L (Residential Low) designation allows for residential density up to 15 dwelling units per acre with an average density of 5.49 dwelling units per acre. This proposal is for 3.41 dwelling units per acre on this site keeping the overall average density below the allowance in conformance with the KCG Master Development Plan.

If the proposed Major Modification is approved, development of the site will be subject to the KCG Design Guidelines approved in April 2021 as amended by this request. Where particular standards or procedures are not called out in the KCG Design Guidelines, analogous standards in Title 19 apply pursuant to LVMC 19.10.040.I. Title 19.10.040.H requires that all development in a PD (Planned Development) zoning district be subject to the site development plan review procedures in Title 19.16.100.

The applicant has opted to use the Kyle Canyon Gateway R-1 development standards for the proposed development, which conform to the L (Residential Low) designation. These standards require a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet. There are no common open space requirements under this designation.

Rezoning and Major Modification

The applicant requests that Assessor's Parcel Numbers 126-01-601-001, 003 and 005 (9.13 acres) generally located at the northeast corner of Ruston Road and Alpine Ridge Way be rezoned to PD (Planned Development) so that this acreage can be made part of this development and the same standards can be applied. The current zoning o fthese parcels is U (Undeveloped) [PCD (Planned Community Development) General Plan designation], which serves as a holding zone until a parcel is developed. Other surrounding parcels in this area also have the PCD designation, which allows for residential development of up to 8.00 dwelling units per acre. The requested Rezoning to PD is appropriate, as it conforms to the General Plan and provides continuity in development of the Kyle Canyon Gateway community.

The requested Major Modification can only be approved after the subject parcels are rezoned to PD (Planned Development). If approved, the total Kyle Canyon Gateway Master Development Plan area would be increased to 101.91 acres with 815 possible residential units based on the PCD (Planned Community Development) density cap.

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Kyle Canyon Gateway

Current Total Acreage	*Proposed Total Acreage*
92.78	101.91
Max Number of Units	*Max Number of Units after MOD*
742	815

The proposed land use designation for the subject parcel is L (Residential Low), which is compatible with the surrounding parcels within the plan area. Given this compatibility of land use, the proposed modification will allow for continuity and predictability of development in this area.

The Master Developer has proposed several changes to the KCG Design Guidelines to update the land use plan and streetscape exhibit as well as to amend certain development standards. A summary of these changes is shown in the table below.

Summary of proposed changes to Design Standards

Section	***Description***	***Proposed Language***
2.A.1	KCG R-1 Single Family Residential District Development Standards	Correct contradicting second story setback requirement. 14' should be the correct setback.
2.A.1,2,3	Single-Family Residential Standards	Perimeter Walls: Max overall height - 12' on exterior side of development, 14' on interior side Perimeter screen wall - 6-8' max Retaining wall - 6' max (exterior), 8' max (interior) Stepped walls: Primary Wall Height - 6' (exterior), 8' (interior); Secondary Wall Height - 4'; Inside dimension of horizontal landscaped space - 4'
3.A.2	Street Layout	Specifically codifies that dead end stub streets are permitted, with references to Exhibits
5	Landscape Architectural Guidelines	Update street section exhibits to allow wider street sections than those previously approved, at the developer's discretion
		Add 35' minimum stub street section

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Section	***Description***	***Proposed Language***
6.B.3	Retaining Walls	Increased allowable maximum retaining wall height from 6' to 8' on the interior side of the wall
		Increased overall wall height with retaining from 10' to 12' (exterior) and from 12' to 14' (interior), depending on whether the wall is a perimeter or interior wall
8.A	Minor Deviations from Standards	Introduces a process to allow minor deviations of KCG standards on a lot-by-lot basis. The process is similar to the Administrative Deviation process of Title 19.16.120. For deviations outside the scope of Title 19.16.120, a Variance is required pursuant to Title 19.16.140.

Staff finds that the proposed amendments to the development standards are reasonable and compatible with existing and future adjacent development in this area. With respect to perimeter walls, the average natural grade is greater than two percent in this area, warranting greater retaining wall height. The proposed 14-foot wall heights would not be visible from perimeter streets or neighboring properties, and the maximum visible height would be similar to the 12 feet already allowed. With regard to street sections, stub streets within private, gated subdivisions were already allowed by the current standards; however, the text and exhibits now make this explicit. The Department of Public Works has no objection to allowing wider streets than the current sections show.

With regard to minor deviations, a process such as this allows staff to consider certain minor adjustments to wall heights, setbacks, planting areas and materials administratively that currently require a variance. Since the process references the procedures of Title 19.16.120 related to Administrative Deviations, such requests would be limited in scope and restricted to a certain percentage of the standard. The Master Developer must pre-approve each request prior to submittal for City review. The process allows staff through the Director of Planning the discretion to approve or deny such requests.

The proposed Major Modification is appropriate for this area and will allow for continuity and predictability of development in this area. The proposed changes to the Kyle Canyon Gateway Design Guidelines will not have a negative effect on surrounding properties. For these reasons, staff recommends approval of the Major Modification.

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Vacation of Public Right-of-Way and U.S. Government Patent Easements

The proposed vacation of Michelli Crest Way between Ruston Road and Rocky Avenue will not result in reduced traffic handling capability, as the right-of-way is no longer needed for access to these parcels. The patent easements are no longer needed in their current configuration and therefore may be relinquished to allow for the proposed development. The Department of Public Works has no objection to these requests. Staff therefore recommends approval of the Petition to Vacate, with conditions.

Site Development Plan Review and Tentative Map

Access to the development is proposed from Rocky Avenue. The KCG Design Guidelines identifies this as a 60-foot wide public street. The proposed street design includes a 53-foot wide private gated entry section, a 40-foot wide private street section with sidewalk on one side, and a 44-foot wide private street section with sidewalk on one side which meets KCG Design Guidelines Exhibit 5.T.1 as amended by the proposed Major Modification. The subdivision also includes several stub streets, which are permitted by the Design Guidelines.

As the proposed subdivision is to be located within the PD (Planned Development) zoning district, it is not subject to the 1.30 Connectivity Ratio required within standard zoning districts; however, the ratio is required to be indicated on the tentative map. The map shows that the Connectivity Ratio (links: nodes) for the proposed subdivision is 1.23 and contains two bicycle/pedestrian links.

Landscape improvements are proposed at the subdivision entry and along the perimeter streets in conformance with the KCG Design Guidelines, which calls for staggered 24-inch box and 36-inch box trees within the perimeter buffers and streetscape areas. Additional landscaping will be provided along several interior private streets and in common areas. A small dog park is provided within the subdivision near Ruston Road. There is no common open space requirement under the KCG R-1 development standards.

One and two-story models are proposed. The submitted elevations indicate three modern design styles with sloped roofs and painted stucco exteriors. They are desirable in appearance and will be harmonious and compatible with other residential development in the Kyle Canyon Gateway community.

The submitted east/west cross sections depict maximum natural grade greater than two percent across this site. With approval of the related Major Modification, Section 6.B.3 of the KCG Design Guidelines permits retaining walls to be eight feet in height on the interior side and six feet in height on the exterior side of the wall, irrespective of the natural grade. A maximum eight-foot retaining wall is shown on the west perimeter and tiered four-foot retaining walls are shown on the east property line.

The submitted north/south cross section depicts maximum natural grade less than two percent across this site. With approval of the related Major Modification, Section 6.B.3 of the KCG Design Guidelines permits retaining walls to be eight feet in height on the interior side and six feet in height on the exterior side of the wall, irrespective of the natural grade. A maximum six-foot retaining wall is shown along the north property line and no retaining wall is shown along the south property line.

The Traffic Engineering Section of the Department of Public Works states that the proposed development will add approximately 387 trips per day on Rocky Avenue, Alpine Ridge Way and Kyle Canyon Road. With this project, Kyle Canyon Road is expected to be at about 25 percent of capacity. Recent counts are not available in this vicinity for Rocky Avenue or Alpine Ridge Way, but they are believed to be under capacity. Based on Peak Hour use, this development will add into the area roughly 53 additional cars, or about one every minute.

The Clark County School District (CCSD) has commented on the impact future development might have on the three levels of schools in the area. CCSD projects that 21 additional primary and secondary school students would be generated by the proposed development on this site. According to CCSD, Indian Springs High School and Indian Springs Middle School are each under capacity for the 2021-22 school year. Indian Springs Elementary School is 39 percent over capacity. All are located outside the corporate limits of the city of Las Vegas.

The Rezoning and Major Modification of the Kyle Canyon Gateway Master Development Plan are appropriate and compatible with surrounding approved land uses. Low density residential development is anticipated in this area by the 2050 Las Vegas Master Plan. The proposed development conforms to the Kyle Canyon Gateway Master Development Plan and Design Guidelines as modified through this request. Staff therefore recommends approval of the Site Development Plan Review and Tentative Map requests.

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FINDINGS (22-0270-MOD1)

The addition of 9.13 acres of undeveloped land into the Kyle Canyon Gateway Master Development Plan will not significantly increase the total number of potential residential units within the community. The L (Residential Low) special land use designation is appropriate for this site and compatible with similar designations on parcels to the north, south and west. The proposed modification will allow for continuity and predictability of development in this area. The amendment to the Design Guidelines will maintain compatibility with the adjacent residential development. For these reasons, staff recommends approval of the Major Modification.

FINDINGS (22-0270-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

   The PD (Planned Development) zoning district conforms to the existing PCD (Planned Community Development) General Plan designation on this site and on surrounding parcels.

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

   The PD (Planned Development) zoning district allows for varying types of development according to an approved set of development standards that will ensure compatibility with the surrounding properties, most of which are already zoned PD north of Kyle Canyon Road.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

   The subject parcels is are bounded on at least one side by PD (Planned Development) zoning designations with an approved set of standards for future development. Rezoning of the subject site would allow for continuity and predictability of development across the entire Kyle Canyon Gateway community.

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4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

Access to the subject parcels is currently provided by Alpine Ridge Way, Ruston Road and Rocky Avenue. Alpine Ridge Way is a planned 80-foot public street. Rocky Avenue, a 60-foot Minor Street, will provide access to the private streets within the subdivision. These streets will be adequate in size to accommodate the requirements for development within the proposed PD (Planned Development) District.

FINDINGS (22-0270-VAC)

The Department of Public Works has no objection to the Petition to Vacate Michelli Crest Way between Rocky Avenue and Ruston Road and presents the following information to justify its recommendation:

A. Does this vacation request result in uniform or non-uniform right-of-way widths?	Uniform
B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability?	No
C. Does it appear that the vacation request involves only excess right-of-way?	Yes, Michelli Crest Way will no longer be a street within this site area
D. Does this vacation request coincide with development plans of the adjacent parcels?	Yes, 22-0270-TMP1
E. Does this vacation request eliminate public street access to any abutting parcel?	No
F. Does this vacation request result in a conflict with any existing City requirements?	No
G. Does the Department of Public Works have an objection to this vacation request?	No

The Department of Public Works has no objection to the Petition to Vacate U.S. Government Patent Easements on Assessor Parcel Numbers 126-01-601-001, 002, 003 and 005.

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FINDINGS (22-0270-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed 54-lot residential development is compatible with the type and density of other planned and approved residential developments within Kyle Canyon Gateway.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

   The proposed development is consistent with the 2050 Master Plan and the Kyle Canyon Gateway Master Development Plan and Design Standards, with no Waivers of standards proposed.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   The Traffic Engineering Section of the Department of Public Works projects that approximately 387 vehicle trips per day would be added on Rocky Avenue, Alpine Ridge Way and Kyle Canyon Road as a result of the proposed development. This is roughly equivalent to 53 additional cars, or about one every minute, based on peak hour use.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The proposed landscape materials are appropriate for the Kyle Canyon Gateway community and this area of the city. Building materials will be reviewed during the building permit process.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

Submitted building elevations indicate New Century Modern, Desert Modern, Nevada Modern design styles with sloped roofs and painted stucco exteriors. They are desirable in appearance and will be harmonious and compatible with other residential development in this area (Kyle Canyon Gateway). The elevations and floor plans will be fully reviewed during the building permit process.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   Site development is subject to building permit review and inspection, thereby protecting the public health, safety and general welfare.

FINDINGS (22-0270-TMP1)

The proposed tentative map conforms to Nevada Revised Statutes, the Kyle Canyon Gateway Master Development Plan and Design Standards and the minimum requirements set forth by Title 19 for Tentative Maps. Staff recommends approval, subject to conditions.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
06/01/05	The City Council adopted Ordinance 5774 (ANX-5528), which annexed the subject property into the City of Las Vegas as part of a larger request. The subject site was designated PCD (Planned Community Development) and the zoning classification was designated U (Undeveloped). The Annexation became effective 06/10/05.
04/21/21	The City Council approved a request for a Rezoning (20-0370-ZON1) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on 87.78 acres at the northeast corner of Kyle Canyon Road and Alpine Ridge Way. The proposal included the Master Development Plan and Design Guidelines for the Kyle Canyon Gateway Master Plan. The Planning Commission and staff recommended approval.

SS

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
	The City Council approved a Petition to Vacate (20-0370-VAC1) portions of Log Cabin Way between Alpine Ridge Way and Michelli Crest Way, Michelli Crest Way between Ruston Road and Log Cabin Way, and various U.S. Government Patent Easements generally located at the northeast corner of Kyle Canyon Road and Alpine Ridge Way. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Site Development Plan Review (20-0372-SDR1) for a 21-lot single family residential development on 4.73 acres generally located at the northeast corner of Rocky Avenue and Michelli Crest Way. The Planning Commission and staff recommended approval.
	The City Council approved a Tentative Map (20-0372-TMP1) for a 21-lot single family residential subdivision (Kyle Canyon Gateway Unit 2) on 4.73 acres generally located at the northeast corner of Rocky Avenue and Michelli Crest Way. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Variance (20-0373-VAR1) to allow no offsite improvements where such are required on 22.90 acres generally located at the southeast corner of Ruston Road and Michelli Crest Way. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a request for a Site Development Plan Review (20-0373-SDR1) for a 115-lot single family residential development on 22.90 acres generally located at the southeast corner of Ruston Road and Michelli Crest Way. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a Tentative Map (20-0373-TMP1) for a 115-lot single family residential subdivision (Kyle Canyon Gateway Unit 1) on 22.90 acres generally located at the southeast corner of Ruston Road and Michelli Crest Way. The Planning Commission recommended approval; staff recommended denial.
05/11/21	The Planning Commission approved a Tentative Map (21-0163-TMP1) for a 232-lot single-family residential subdivision (Kyle Canyon Gateway East) on 33.31 acres at the southwest corner of Rocky Avenue and Oso Blanca Road. Staff recommended approval.
11/17/21	The City Council approved a request for a Major Modification (21-0526-MOD1) of the Kyle Canyon Gateway Master Development Plan to add 5.00 acres to the plan and designate the land use as L (Residential Low). The Planning Commission and staff recommended approval.

SS

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
	The City Council approved a request for a Rezoning (21-0526-ZON1) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on 5.00 acres at the southwest corner of Log Cabin Way and Michelli Crest Way. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Variance (21-0526-VAR2) to allow stub street terminations on private streets where culs-de-sac or hammerheads are required on 29.46 acres at the northeast corner of Kyle Canyon Road and Alpine Ridge Way. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a request for a Petition to Vacate (21-0526-VAC1) U.S. Government Patent Easements generally located at the northeast corner of Kyle Canyon Road and Alpine Ridge Way; and portions of public right-of-way between Alpine Ridge Way and Michelli Crest Way. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Site Development Plan Review (21-0526-SDR1) for a proposed 157-lot single-family residential development on 29.46 acres at the northeast corner of Kyle Canyon Road and Alpine Ridge Way. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a Tentative Map (21-0526-TMP1) for a 157-lot single-family residential subdivision (Kyle Canyon Gateway Unit 3) on 29.46 acres at the northeast corner of Kyle Canyon Road and Alpine Ridge Way. The Planning Commission recommended approval; staff recommended denial. This map was determined to be void by Department of Planning staff.
03/08/22	The Planning Commission approved a Petition to Vacate (22-0027-VAC1) - U.S. Government Patent Easements generally located on the north side of the Rocky Avenue alignment, approximately 610 feet west of Oso Blanca Road. Staff recommended approval.
	The Planning Commission approved a request for a Site Development Plan Review (22-0027-SDR1) for a proposed 41-lot single-family detached residential development on 9.08 acres on the north side of the Rocky Avenue alignment, approximately 610 feet west of Oso Blanca Road. Staff recommended approval.
	The Planning Commission approved a Tentative Map (22-0027-TMP1) for a 41-lot single-family detached residential subdivision (Kyle Canyon Gateway Unit 2) on 9.08 acres on the north side of the Rocky Avenue alignment, approximately 610 feet west of Oso Blanca Road. Staff recommended approval.

SS

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
07/12/22	The Planning Commission (6-0 vote) recommends APPROVAL on the following Land Use Entitlement project requests on 15.84 acres at the northeast corner of Ruston Road and Alpine Ridge Way (APNs 126-01-601-001 through 003 and 005), U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and PD (Planned Development) Zones, Ward 6 (Fiore) • **22-0270-MOD1** - MAJOR MODIFICATION - TO AMEND THE KYLE CANYON GATEWAY MASTER DEVELOPMENT PLAN TO ADD 9.13 ACRES TO THE PLAN AND DESIGNATE THE LAND USE AS L (RESIDENTIAL LOW) [APNs 126-01-601-001, 003 and 005], TO AMEND VARIOUS DEVELOPMENT STANDARDS WITHIN THE DESIGN GUIDELINES AND TO ADD PROCEDURES TO THE DESIGN GUIDELINES REGARDING DEVIATIONS FROM THE KYLE CANYON GATEWAY RESIDENTIAL DEVELOPMENT STANDARDS • **22-0270-ZON1** - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) [9.13 acres on APNs 126-01-601-001, 003 and 005] • **22-0270-VAC1** - VACATION - PETITION TO VACATE THE EAST 30 FEET OF MICHELLI CREST WAY (PUBLIC RIGHT-OF-WAY) BETWEEN RUSTON ROAD AND ROCKY AVENUE AND U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED AT THE NORTHEAST CORNER OF RUSTON ROAD AND ALPINE RIDGE WAY • **22-0270-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 54-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT • **22-0270-TMP1** - TENTATIVE MAP - KYLE CANYON GATEWAY UNIT 4 - FOR A 54-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Most Recent Change of Ownership	
01/25/11	A deed was recorded for a change in ownership on APN 126-01-601-003.
03/18/16	A deed was recorded for a change in ownership on APN 126-01-601-002.
01/31/22	A deed was recorded for a change in ownership on APNs 126-01-601-001 and 005.

Related Building Permits/Business Licenses
There are no relevant building permits or business licenses related to the subject site.

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Pre-Application Meeting	
05/03/22	A pre-application meeting was held with the applicant to discuss submittal requirements for entitling the proposed residential development. The discussion included the possibility of opening up the Design Guidelines to allow for deviations of residential development standards on a lot-by-lot basis.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
05/27/22	The site is undeveloped with native vegetation and free of trash and debris.

Details of Application Request	
Site Area	
Net Acres	15.84 (overall)
Net Acres	9.13 (Rezoning, Major Modification)

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) PD (Planned Development)
North	Undeveloped	PCD (Planned Community Development)	U (Undeveloped)
South	Undeveloped	PCD (Planned Community Development)	PD (Planned Development) U (Undeveloped)
East	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
West	Undeveloped	PCD (Planned Community Development)	U (Undeveloped)

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Master and Neighborhood Plan Areas	***Compliance***
Las Vegas 2050 Master Plan Area: Kyle Canyon	Y
Kyle Canyon Gateway	Y
Special Area and Overlay Districts	***Compliance***
PD (Planned Development) District	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to the Kyle Canyon Gateway Design Guidelines, the following standards apply:

Kyle Canyon Gateway R-1 Residential Development Standards

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	6,000 SF	7,200 SF	Y
Min. Lot Width	50 Feet	70 Feet	Y

Existing Zoning	***Permitted Density***	***Units Allowed***
U (Undeveloped)	2.18 du/ac	19 (9.13 acres)
PD (Planned Development)	15.00 du/ac Per the KCG Master Development Plan	75 (5 acres)
Proposed Zoning	***Permitted Density***	***Units Allowed***
PD (Planned Development)	15.00 du/ac Per the KCG Master Development Plan	237 (15.84 acres)
Existing General Plan	***Permitted Density***	***Units Allowed***
PCD (Planned Community Development)	8.00 du/ac	126 (15.84 acres)

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Pursuant to the Kyle Canyon Gateway Design Guidelines and Title 19, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	38 Trees	38 Trees	Y*
• South	1 Tree / 30 Linear Feet	19 Trees	19 Trees	Y*
• East	1 Tree / 30 Linear Feet	9 Trees	9 Trees	Y*
• West	1 Tree / 30 Linear Feet	17 Trees	17 Trees	Y*
TOTAL PERIMETER TREES		**83 Trees**	**83 Trees**	**Y**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	6 Feet		6 Feet	Y
• South	6 Feet		6 Feet	Y
• East	6 Feet		6 Feet	Y
• West	6 Feet		6 Feet	Y

*Trees to be clustered between buffer area and streetscape area with 60% 24" box and 40% 36" box trees with maximum spacing of 45'.

Streetscape Standards	***Required***	***Provided***	***Compliance***
Alpine Ridge Wy (80')	5' sidewalk	5' sidewalk	Y
	3' amenity zone	3' amenity zone	Y
	5 - 5-gallon shrubs per tree in amenity zone 1 tree per 30' (18 required)	<u>18 trees</u> Wilsonii Olive Honey Mesquite Cathedral Live Oak African Sumac Texas Mountain Laurel 60% 24" box 40% 36" box	Y
Ruston Rd (60')	5' sidewalk	5' sidewalk	Y
	3' amenity zone	3' amenity zone	Y
	5 - 5-gallon shrubs per tree in amenity zone 1 tree per 30' (18 required)	<u>18 trees</u> Wilsonii Olive Honey Mesquite Cathedral Live Oak African Sumac Texas Mountain Laurel 60% 24" box 40% 36" box	Y

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Streetscape Standards	***Required***	***Provided***	***Compliance***
McKinster Rd (60')	5' sidewalk	5' sidewalk	Y
	3' amenity zone	3' amenity zone	Y
	5 - 5-gallon shrubs per tree in amenity zone 1 tree per 30' (8 required)	8 trees Wilsonii Olive Honey Mesquite Cathedral Live Oak African Sumac Texas Mountain Laurel 60% 24" box 40% 36" box	Y
Rocky Ave (60')	5' sidewalk	5' sidewalk	Y
	3' amenity zone	3' amenity zone	Y
	5 - 5-gallon shrubs per tree in amenity zone 1 tree per 30' (37 required)	37 trees Wilsonii Olive Honey Mesquite Cathedral Live Oak African Sumac Texas Mountain Laurel 60% 24" box 40% 36" box	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Alpine Ridge Wy	80' Public Street	Kyle Canyon Gateway Design Guidelines	32	N*
Ruston Rd	60' Public Street	Kyle Canyon Gateway Design Guidelines	0	N*

*Applicant will agree to improve half-streets, including overpaving and transition paving.

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19.04.040 Connectivity			
Transportation Network Element		***# Links***	***# Nodes***
Internal Street		15	
Intersection – Internal			8
Cul-de-sac Terminus			0
Intersection – External Street or Stub Terminus			5
Intersection – Stub Terminus with Temporary Turnaround Easements			0
Non-Vehicular Path - Unrestricted (2 x 0.5 link)		1	
Total		16	13
	Required	***Provided***	
Connectivity Ratio (Links / Nodes):	**N/A**	**1.23**	

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family, Detached	54 units	2 unimpeded spaces per unit with at least one space in an enclosed garage	108 (all in garage)				
TOTAL SPACES REQUIRED			108		108		Y
Regular and Handicap Spaces Required			108	0	108	0	Y

SS

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	22-0270
Meeting Date	06/15/2022
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) ZON/ MOD/ TMP/ VAR/ SDR/ VAC

Project Address (Location) Ruston and Alpine Ridge Way

Project Name Kyle Canyon Gateway Unit 4 **Proposed Use** residential

Assessor's Parcel #(s) 126-01-601-001, 126-01-601-005 **Ward #** 6

General Plan: Existing PCD Proposed PCD **Zoning:** Existing Undeveloped Proposed PD

Additional Information

Property Owner VFR Southwest Desert Equities II, LLC Contact David Saltman

Address 8215 South Eastern Avenue, Suite 205 City Las Vegas State NV Zip 89123

E-mail davids@thevistagroup.net Phone 702-798-7970, ext. 28

Applicant Tri Pointe Homes Nevada, Inc Contact Mina Maleki

Address 4675 W. Teco Ave #115 City Las Vegas State NV Zip 89118

E-mail mina.maleki@tripointehomes.com Phone 702.614.1452

Representative Westwood Contact Hannah Swan

Address 5725 W. Badura Ave #100 City Las Vegas State NV Zip 89118

E-mail hannah.swan@westwoodps.com Phone 702.284.5349

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☑ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official **Partner(s)**

Partner(s)

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature Michael A. Saltman

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Michael A. Saltman, Manager, VFR Manager as Manager of VFR Southwest Desert Equities II, LLC

Subscribed and sworn before me

This 24th day of March, 2022

Janet Collins

Notary Public in and for said County and State

JANET COLLINS
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-18-23
Certificate No: 07-5163-1

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use

Case #	22-0270
Meeting Date	06/15/2022
Total Fee	
Received By/Da	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) VAC

Project Address (Location) Ruston & Michelli Crest Way

Project Name _____ **Proposed Use** Planned Unit Development

Assessor's Parcel #(s) 126-01-601-004 **Ward #** 6

General Plan: Existing PCD Proposed PCD **Zoning:** Existing Undeveloped Proposed PD

Additional Information vacation of right of way

Property Owner 999 Investments LLC Contact _____

Address _____ City _____ State ____ Zip _____

E-mail _____ Phone n/a

Applicant Tri Pointe Homes Contact Mina Maleki

Address 4675 West Teco Ave, Suite 115 City Las Vegas State NV Zip 89118

E-mail Mina.Maleki@TriPointeHomes.com Phone 702-614-1452

Representative Westwood Professional Services Contact Dan Poll

Address 5725 W. Badura Ave #100 City Las Vegas State NV Zip 89118

E-mail lvproc@westwoodps.com Phone 702-284-5300

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

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City Official _____ **Partner(s)** _____

Partner(s) _____

• I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

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Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, ~~Tentative Maps~~ and Parcel Maps

Print Name Parvez Rohani – manager

Subscribed and sworn before me

This 6th day of May, 20 22

Dorothy Grace Shoen

Notary Public in and for said County and State

DOROTHY GRACE SHOEN
NOTARY PUBLIC
STATE OF NEVADA
APPT. NO. 96-5387-1
MY APPT. EXPIRES DECEMBER 11, 2024

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

06/15/2022
22-0270

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) ZON/ MOD/ TMP/ VAR/ SDR/ VAC

Project Address (Location) Rocky Ave and Michelli Crest

Project Name Kyle Canyon Gateway Unit 4 **Proposed Use** residential

Assessor's Parcel #(s) 126-01-601-003 **Ward #** 6

General Plan: Existing PCD Proposed PCD **Zoning:** Existing Undeveloped Proposed PD

Additional Information

Property Owner C-N W 361 LLC Contact

Address City State Zip

E-mail Phone

Applicant Tri Pointe Homes Nevada, Inc Contact Mina Maleki

Address 4675 W. Teco Ave #115 City Las Vegas State NV Zip 89118

E-mail mina.maleki@tripointehomes.com Phone 702.614.1452

Representative Westwood Contact Hannah Swan

Address 5725 W. Badura Ave #100 City Las Vegas State NV Zip 89118

E-mail hannah.swan@westwoodps.com Phone 702.284.5349

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

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City Official **Partner(s)**

Partner(s)

• I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

• Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature Laura C Lychock

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Laura C Lychock

, LLC, a Nevada limited liability company

By: CMI Management, LLC, a Nevada limited liability company, Manager

By: LST Investment, LLC, a Nevada limited liability company, Manager

Laura C Lychock, Managing Member

Subscribed and sworn before me

This 7 day of March, 2022

Notary Public in and for said County and State

MARY E. KNUTSEN
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 08-02-22
Certificate No: 02-77950-1

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) ZON/ MOD/ TMP/ VAR/ SDR/ VAC

Project Address (Location) Ruston and Michelli Crest

Project Name Kyle Canyon Gateway Unit 4 **Proposed Use** residential

Assessor's Parcel #(s) 126-01-601-002 **Ward #** 6

General Plan: Existing PCD Proposed PCD **Zoning:** Existing Undeveloped Proposed PD

Additional Information

Property Owner Kyle North Holdings LLC Contact Lenny Badger

Address 1635 Village Center Circle, Ste. 100 City Las Vegas State NV Zip 89134

E-mail lbadger@fcglv.com Phone 702.242.4949

Applicant Tri Pointe Homes Nevada, Inc Contact Mina Maleki

Address 4675 W. Teco Ave #115 City Las Vegas State NV Zip 89118

E-mail mina.maleki@tripointehomes.com Phone 702.614.1452

Representative Westwood Contact Hannah Swan

Address 5725 W. Badura Ave #100 City Las Vegas State NV Zip 89118

E-mail hannah.swan@westwoodps.com Phone 702.284.5349

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

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City Official **Partner(s)**

Partner(s)

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- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Thomas J. DeVore

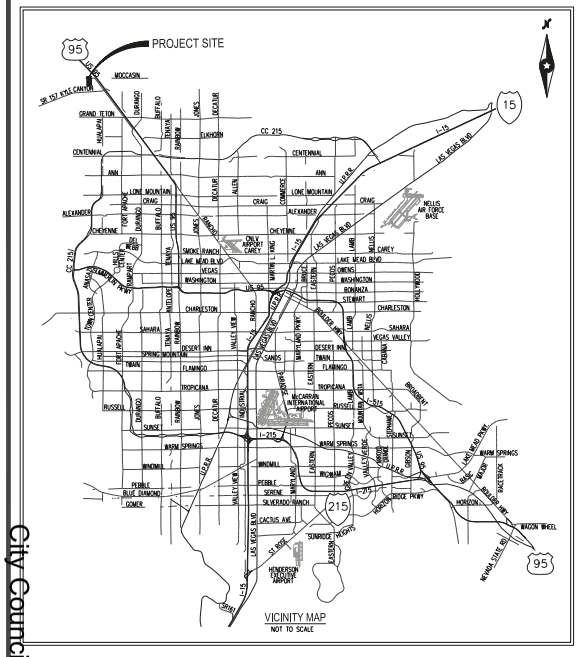
Subscribed and sworn before me

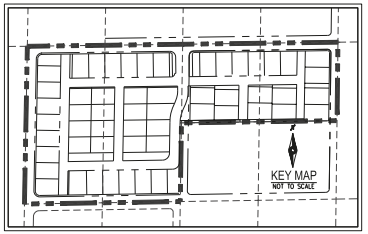
This 14th day of March, 20 22

Notary Public in and for said County and State

22-0270
06/15/2022
Appt. No. 00-64522-1
My Appt. Expires Jan. 13, 2023

SITE PLAN
FOR
KYLE CANYON GATEWAY UNIT 4
A SINGLE FAMILY COMMUNITY LOCATED IN
CITY OF LAS VEGAS, NEVADA
APN: 126-01-601-005, 126-01-601-003, 126-01-601-002 & 126-01-601-001





OWNERS	DEVELOPER
C-N W 361 LLC 3041 W HORIZON RIDGE PKWY #155 HENDERSON, NV 89052 KYLE NORTH HOLDINGS LLC 1635 VILLAGE CENTER CIR #100 LAS VEGAS, NV 89134 VFR SOUTHWEST DESERT EQUITIES II LLC 8215 S EASTERN AVE #200 LAS VEGAS, NV 89123	TRI POINTE HOMES NEVADA, INC. 4675 W. TECO AVE., SUITE 115 LAS VEGAS, NV 89118 PH (702) 614-1400 FX (702) 873-6881 CONTACT: DAN HALE **ENGINEER** WESTWOOD 5725 BADURA AVE, SUITE 100 LAS VEGAS, NV 89118 PH: (702) 284-5300 FX: (702) 284-5399 CONTACT: DAN POLL

LEGAL DESCRIPTION
A PORTION OF WEST HALF OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59, EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

A PORTION OF EAST HALF OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59, EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

A PORTION OF EAST HALF OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59, EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

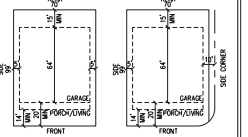
WEST HALF OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59, EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

BENCHMARK
CITY OF LAS VEGAS BENCHMARK OC99156

RIVET AND 2" ROUND ALUMINUM DISK IN CONCRETE CYLINDER AT THE SW CORNER OF ALPINE RIDGE WAY & KYLE CANYON RD

ELEVATION=892.53 METERS (NAVD'88)
ELEVATION=2928.24 US SURVEY FEET (NAVD'88)

BASIS OF BEARINGS
THE BASIS OF BEARING IS NORTH 86°52'17" EAST BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA AS SHOWN BY MAP THEREOF ON FILE IN THE CLARK COUNTY RECORDER'S OFFICE IN BOOK 160, PAGE 72 OF PLATS.

TYPICAL LOTS


SETBACK
FRONT (LIVING):	14' TO LIVING 14' TO PORCH
GARAGE:	20'
SIDE YARD:	5' (10' CORNER SIDE)
REAR:	15' TO LIVING

DEVIATIONS FROM STANDARD
1. NONE – 8' MAX HEIGHT WALLS TO BE ALLOWED PER MAJOR MOD IN PROCESS.

UTILITY SERVICES BY
WATER:	LAS VEGAS VALLEY WATER DISTRICT
SEWER:	CITY OF LAS VEGAS
GARBAGE:	REPUBLIC SERVICES OF SOUTHERN NEVADA
POWER:	NV ENERGY
TELEPHONE:	LUMEN
NATURAL GAS:	SOUTHWEST GAS COMPANY

ESTIMATED AVERAGE DAILY SEWER CONTRIBUTIONS
54 UNITS X 250 GPD/UNITS = 13,500 GPD
TOTAL AVERAGE CONTRIBUTION = 13,500 GPD = 0.0135 MGD
TOTAL PEAK FLOW = 0.0135 MGD X 3.952 (PEAK FACTOR) = 0.053 MGD

SITE DATA
APN NUMBERS:	126-01-601-005, 126-01-601-003, 126-01-601-002 & 126-01-601-001
GROSS AREA:	15.84 ± ACRES
CURRENT ZONING:	U(PCD)
PROPOSED ZONING:	PD (R-1-PD)
TOTAL LOT COUNT:	54
TOTAL DENSITY:	3.4 DU/AC
NO. OF COMMON ELEMENTS:	14
OPEN SPACE REQUIRED:	N/A
OPEN SPACE PROVIDED:	42,555 SF
MINIMUM LOT SIZE:	7350 SF (LOT 14-20)
MAXIMUM LOT SIZE:	10,631 SF (LOT 33)
AVERAGE LOT SIZE:	7,807 SF

CONNECTIVITY
NODES = 13

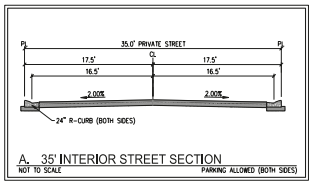
LINKS = 15
LINKS PEDESTRIAN/BICYCLE (5 LINK) = 1

CONNECTIVITY RATIO = 16/13 = 1.23

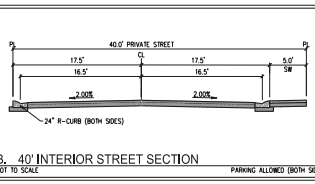
NOTES
1. THERE ARE NO KNOWN FAULTS OR FISSURES WITHIN OR ADJACENT TO THIS PROPERTY TO BE VERIFIED BY A GEOTECHNICAL ENGINEER.
2. THERE ARE NO KNOWN GROUNDWATER DEPTHS WITHIN 20 FEET OF THE EXISTING GROUND SURFACE.
3. THERE WILL BE A HOA AND CC&R'S ESTABLISHED FOR THIS SUBDIVISION.
4. LANDSCAPE EASEMENTS AND COMMON ELEMENTS WILL BE MAINTAINED BY HOA.
5. THE SITE SLOPES ARE LESS THAN 12% STREET GRADES WILL TYPICALLY BE LESS THAN 5%.
6. EASEMENTS REQUIRED FOR STORM DRAIN, DRY UTILITIES, SANITARY SEWER, AND POTABLE WATER SHALL BE GRANTED ON THE FINAL MAP.
7. WATER TO SERVICE THIS PROJECT WILL BE SUPPLIED BY TWO POINTS OF CONNECTION. THE FIRST POINT OF CONNECTION IS TO A WATER MAIN STUB LOCATED IN RUSTON ROAD AND THE SECOND CONNECTION IS A WATER MAIN STUB LOCATED IN ROCKY AVENUE. BOTH POINT OF CONNECTION MAINS ARE PROPOSED PER SEPARATE PLANS.
8. SEWER SERVICE FOR THIS PROJECT WILL CONNECT TO A SEWER MAIN IN ROCKY AVENUE. THIS MAIN IS PROPOSED PER KYLE CANYON GATEWAY UNIT 2.
9. THIS PROJECT IS NOT WITHIN A 100 YEAR FEMA SPECIAL FLOOD HAZARD AREA.
10. THERE ARE NO EXISTING STRUCTURES ON THIS PARCEL.

22-0270
06/15/2022

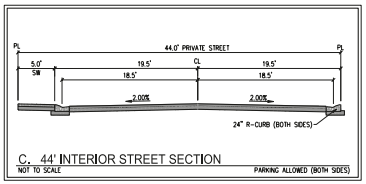
TYPICAL STREET SECTIONS



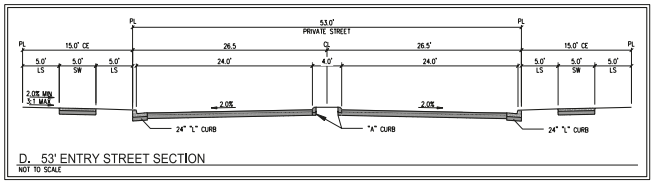
A. 35' INTERIOR STREET SECTION
NOT TO SCALE — PARKING ALLOWED (BOTH SIDES)



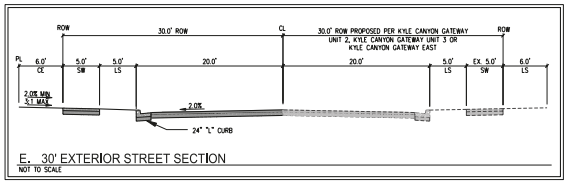
B. 40' INTERIOR STREET SECTION
NOT TO SCALE — PARKING ALLOWED (BOTH SIDES)



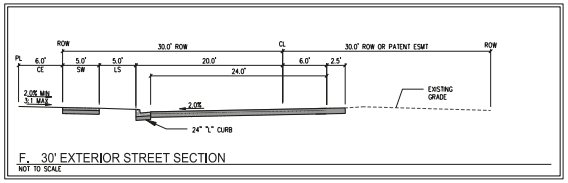
C. 44' INTERIOR STREET SECTION
NOT TO SCALE — PARKING ALLOWED (BOTH SIDES)



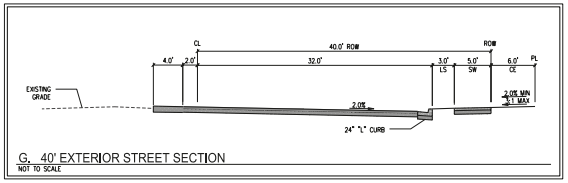
D. 53' ENTRY STREET SECTION
NOT TO SCALE



E. 30' EXTERIOR STREET SECTION
NOT TO SCALE



F. 30' EXTERIOR STREET SECTION
NOT TO SCALE



G. 40' EXTERIOR STREET SECTION
NOT TO SCALE

Westwood
Phone (702) 284-5300
5725 W Badura Ave. Suite 100 Las Vegas, NV 89118
Westwood Professional Services, Inc
westwoodps.com

NO.	DESCRIPTION	DATE	BY	APP.

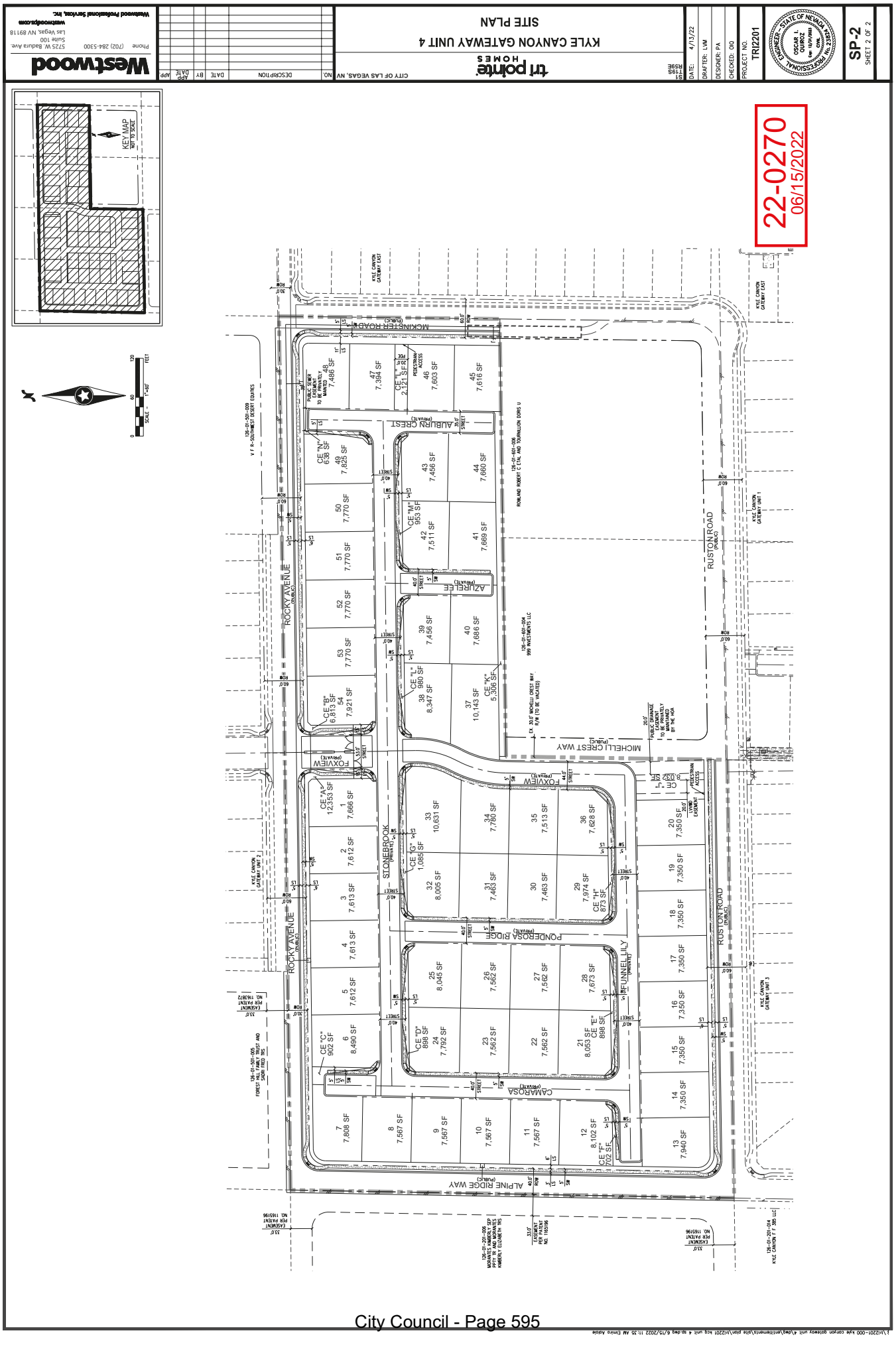
CITY OF LAS VEGAS, NV
tri pointe HOMES
KYLE CANYON GATEWAY UNIT 4
SITE PLAN
S18 T19S R59E

DATE: 6/15/22
DRAFTER: LVM
DESIGNER: PA
CHECKED: OIQ
PROJECT NO.
TRI2201

PROFESSIONAL ENGINEER STATE OF NEVADA
OSCAR I. QUIROZ
Date: 12/31/2023
CIVIL
No. 23824

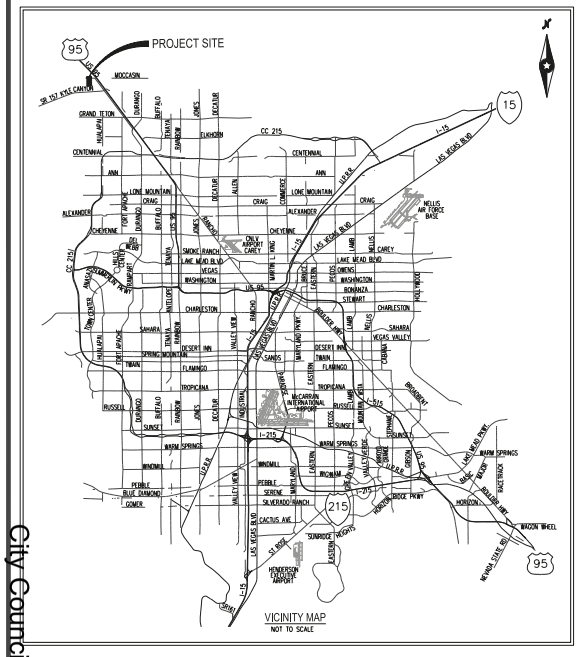
SP-1
SHEET 1 OF 2

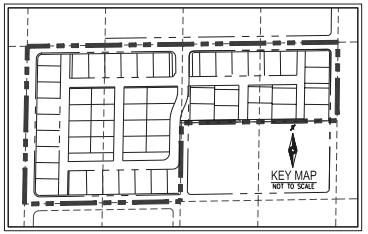
J:\tri2201-000 kyle canyon gateway unit 4\civil\entitlements\site plan\tri2201 key unit 4 sp.dwg 6/15/2022 11:35 AM Emma Adele



22-0270
06/15/2022
KEY MAP
NOT TO SCALE
SCALE 1"=60' FEET
Westwood
Phone (702) 284-5300
5725 W. Badura Ave.
Suite 100
Las Vegas, NV 89118
westwoodps.com
Westwood Professional Services, Inc.
CITY OF LAS VEGAS, NV
tri pointe HOMES
KYLE CANYON GATEWAY UNIT 4
SITE PLAN
DATE: 4/13/22
DRAFTER: LVM
DESIGNER: PA
CHECKED: OIO
PROJECT NO. TRI2201
SP-2
SHEET 2 OF 2
ROCKY AVENUE (PUBLIC)
RUSTON ROAD (PUBLIC)
MICHELLI CREST WAY (PUBLIC)
ALPINE RIDGE WAY (PUBLIC)
MCKINSTER ROAD (PUBLIC)
AUBURN CREST (PRIVATE)
AZURELEE (PRIVATE)
FOXVIEW (PRIVATE)
STONEBROOK (PRIVATE)
PONDEROSA RIDGE (PRIVATE)
FUNNEL LILY (PRIVATE)
CAMAROSA (PRIVATE)
KYLE CANYON GATEWAY EAST
KYLE CANYON GATEWAY UNIT 1
KYLE CANYON GATEWAY UNIT 2
KYLE CANYON GATEWAY UNIT 3

TENTATIVE MAP
FOR
KYLE CANYON GATEWAY UNIT 4
A SINGLE FAMILY COMMUNITY LOCATED IN
CITY OF LAS VEGAS, NEVADA
APN: 126-01-601-005, 126-01-601-003, 126-01-601-002 & 126-01-601-001





CITY OF LAS VEGAS NEVADA

OWNERS	DEVELOPER
C-N W 361 LLC 3041 W HORIZON RIDGE PKWY #155 HENDERSON, NV 89052 KYLE NORTH HOLDINGS LLC 1635 VILLAGE CENTER CIR #100 LAS VEGAS, NV 89134 VFR SOUTHWEST DESERT EQUITIES II LLC 8215 S EASTERN AVE #200 LAS VEGAS, NV 89123	TRI POINTE HOMES NEVADA, INC. 4675 W. TECO AVE., SUITE 115 LAS VEGAS, NV 89118 PH (702) 614-1400 FX (702) 873-6881 CONTACT: DAN HALE ENGINEER WESTWOOD 5725 BADURA AVE, SUITE 100 LAS VEGAS, NV 89118 PH: (702) 284-5300 FX: (702) 284-5399 CONTACT: DAN POLL

LEGAL DESCRIPTION

A PORTION OF WEST HALF OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59, EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

A PORTION OF EAST HALF OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59, EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

A PORTION OF EAST HALF OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59, EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

WEST HALF OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59, EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

BENCHMARK

CITY OF LAS VEGAS BENCHMARK OC99156

RIVET AND 2" ROUND ALUMINUM DISK IN CONCRETE CYLINDER AT THE SW CORNER OF ALPINE RIDGE WAY & KYLE CANYON RD

ELEVATION=892.53 METERS (NAVD'88)
ELEVATION=2928.24 US SURVEY FEET (NAVD'88)

BASIS OF BEARINGS

THE BASIS OF BEARING IS NORTH 86°52'17" EAST BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA AS SHOWN BY MAP THEREOF, ON FILE IN THE CLARK COUNTY RECORDER'S OFFICE IN BOOK 160, PAGE 72 OF PLATS.

PARKING ANALYSIS

NO OF UNITS	= 54
RESIDENT PARKING	= 2 SPACES/LOT
GUEST PARKING	= 0.2 SPACE/LOT
REQUIRED PARKING	= 119 SPACES**

**MINIMUM PARKING REQUIREMENT SATISFIED BY GARAGE, STREET PARKING AND/OR DRIVEWAY PARKING

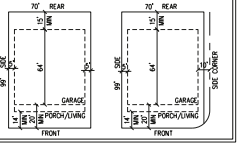
PARKING PROVIDED:	
GARAGE PARKING	= 2*54
	= 108
ON-STREET PARKING	= 97
TOTAL PARKING	= 205 SPACES

MOU NOTES

1. REDUCE FIRE FLOW REQUIREMENT TO 1,000 GPM.
2. SIDEWALK ON ONLY ONE SIDE OF THE STREET.
3. REDUCED STREET WIDTH
4. SECONDARY EMERGENCY ACCESS NOT REQUIRED FOR COMMUNITIES WITH LESS THAN 200 LOTS.

NOTE: MOU ITEMS LISTED ONLY APPLY TO PRIVATE GATED PORTION OF THE COMMUNITY.

TYPICAL LOTS



SETBACK

FRONT (LIVING):	14' TO LIVING 14' TO PORCH
GARAGE:	20'
SIDE YARD:	5' (10' CORNER SIDE)
REAR:	15' TO LIVING

DEVIATIONS FROM STANDARD

1. NONE (8' MAX INTERIOR RETAINING WALL HEIGHTS TO BE ALLOWED PER MAJOR MOD IN PROCESS)

UTILITY SERVICES BY

WATER:	LAS VEGAS VALLEY WATER DISTRICT
SEWER:	CITY OF LAS VEGAS
GARBAGE:	REPUBLIC SERVICES OF SOUTHERN NEVADA
POWER:	NV ENERGY
TELEPHONE:	LUMEN
NATURAL GAS:	SOUTHWEST GAS COMPANY

ESTIMATED AVERAGE DAILY SEWER CONTRIBUTIONS

54 UNITS X 250 GPD/UNITS = 13,500 GPD
TOTAL AVERAGE CONTRIBUTION = 13,500 GPD = 0.0135 MGD
TOTAL PEAK FLOW = 0.0135 MGD X 3.952 (PEAK FACTOR) = 0.053 MGD

SITE DATA

APN NUMBERS:	126-01-601-005, 126-01-601-003, 126-01-601-002 & 126-01-601-001
GROSS AREA:	15.84 ± ACRES
CURRENT ZONING:	U(PCD)
PROPOSED ZONING:	PD (R-1-PD)
TOTAL LOT COUNT:	54
TOTAL DENSITY:	3.4 DU/AC
NO. OF COMMON ELEMENTS:	14
OPEN SPACE REQUIRED:	N/A
OPEN SPACE PROVIDED:	42,555 SF
MINIMUM LOT SIZE:	7,350 SF (LOT 14-20)
MAXIMUM LOT SIZE:	10,631 SF (LOT 33)
AVERAGE LOT SIZE:	7,807 SF

CONNECTIVITY

NODES = 13

LINKS = 15
LINKS PEDESTRIAN/BICYCLE (5 LINK) = 1

CONNECTIVITY RATIO = 16/13 = 1.23

NOTES

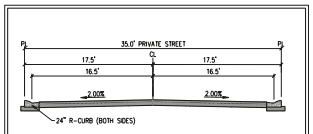
1. THERE ARE NO KNOWN FAULTS OR FISSURES WITHIN OR ADJACENT TO THIS PROPERTY TO BE VERIFIED BY A GEOTECHNICAL ENGINEER.
2. THERE ARE NO KNOWN GROUNDWATER DEPTHS WITHIN 20 FEET OF THE EXISTING GROUND SURFACE.
3. THERE WILL BE A HOA AND CC&R'S ESTABLISHED FOR THIS SUBDIVISION.
4. LANDSCAPE EASEMENTS AND COMMON ELEMENTS WILL BE MAINTAINED BY HOA.
5. THE SITE SLOPES ARE LESS THAN 12% STREET GRADES WILL TYPICALLY BE LESS THAN 5%.
6. EASEMENTS REQUIRED FOR STORM DRAIN, DRY UTILITIES, SANITARY SEWER, AND POTABLE WATER SHALL BE GRANTED ON THE FINAL MAP.
7. WATER TO SERVICE THIS PROJECT WILL BE SUPPLIED BY TWO POINTS OF CONNECTION. THE FIRST POINT OF CONNECTION IS TO A WATER MAIN STUB LOCATED IN RUSTON ROAD AND THE SECOND CONNECTION IS A WATER MAIN STUB LOCATED IN ROCKY AVENUE. BOTH POINT OF CONNECTION MAINS ARE PROPOSED PER SEPARATE PLANS.
8. SEWER SERVICE FOR THIS PROJECT WILL CONNECT TO A SEWER MAIN IN ROCKY AVENUE. THIS MAIN IS PROPOSED PER KYLE CANYON GATEWAY UNIT 2.
9. THIS PROJECT IS NOT WITHIN A 100 YEAR FEMA SPECIAL FLOOD HAZARD AREA.
10. THERE ARE NO EXISTING STRUCTURES ON THIS PARCEL.

SEWER NOTES

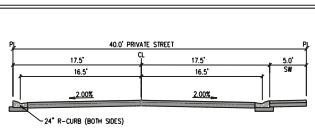
1. PRIVATE STREETS TO BE PUBLIC SEWER EASEMENTS WITH SURFACE TO BE OWNED & MAINTAINED BY HOA.
2. NO STRUCTURES, TREES, OR LANDSCAPING WITH MATURED HEIGHT GREATER THAN 4' ALLOWED WITHIN PUBLIC SEWER EASEMENTS.

22-0070
06/15/2022

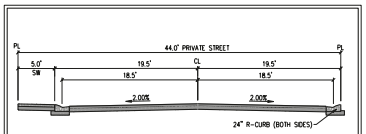
TYPICAL STREET SECTIONS



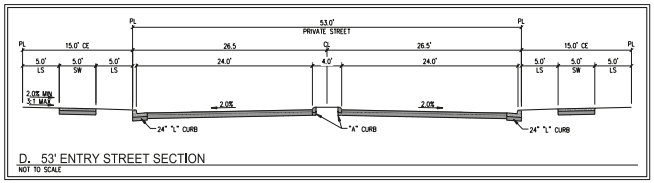
A. 35' INTERIOR STREET SECTION
NOT TO SCALE — PARKING ALLOWED (BOTH SIDES)



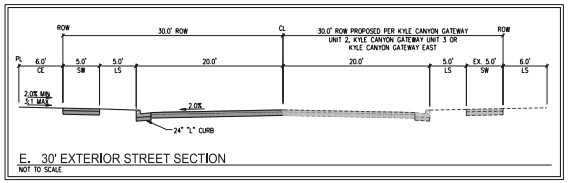
B. 40' INTERIOR STREET SECTION
NOT TO SCALE — PARKING ALLOWED (BOTH SIDES)



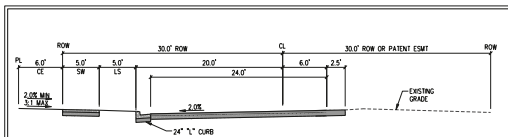
C. 44' INTERIOR STREET SECTION
NOT TO SCALE — PARKING ALLOWED (BOTH SIDES)



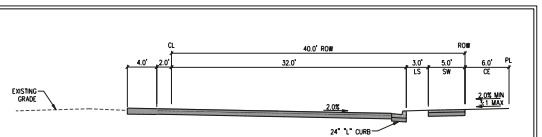
D. 53' ENTRY STREET SECTION
NOT TO SCALE



E. 30' EXTERIOR STREET SECTION
NOT TO SCALE



F. 30' EXTERIOR STREET SECTION
NOT TO SCALE



G. 40' EXTERIOR STREET SECTION
NOT TO SCALE

City Council - Page 596

Westwood
Phone (702) 284-5300
5725 W Badura Ave. Suite 100 Las Vegas, NV 89118
Westwood Professional Services, Inc

NO.	DESCRIPTION	DATE	BY	APP.

CITY OF LAS VEGAS, NV

tri pointe HOMES

KYLE CANYON GATEWAY UNIT 4
TENTATIVE MAP

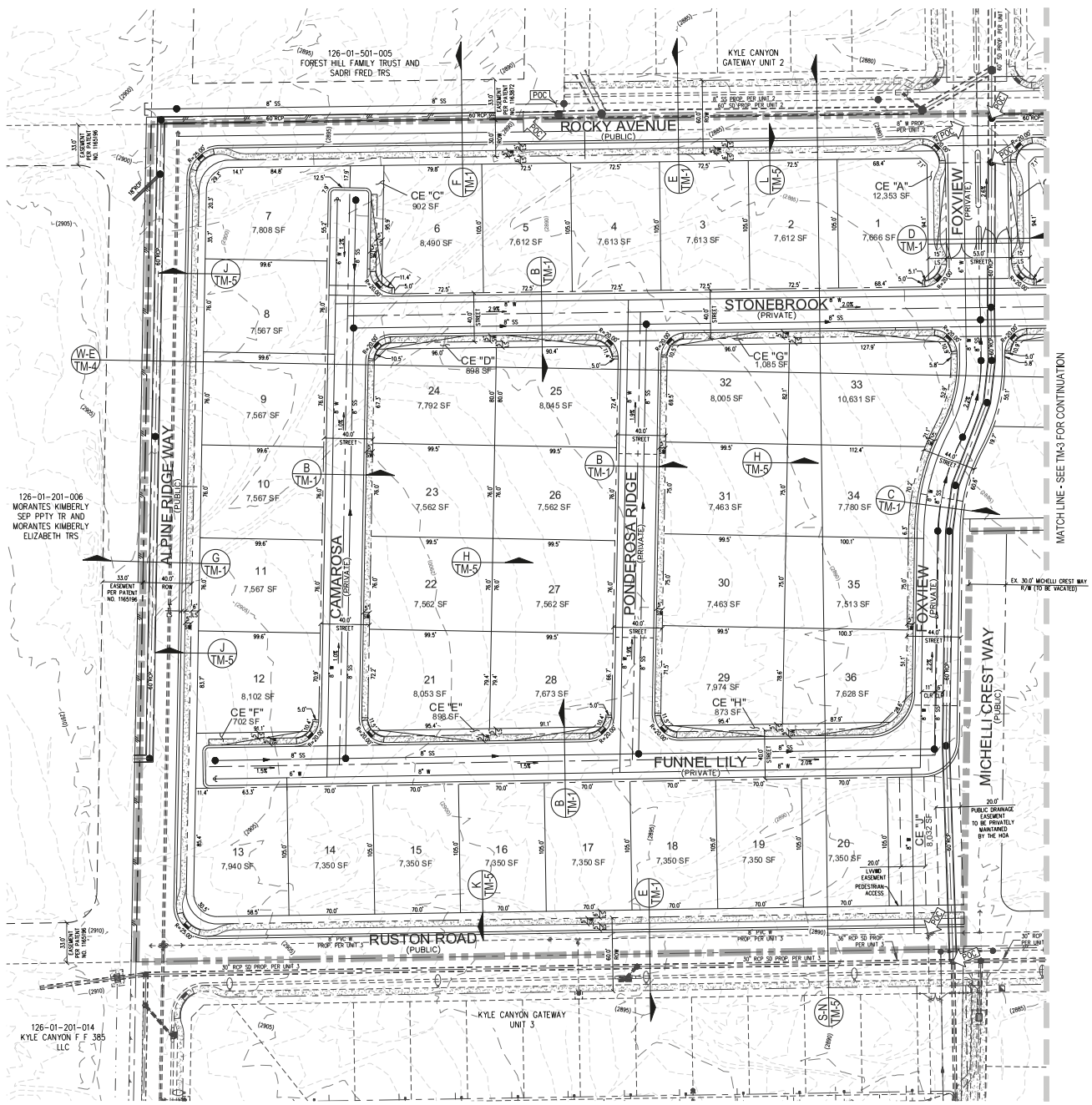
S15 T19S R59E

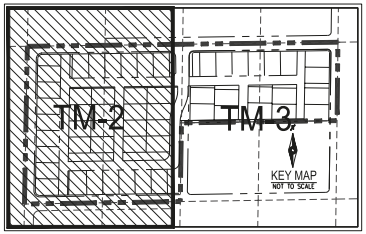
DATE: 6/15/22
DRAFTER: LVM
DESIGNER: PA
CHECKED: OIQ
PROJECT NO.
TRI2201

PROFESSIONAL ENGINEER — STATE OF NEVADA
OSCAR I. QUIROZ
Date: 12/31/2023
CIVIL
No. 23824

TM-1
SHEET 1 OF 5

J:\TRI2201-000 kyle canyon gateway unit 4\dwg\entitlements\tm\TRI2201 tms unit 4 tm.dwg 6/15/2022 11:53 AM Prashant Arya







LEGEND

- MATCHLINE
- ROADWAY CENTERLINE
- RIGHT-OF-WAY
- PROPERTY LINE
- CURB AND GUTTER
- EXISTING CURB AND GUTTER
- PROPOSED GRADE & ARROW
- EXISTING CONTOUR (5-FT)
- EXISTING CONTOUR (1-FT)
- PROPOSED SEWER LINE
- EXISTING SEWER LINE
- PROPOSED WATER LINE
- EXISTING WATER LINE
- SEWER MANHOLE
- SEWER FLOW DIRECTION
- FIRE HYDRANT
- WATER POINT OF CONNECTION
- SEWER POINT OF CONNECTION
- PROPOSED STORM DRAIN
- EXISTING STORM DRAIN
- SIGHT VISIBILITY ZONE
- WROUGHT IRON FENCE

22-0270
06/15/2022

Westwood
Phone (702) 284-5300
5725 W. Badura Ave.
Suite 100
Las Vegas, NV 89118
westwoodps.com
Westwood Professional Services, Inc.

NO.	DESCRIPTION	DATE	BY	APP. DATE	APP.

CITY OF LAS VEGAS, NV

tri pointe HOMES

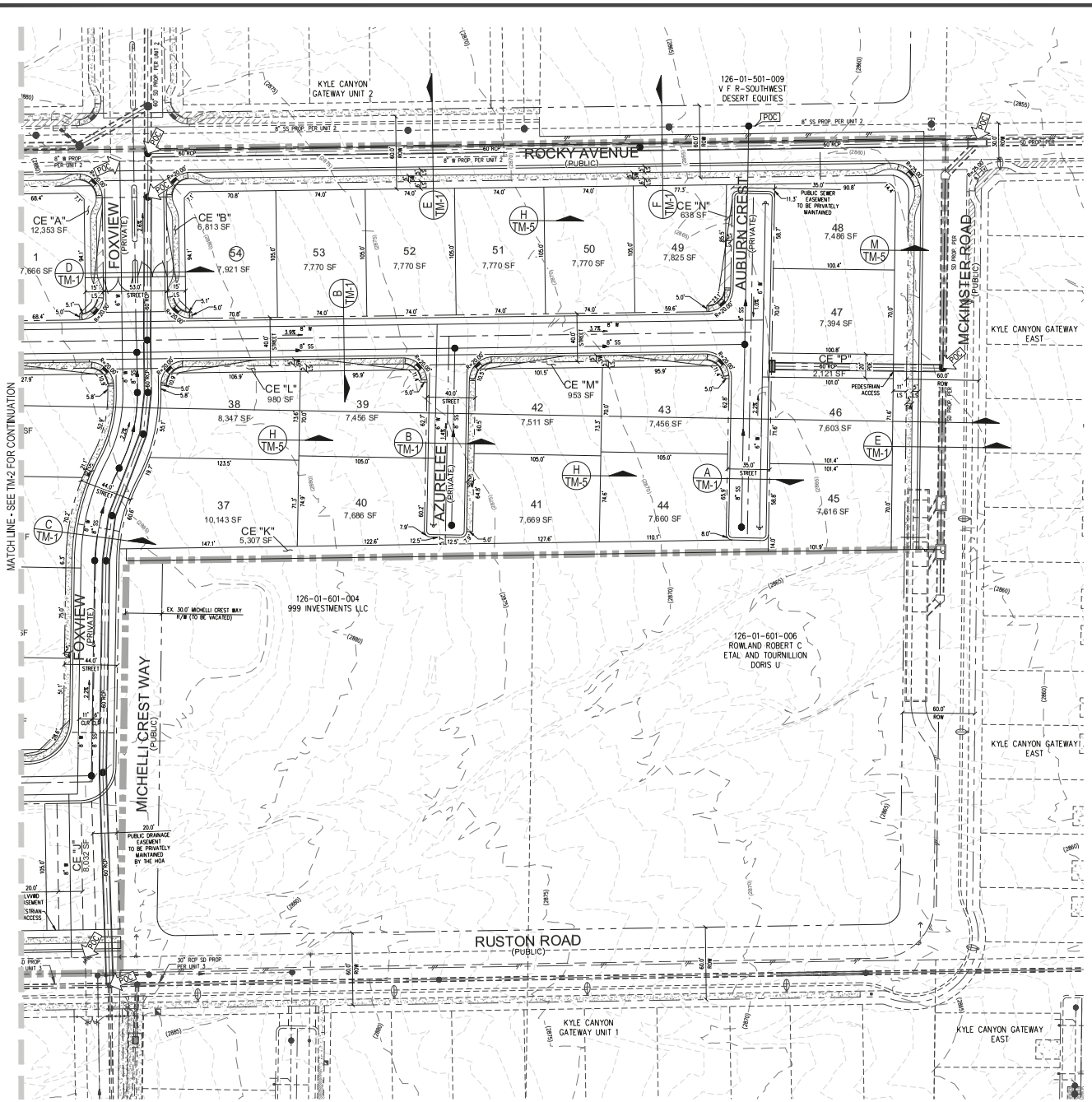
KYLE CANYON GATEWAY UNIT 4
TENTATIVE MAP

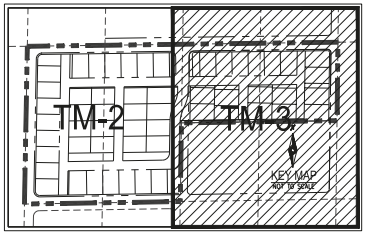
S1 T19S R59E

DATE: 6/15/22
DRAFTER: LVM
DESIGNER: PA
CHECKED: OIQ
PROJECT NO. TRI2201

PROFESSIONAL ENGINEER - STATE OF NEVADA
OSCAR I. QUIROZ
Exp: 12/31/2023
CIVIL
No. 23824

TM-2
SHEET 2 OF 5







LEGEND

- MATCHLINE
- ROADWAY CENTERLINE
- RIGHT-OF-WAY
- PROPERTY LINE
- CURB AND GUTTER
- EXISTING CURB AND GUTTER
- PROPOSED GRADE & ARROW
- EXISTING CONTOUR (5-FT)
- EXISTING CONTOUR (1-FT)
- PROPOSED SEWER LINE
- EXISTING SEWER LINE
- PROPOSED WATER LINE
- EXISTING WATER LINE
- SEWER MANHOLE
- SEWER FLOW DIRECTION
- FIRE HYDRANT
- WATER POINT OF CONNECTION
- SEWER POINT OF CONNECTION
- PROPOSED STORM DRAIN
- EXISTING STORM DRAIN
- SIGHT VISIBILITY ZONE
- WROUGHT IRON FENCE

22-0270
06/15/2022

Westwood
Phone (702) 284-5300
5725 W. Badura Ave.
Suite 100
Las Vegas, NV 89118
westwoodps.com
Westwood Professional Services, Inc.

NO.	DESCRIPTION	DATE	BY	APP. DATE	APP.

CITY OF LAS VEGAS, NV

tri pointe HOMES

KYLE CANYON GATEWAY UNIT 4
TENTATIVE MAP

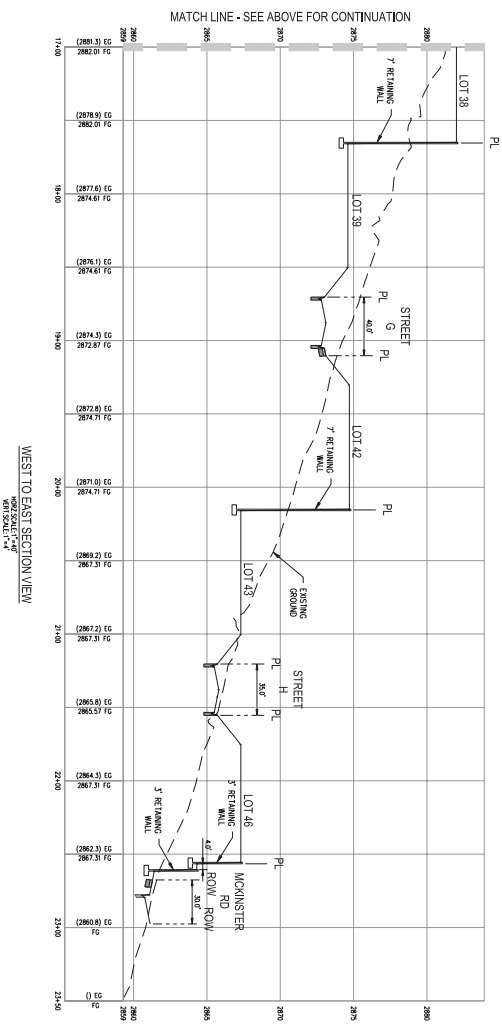
S1 T19S R59E

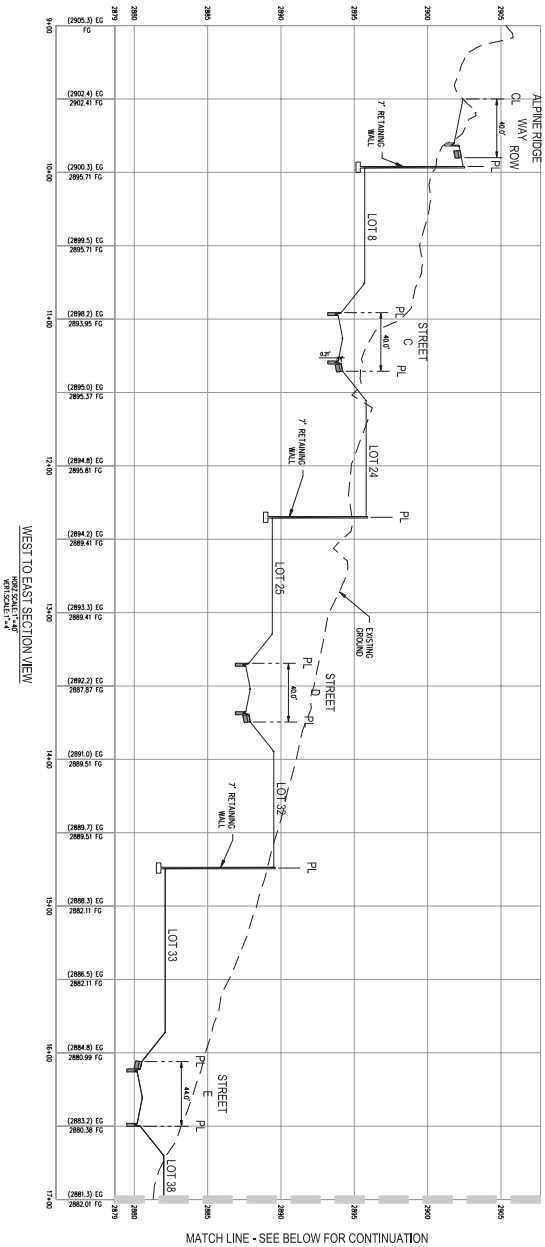
DATE: 6/15/22
DRAFTER: LVM
DESIGNER: PA
CHECKED: OIQ
PROJECT NO. TRI2201

PROFESSIONAL ENGINEER - STATE OF NEVADA
OSCAR I. QUIROZ
Exp: 12/31/2023
CIVIL
No. 23824

TM-3
SHEET 3 OF 5

j:\tri2201-000 kyle canyon gateway unit 4\dwg\entitlements\tm\tri2201 kcg unit 4 tm.dwg 6/15/2022 11:55 AM Prashant Aryal





22-0270
06/15/2022

TM-4 SHEET 4 OF 5	OSCAR I. QUIROZ Exp. 12/31/2023 CIVIL No. 23824 PROFESSIONAL ENGINEER - STATE OF NEVADA	PROJECT NO. TRI2201	CHECKED: OIQ	DESIGNER: PA	DRAFTER: LVM	DATE: 6/15/22	S1 T19S R59E	tri pointe HOMES	CITY OF LAS VEGAS, NV	NO.	DESCRIPTION	DATE	BY	APP. DATE	APP.

KYLE CANYON GATEWAY UNIT 4

TENTATIVE MAP - PROFILES

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Las Vegas, NV 89118
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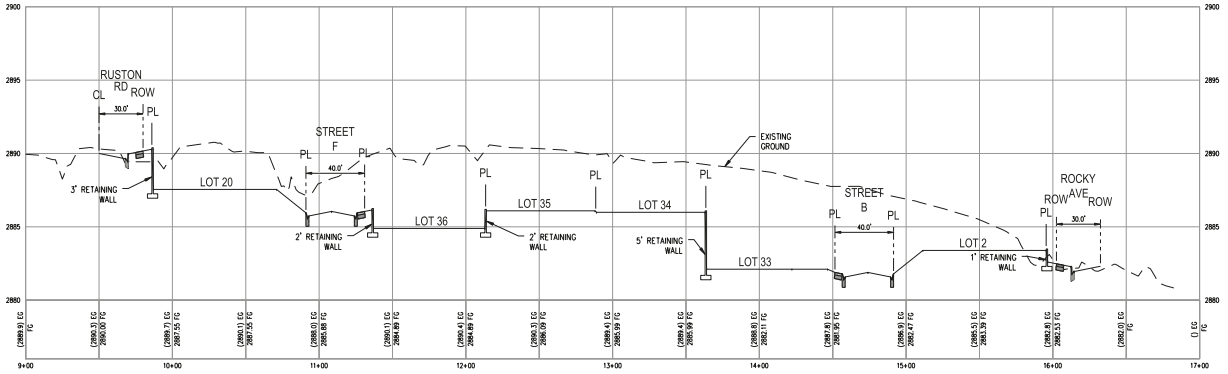
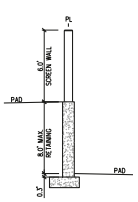
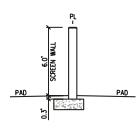


SOUTH TO NORTH SECTION VIEW

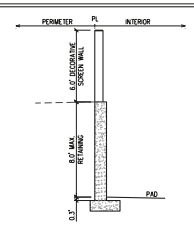
HORZ.SCALE: 1"=40'
VERT.SCALE: 1"=4'



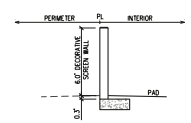
H. TYP INTERIOR WALL SECTION
NOT TO SCALE



I. TYP INTERIOR WALL SECTION
NOT TO SCALE



J. TYP PERIMETER WALL SECTION
NOT TO SCALE



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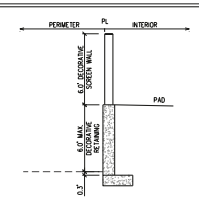
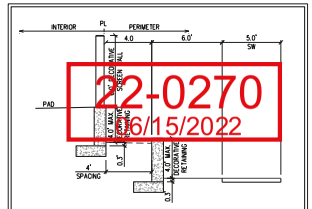


L. TYP PERIMETER WALL SECTION
NOT TO SCALE



M. TYP PERIMETER WALL SECTION
NOT TO SCALE

22-0270
6/15/2022

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Las Vegas, NV 89118
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Westwood Professional Services, Inc.

NO.	DESCRIPTION	DATE	BY	APP DATE	APP

CITY OF LAS VEGAS, NV

tri pointe HOMES

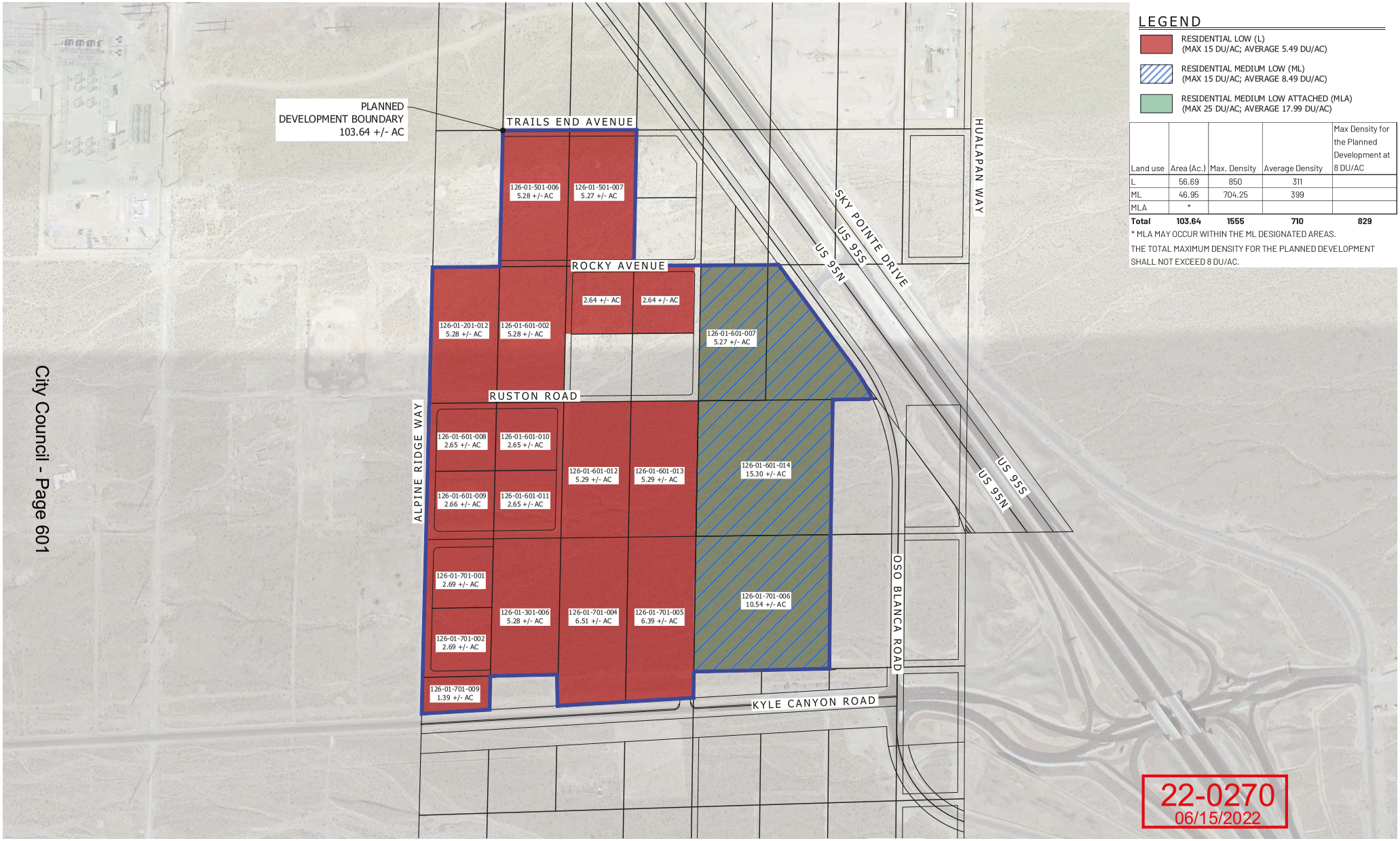
KYLE CANYON GATEWAY UNIT 4
TENTATIVE MAP - PROFILES

S1 T19S R59E

DATE: 6/15/22
DRAFTER: LVM
DESIGNER: PA
CHECKED: OIQ
PROJECT NO. TRI2201

PROFESSIONAL ENGINEER - STATE OF NEVADA
OSCAR I. QUIROZ
Exp: 12/31/2023
CIVIL
No. 23824

TM-5
SHEET 5 OF 5



LEGEND

- RESIDENTIAL LOW (L) (MAX 15 DU/AC; AVERAGE 5.49 DU/AC)
- RESIDENTIAL MEDIUM LOW (ML) (MAX 15 DU/AC; AVERAGE 8.49 DU/AC)
- RESIDENTIAL MEDIUM LOW ATTACHED (MLA) (MAX 25 DU/AC; AVERAGE 17.99 DU/AC)

Land use	Area (Ac.)	Max. Density	Average Density	Max Density for the Planned Development at 8 DU/AC
L	56.69	850	311	
ML	46.95	704.25	399	
MLA	*			
Total	**103.64**	**1555**	**710**	**829**

* MLA MAY OCCUR WITHIN THE ML DESIGNATED AREAS.

THE TOTAL MAXIMUM DENSITY FOR THE PLANNED DEVELOPMENT SHALL NOT EXCEED 8 DU/AC.

22-0270
06/15/2022

KYLE CANYON GATEWAY

Planned Development Entitlements Area Plan

Plan Scale 1:200' Date:05-20-2022

200' 400' 600'

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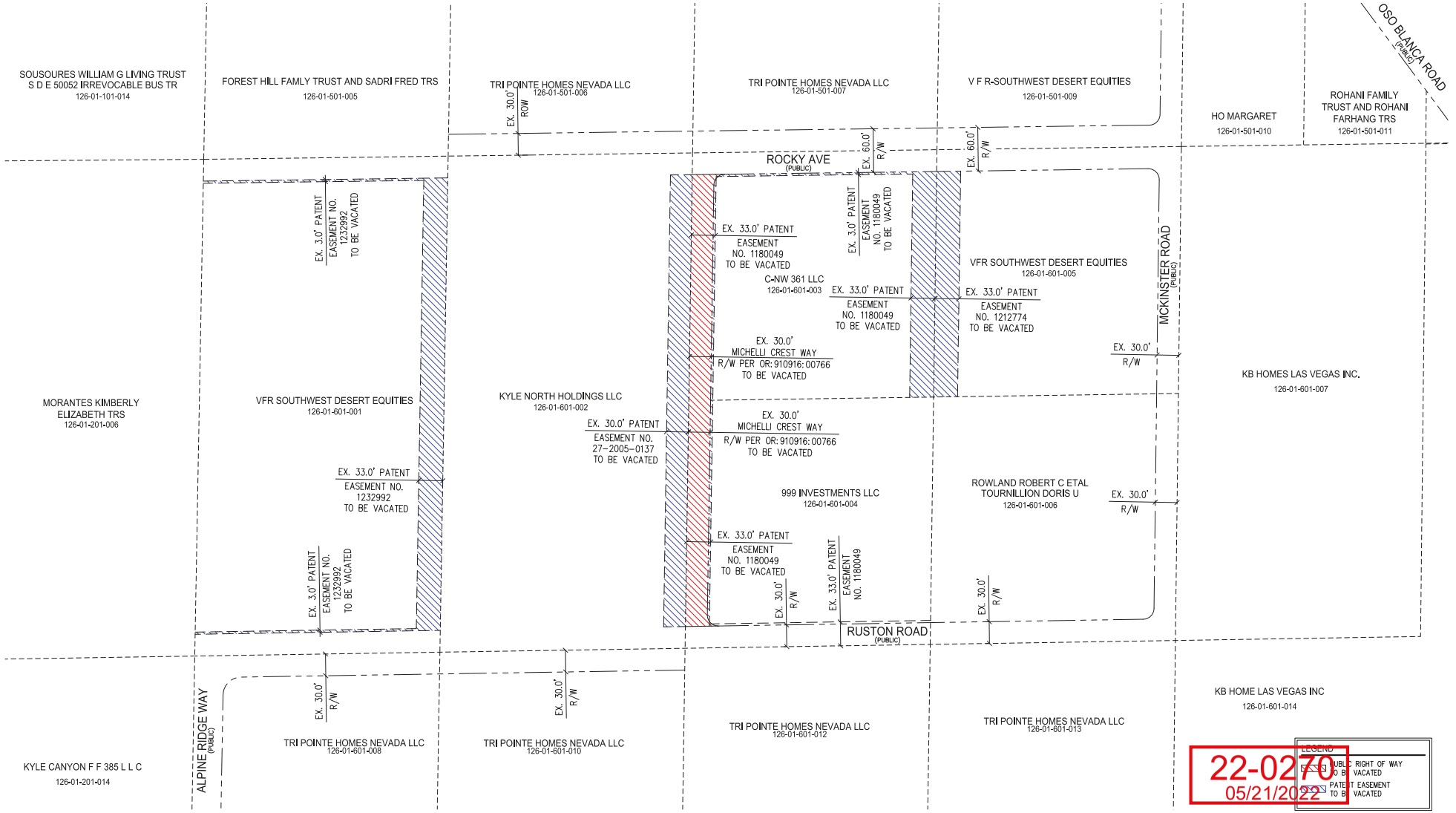
ABLA

KYLE CANYON GATEWAY
LAS VEGAS, NEVADA



Westwood

Phone (702) 284-5300 5725 W. Badura Ave. STE: 100
Toll Free (888) 937-5150 Las Vegas, NV 89118
westwoodps.com
Westwood Professional Services, Inc.

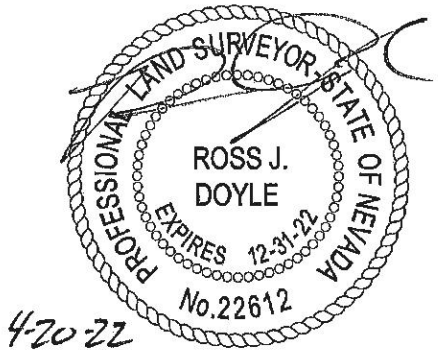
VACATION EXHIBIT

60'
120'
180'

DATE: 04/14/2022
SCALE: 1:60
PROJECT #: TRI2201

APN: 126-01-601-001

EXHIBIT "A"



TRI-CORE SURVEYING, LLC
6753 WEST CHARLESTON BLVD.
LAS VEGAS, NV 89146

File: 08020.0006\lgl_vac 126-601-001 Patent.doc
By: RF
Date: April 19, 2022

EXPLANATION

THIS LEGAL DESCRIPTION DESCRIBES A PARCEL OF LAND GENERALLY LOCATED NORTH OF KYLE CANYON ROAD AND WEST OF OSO BLANCA ROAD FOR PATENT EASEMENT VACATION PURPOSES.

LEGAL DESCRIPTION

PATENT No. 1232992, RECORDED IN BOOK 503, AS INSTRUMENT 405097, CLARK COUNTY OFFICIAL RECORDS. DESCRIBED AS FOLLOWS:

THE EAST 33.00 FEET, THE SOUTH 3.00 FEET OF THE NORTH 33.00 FEET, AND THE NORTH 3.00 FEET OF THE SOUTH 33.00 FEET OF THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

EXCEPTING THEREFROM THE NORTH 30.00 FEET OF SAID EAST 33.00 FEET FOR ROCKY AVENUE;

FURTHER EXCEPTING THEREFROM THE SOUTH 30.00 FEET OF SAID EAST 33.00 FEET FOR RUSTON ROAD;

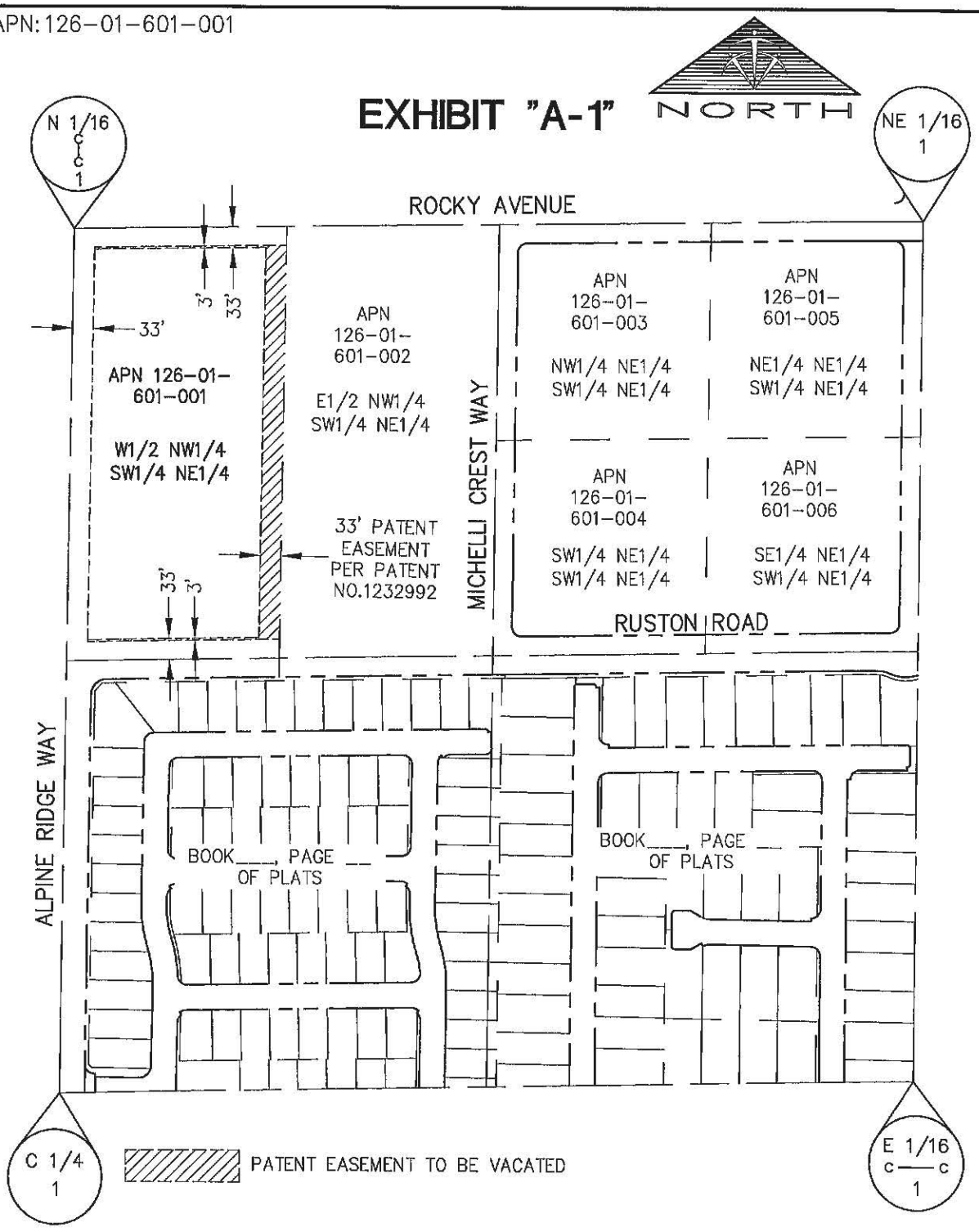
FURTHER EXCEPTING THEREFROM THE WEST 33.00 FEET OF SAID SOUTH 3.00 FEET OF THE NORTH 33.00 FEET AND SAID NORTH 3.00 FEET OF THE SOUTH 33.00 FEET FOR ALPINE RIDGE WAY;

AS SHOWN ON **EXHIBIT "A-1"** ATTACHED HERETO AND MADE A PART HEREOF.

22-0270
05/21/2022

APN: 126-01-601-001

EXHIBIT "A-1"



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22-0270
05/21/2022

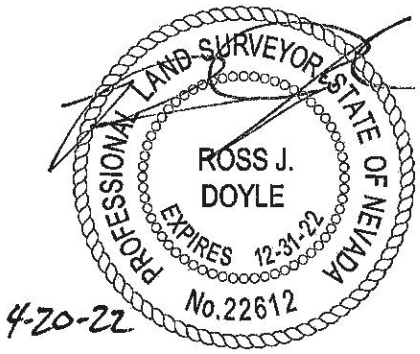
PAGE 2 OF 2

08020.0006\lgl_vac 126-01-601-001 PATENT

EXHIBIT "B"

TRI-CORE SURVEYING, LLC
6753 WEST CHARLESTON BLVD.
LAS VEGAS, NV 89146

File: 08020.0006\lgl_vac 126-601-002 Patent.doc
By: RF
Date: April 19, 2022



EXPLANATION

THIS LEGAL DESCRIPTION DESCRIBES A PARCEL OF LAND GENERALLY LOCATED NORTH OF KYLE CANYON ROAD AND WEST OF OSO BLANCA ROAD FOR PATENT EASEMENT VACATION PURPOSES.

LEGAL DESCRIPTION

PATENT NO. 27-2005-0137, RECORDED AS INSTRUMENT NO. 20050811-0003889, CLARK COUNTY OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

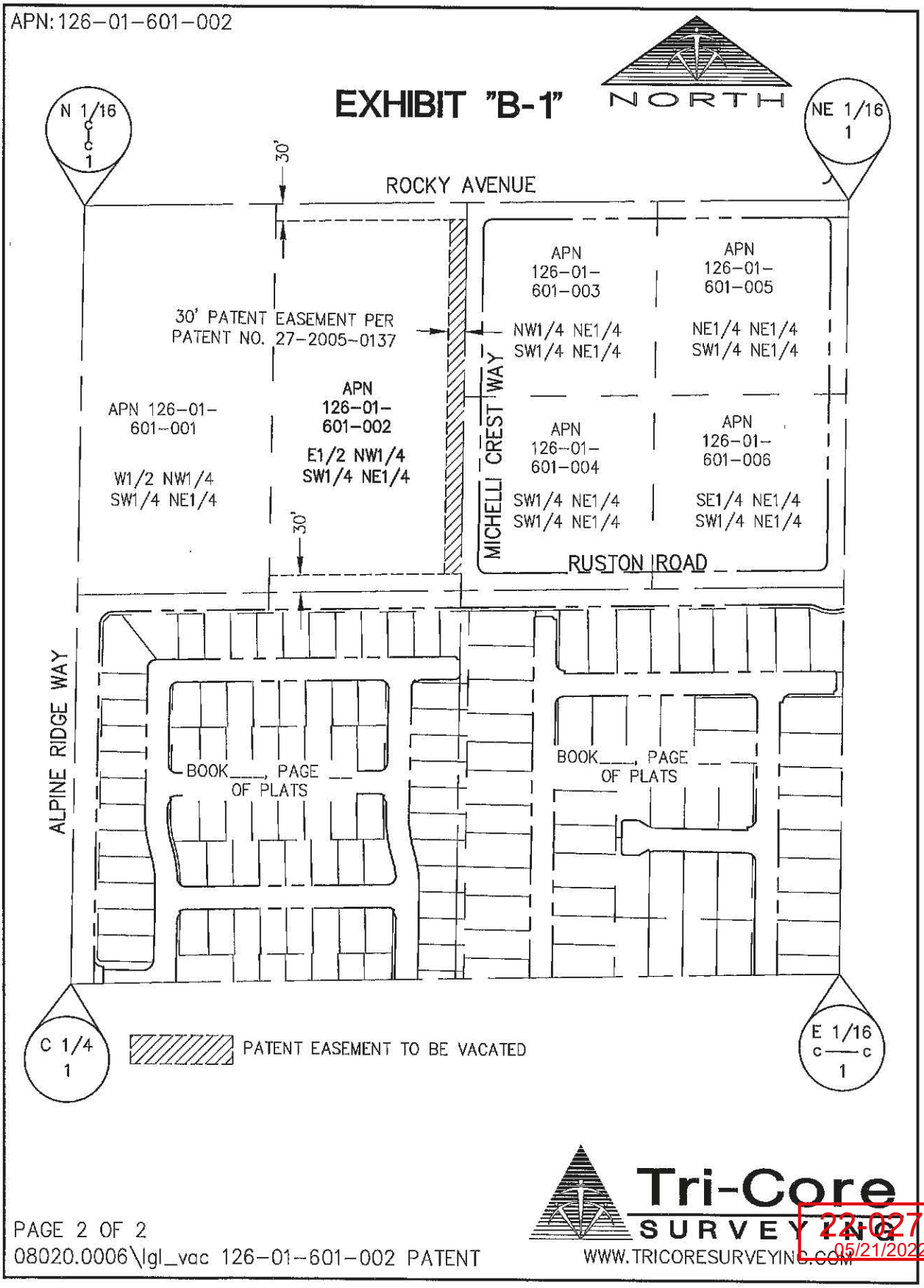
THE EAST 30.00 FEET OF THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

EXCEPTING THEREFROM THE NORTH 30.00 FEET OF SAID EAST 30.00 FEET FOR ROCKY AVENUE;

FURTHER EXCEPTING THEREFROM THE SOUTH 30.00 FEET OF SAID EAST 30.00 FEET FOR RUSTON ROAD;

AS SHOWN ON **EXHIBIT "B-1"** ATTACHED HERETO AND MADE A PART HEREOF.

22-0270
05/21/2022


APN: 126-01-601-002
EXHIBIT "B-1"
NORTH
N 1/16 c c 1
NE 1/16 1
30'
ROCKY AVENUE
APN 126-01-601-003
NW1/4 NE1/4 SW1/4 NE1/4
APN 126-01-601-005
NE1/4 NE1/4 SW1/4 NE1/4
30' PATENT EASEMENT PER PATENT NO. 27-2005-0137
MICHELLI CREST WAY
APN 126-01-601-001
W1/2 NW1/4 SW1/4 NE1/4
APN 126-01-601-002
E1/2 NW1/4 SW1/4 NE1/4
APN 126-01-601-004
SW1/4 NE1/4 SW1/4 NE1/4
APN 126-01-601-006
SE1/4 NE1/4 SW1/4 NE1/4
30'
RUSTON ROAD
ALPINE RIDGE WAY
BOOK___, PAGE___ OF PLATS
BOOK___, PAGE___ OF PLATS
C 1/4 1
PATENT EASEMENT TO BE VACATED
E 1/16 c c 1
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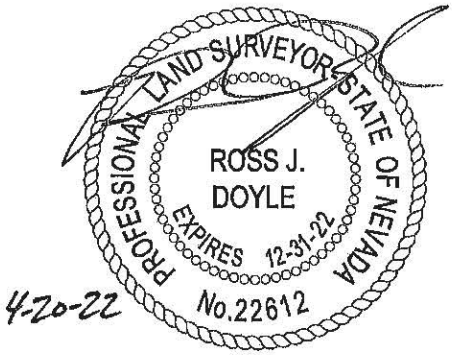
PAGE 2 OF 2
08020.0006\lgl_vac 126-01-601-002 PATENT
22-0270
05/21/2022

EXHIBIT "C"

TRI-CORE SURVEYING, LLC
6753 WEST CHARLESTON BLVD.
LAS VEGAS, NV 89146

File: 08020.0006\lgl_vac 126-601-003 &004.doc
By: RD
Date: April 19, 2022



EXPLANATION

THIS LEGAL DESCRIPTION DESCRIBES A PARCEL OF LAND GENERALLY LOCATED NORTH OF KYLE CANYON ROAD AND WEST OF OSO BLANCA ROAD FOR PATENT EASEMENT AND PUBLIC RIGHT-OF-WAY VACATION PURPOSES.

LEGAL DESCRIPTION

PATENT NO. 1180049, RECORDED IN BOOK 910614 AS INSTRUMENT NO. 00071 CLARK COUNTY OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE WEST 33.00 FEET, THE EAST 33.00 FEET AND THE SOUTH 3.00 FEET OF THE NORTH 33.00 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

EXCEPTING THEREFROM THE NORTH 30.00 FEET OF SAID WEST 33.00 FEET AND SAID EAST 33.00 FEET FOR ROCKY AVENUE;

TOGETHER WITH THE WEST 33.00 FEET OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 1;

EXCEPTING THEREFROM THE SOUTH 30.00 FEET OF SAID WEST 33.00 FEET FOR RUSTON ROAD;

PUBLIC RIGHT-OF-WAY RECORDED IN BOOK 910916, AS INSTRUMENT NO. 00766, CLARK COUNTY OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE WEST 30.00 FEET OF THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 1;

EXCEPTING THEREFROM THE 30.00 FEET AND THE SOUTH 30.00 FEET OF SAID WEST 30.00 FEET FOR RUSTON ROAD;

TOGETHER WITH A SPANDREL AREA IN THE NORTHWEST CORNER THEREOF, BEING THE SOUTHEAST CORNER OF THE INTERSECTION OF ROCKY AVENUE AND MICHELLI CREST WAY, BOUNDED AS FOLLOWS: ON THE NORTH BY THE SOUTH LINE OF NORTH 30.00 FEET THEREOF; ON THE WEST BY THE EAST LINE OF THE WEST 30.00 FEET THEREOF; AND ON THE SOUTHEAST BY THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 15.00 FEET AND

22-0270
05/21/2022

BEING TANGENT TO THE SOUTH LINE OF SAID NORTH 30.00 FEET AND TANGENT TO THE EAST LINE OF SAID WEST 30.00 FEET;

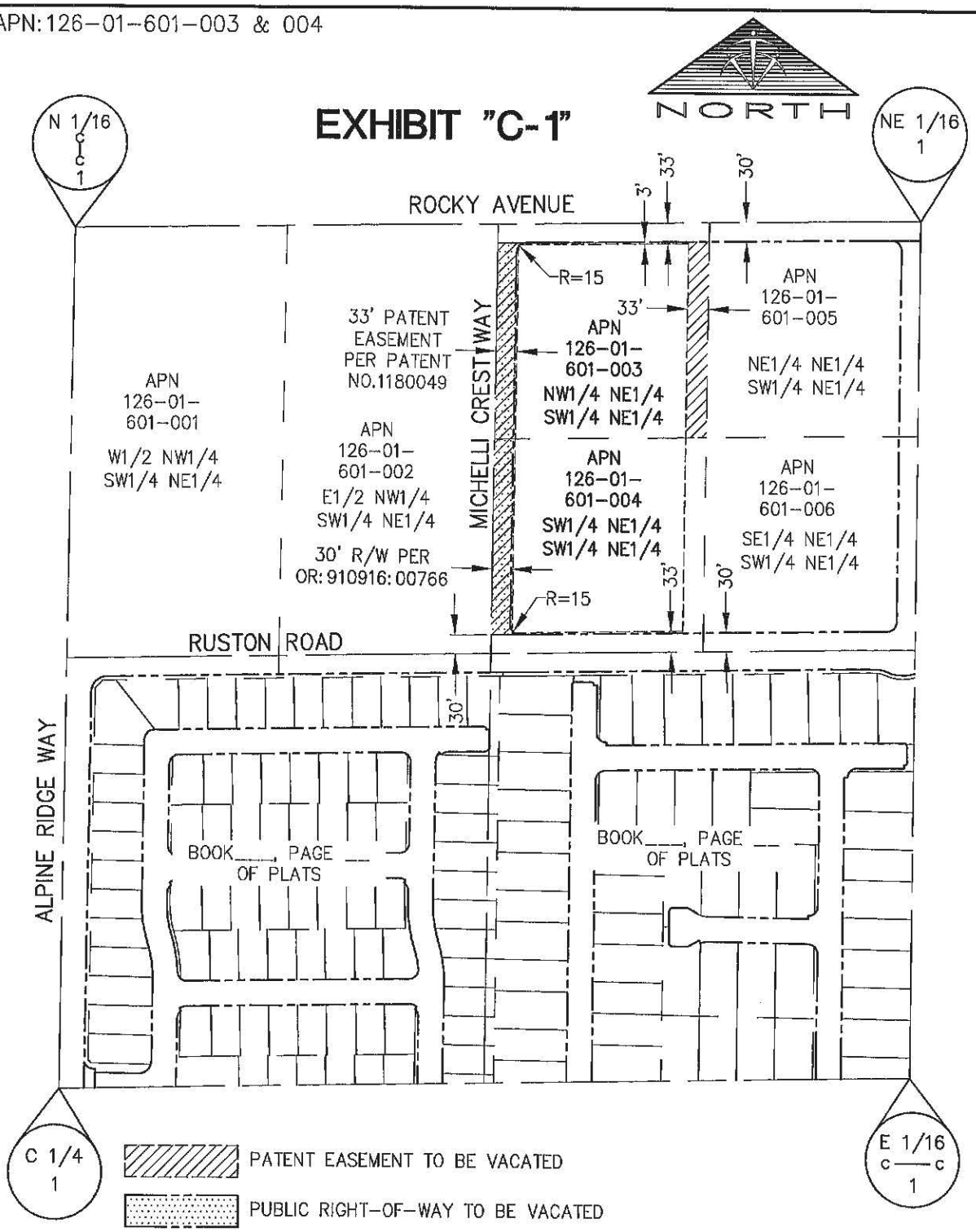
ALSO TOGETHER WITH A SPANDREL AREA IN THE SOUTHWEST CORNER THEREOF, BEING THE NORTHEAST CORNER OF THE INTERSECTION OF RUSTON ROAD AND MICHELLI CREST WAY, BOUNDED AS FOLLOWS: ON THE SOUTH BY THE NORTH LINE OF THE SOUTH 30.00 FEET THEREOF; ON THE WEST BY THE EAST LINE OF THE WEST 30.00 FEET THEREOF; AND ON THE NORTHEAST BY THE ARC OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 15.00 FEET AND BEING TANGENT TO THE NORTH LINE OF SAID SOUTH 30.00 FEET AND TANGENT TO THE EAST LINE OF SAID WEST 30.00 FEET;

AS SHOWN ON **EXHIBIT "C-1"** ATTACHED HERETO AND MADE A PART HEREOF.

22-0270
05/21/2022

APN: 126-01-601-003 & 004

EXHIBIT "C-1"



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PAGE 3 OF 3

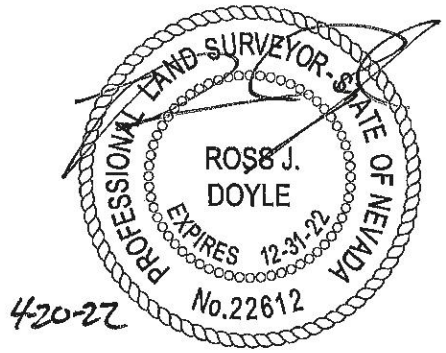
08020.0006\lgl_vac 126-01-601-003 &004

22-0270
05/21/2022

EXHIBIT "D"

TRI-CORE SURVEYING, LLC
6753 WEST CHARLESTON BLVD.
LAS VEGAS, NV 89146

File: 08020.0006\lgl_vac 126-601-005 Patent.doc
By: RD
Date: April 19, 2022



EXPLANATION

THIS LEGAL DESCRIPTION DESCRIBES A PARCEL OF LAND GENERALLY LOCATED NORTH OF KYLE CANYON ROAD AND WEST OF OSO BLANCA ROAD FOR PATENT EASEMENT VACATION PURPOSES.

LEGAL DESCRIPTION

PATENT NO. 1212774, RECORDED IN BOOK 927 AS INSTRUMENT NO. 744616 CLARK COUNTY OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE WEST 33.00 FEET, THE SOUTH 3.00 FEET OF THE NORTH 33.00 FEET, AND THE WEST 3.00 FEET OF THE EAST 33.00 FEET OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

EXCEPTING THEREFROM THE NORTH 30.00 FEET OF SAID WEST 33.00 FEET AND SAID WEST 3.00 FEET OF THE EAST 33.00 FEET FOR ROCKY AVENUE;

FURTHER EXCEPTING THEREFROM THE EAST 30.00 FEET OF SAID SOUTH 3.00 FEET OF THE NORTH 33.00 FEET FOR MCKINSER ROAD;

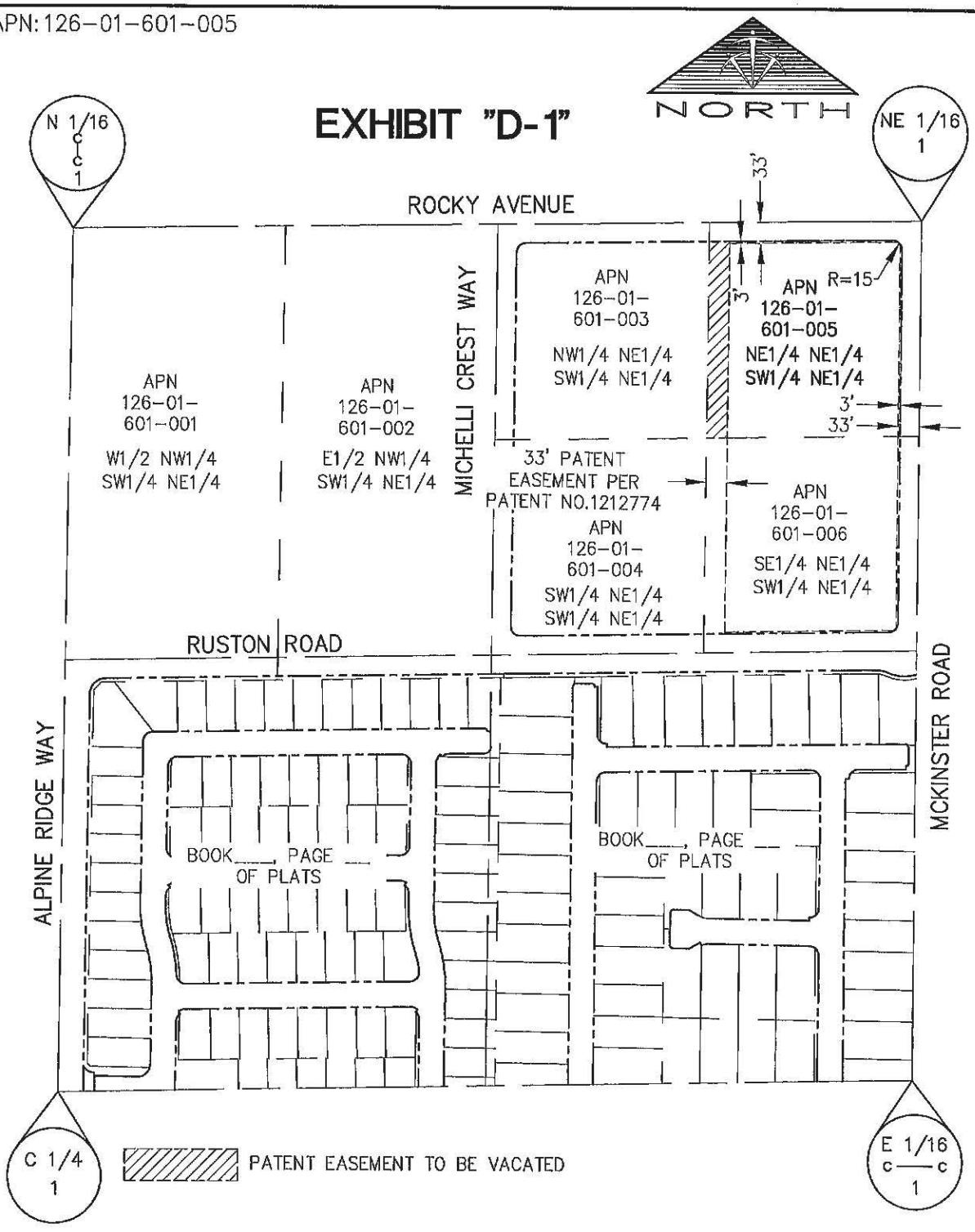
FURTHER EXCEPTING THEREFROM THE A SPANDREL AREA IN THE NORTHEAST CORNER THEREOF, BEING THE SOUTHWEST CORNER OF THE INTERSECTION OF ROCKY AVENUE AND MCKINSTER ROAD BOUNDED AS FOLLOWS: ON THE NORTH BY THE SOUTH LINE OF THE NORTH 30.00 FEET THEREOF; ON THE EAST BY THE WEST LINE OF THE EAST 30.00 THEREOF; AND ON THE SOUTHWEST BY THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 15.00 FEET AND BEING TANGENT TO THE SOUTH LINE OF SAID NORTH 30.00 FEET AND TANGENT TO THE WEST LINE OF SAID EAST 30.00 FEET;

AS SHOWN ON **EXHIBIT "D-1"** ATTACHED HERETO AND MADE A PART HEREOF.

22-0270
05/21/2022

APN: 126-01-601-005

EXHIBIT "D-1"



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22-0270
05/21/2022

PAGE 2 OF 2
08020.0006\lgl_vac 126-01-601-005 Patent

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20050811-0003889

Fee: $24.00 RPTT: $86,700.00
N/C Fee: $25.00

08/11/2005 15:13:49
T20050146848
Requestor:
FIRST AMERICAN TITLE COMPANY OF NEVADA

Frances Deane PUN
Clark County Recorder Pgs: 11

APN #: 126-01-601-002, 014
126-01-701-006, 126-01-301-004

Escrow #NCS-146520-HHLV (ak)

18

Patent

(Title on Document)

C11

Recording requested by:

First American Title Company

Return to: mail tax statement to

Name Southwest Desert Equities, LLC

Address 3455 Cliff Shadows Pkwy, #220

City/State/Zip Las Vegas, NV 89129

This page added to provide additional information required by NRS 111.312 Sections 1-2 (Additional recording fee applies).

This cover page must be typed or printed clearly in black ink only.

22-0270
05/21/2022

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 1 of 11
Order: 4247824f Comment:

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Form 1860-9
(January 1988)

The United States of America

To all to whom these presents shall come, Greeting:

Patent

N-78155, WHEREAS

Southwest Desert Equities, LLC

is entitled to a land patent pursuant to Section 203 and Section 209 of the Act of October 21, 1976 (43 U.S.C. 1713 and 1719, respectively), as amended, and pursuant to Section 4(a) of the Southern Nevada Public Land Management Act of 1998, Public Law 105-263, 112 Stat. 2343, for the following described land:

Mount Diablo Meridian, Nevada
T. 19 S., R. 59 E.,
sec. 1, NE¼NW¼SW¼NE¼, SE¼NW¼SW¼NE¼,
SW¼NE¼SE¼NE¼, NE¼NW¼SE¼NE¼,
SE¼NW¼SE¼NE¼, NE¼SW¼SE¼NE¼,
NW¼SW¼SE¼NE¼, SW¼SW¼SE¼NE¼,
SE¼SW¼SE¼NE¼, NE¼NE¼NW¼SW¼,
NW¼NE¼NW¼SW¼, SW¼NE¼NW¼SW¼,
SE¼NE¼NW¼SW¼, NE¼NW¼NE¼SE¼,
NW¼NW¼NE¼SE¼, SW¼NW¼NE¼SE¼,
SE¼NW¼NE¼SE¼.

Containing 42.5 acres, more or less.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto Southwest Desert Equities, LLC, the land described above; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto Southwest Desert Equities, LLC, its successors and assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way for ditches or canals by the authority of the United States pursuant to the Act of August 30, 1890 (43 U.S.C. 945); and

2. All leasable and saleable mineral deposits in the land so patented, and to it, its permittees, licensees, and lessees, the right to prospect for, mine, and remove the minerals owned by the United States under applicable law and such regulations as the Secretary of the Interior may prescribe, including all necessary access and exit rights.

SUBJECT TO:

1. Valid existing rights;

22-0270
05/21/2022

Patent Number 27-2005-0137

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 2 of 11
Order: 4247824f Comment:

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2. Rights-of-way CC-018138 and CC-018191 for highway purposes granted to the State of Nevada Department of Transportation, its successors or assigns, pursuant to the Act of November 9, 1921 (042 Stat. 0216);

3. Right-of-way CC-021488 for communication line purposes granted to Nevada Bell, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);

4. Right-of-way N-46063 for highway purposes granted to Federal Highway Administration, its successors or assigns, pursuant to the Act of August 27, 1958 (23 U.S.C. 317(A));

5. Rights-of-way N-57071, N-58721, N-75584, and Nev-043546 for power line purposes, right-of-way N-75351 for fiber optic line purposes, and right-of-way N-75702 for electrical facility purposes granted to Nevada Power Company, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);

6. Right-of-way N-6011 for communication line purposes granted to Central Telephone Company, its successors or assigns, pursuant to the Act of February 15, 1901 (43 U.S.C. 959);

7. The north 30 feet and the east 30 feet of the NE¼NW¼SW¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

8. The east 30 feet and the south 30 feet of the SE¼NW¼SW¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

9. The north 30 feet of the NE¼NW¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

10. The east 30 feet and the south 30 feet of the SE¼NW¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

11. The west 30 feet and the south 30 feet of the SW¼NE¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

12. The north 30 feet and the east 30 feet of the NE¼SW¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public

22-0270
05/21/2022

Patent Number 27-2005-0137

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 3 of 11
Order: 4247824f Comment:

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utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

13. The north 30 feet and the west 30 feet of the NW¼SW¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

14. The west 30 feet and the south 40 feet of the SW¼SW¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

15. The east 30 feet and the south 40 feet of the SE¼SW¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

16. The north 40 feet and the east 30 feet of the NE¼NE¼NW¼SW¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

17. The north 40 feet and the west 30 feet of the NW¼NE¼NW¼SW¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

18. The west 30 feet of the SW¼NE¼NW¼SW¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

19. The east 30 feet of the SE¼NE¼NW¼SW¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

20. The north 40 feet and the east 30 feet of the NE¼NW¼NE¼SE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

21. The north 40 feet and the west 30 feet of the NW¼NW¼NE¼SE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

22-0270
05/21/2022

Patent Number 27-2005-0137

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 4 of 11
Order: 4247824f Comment:

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22. The west 30 feet of the SW¼NW¼NE¼SE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands; and

23. The east 30 feet of the SE¼NW¼NE¼SE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands.

By accepting this patent, the patentee, Southwest Desert Equities, LLC, agrees to indemnify, defend, and hold the United States harmless from any costs, damages, claims, causes of action, penalties, fines, liabilities, and judgements of any kind or nature arising from the past, present, and future acts or omissions of the patentee or its employees, agents, contractors, or lessees, or any third-party, arising out of or in connection with the patentee's use, occupancy, or operations on the patented real property. This indemnification and hold harmless agreement includes, but is not limited to, acts and omissions of the patentee and its employees, agents, contractors, or lessees, or any third party, arising out of or in connection with the use and/or occupancy of the patented real property which has already resulted or does hereafter result in: (1) Violations of federal, state, and local laws and regulations that are now or may in the future become, applicable to the real property; (2) Judgements, claims or demands of any kind assessed against the United States; (3) Costs, expenses, or damages of any kind incurred by the United States; (4) Releases or threatened releases of solid or hazardous waste(s) and/or hazardous substances(s), as defined by federal or state environmental laws, off, on, into or under land, property and other interests of the United States; (5) Activities by which solids or hazardous substances or wastes, as defined by federal and state environmental laws are generated, released, stored, used or otherwise disposed of on the patented real property, and any cleanup response, remedial action or other actions related in any manner to said solid or hazardous substances or wastes; or (6) Natural resource damages as defined by federal and state law. This covenant shall be construed as running with the parcels of land patented or otherwise conveyed by the United States, and may be enforced by the United States in a court of competent jurisdiction.

PURSUANT to the requirements established by section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), (42 U.S.C. 9620(h)), as amended by the Superfund Amendments and Reauthorization Act of 1988, (100 Stat. 1670), notice is hereby given that the above-described lands have been examined and no evidence was found to indicate that any hazardous substances has been stored for one year or more, nor had any hazardous substances been disposed of or released on the subject property.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in RENO, NEVADA, the SECOND day of AUGUST in the year of our Lord TWO THOUSAND and FIVE and of the Independence of the United States the TWO HUNDRED and THIRTIETH.

[SEAL]

By Jim Stobaugh
Jim Stobaugh, Lands Team Lead
Natural Resources, Lands, and Planning

22-0270
05/21/2022

Patent Number 27-2005-0137

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 5 of 11
Order: 4247824f Comment:

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000 (1340 Financial Blvd)
Reno, Nevada 89520-0006
http://www.nv.blm.gov

TAKE PRIDE IN AMERICA

In Reply Refer To:
N-6011 2800
N-78155 2700
(NV-930)

Central Telephone Company
330 South Valley View Boulevard
Las Vegas, Nevada 89152

AUG 0 2 2005

Dear Right-of-Way Holder:

Our records indicate that you are the holder of right-of-way N-6011 granted for communication line purposes, pursuant to the Act of February 15, 1901 (43 U.S.C. 959), and which crosses the following land:

Mount Diablo Meridian, Nevada
T. 19 S., R. 59 E.,
sec. 1, NE¼NW¼SW¼NE¼, SE¼NW¼SW¼NE¼, SW¼NE¼SE¼NE¼, NE¼NW¼SE¼NE¼, SE¼NW¼SE¼NE¼, NE¼SW¼SE¼NE¼, NW¼SW¼SE¼NE¼, SW¼SW¼SE¼NE¼, SE¼SW¼SE¼NE¼, NE¼NE¼NW¼SW¼, NW¼NE¼NW¼SW¼, SW¼NE¼NW¼SW¼, SE¼NE¼NW¼SW¼, NE¼NW¼NE¼SE¼, NW¼NW¼NE¼SE¼, SW¼NW¼NE¼SE¼, SE¼NW¼NE¼SE¼.

The above-described land was transferred out of federal ownership in a competitive land sale under patent No. 27-2005-0137, to Southwest Desert Equities, LLC, 3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129.

The patent was issued subject to your right-of-way, which means that Southwest Desert Equities, LLC now has jurisdiction over that portion of your right-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 861-6530.

Sincerely,

/s/ PAMELA C. RIDLEY

Pamela C. Ridley
Land Law Examiner

Enclosure
1. Patent No. 27-2005-0137

cc: Field Manager, Las Vegas
Patentee

22-0270
05/21/2022

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 6 of 11
Order: 4247824f Comment:

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000 (1340 Financial Blvd)
Reno, Nevada 89520-0006
http://www.nv.blm.gov

TAKE PRIDE® IN AMERICA

In Reply Refer To:
N-57071 2800
N-58721 2800
N-75351 2800
N-75584 2800
N-75702 2800
Nev-043546 2800
N-78155 2700
(NV-930)

AUG 0 2 2005

Nevada Power Company
P. O. Box 98910
Las Vegas, Nevada 89151

Dear Right-of-Way Holder:

Our records indicate that you are the holder of rights-of-way N-57071, N-58721, N75584, and Nev-043546 granted for power line purposes, and right-of-way N-75351 for fiber optic communication line purposes, and right-of-way N-75702 for electrical facility purposes, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).

Land was transferred out of federal ownership in a competitive land sale under patent No. 27-2005-0137, to Southwest Desert Equities, LLC, 3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129.

The patent was issued subject to your rights-of-way, which means that Southwest Desert Equities, LLC now has jurisdiction over that portion of your rights-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 861-6530.

Sincerely,

/s/ PAMELA C. RIDLEY

Pamela C. Ridley
Land Law Examiner

Enclosure
1. Patent No. 27-2005-0137

cc: Field Manager, Las Vegas
Patentee

22-0270
05/21/2022

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 7 of 11
Order: 4247824f Comment:

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000 (1340 Financial Blvd)
Reno, Nevada 89520-0006
http://www.nv.blm.gov

TAKE PRIDE IN AMERICA

In Reply Refer To:
N-46063 2800
N-78155 2700
(NV-930)

AUG 0 2 2005

Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

Dear Right-of-Way Holder:

Our records indicate that you are the holder of right-of-way N-46063 granted for highway purposes, pursuant to the Act of August 27, 1958 (23 U.S.C. 317(A)), and which crosses the following land:

Mount Diablo Meridian, Nevada
T. 19 S., R. 59 E.,
sec. 1, NE¼NW¼SW¼NE¼, SE¼NW¼SW¼NE¼, SW¼NE¼SE¼NE¼, NE¼NW¼SE¼NE¼, SE¼NW¼SE¼NE¼, NE¼SW¼SE¼NE¼, NW¼SW¼SE¼NE¼, SW¼SW¼SE¼NE¼, SE¼SW¼SE¼NE¼, NE¼NE¼NW¼SW¼, NW¼NE¼NW¼SW¼, SW¼NE¼NW¼SW¼, SE¼NE¼NW¼SW¼, NE¼NW¼NE¼SE¼, NW¼NW¼NE¼SE¼, SW¼NW¼NE¼SE¼, SE¼NW¼NE¼SE¼.

The above-described land was transferred out of federal ownership in a competitive land sale under patent No. 27-2005-0137, to Southwest Desert Equities, LLC, 3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129.

The patent was issued subject to your right-of-way, which means that Southwest Desert Equities, LLC now has jurisdiction over that portion of your right-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 861-6530.

Sincerely,

/s/ PAMELA C. RIDLEY

Pamela C. Ridley
Land Law Examiner

Enclosure
1. Patent No. 27-2005-0137

cc: Field Manager, Las Vegas
Patentee

22-0270
05/21/2022

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 8 of 11
Order: 4247824f Comment:

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000 (1340 Financial Blvd)
Reno, Nevada 89520-0006
http://www.nv.blm.gov

TAKE PRIDE® IN AMERICA

In Reply Refer To:
CC-021488 2800
N-78155 2700
(NV-930)

AUG 0 2 2005

Nevada Bell
P. O. Box 11010
Reno, Nevada 89520

Dear Right-of-Way Holder:

Our records indicate that you are the holder of right-of-way CC-021488 granted for communication line purposes, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761), and which crosses the following land:

Mount Diablo Meridian, Nevada
T. 19 S., R. 59 E.,
sec. 1, NE¼NW¼SW¼NE¼, SE¼NW¼SW¼NE¼, SW¼NE¼SE¼NE¼, NE¼NW¼SE¼NE¼, SE¼NW¼SE¼NE¼, NE¼SW¼SE¼NE¼, NW¼SW¼SE¼NE¼, SW¼SW¼SE¼NE¼, SE¼SW¼SE¼NE¼, NE¼NE¼NW¼SW¼, NW¼NE¼NW¼SW¼, SW¼NE¼NW¼SW¼, SE¼NE¼NW¼SW¼, NE¼NW¼NE¼SE¼, NW¼NW¼NE¼SE¼, SW¼NW¼NE¼SE¼, SE¼NW¼NE¼SE¼.

The above-described land was transferred out of federal ownership in a competitive land sale under patent No. 27-2005-0137, to Southwest Desert Equities, LLC, 3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129.

The patent was issued subject to your right-of-way, which means that Southwest Desert Equities, LLC now has jurisdiction over that portion of your right-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 861-6530.

Sincerely,

/s/ PAMELA C. RIDLEY

Pamela C. Ridley
Land Law Examiner

Enclosure
1. Patent No. 27-2005-0137

cc: Field Manager, Las Vegas
Patentee

22-0270
05/21/2022

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 9 of 11
Order: 4247824f Comment:

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000 (1340 Financial Blvd)
Reno, Nevada 89520-0006
http://www.nv.blm.gov

TAKE PRIDE IN AMERICA

In Reply Refer To:
CC-018138 2800
CC-018191 2800
N-78155 2700
(NV-930)

AUG 0 2 2005

State of Nevada
Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

Dear Right-of-Way Holder:

Our records indicate that you are the holder of rights-of-way CC-018138 and CC-018191 granted for highway purposes, pursuant to the Act of November 9, 1921 (042 Stat. 0216), and which crosses the following land:

Mount Diablo Meridian, Nevada
T. 19 S., R. 59 E.,
sec. 1, NE¼NW¼SW¼NE¼, SE¼NW¼SW¼NE¼, SW¼NE¼SE¼NE¼, NE¼NW¼SE¼NE¼, SE¼NW¼SE¼NE¼, NE¼SW¼SE¼NE¼, NW¼SW¼SE¼NE¼, SW¼SW¼SE¼NE¼, SE¼SW¼SE¼NE¼, NE¼NE¼NW¼SW¼, NW¼NE¼NW¼SW¼, SW¼NE¼NW¼SW¼, SE¼NE¼NW¼SW¼, NE¼NW¼NE¼SE¼, NW¼NW¼NE¼SE¼, SW¼NW¼NE¼SE¼, SE¼NW¼NE¼SE¼.

The above-described land was transferred out of federal ownership in a competitive land sale under patent No. 27-2005-0137, to Southwest Desert Equities, LLC, 3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129. The patent was issued subject to your rights-of-way, which means that Southwest Desert Equities, LLC now has jurisdiction over that portion of your rights-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 861-6530.

Sincerely,

/s/ PAMELA C. RIDLEY

Pamela C. Ridley
Land Law Examiner

Enclosure
1. Patent No. 27-2005-0137

cc: Field Manager, Las Vegas
Patentee

22-0270
05/21/2022

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 10 of 11
Order: 4247824f Comment:

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STATE OF NEVADA
DECLARATION OF VALUE

1. Assessor Parcel Number(s) 19
   a) 126-01-601-002
   b) 126-01-601-014
   c) 126-01-701-006
   d) 126-01-601-004

2. Type of Property
   a) [x] Vacant Land b) [ ] Single Fam. Res.
   c) [ ] Condo/Twnhse d) [ ] 2-4 Plex
   e) [ ] Apt. Bldg. f) [ ] Comm'l/Ind'l
   g) [ ] Agricultural h) [ ] Mobile Home
   i) [ ] Other _____

FOR RECORDERS OPTIONAL USE
Book _____ Page: _____
Date of Recording: _____
Notes: _____

3. Total Value/Sales Price of Property: $17,000,000.00
   Deed in Lieu of Foreclosure Only (value of property) ($ _____)
   Transfer Tax Value: $17,000,000.00
   Real Property Transfer Tax Due $86,700.00

4. **If Exemption Claimed:**
   a. Transfer Tax Exemption, per 375.090, Section: N/A
   b. Explain reason for exemption: N/A

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature: Amy Klinzing & Capacity: Agent
Signature: _____ Capacity: _____

SELLER (GRANTOR) INFORMATION (REQUIRED)	**BUYER (GRANTEE) INFORMATION (REQUIRED)**
Print Name: United States Department of Interior	Print Name: Southwest Desert Equities, LLC
Address: 4701 Torrey Pines Drive	Address: 3455 Cliff Shadows
City: Las Vegas	City: Las Vegas
State: NV Zip: 89130	State: NV Zip: 89129

COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)

Print Name: First American Title Insurance Company National Commercial Services File Number: NCS-146520-HHLV ak/ak
Address: 3960 Howard Hughes Parkway, Suite 380
City: Las Vegas State: NV Zip: 89109

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

22-0270
05/21/2022
3889

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 11 of 11
Order: 4247824f Comment:

91 05 0931CW

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9 1 0 6 1 4 0 0 0 7 1

NEIL W. CROSS
1333 Hickory
Orange, CA 92666

4-1922
(Aug. 1957)

Nevada 033941

The United States of America,

To all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Reno, Nevada, has been issued showing that full payment has been made by the claimant Neil Wesley Cross, pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

Mount Diablo Meridian, Nevada.

T. 19 S., R. 59 E.,

Sec. 1, W½NE¼SW¼NE¼.

The area described contains 5.00 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located along the boundaries of said land.

APN 470-250-032

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the FOURTH day of MARCH in the year of our Lord one thousand nine hundred and FIFTY-EIGHT and of the Independence of the United States the one hundred and EIGHTY-SECOND.

[SEAL]

For the Director, Bureau of Land Management.

By Rose M. Beall
Chief, Patents Section

22-0270
05/21/2022

Patent Number 1180049

U. S. GOVERNMENT PRINTING OFFICE 16—68764-5

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CLARK COUNTY, NEVADA
JOAN L. SWIFT, RECORDER
RECORDED AT REQUEST OF:
CHICAGO TITLE OF LV

22-0270
05/21/2022

BOOK 927

744616

2-1

4-1922
(Aug. 1957)

Nevada 028786

The United States of America,

To all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Reno, Nevada,
has been issued showing that full payment has been made by the claimant
Lawrence D. Sweatman
pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land

Mount Diablo Meridian, Nevada.

T. 19 S., R. 59 E.,

Sec. 1, $E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$.

The area described contains 5.00 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located along the boundaries of said land.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the SIXTEENTH day of SEPTEMBER in the year of our Lord one thousand nine hundred and SIXTY and of the Independence of the United States the one hundred and EIGHTY-FIFTH.

(SEAL)

For the Director, Bureau of Land Management

By Ruth W. Talley
Chief, Patents Section.

22-0270
05/21/2022

Patent Number 1212774

GPO 866837

BOOK 927

744616
2-2

RETURN TO:
LAWRENCE D SWEATMAN
P.O. BOX 6313 CAPITAL
PHOENIX, ARIZ.
85005

INST. NO 744616
OFFICIAL RECORD BOOK NO. 927
RECORDED AT REQUEST OF
Lawrence D. Sweatman
FEB 3 12 04 PM '69

CLARK COUNTY, NEVADA
PAUL L. MORIN, RECORDER
FEE $4.00 DEPUTY

22-0270
05/21/2022

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BOOK 503

(Aug. 1967)

Nevada 061057

405097

2-1

The United States of America,

To all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Reno, Nevada, has been issued showing that full payment has been made by the claimant Vernon S. Caples pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

Mount Diablo Meridian, Nevada.

T. 19 S., R. 59 E.,

Sec. 1, W½NW¼SW¼NE¼.

The area described contains 5.00 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located along the boundaries of said land.

RETURN TO:

W H CAPLES
1901 SUNLAND ST.
LAS VEGAS NEV.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the THIRTEENTH day of AUGUST in the year of our Lord one thousand nine hundred and SIXTY-THREE and of the Independence of the United States the one hundred and EIGHTY-EIGHTH.

SEAL (SEAL AFFIXED)

For the Director, Bureau of Land Management.

By Elizabeth A. Hughes
Chief, Records Section

22-0270
05/21/2022

Patent Number 1232092

U.S. GOVERNMENT PRINTING OFFICE 16-48764-3

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BOOK 503

405097

2 2

8

NO 405097
RECORDED AT THE REQUEST OF
W. H. Caples
JAN 2 4 14 PM '64
OFFICIAL RECORDS BOOK NO. 503
CLARK COUNTY, NEVADA
PAUL E. HORN, RECORDER
FILE 2.50 mx DEPUTY

22-0270
05/21/2022

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9 1 0 9 0 6 0 0 7 6 6

ORIGINAL

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That **UNITED LAND INVESTORS CORPORATION** in consideration of One Dollar ($1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell, and Convey to the County of Clark, a political subdivision of the State of Nevada, all that real property situate in the County of Clark, State of Nevada, bounded and described as follows:

ROCKY AVENUE, WATSON STREET, RUSTON ROAD AND SPANDREL AREAS

The North Thirty Feet (30.00'), the West Thirty Feet (30.00'), and the South Thirty Feet (30.00') of the West Half (W½) of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section 1, Township 19 South, Range 59 East, M.D.M., Nevada; together with a spandrel area in the Northwest corner thereof, being the Southeast corner of the intersection of **ROCKY AVENUE AND WATSON STREET**, bounded as follows: On the North by the South line of the North Thirty Feet (30.00') thereof; on the West by the East line of the West Thirty Feet (30.00') thereof; and on the Southeast by the arc of a curve concave Southeasterly, having a radius of Fifteen Feet (15.00') and being tangent to the South line of said North Thirty Feet (30.00') and tangent to the East line of said West Thirty Feet (30.00'); also together with a spandrel area in the Southwest corner thereof, being the Northeast corner of the intersection of **WATSON STREET AND RUSTON ROAD**, bounded as follows: On the West by the East line of the West Thirty Feet (30.00') thereof; on the South by the North line of the South Thirty Feet (30.00') thereof; and on the Northeast by the arc of a curve concave Northeasterly, having a radius of Fifteen Feet (15.00') and being tangent to the East line of the West Thirty Feet (30.00') and tangent to the North line of the South Thirty Feet (30.00').

Parcel Number: 470-250-032
Inquiry Number: 350-91
Land Division Number: 49-91

Signature of individual reviewing and approving document
Department: Road Dept. 8/7/91

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging and in any way appertaining.

Witness my/our hand(s) this 12th day of August, 1991.

UNITED LAND INVESTORS CORPORATION

BY: _____
HUGH L. HELVIN, VICE PRESIDENT

STATE OF NEVADA)
) SS
COUNTY OF CLARK)

On the _____ day of _____, 1991, before me, a notary public, personally appeared _____ personally known (or proved) to me to be the person(s) whose name(s) is/are subscribed to the above instrument, who acknowledged to me that ___he___ signed the above instrument.

NOTARY PUBLIC in and for said county and state

RECORDER'S USE ONLY

My commission expires:

22-0270
05/21/2022

11333CORP

WHEN RECORDED
RETURN TO
Rights-of-Way Division
Public Services Building
[illegible]
89101

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9 1 0 9 0 6 0 0 7 6 6

CORPORATION

STATE OF HAWAII,
City and County of Honolulu } ss.

On this 19th day of August, A. D. 19 91, before me appeared

Hugh L. McIvin

to me personally known, who, being by me duly sworn, did say that ~~they are~~ he is the

Vice president

~~respectively~~ of United Land Investors Corp.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and the said

vice president

acknowledged said instrument to be the free act and deed of said corporation.

David T. [illegible]

Notary Public, First Judicial Circuit,
State of Hawaii.

My Commission Expires 7/16/92

CLARK COUNTY, NEVADA
JOAN L. SWIFT, RECORDER
RECORDED AT REQUEST OF:
G MOFFATT

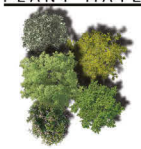
09-06-91 11:52 RCL 2
OFFICIAL RECORDS
BOOK: 910906 INST: 00766
FEE: .00 RPTT: EX#002

22-0270
05/21/2022



City Council - Page 631

PLANT MATERIALS LEGEND



Tree	Box Size (in)
Olea europaea 'Wilsonii' Wilsonii Olive	24" / 36" Box
Prosopis glandulosa Honey Mesquite	24" / 36" Box
Quercus virginiana 'Cathedral' Cathedral Live Oak	24" / 36" Box
Rhus lancea African Sumac	24" / 36" Box
Sophora secundiflora Texas Mountain Laurel	24" / 36" Box

Extra Large Shrubs	Size
Buddleia davidii Butterfly Bush	5 gal.
Caesalpinia mexicana Mexican Bird of Paradise	5 gal.
Dodonaea viscosa Hopbush	5 gal.
Tecoma alata 'Orange Jubilee' Orange Jubilee	15 gal.
Tecoma x 'Bells of Fire' Bells of Fire	5 gal.

Large Shrubs	Size
Calliandra californica Red Fairy Duster	5 gal.
Cassia nemophila Desert Cassia	5 gal.
Elaeagnus x ebbingei Ebbing's Silverberry	5 gal.
Leucophyllum langmaniae 'Lynn's Legacy' Lynn's Legacy Sage	5 gal.
Ligustrum japonicum Japanese Privet	5 gal.
Simmondsia Chinensis Jojoba	15 gal.

Medium Shrubs	Size
Eremophila glabra spp. carnosa Winter Blaze	5 gal.
Eremophila hygrophana Blue Bells Blue Bells	5 gal.
Feijoa sellowiana Pineapple Guava	5 gal.
Leucophyllum frutescens 'Compacta' Compact Texas Sage	5 gal.
Perovskia atriplicifolia Russian Sage	5 gal.
Simmondsia Chinensis 'Vista' Compact Jojoba	5 gal.

Small Shrubs	Size
Callistemon viminalis 'Little John' Little John Bottle Brush	5 gal.
Olea europaea 'Little Ollie' Dwarf Olive	5 gal.
Salvia greggii Red Salvia	1 gal.
Teucrium chamaedrys Germander	1 gal.

Cacti/ Accents	Size
Aloe hyb. 'Blue Elf' Blue Elf Aloe	5 gal.
Asclepias subulata Desert Milkweed	5 gal.
Bouteloua gracilis Blonde Ambition	1 gal
Dasylirion wheeleri Desert Spoon	5 gal.
Euphorbia rigida Gopher Plant	5 gal.
Hesperaloe parviflora 'Brakelights' Brakelights Red Yucca	3 gal.
Muhlenbergia rigida 'Nashville' Purple Muhly	1 gal.
Nolina bigelovii Bear-grass	5 gal.
Ophiopogon jaburan 'Dwarf Kyoto' Dwarf Mondo Grass	1 gal.
Opuntia violacea 'Santa-Rita' Purple Prickly Pear	5 gal.

Groundcovers	Size
Eremophila prostrata Outback Sunrise Eremophila	1 gal
Hymenoxys acaulis Angelita Daisy	1 gal.
Rosmarinus officinalis 'Prostratus' Trailing Rosemary	1 gal.
Teucrium chamaedrys 'prostratum' Prostrate Germander	1 gal.

Vines	Size
Trachleospermum Jasminoides Dwarf Star Jasmine	5 gal

Inerts	Size
Decomposed Granite 2" Deep 3/4" Screened Apache Brown	

NOTES:
STREET FRONTAGE
TREES IN CLUSTERED LAYOUT ON AVERAGE OF ONE (1) TREE PER EVERY 30' LINEAR FEET WITH MAXIMUM SPACE BETWEEN CLUSTERS TO BE LESS THEN 45'.
ALTERNATE DRIFTS OF EVERGREEN AND DECIDUOUS TREES IN LAYERS TREES SIZES TO BE A MINIMUM OF THE FOLLOWING:
60% - 24" BOX
40% - 36" BOX

SHRUBS TO BE PLANTED AS 5-GALLON SHRUBS MINIMUM WITH FIVE (5) SHRUBS PER TREE. GROUND COVERS TO BE 1 GALLON MINIMUM AND USED AS SUPPLEMENTAL PLANTS FOR FLOWERING ACCENTS ALONG INTERSECTIONS AND SVZ'S.

ALL DISTRIBUTED LANDSCAPE AREAS TO RECEIVE A MINIMUM OF 2' DEEP DECOMPOSED GRANITE WITH A SIZE NO LESS THAN 3/4" SCREENED (COLOR TO MATCH ADJACENT NATIVE AREAS).

ALL LANDSCAPE TO BE ON AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.

TREES AND SHRUBS TO BE SELECTED FROM APPROVED KYLE CANYON GATEWAY PLANT LIST OR SOUTHERN NEVADA REGIONAL PLANNING COALITION REGIONAL PLANT LIST.

22-0270
05/21/2022

tri pointe HOMES

KYLE CANYON GATEWAY - UNIT 4

Conceptual Site Plan

Plan Scale 1:50 Date:04-25-2022

50' 100' 150'

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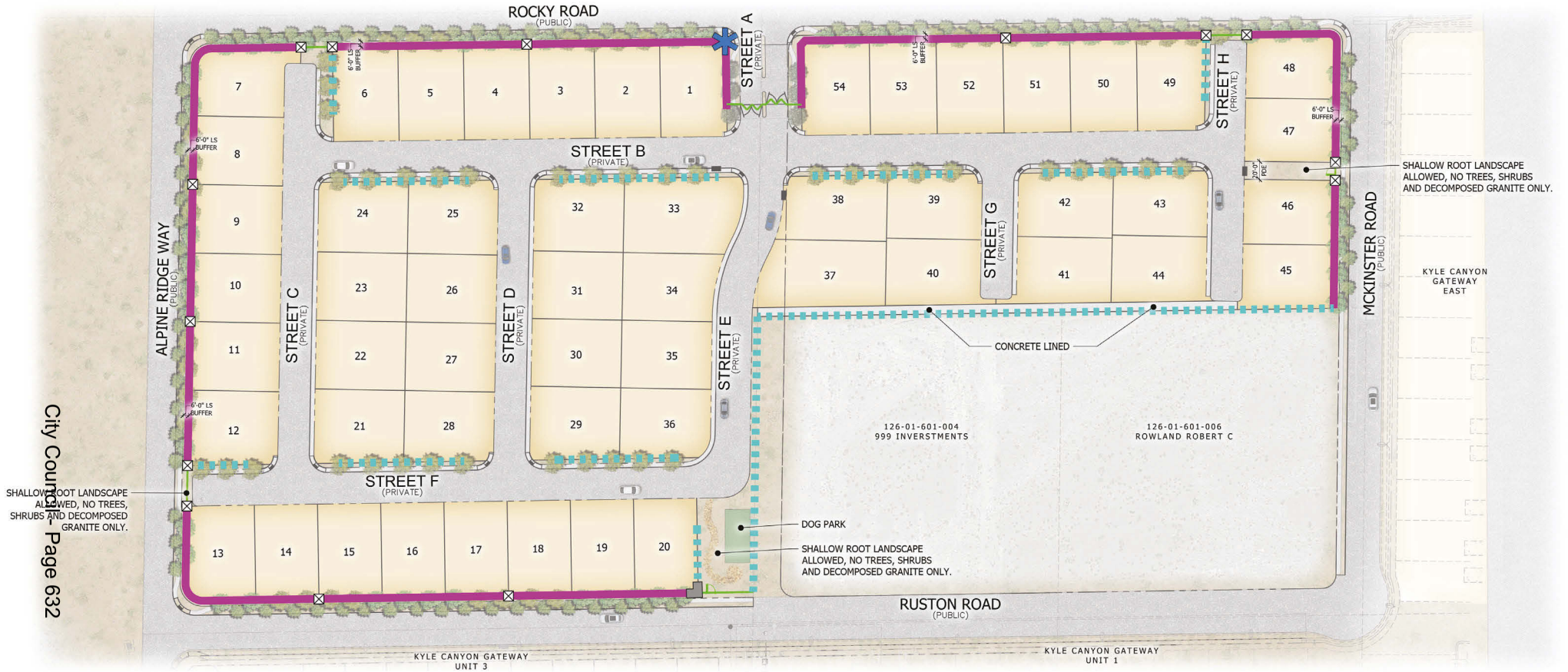
AB LA



City Council - Page 632

WALL LEGEND

SYMBOL	DESCRIPTION
	THEME WALL
	ENHANCED PRODUCT WALL
	FULL VIEW FENCE AT ENTRY
	PEDESTRIAN GATE
	THEME COLUMN
	WALL RETURN
	PARCEL ENTRY SIGNAGE

22-0270
05/21/2022

tri pointe HOMES

KYLE CANYON GATEWAY - UNIT 4

Conceptual Wall Plan

Plan Scale 1:50 Date:04-25-2022

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Kyle Canyon Gateway - Unit 4
COLOR APPLICATION GUIDE

023-19236
SEPTEMBER 24, 2021

Bassenian | Lagoni
ARCHITECTURE • PLANNING • INTERIORS

22-0270
05/21/2022

PardeeHomes

JOB # 023-19236
COLOR SELECTION CHART

Bassenian | Lagoni
ARCHITECTURE • PLANNING • INTERIORS

PAINT: SHERWIN WILLIAMS
ROOF: BORAL
STONE: CREATIVE MINES
WROUGHT IRON: SW 6990 CAVIAR
TPO: DURA LAST 50 MIL, GRAY

City Council - Page 534

	SCHEMES 1-9 ARE FOR ALL ELEVATIONS								
SCHEME #	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**
FRONT ENTRY DOOR	SW 0018 TEAL STENCIL	SW 2837 AURORA BROWN	SW 6356 COPPER MOUNTAIN	SW 7620 SEAWORTHY	SW 7675 SEALSKIN	SW 2838 POLISHED MAHOGANY	SW 9149 INKY BLUE	SW 2810 ROOKWOOD SASH GREEN	SW 7617 MEDITERRANEAN
FASCIA, EAVES, TAILS, HEADERS, BEAMS, SIDING & GARAGE DOOR	SW 7047 PORPOISE	SW 7075 WEB GRAY	SW 7008 ALABASTER	SW 0038 LIBRARY PEWTER	SW 6257 GIBRALTAR	SW 2740 MINERAL GRAY	SW 7505 MANOR HOUSE	SW 9175 DEEP FOREST BROWN	SW 7636 ORIGAMI WHITE
BASE STUCCO	SW 7009 PEARLY WHITE	SW 7030 ANEW GRAY	SW 7652 MINERAL DEPOSIT	SW 7064 PASSIVE	SW 2844 ROYCORFT MIST GRAY	SW 7542 NATUREL	SW 7647 CRUSHED ICE	SW 7017 DORIAN GRAY	SW 7016 MINDFUN GRAY
ACCENT STUCCO #1	SW 7643 PUSSYWILLOW	SW 6256 SERIOUS GRAY	SW 7542 NATUREL	SW 9161 DUSTBLU	SW 7035 AESTHETIC WHITE	SW 9171 FELTED WOOL	SW 7051 ANALYTICAL GRAY	SW 9166 DRIFT OF MIST	SW 7018 DOVETAIL
ACCENT STUCCO #2	SW 6227 MEDITATIVE	SW 7631 CITY LOFT	SW 7008 ALABASTER	SW 7018 DOVETAIL	SW 7743 MOUNTAIN ROAD	SW 9162 AFRICAN GRAY	SW 9143 CADET	SW 6235 FOGGY DAY	SW 2849 WESTCHESTER GRAY
STONE	GREYPEARL SPLIT MODULAR	BLACK TRUFFLE SPLIT MODULAR	FOGBANK SPLIT MODULAR	NIRVANA SPLIT MODULAR	GREENTEA SPLIT MODULAR	POWDER SPLIT MODULAR	TIMBERWOLF SPLIT MODULAR	LUNAR SPLIT MODULAR	SHADOW PLAY SPLIT MODULAR
FLAT TILE	CHARCOAL BROWN BLEND 1FBCF1132	SMOKY 1FACS3958	STONE MTN BLEND 1FACS5354	SEPIA 1FBCF3370	SADDLEBACK BLEND 1FBCF3030	CHARCOAL BLEND 1FBCF1430	CHARCOAL BROWN BLEND 1FBCF1132	SHADOW BLACK 1FACS1020	STONE MTN BLEND 1FACS5354
WINDOW FRAME	CLAY	CLAY	CLAY	CLAY	CLAY	CLAY	CLAY	CLAY	CLAY
GUTTERS & DOWNSPOUT	BRONZE	OLD TOWN GRAY	WHITE	BRONZE	OLD TOWN GRAY	OLD TOWN GRAY	BRONZE	MUSKET	WHITE

22-0270
05/21/2022

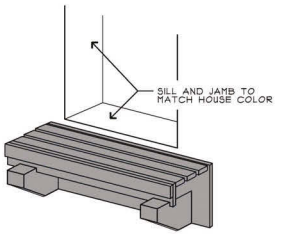
City Council - Page 635

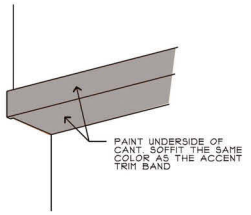
GENERAL COLOR APPLICATION GUIDELINES

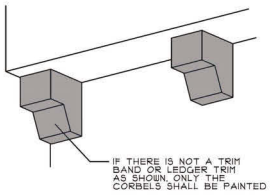
A. ALL EXTERIOR METAL RAILINGS, METAL GATES, ORNAMENTAL IRON, GARAGE OR SHUTTER HINGES, PULLS ETC. TO BE PAINTED "FLAT BLACK" U.N.O.

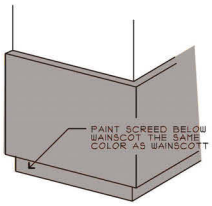
THE FOLLOWING DETAILS ARE A GENERIC REPRESENTAION FOR GUIDELINES TO APPLYING ACCENT COLORS, INCL. COLOR COAT OR PAINT APPLICATIONS.

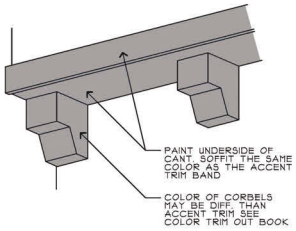
XX	13	WD. FOTSH. AT RECESSED WDW.	9	CANT. SOFFIT W/ ACCENT TRIM	5	
XX	14		10	CANT. SOFFIT W/ CORBELS	6	
XX	15	EXTERIOR PLASTER WAINSCOTT	11	CANT. SOFFIT (TRIM/CORBELS)	7	RECESSED SILL W/ ACCENT TRIM 3
XX	16	EXTERIOR STONE WAINSCOTT	12		8	SOFFIT HEAD W/ ACCENT TRIM 4

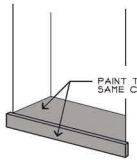


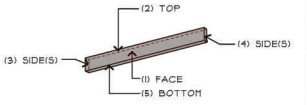






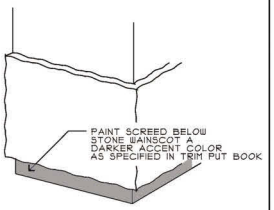


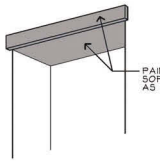


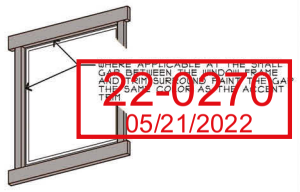


PAINT ALL (5) SIDES OF TRIM ACCENTS

ACCENT TRIM PAINTING 1







WINDOWS WITH "FULL WRAP" TRIM ONLY

TRIM SURROUND WINDOW 2

22-0270
05/21/2022

Bassenian | Lagoni
ARCHITECTURE • PLANNING • INTERIORS

2031 Orchard Drive
Newport Beach, CA
92660

Ph: 949-553-9100
Fax: 949-553-0548
www.bassenianlagoni.com

REVISIONS

DRAWINGS ISSUED FOR BID PRIOR TO AGENCY APPROVAL MAY NOT INCLUDE REVISIONS DUE TO ENGINEERING/ ARCHITECTURAL BACK CHECK AND/OR AGENCY REVIEW AND APPROVAL

SHEET TITLE / NO.:
COLOR DETAILS

NOTE: REFER TO COLOR TRIM OUT BOOK FOR ADDITIONAL INFO.

CD

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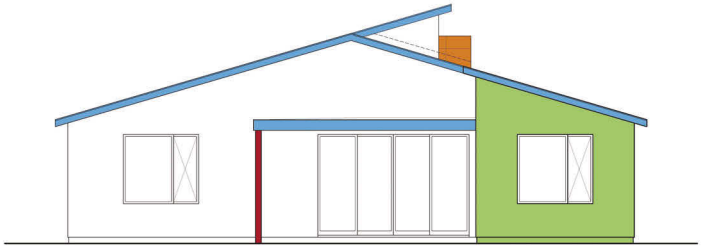
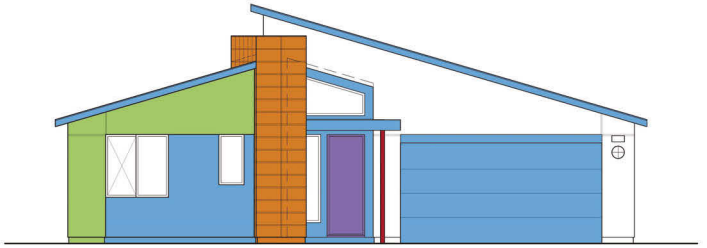
BASSENIAN LAGONI ARCHITECTS



REAR 1-A

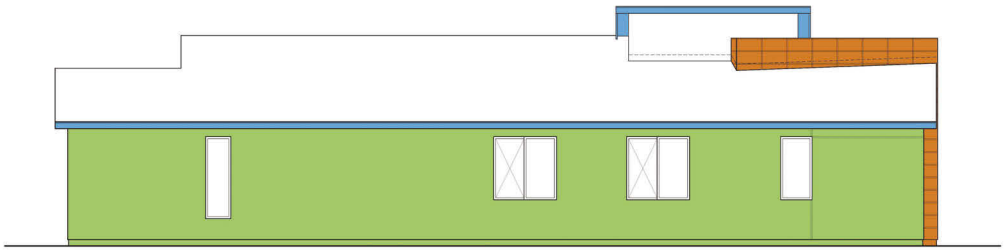
SCALE: 1/4"=1'-0"



FRONT ELEVATION 1-A

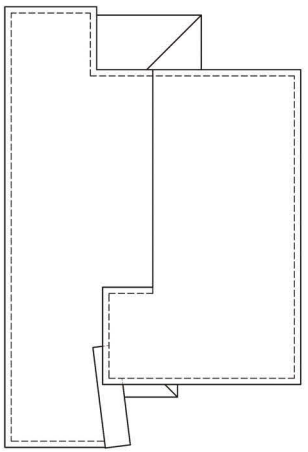
NEW CENTURY MODERN

SCALE: 1/4"=1'-0"



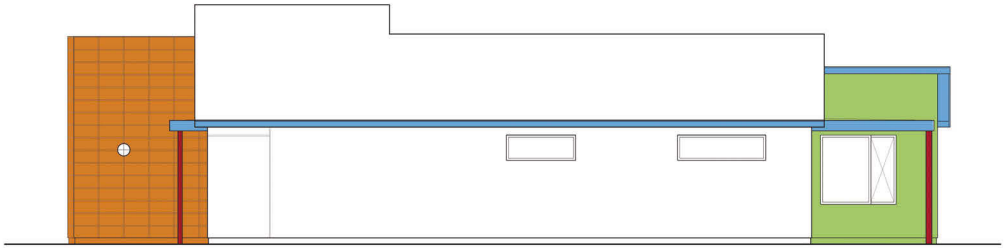
LEFT 1-A

SCALE: 1/4"=1'-0"



ROOF PLAN 1-A

SCALE: 1/8"=1'-0"



RIGHT 1-A

SCALE: 1/4"=1'-0"

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1st PLAN CHECK

Date: 2-18-2020

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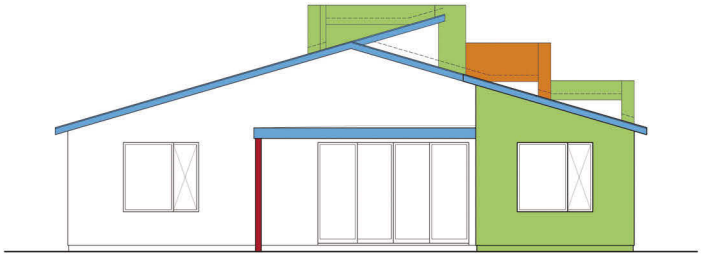
PLAN 1
ELEVATION "A"
& ROOF PLAN

BASSENIAN LAGONI ARCHITECTS

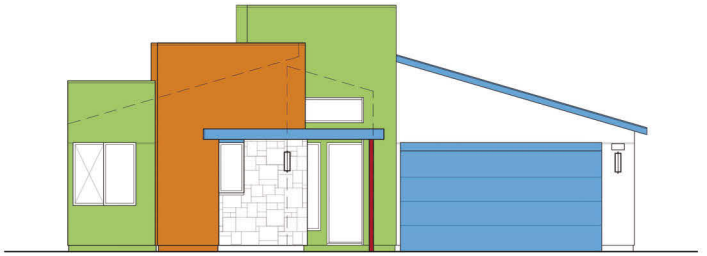
PLOT DATE: 9-24-20

FILE NAME: 8358LV1



REAR 1-B

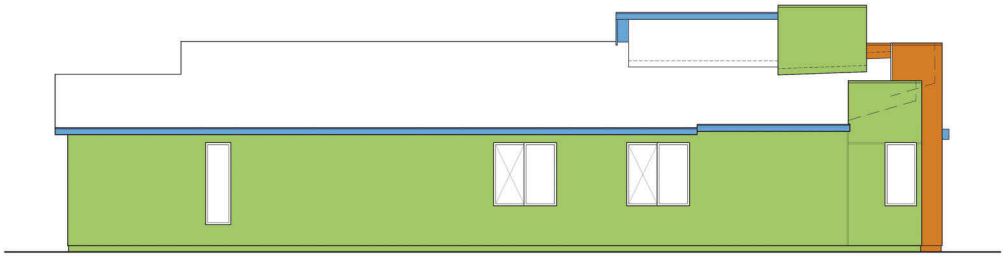
SCALE: 1/4"=1'-0"



FRONT ELEVATION 1-B

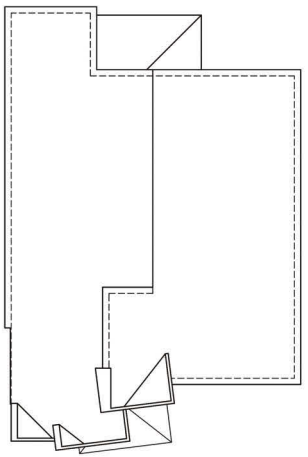
DESERT MODERN

SCALE: 1/4"=1'-0"



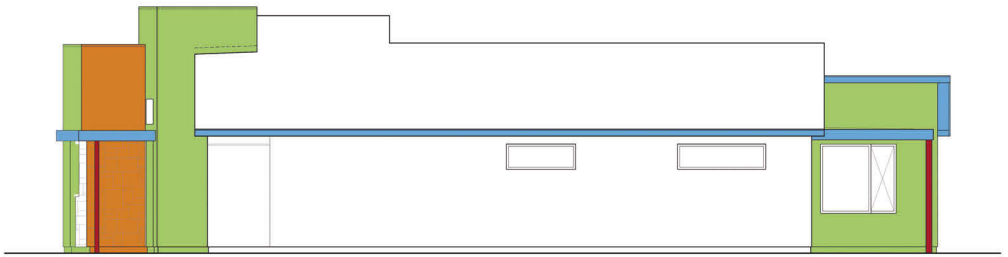
LEFT 1-B

SCALE: 1/4"=1'-0"



ROOF PLAN 1-B

SCALE: 1/8"=1'-0"



RIGHT 1-B

SCALE: 1/4"=1'-0"

City Council - Page 637

PLOT DATE: 9-24-20

FILE NAME: 8256LV1

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PLAN 1
ELEVATION "B"
& ROOF PLAN

JOB NUMBER: 023-19236

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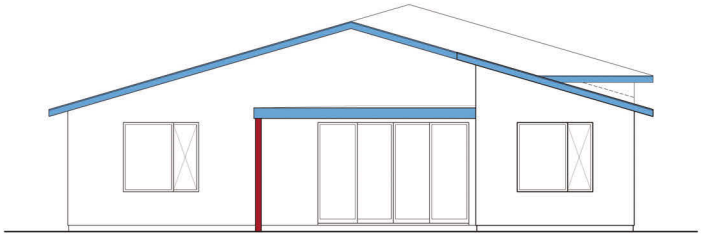
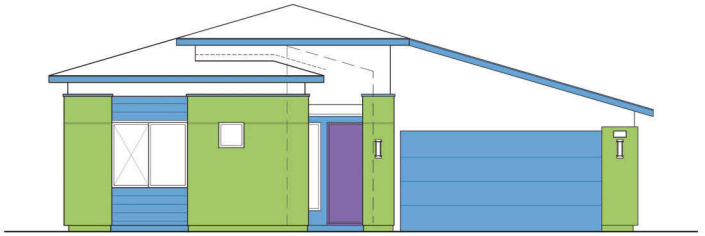


REAR 1-C

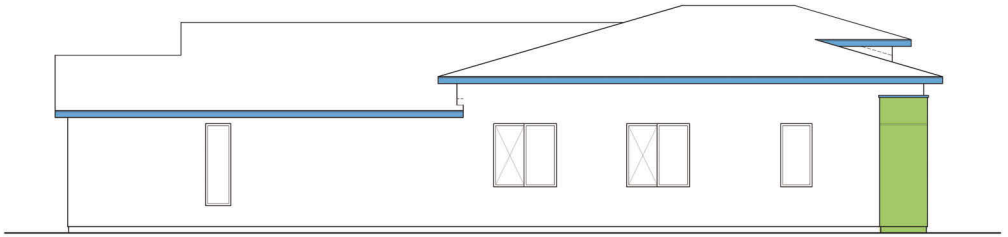
SCALE: 1/4"=1'-0"



FRONT ELEVATION 1-C

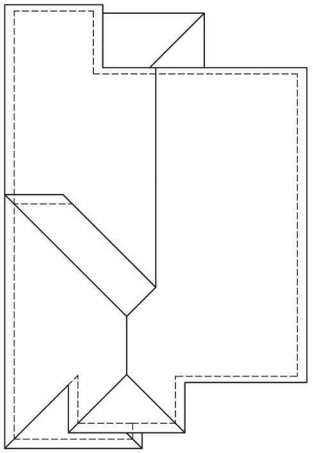
NEVADA MODERN

SCALE: 1/4"=1'-0"



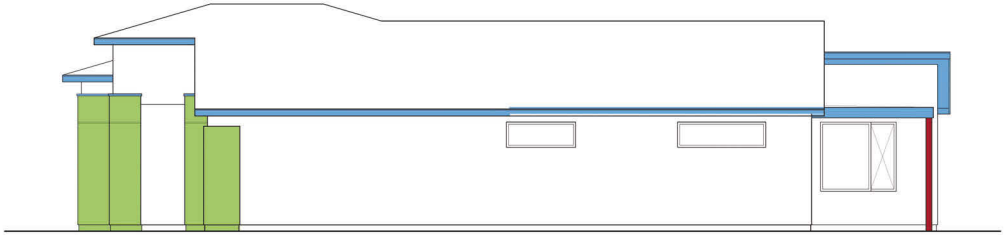
LEFT 1-C

SCALE: 1/4"=1'-0"



ROOF PLAN 1-C

SCALE: 1/8"=1'-0"



RIGHT 1-C

SCALE: 1/4"=1'-0"

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PLAN 1
ELEVATION "C"
& ROOF PLAN

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PLOT DATE: 9-24-20

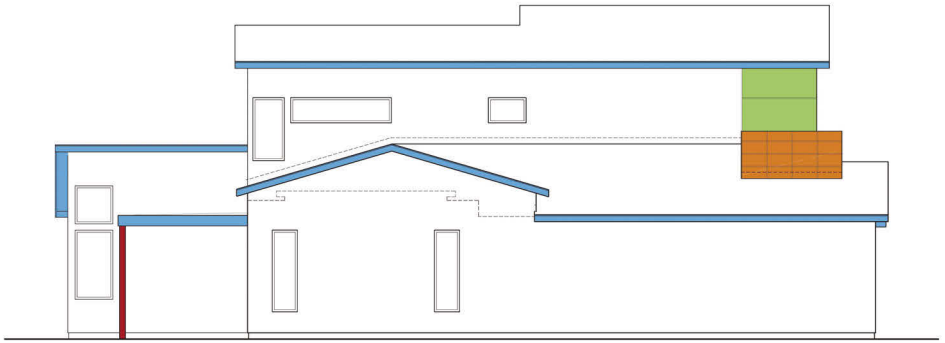
FILE NAME: 8256LV1



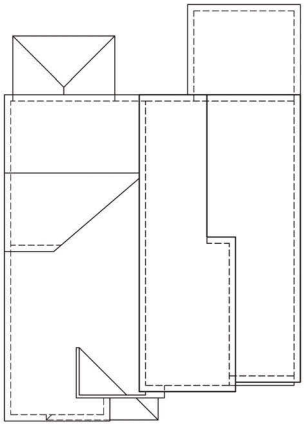
REAR 2-A



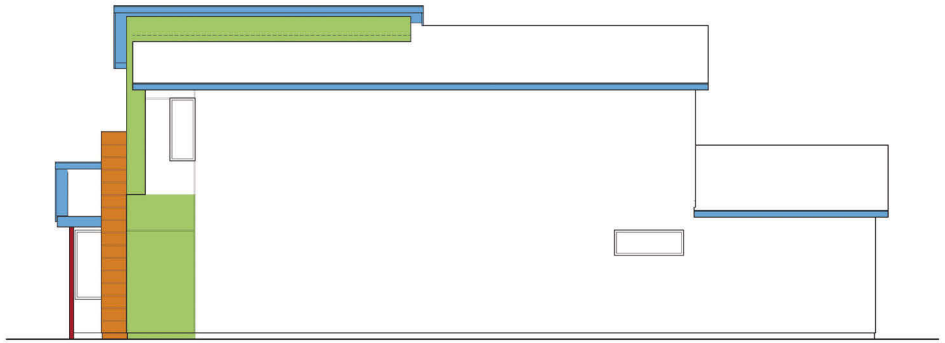
FRONT ELEVATION 2-A
NEW CENTURY MODERN



LEFT 2-A



ROOF PLAN 2-A



RIGHT 2-A

PLOT DATE: 9-24-20

FILE NAME: 8356LV2

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PLAN 2
ELEVATION "A"
& ROOF PLAN

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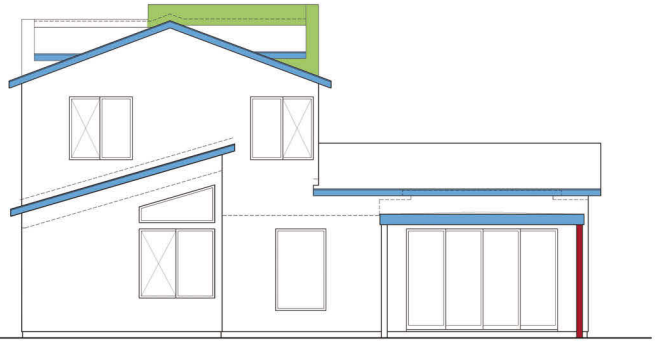


REAR 2-B

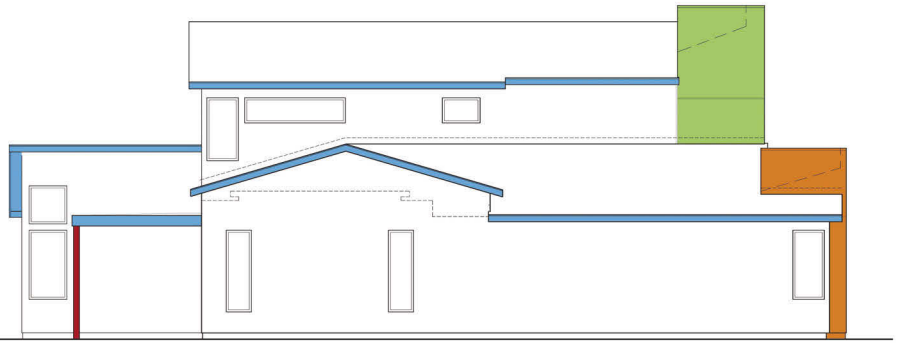
SCALE: 1/4"=1'-0"



FRONT ELEVATION 2-B

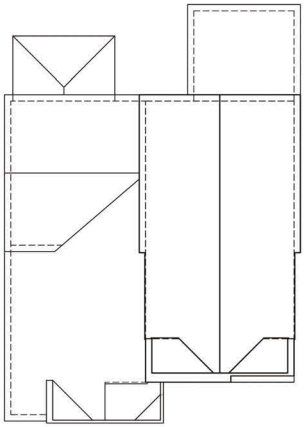
DESERT MODERN

SCALE: 1/4"=1'-0"



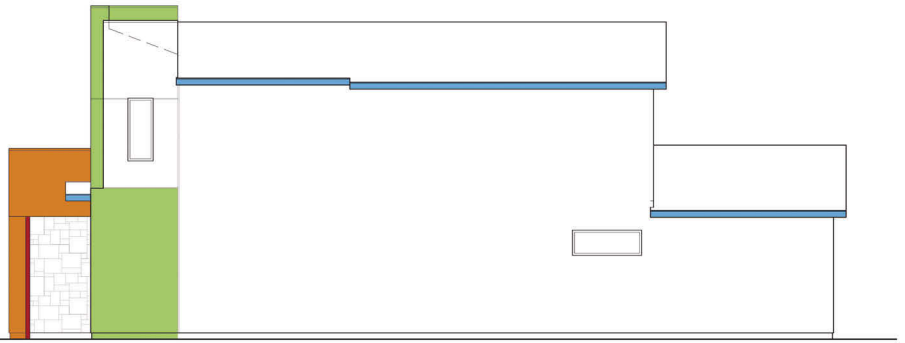
LEFT 2-B

SCALE: 1/4"=1'-0"



ROOF PLAN 2-B

SCALE: 1/8"=1'-0"



RIGHT 2-B

SCALE: 1/4"=1'-0"

City Council - Page 640

PLOT DATE: 9-24-20

FILE NAME: 8256LV2

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PLAN 2
ELEVATION "B"
& ROOF PLAN

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REAR 2-C

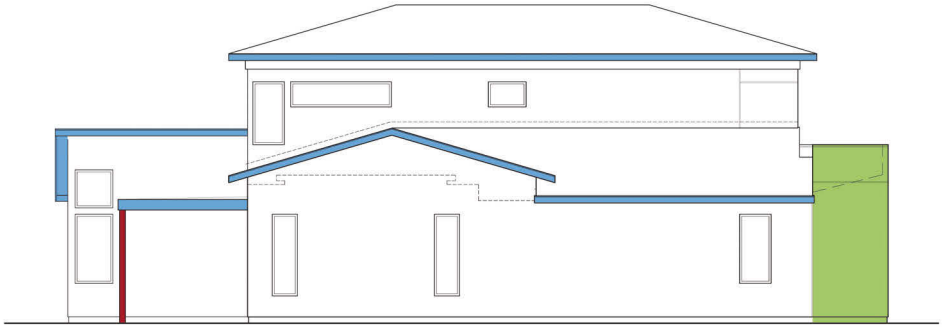
SCALE: 1/4"=1'-0"



FRONT ELEVATION 2-C

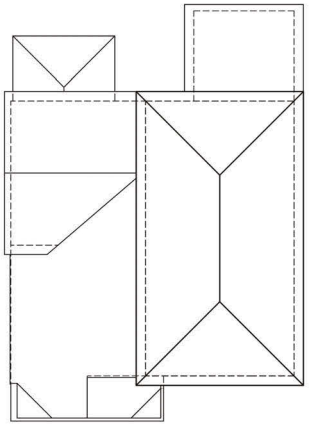
NEVADA MODERN

SCALE: 1/4"=1'-0"



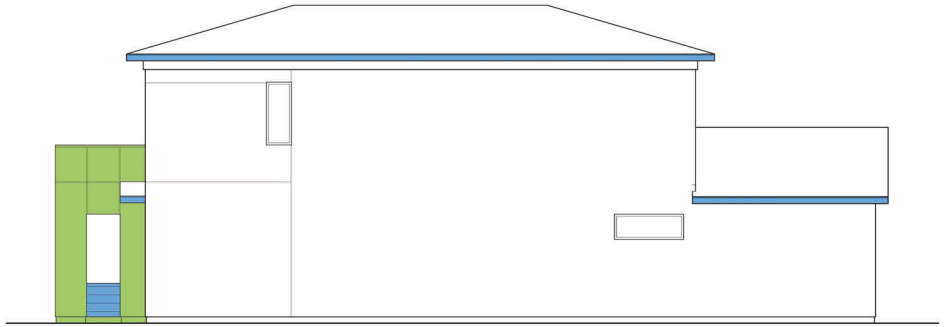
LEFT 2-C

SCALE: 1/4"=1'-0"



ROOF PLAN 2-C

SCALE: 1/8"=1'-0"



RIGHT 2-C

SCALE: 1/4"=1'-0"

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PLAN 2
ELEVATION "C"
& ROOF PLAN

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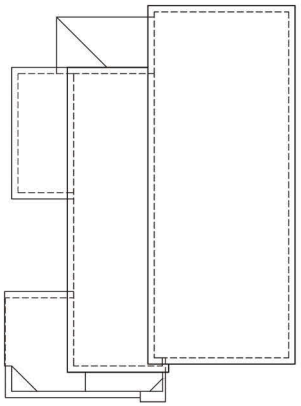
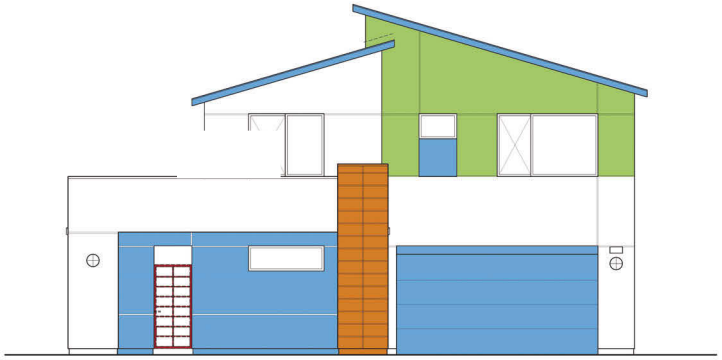
PLOT DATE: 9-24-20

FILE NAME: 023ELV2



ROOF PLAN 3-A

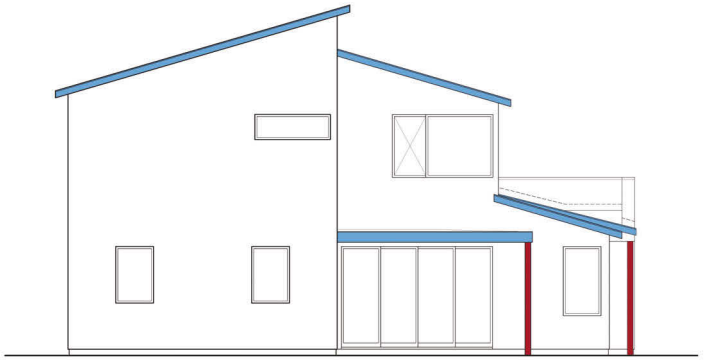
SCALE: 1/8"=1'-0"



FRONT ELEVATION 3-A

NEW CENTURY MODERN

SCALE: 1/4"=1'-0"



REAR 3-A

SCALE: 1/4"=1'-0"

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PLAN 3
ELEVATION "A"
FRONT & REAR ELEV.

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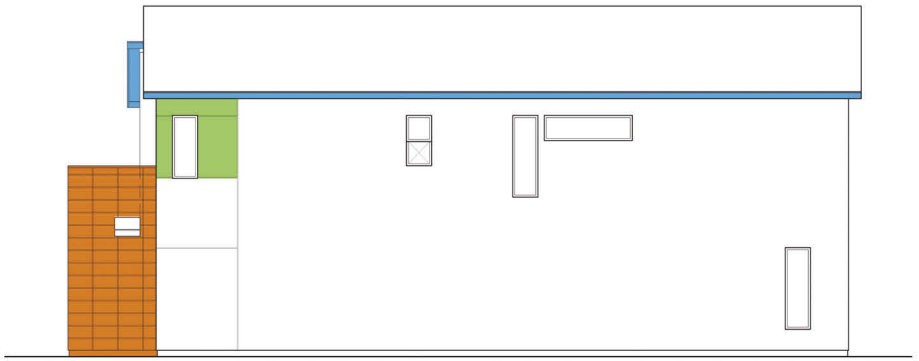
PLOT DATE: 9-24-20

FILE NAME: 9236ELV3



LEFT 3-A



RIGHT 3-A

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PLAN 3
ELEVATION "A"
RIGHT & LEFT

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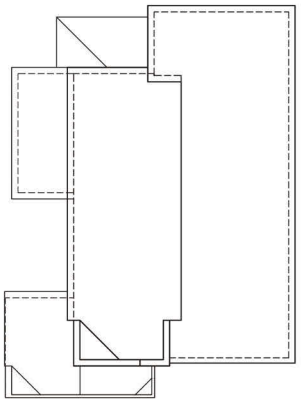
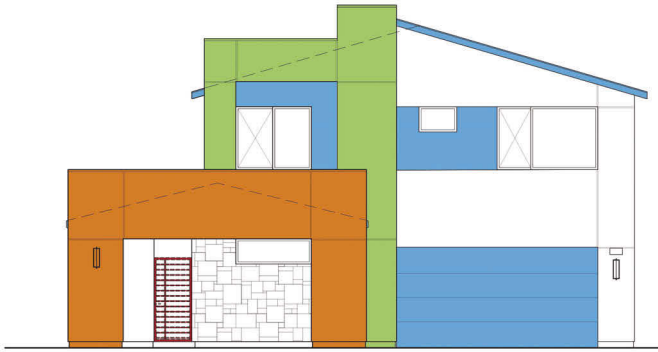
PLOT DATE: 9-24-20
FILE NAME: 8256LV3



ROOF PLAN 3-B

SCALE: 1/8"=1'-0"



FRONT ELEVATION 3-B

DESERT MODERN

SCALE: 1/4"=1'-0"



REAR 3-B

SCALE: 1/4"=1'-0"

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PLAN 3
ELEVATION "B"
FRONT & REAR ELEV.

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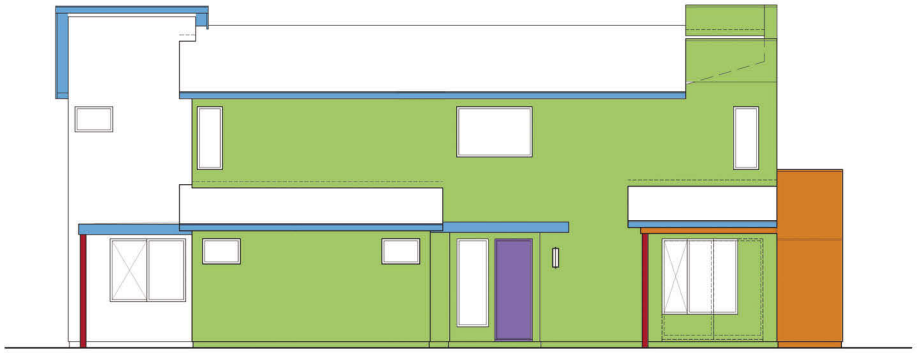
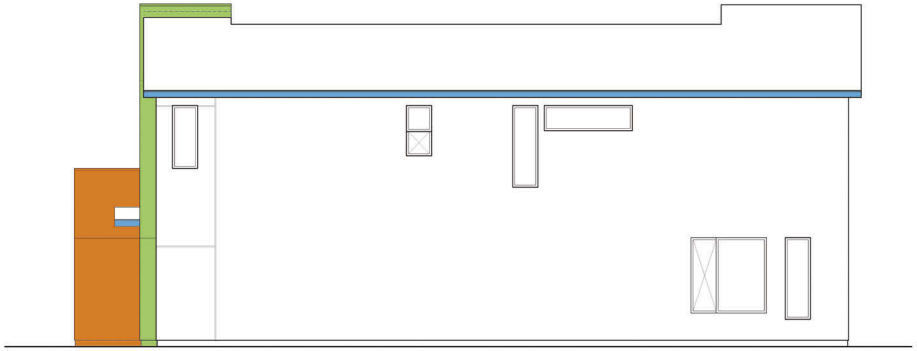
PLOT DATE: 9-24-20

FILE NAME: 6256LV3



LEFT 3-B



RIGHT 3-B

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PLAN 3
ELEVATION "B"
RIGHT & LEFT

JOB NUMBER: 023-19236
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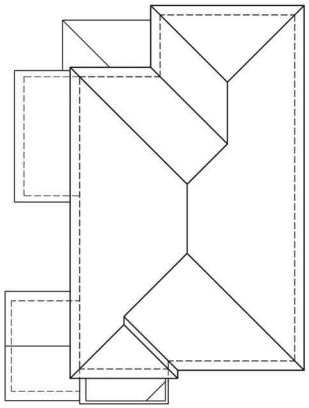
PLOT DATE: 9-24-20
FILE NAME: 8256LV3



ROOF PLAN 3-C

SCALE: 1/8"=1'-0"



FRONT ELEVATION 3-C

NEVADA MODERN

SCALE: 1/4"=1'-0"



REAR 3-C

SCALE: 1/4"=1'-0"

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PLAN 3
ELEVATION "C"
FRONT & REAR ELEV.

JOB NUMBER: 023-19236

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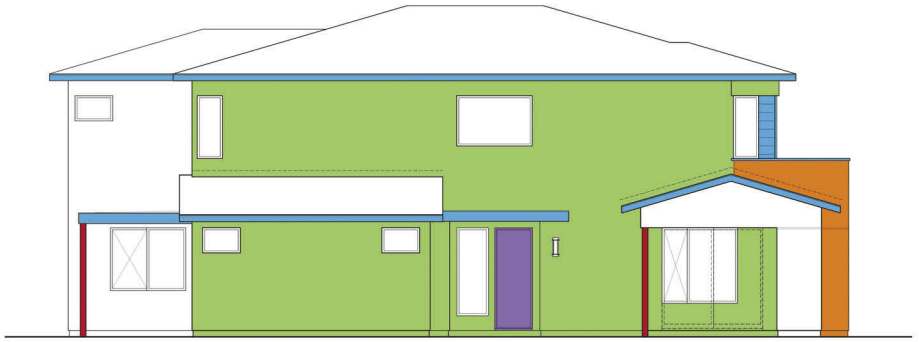
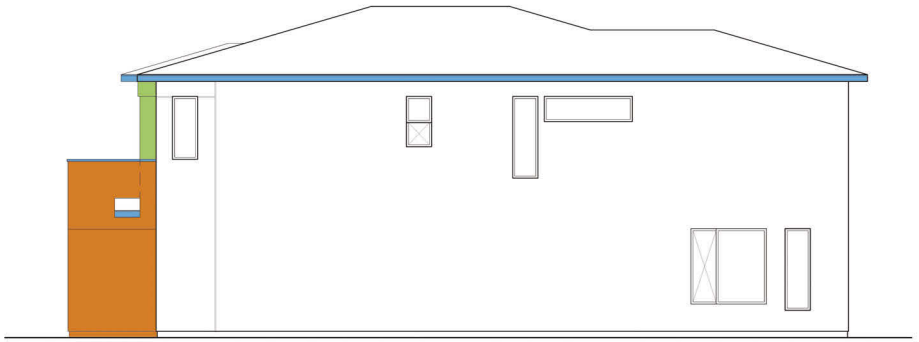
PLOT DATE: 9-24-20

FILE NAME: 8256LV3



LEFT 3-C

SCALE: 1/4"=1'-0"



RIGHT 3-C

SCALE: 1/4"=1'-0"

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05/21/2022

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1st PLAN CHECK
Date: 2-18-2020

REVISIONS

DRAWINGS ISSUED FOR BID PRIOR TO AGENCY APPROVAL MAY INCLUDE REVISIONS DUE TO ENGINEERING AND ARCHITECTURAL BACK CHECK AND / OR AGENCY REVIEW AND APPROVAL

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PLAN 3
ELEVATION "C"
RIGHT & LEFT

JOB NUMBER: 023-19236

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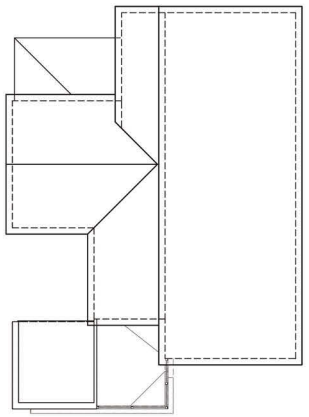
PLOT DATE: 9-24-20

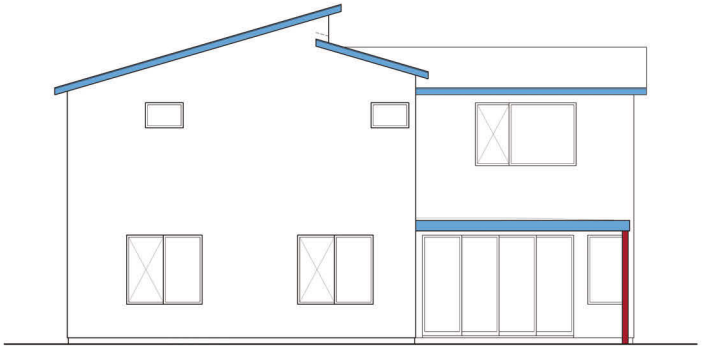
FILE NAME: 8256LV3



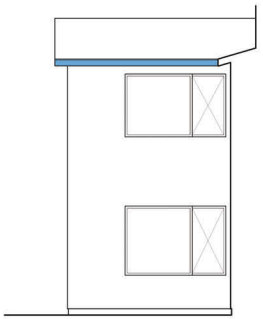
ROOF PLAN 4-A



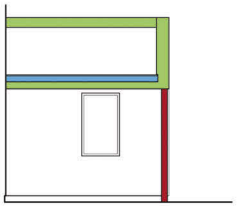
FRONT ELEVATION 4-A
NEW CENTURY MODERN



REAR 4-A



COURTYARD 4-A



COURTYARD 4-A

22-0270
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1st PLAN CHECK
Date: 2-18-2020

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PLAN 4
ELEVATION "A"
FRONT & REAR ELEV.
& ROOF PLAN

JOB NUMBER: 023-19236
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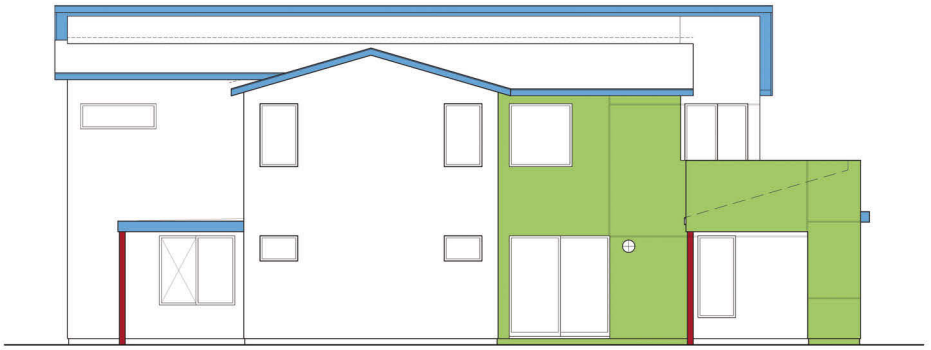
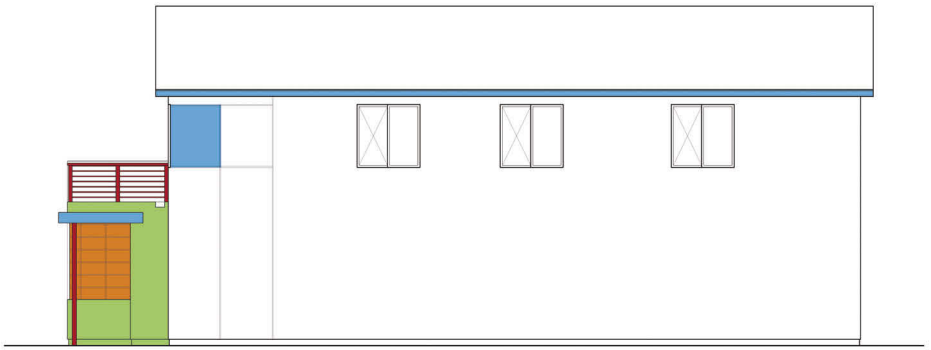
PLOT DATE: 9-24-20
FILE NAME: 8358LV4



LEFT 4-A

SCALE: 1/4"=1'-0"



RIGHT 4-A

SCALE: 1/4"=1'-0"

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PLAN 4
ELEVATION "A"
RIGHT & LEFT

JOB NUMBER: 023-19236

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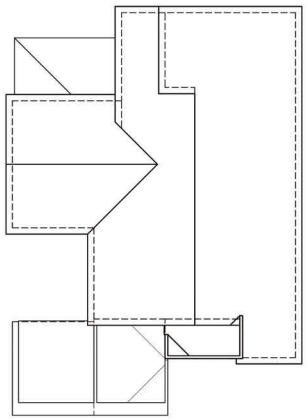
PLOT DATE: 9-24-20

FILE NAME: 8256LV4



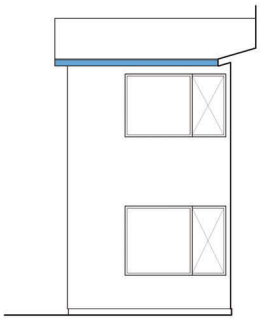
ROOF PLAN 4-B



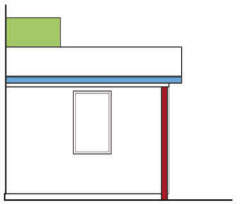
FRONT ELEVATION 4-B
DESERT MODERN



REAR 4-B



COURTYARD 4-B



COURTYARD 4-B

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05/21/2022

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PLAN 4
ELEVATION "B"
FRONT & REAR ELEV. & ROOF PLAN

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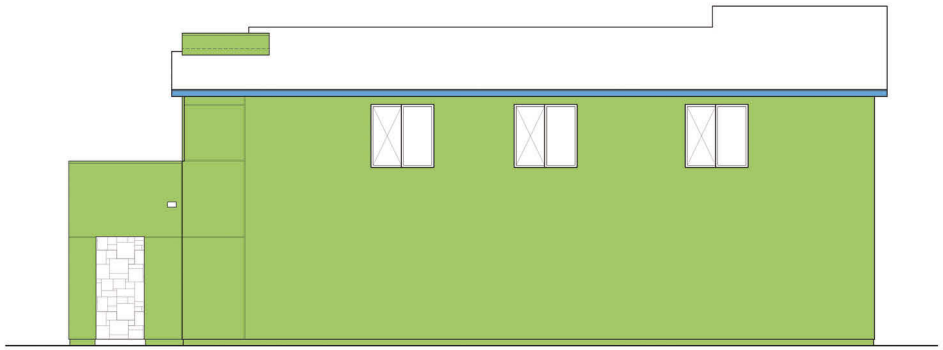
PLOT DATE: 9-24-20
FILE NAME: 8256LV4



LEFT 4-B

SCALE: 1/4"=1'-0"



RIGHT 4-B

SCALE: 1/4"=1'-0"

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PLAN 4
ELEVATION "B"
RIGHT & LEFT

JOB NUMBER: 023-19236

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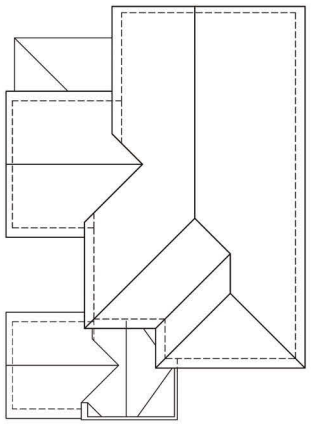
PLOT DATE: 9-24-20

FILE NAME: 8256LV4



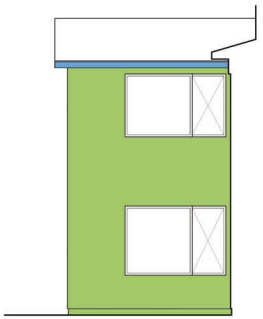
ROOF PLAN 4-C
SCALE: 1/8"=1'-0"



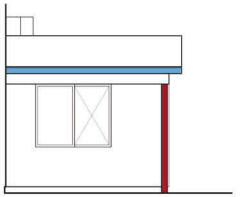
FRONT ELEVATION 4-C
NEVADA MODERN
SCALE: 1/4"=1'-0"



REAR 4-C
SCALE: 1/4"=1'-0"



COURTYARD 4-C
SCALE: 1/4"=1'-0"



COURTYARD 4-C
SCALE: 1/4"=1'-0"

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1st PLAN CHECK
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PLAN 4
ELEVATION "C"
FRONT & REAR ELEV.

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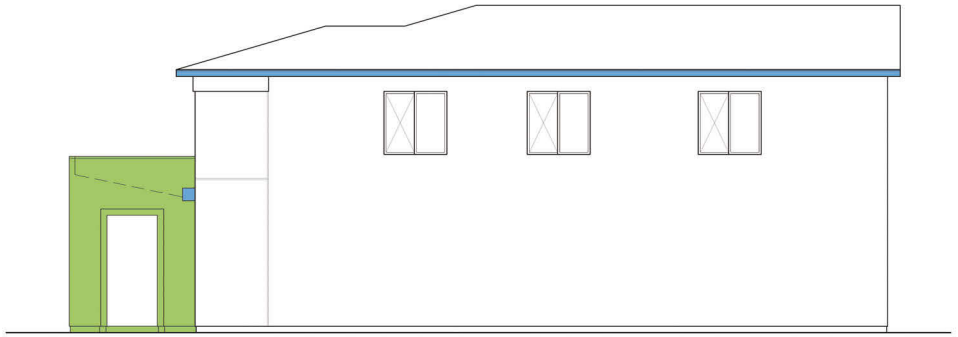
PLOT DATE: 9-24-20
FILE NAME: 9236ELV4



LEFT 4-C

SCALE: 1/4"=1'-0"



RIGHT 4-C

SCALE: 1/4"=1'-0"

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PLAN 4
ELEVATION "C"
RIGHT & LEFT

JOB NUMBER: 023-19236

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PLOT DATE: 9-24-20

FILE NAME: 8256LV4

tri pointe HOMES

Kyle Canyon Gateway Unit 4

COLOR SELECTION CHART

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PAINT: SHERWIN WILLIAMS
ROOF: BORAL
STONE: CREATIVE MINES
WROUGHT IRON: SW 6990 CAVIAR
TPO: DURA LAST 50 MIL, GRAY

METAL CAPS: BERRIDGE, METAL SALES

MARCH 23, 2021

*

	SCHEMES 1-9 ARE FOR ALL ELEVATIONS								
SCHEME #	**1**	**2**	**3 MODEL 2AR**	**4**	**5 MODEL IB**	**6**	**7 MODEL 3C**	**8**	**9**
FRONT ENTRY DOOR & OPTIONAL PORTICO DOOR	SW 0018 TEAL STENCIL	SW 2837 AURORA BROWN	SW 6356 COPPER MOUNTAIN	SW 7620 SEAWORTHY	SW 7675 SEALSKIN	SW 2838 POLISHED MAHOGANY	SW 9149 INKY BLUE	SW 2810 ROOKWOOD SASH GREEN	SW 7617 MEDITERRANEAN
FASCIA, EAVES, TAILS, HEADERS, BEAMS, SIDING & GARAGE DOOR	SW 7047 PORPOISE	SW 7075 WEB GRAY	SW 7008 ALABASTER	SW 0038 LIBRARY PEWTER	SW 6257 GIBRALTAR	SW 2740 MINERAL GRAY	SW 7505 MANOR HOUSE	SW 9175 DEEP FOREST BROWN	SW 7636 ORIGAMI WHITE
BASE STUCCO	SW 7009 PEARLY WHITE	SW 7030 ANEW GRAY	SW 7652 MINERAL DEPOSIT	SW 7064 PASSIVE	SW 2844 ROYCORFT MIST GRAY	SW 7542 NATUREL	SW 7647 CRUSHED ICE	SW 7017 DORIAN GRAY	SW 7016 MINDFUN GRAY
ACCENT STUCCO #1	SW 7643 PUSSYWILLOW	SW 6256 SERIOUS GRAY	SW 7542 NATUREL	SW 9161 DUSTBLU	SW 7035 AESTHETIC WHITE	SW 9171 FELTED WOOL	SW 7051 ANALYTICAL GRAY	SW 9166 DRIFT OF MIST	SW 7018 DOVETAIL
ACCENT STUCCO #2	SW 6227 MEDITATIVE	SW 7631 CITY LOFT	SW 7008 ALABASTER	SW 7018 DOVETAIL	SW 7743 MOUNTAIN ROAD	SW 9162 AFRICAN GRAY	SW 9143 CADET	SW 6235 FOGGY DAY	SW 2849 WESTCHESTER GRAY
STONE	GREYPEARL SPLIT MODULAR	BLACK TRUFFLE SPLIT MODULAR	FOGBANK SPLIT MODULAR	NIRVANA SPLIT MODULAR	GREENTEA SPLIT MODULAR	POWDER SPLIT MODULAR	TIMBERWOLF SPLIT MODULAR	LUNAR SPLIT MODULAR	SHADOW PLAY SPLIT MODULAR
FLAT TILE	CHARCOAL BROWN BLEND 1FBCF1132	SMOKY 1FACS3958	STONE MTN BLEND 1FACS5354	SEPIA 1FBCF3370	SADDLEBACK BLEND 1FBCF3030	CHARCOAL BLEND 1FBCF1430	CHARCOAL BROWN BLEND 1FBCF1132	CHARCOAL BLEND 1FBCF1430	STONE MTN BLEND 1FACS5354
STONE METAL CAP (BERRIDGE)	**BUCKSKIN**	**BUCKSKIN**	**PARCHMENT**	**ZINC GREY**	**BUCKSKIN**	**PARCHMENT**	**SIERRA TAN**	**PARCHMENT**	**ZINC GREY**
STONE METAL CAP (METAL SALES)	**TAUPE**	**TAUPE**	**ASH GREY**	**OLD TOWN GREY**	**TAUPE**	**PARCHMENT**	**PARCHMENT**	**PARCHMENT**	**OLD TOWN GREY**
WINDOW FRAME	CLAY	CLAY	CLAY	CLAY	CLAY	CLAY	CLAY	CLAY	CLAY
GUTTERS & DOWNSPOUT	BRONZE	OLD TOWN GRAY	WHITE	BRONZE	OLD TOWN GRAY	OLD TOWN GRAY	BRONZE	MUSKET	WHITE

City Council - Page 664

22-0270
05/21/2022

tri pointe HOMES

Kyle Canyon Gateway - Unit 4

COLOR SELECTION BOOK

JOB #023-19236

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SCHEME 1



FLAT TILE – CHARCOAL BROWN BLEND

BASE STUCCO
SW 7009 PEARLY WHITE

FASCIA, EAVES, TAILS, HEADERS, BEAMS, SIDING & GARAGE DOOR
SW 7047 PORPOISE

FRONT ENTRY DOOR & OPT PORTICO DOOR
SW 0018 TEAL STENCIL

ACCENT STUCCO #1
SW 7643 PUSSYWILLOW

ACCENT STUCCO #2
SW 6227 MEDITATIVE



STONE – GREY PEARL SPLIT MODULAR

*NOT ALL COLORS/FINISHES APPLY TO EVERY PLAN/ELEVATION

22-0270
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SCHEME 2



FLAT TILE – SMOKY

BASE STUCCO
SW 7030 ANEW GRAY

FASCIA, EAVES, TAILS, HEADERS, BEAMS, SIDING & GARAGE DOOR
SW 7075 WEB GRAY

FRONT ENTRY DOOR & OPT PORTICO DOOR
SW 2837 AURORA BROWN

ACCENT STUCCO #1
SW 6256 SERIOUS GRAY

ACCENT STUCCO #2
SW 7631 CITY LOFT



STONE – BLACK TRUFFLE SPLIT MODULAR

*NOT ALL COLORS/FINISHES APPLY TO EVERY PLAN/ELEVATION

22-0270
05/21/2022

SCHEME 3



FLAT TILE – STONE MTN BLEND

BASE STUCCO
SW 7652 MINERAL DEPOSIT

FASCIA, EAVES, TAILS, HEADERS, BEAMS,
SIDING & GARAGE DOOR
SW 7008 ALABASTER

FRONT ENTRY DOOR & OPT PORTICO DOOR
SW 6356 COPPER MOUNTAIN

ACCENT STUCCO #1
SW 7542 NATUREL

ACCENT STUCCO #2
SW 7008 ALABASTER



STONE – FOGBANK SPLIT MODULAR

*NOT ALL COLORS/FINISHES APPLY TO EVERY PLAN/ELEVATION

22-0270
05/21/2022

SCHEME 4



FLAT TILE – SEPIA

BASE STUCCO
SW 7064 PASSIVE

FASCIA, EAVES, TAILS, HEADERS, BEAMS,
SIDING & GARAGE DOOR
SW 0038 LIBRARY PEWTER

FRONT ENTRY DOOR & OPT PORTICO DOOR
SW 7620 SEAWORTHY

ACCENT STUCCO #1
SW 9161 DUSTBLUE

ACCENT STUCCO #2
SW 7018 DOVETAIL



STONE – NIRVANA SPLIT MODULAR

*NOT ALL COLORS/FINISHES APPLY TO EVERY PLAN/ELEVATION

22-0270
05/21/2022

SCHEME 5



FLAT TILE – SADDLEBACK BLEND

BASE STUCCO
SW 2844 ROYCROFT MIST GRAY

FASCIA, EAVES, TAILS, HEADERS, BEAMS, SIDING & GARAGE DOOR
SW 6257 GIBRALTAR

FRONT ENTRY DOOR & OPT PORTICO DOOR
SW 7675 SEALSKIN

ACCENT STUCCO #1
SW 7035 AESTHETIC WHITE

ACCENT STUCCO #2
SW 7743 MOUNTAIN ROAD



STONE – GREENTEA SPLIT MODULAR

*NOT ALL COLORS/FINISHES APPLY TO EVERY PLAN/ELEVATION

22-0270
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SCHEME 6



FLAT TILE – CHARCOAL BLEND

BASE STUCCO
SW 7542 NATUREL

FASCIA, EAVES, TAILS, HEADERS, BEAMS,
SIDING & GARAGE DOOR
SW 2740 MINERAL GRAY

FRONT ENTRY DOOR & OPT PORTICO DOOR
SW 2838 POLISHED MAHOGANY

ACCENT STUCCO #1
SW 9171 FELTED GRAY

ACCENT STUCCO #2
SW 9162 AFRICAN GRAY



STONE

*NOT ALL COLORS/FINISHES APPLY TO EVERY PLAN/ELEVATION

22-0270
05/21/2022

SCHEME 7



FLAT TILE – CHARCOAL BROWN BLEND

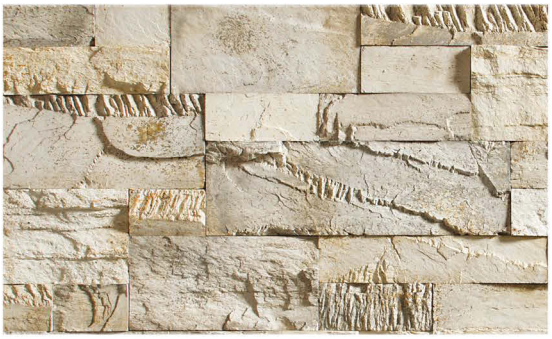
BASE STUCCO
SW 7647 CRUSHED ICE

FASCIA, EAVES, TAILS, HEADERS, BEAMS,
SIDING & GARAGE DOOR
SW 7505 MANOR HOUSE

FRONT ENTRY DOOR & OPT PORTICO DOOR
SW 9149 INKY BLUE

ACCENT STUCCO #1
SW 7051 ANALYTICAL GRAY

ACCENT STUCCO #2
SW 9143 CADET



STONE – TIMBERWOLF SPLIT MODULAR

*NOT ALL COLORS/FINISHES APPLY TO EVERY PLAN/ELEVATION

22-0270
05/21/2022

SCHEME 8



FLAT TILE – CHARCOAL BLEND

BASE STUCCO
SW 7017 DORIAN GRAY

FASCIA, EAVES, TAILS, HEADERS, BEAMS,
SIDING & GARAGE DOOR
SW 9175 DEEP FOREST BROWN

FRONT ENTRY DOOR & OPT PORTICO DOOR
SW 2810 ROOKWOOD SASH GREEN

ACCENT STUCCO #1
SW 9166 DRIFT MIST

ACCENT STUCCO #2
SW 6235 FOGGY DAY



STONE – LUNAR SPLIT MODULAR

*NOT ALL COLORS/FINISHES APPLY TO EVERY PLAN/ELEVATION

22-0270
05/21/2022

SCHEME 9



FLAT TILE – STONE MTN BLEND

BASE STUCCO
SW 7016 MINDFUL GRAY

FASCIA, EAVES, TAILS, HEADERS, BEAMS,
SIDING & GARAGE DOOR
SW 7636 ORIGAMI WHITE

FRONT ENTRY DOOR & OPT PORTICO DOOR
SW 7617 MEDITERRANEAN

ACCENT STUCCO #1
SW 7018 DOVETAIL

ACCENT STUCCO #2
SW 2849 WESTCHESTER GRAY



STONE – SHADOW PLAY

*NOT ALL COLORS/FINISHES APPLY TO EVERY PLAN/ELEVATION

22-0270
05/21/2022

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20050811-0003889

Fee: $24.00 RPTT: $86,700.00
N/C Fee: $25.00

08/11/2005 15:13:49
T20050146848
Requestor:
FIRST AMERICAN TITLE COMPANY OF NEVADA

Frances Deane PUN
Clark County Recorder Pgs: 11

APN #: 126-01-601-002, 014
126-01-701-006, 126-01-301-004

Escrow #NCS-146520-HHLV (ak)

18

Patent

(Title on Document)

C11

Recording requested by:

First American Title Company

Return to: mail tax statement to

Name Southwest Desert Equities, LLC

Address 3455 Cliff Shadows Pkwy, #220

City/State/Zip Las Vegas, NV 89129

This page added to provide additional information required by NRS 111.312 Sections 1-2 (Additional recording fee applies).

This cover page must be typed or printed clearly in black ink only.

22-0270
05/23/2022

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 1 of 11
Order: 4247824f Comment:

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Form 1860-9
(January 1988)

The United States of America

To all to whom these presents shall come, Greeting:

Patent

N-78155, WHEREAS

Southwest Desert Equities, LLC

is entitled to a land patent pursuant to Section 203 and Section 209 of the Act of October 21, 1976 (43 U.S.C. 1713 and 1719, respectively), as amended, and pursuant to Section 4(a) of the Southern Nevada Public Land Management Act of 1998, Public Law 105-263, 112 Stat. 2343, for the following described land:

Mount Diablo Meridian, Nevada
T. 19 S., R. 59 E.,
sec. 1, NE¼NW¼SW¼NE¼, SE¼NW¼SW¼NE¼,
SW¼NE¼SE¼NE¼, NE¼NW¼SE¼NE¼,
SE¼NW¼SE¼NE¼, NE¼SW¼SE¼NE¼,
NW¼SW¼SE¼NE¼, SW¼SW¼SE¼NE¼,
SE¼SW¼SE¼NE¼, NE¼NE¼NW¼SW¼,
NW¼NE¼NW¼SW¼, SW¼NE¼NW¼SW¼,
SE¼NE¼NW¼SW¼, NE¼NW¼NE¼SE¼,
NW¼NW¼NE¼SE¼, SW¼NW¼NE¼SE¼,
SE¼NW¼NE¼SE¼.

Containing 42.5 acres, more or less.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto Southwest Desert Equities, LLC, the land described above; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto Southwest Desert Equities, LLC, its successors and assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way for ditches or canals by the authority of the United States pursuant to the Act of August 30, 1890 (43 U.S.C. 945); and

2. All leasable and saleable mineral deposits in the land so patented, and to it, its permittees, licensees, and lessees, the right to prospect for, mine, and remove the minerals owned by the United States under applicable law and such regulations as the Secretary of the Interior may prescribe, including all necessary access and exit rights.

SUBJECT TO:

1. Valid existing rights;

22-0270
05/23/2022

Patent Number 27-2005-0137

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 2 of 11
Order: 4247824f Comment:

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2. Rights-of-way CC-018138 and CC-018191 for highway purposes granted to the State of Nevada Department of Transportation, its successors or assigns, pursuant to the Act of November 9, 1921 (042 Stat. 0216);

3. Right-of-way CC-021488 for communication line purposes granted to Nevada Bell, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);

4. Right-of-way N-46063 for highway purposes granted to Federal Highway Administration, its successors or assigns, pursuant to the Act of August 27, 1958 (23 U.S.C. 317(A));

5. Rights-of-way N-57071, N-58721, N-75584, and Nev-043546 for power line purposes, right-of-way N-75351 for fiber optic line purposes, and right-of-way N-75702 for electrical facility purposes granted to Nevada Power Company, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);

6. Right-of-way N-6011 for communication line purposes granted to Central Telephone Company, its successors or assigns, pursuant to the Act of February 15, 1901 (43 U.S.C. 959);

7. The north 30 feet and the east 30 feet of the NE¼NW¼SW¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

8. The east 30 feet and the south 30 feet of the SE¼NW¼SW¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

9. The north 30 feet of the NE¼NW¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

10. The east 30 feet and the south 30 feet of the SE¼NW¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

11. The west 30 feet and the south 30 feet of the SW¼NE¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

12. The north 30 feet and the east 30 feet of the NE¼SW¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public

22-0270
05/23/2022

Patent Number 27-2005-0137

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 3 of 11
Order: 4247824f Comment:

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utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

13. The north 30 feet and the west 30 feet of the NW¼SW¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

14. The west 30 feet and the south 40 feet of the SW¼SW¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

15. The east 30 feet and the south 40 feet of the SE¼SW¼SE¼NE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

16. The north 40 feet and the east 30 feet of the NE¼NE¼NW¼SW¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

17. The north 40 feet and the west 30 feet of the NW¼NE¼NW¼SW¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

18. The west 30 feet of the SW¼NE¼NW¼SW¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

19. The east 30 feet of the SE¼NE¼NW¼SW¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

20. The north 40 feet and the east 30 feet of the NE¼NW¼NE¼SE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

21. The north 40 feet and the west 30 feet of the NW¼NW¼NE¼SE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands;

22-0270
05/23/2022

Patent Number 27-2005-0137

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 4 of 11
Order: 4247824f Comment:

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22. The west 30 feet of the SW¼NW¼NE¼SE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands; and

23. The east 30 feet of the SE¼NW¼NE¼SE¼ of sec. 1, T. 19 S., R. 59 E., Mount Diablo Meridian, Nevada, in favor of Clark County for road, public utilities and flood control purposes to insure continued ingress and egress to adjacent lands.

By accepting this patent, the patentee, Southwest Desert Equities, LLC, agrees to indemnify, defend, and hold the United States harmless from any costs, damages, claims, causes of action, penalties, fines, liabilities, and judgements of any kind or nature arising from the past, present, and future acts or omissions of the patentee or its employees, agents, contractors, or lessees, or any third-party, arising out of or in connection with the patentee's use, occupancy, or operations on the patented real property. This indemnification and hold harmless agreement includes, but is not limited to, acts and omissions of the patentee and its employees, agents, contractors, or lessees, or any third party, arising out of or in connection with the use and/or occupancy of the patented real property which has already resulted or does hereafter result in: (1) Violations of federal, state, and local laws and regulations that are now or may in the future become, applicable to the real property; (2) Judgements, claims or demands of any kind assessed against the United States; (3) Costs, expenses, or damages of any kind incurred by the United States; (4) Releases or threatened releases of solid or hazardous waste(s) and/or hazardous substances(s), as defined by federal or state environmental laws, off, on, into or under land, property and other interests of the United States; (5) Activities by which solids or hazardous substances or wastes, as defined by federal and state environmental laws are generated, released, stored, used or otherwise disposed of on the patented real property, and any cleanup response, remedial action or other actions related in any manner to said solid or hazardous substances or wastes; or (6) Natural resource damages as defined by federal and state law. This covenant shall be construed as running with the parcels of land patented or otherwise conveyed by the United States, and may be enforced by the United States in a court of competent jurisdiction.

PURSUANT to the requirements established by section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), (42 U.S.C. 9620(h)), as amended by the Superfund Amendments and Reauthorization Act of 1988, (100 Stat. 1670), notice is hereby given that the above-described lands have been examined and no evidence was found to indicate that any hazardous substances has been stored for one year or more, nor had any hazardous substances been disposed of or released on the subject property.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in RENO, NEVADA, the SECOND day of AUGUST in the year of our Lord TWO THOUSAND and FIVE and of the Independence of the United States the TWO HUNDRED and THIRTIETH.

[SEAL]

By Jim Stobaugh
Jim Stobaugh, Lands Team Lead
Natural Resources, Lands, and Planning

22-0270
05/23/2022

Patent Number 27-2005-0137

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 5 of 11
Order: 4247824f Comment:

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000 (1340 Financial Blvd)
Reno, Nevada 89520-0006
http://www.nv.blm.gov

TAKE PRIDE IN AMERICA

In Reply Refer To:
N-6011 2800
N-78155 2700
(NV-930)

Central Telephone Company
330 South Valley View Boulevard
Las Vegas, Nevada 89152

AUG 0 2 2005

Dear Right-of-Way Holder:

Our records indicate that you are the holder of right-of-way N-6011 granted for communication line purposes, pursuant to the Act of February 15, 1901 (43 U.S.C. 959), and which crosses the following land:

Mount Diablo Meridian, Nevada
T. 19 S., R. 59 E.,
sec. 1, NE¼NW¼SW¼NE¼, SE¼NW¼SW¼NE¼, SW¼NE¼SE¼NE¼, NE¼NW¼SE¼NE¼, SE¼NW¼SE¼NE¼, NE¼SW¼SE¼NE¼, NW¼SW¼SE¼NE¼, SW¼SW¼SE¼NE¼, SE¼SW¼SE¼NE¼, NE¼NE¼NW¼SW¼, NW¼NE¼NW¼SW¼, SW¼NE¼NW¼SW¼, SE¼NE¼NW¼SW¼, NE¼NW¼NE¼SE¼, NW¼NW¼NE¼SE¼, SW¼NW¼NE¼SE¼, SE¼NW¼NE¼SE¼.

The above-described land was transferred out of federal ownership in a competitive land sale under patent No. 27-2005-0137, to Southwest Desert Equities, LLC, 3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129.

The patent was issued subject to your right-of-way, which means that Southwest Desert Equities, LLC now has jurisdiction over that portion of your right-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 861-6530.

Sincerely,

/s/ PAMELA C. RIDLEY

Pamela C. Ridley
Land Law Examiner

Enclosure
1. Patent No. 27-2005-0137

cc: Field Manager, Las Vegas
Patentee

22-0270
05/23/2022

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 6 of 11
Order: 4247824f Comment:

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000 (1340 Financial Blvd)
Reno, Nevada 89520-0006
http://www.nv.blm.gov

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In Reply Refer To:
N-57071 2800
N-58721 2800
N-75351 2800
N-75584 2800
N-75702 2800
Nev-043546 2800
N-78155 2700
(NV-930)

AUG 0 2 2005

Nevada Power Company
P. O. Box 98910
Las Vegas, Nevada 89151

Dear Right-of-Way Holder:

Our records indicate that you are the holder of rights-of-way N-57071, N-58721, N75584, and Nev-043546 granted for power line purposes, and right-of-way N-75351 for fiber optic communication line purposes, and right-of-way N-75702 for electrical facility purposes, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).

Land was transferred out of federal ownership in a competitive land sale under patent No. 27-2005-0137, to Southwest Desert Equities, LLC, 3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129.

The patent was issued subject to your rights-of-way, which means that Southwest Desert Equities, LLC now has jurisdiction over that portion of your rights-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 861-6530.

Sincerely,

/s/ PAMELA C. RIDLEY

Pamela C. Ridley
Land Law Examiner

Enclosure
1. Patent No. 27-2005-0137

cc: Field Manager, Las Vegas
Patentee

22-0270
05/23/2022

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 7 of 11
Order: 4247824f Comment:

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000 (1340 Financial Blvd)
Reno, Nevada 89520-0006
http://www.nv.blm.gov

TAKE PRIDE IN AMERICA

In Reply Refer To:
N-46063 2800
N-78155 2700
(NV-930)

AUG 0 2 2005

Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

Dear Right-of-Way Holder:

Our records indicate that you are the holder of right-of-way N-46063 granted for highway purposes, pursuant to the Act of August 27, 1958 (23 U.S.C. 317(A)), and which crosses the following land:

Mount Diablo Meridian, Nevada
T. 19 S., R. 59 E.,
sec. 1, NE¼NW¼SW¼NE¼, SE¼NW¼SW¼NE¼, SW¼NE¼SE¼NE¼, NE¼NW¼SE¼NE¼, SE¼NW¼SE¼NE¼, NE¼SW¼SE¼NE¼, NW¼SW¼SE¼NE¼, SW¼SW¼SE¼NE¼, SE¼SW¼SE¼NE¼, NE¼NE¼NW¼SW¼, NW¼NE¼NW¼SW¼, SW¼NE¼NW¼SW¼, SE¼NE¼NW¼SW¼, NE¼NW¼NE¼SE¼, NW¼NW¼NE¼SE¼, SW¼NW¼NE¼SE¼, SE¼NW¼NE¼SE¼.

The above-described land was transferred out of federal ownership in a competitive land sale under patent No. 27-2005-0137, to Southwest Desert Equities, LLC, 3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129.

The patent was issued subject to your right-of-way, which means that Southwest Desert Equities, LLC now has jurisdiction over that portion of your right-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 861-6530.

Sincerely,

/s/ PAMELA C. RIDLEY

Pamela C. Ridley
Land Law Examiner

Enclosure
1. Patent No. 27-2005-0137

cc: Field Manager, Las Vegas
Patentee

22-0270
05/23/2022

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 8 of 11
Order: 4247824f Comment:

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000 (1340 Financial Blvd)
Reno, Nevada 89520-0006
http://www.nv.blm.gov

TAKE PRIDE® IN AMERICA

In Reply Refer To:
CC-021488 2800
N-78155 2700
(NV-930)

AUG 0 2 2005

Nevada Bell
P. O. Box 11010
Reno, Nevada 89520

Dear Right-of-Way Holder:

Our records indicate that you are the holder of right-of-way CC-021488 granted for communication line purposes, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761), and which crosses the following land:

Mount Diablo Meridian, Nevada
T. 19 S., R. 59 E.,
sec. 1, NE¼NW¼SW¼NE¼, SE¼NW¼SW¼NE¼, SW¼NE¼SE¼NE¼, NE¼NW¼SE¼NE¼, SE¼NW¼SE¼NE¼, NE¼SW¼SE¼NE¼, NW¼SW¼SE¼NE¼, SW¼SW¼SE¼NE¼, SE¼SW¼SE¼NE¼, NE¼NE¼NW¼SW¼, NW¼NE¼NW¼SW¼, SW¼NE¼NW¼SW¼, SE¼NE¼NW¼SW¼, NE¼NW¼NE¼SE¼, NW¼NW¼NE¼SE¼, SW¼NW¼NE¼SE¼, SE¼NW¼NE¼SE¼.

The above-described land was transferred out of federal ownership in a competitive land sale under patent No. 27-2005-0137, to Southwest Desert Equities, LLC, 3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129.

The patent was issued subject to your right-of-way, which means that Southwest Desert Equities, LLC now has jurisdiction over that portion of your right-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 861-6530.

Sincerely,

/s/ PAMELA C. RIDLEY

Pamela C. Ridley
Land Law Examiner

Enclosure
1. Patent No. 27-2005-0137

cc: Field Manager, Las Vegas
Patentee

22-0270
05/23/2022

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 9 of 11
Order: 4247824f Comment:

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000 (1340 Financial Blvd)
Reno, Nevada 89520-0006
http://www.nv.blm.gov

TAKE PRIDE IN AMERICA

In Reply Refer To:
CC-018138 2800
CC-018191 2800
N-78155 2700
(NV-930)

AUG 0 2 2005

State of Nevada
Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

Dear Right-of-Way Holder:

Our records indicate that you are the holder of rights-of-way CC-018138 and CC-018191 granted for highway purposes, pursuant to the Act of November 9, 1921 (042 Stat. 0216), and which crosses the following land:

Mount Diablo Meridian, Nevada
T. 19 S., R. 59 E.,
sec. 1, NE¼NW¼SW¼NE¼, SE¼NW¼SW¼NE¼, SW¼NE¼SE¼NE¼, NE¼NW¼SE¼NE¼, SE¼NW¼SE¼NE¼, NE¼SW¼SE¼NE¼, NW¼SW¼SE¼NE¼, SW¼SW¼SE¼NE¼, SE¼SW¼SE¼NE¼, NE¼NE¼NW¼SW¼, NW¼NE¼NW¼SW¼, SW¼NE¼NW¼SW¼, SE¼NE¼NW¼SW¼, NE¼NW¼NE¼SE¼, NW¼NW¼NE¼SE¼, SW¼NW¼NE¼SE¼, SE¼NW¼NE¼SE¼.

The above-described land was transferred out of federal ownership in a competitive land sale under patent No. 27-2005-0137, to Southwest Desert Equities, LLC, 3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129. The patent was issued subject to your rights-of-way, which means that Southwest Desert Equities, LLC now has jurisdiction over that portion of your rights-of-way affected by the patent. A copy of the patent is enclosed for your information. Questions on this matter may be directed to me at (775) 861-6530.

Sincerely,

/s/ PAMELA C. RIDLEY

Pamela C. Ridley
Land Law Examiner

Enclosure
1. Patent No. 27-2005-0137

cc: Field Manager, Las Vegas
Patentee

22-0270
05/23/2022

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 10 of 11
Order: 4247824f Comment:

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STATE OF NEVADA
DECLARATION OF VALUE

1. Assessor Parcel Number(s) 19
   a) 126-01-601-002
   b) 126-01-601-014
   c) 126-01-701-006
   d) 126-01-601-004

2. Type of Property
   a) [x] Vacant Land b) [ ] Single Fam. Res.
   c) [ ] Condo/Twnhse d) [ ] 2-4 Plex
   e) [ ] Apt. Bldg. f) [ ] Comm'l/Ind'l
   g) [ ] Agricultural h) [ ] Mobile Home
   i) [ ] Other

FOR RECORDERS OPTIONAL USE
Book _____ Page: _____
Date of Recording: _____
Notes: _____

3. Total Value/Sales Price of Property: $17,000,000.00
   Deed in Lieu of Foreclosure Only (value of property) ($ _____)
   Transfer Tax Value: $17,000,000.00
   Real Property Transfer Tax Due $86,700.00

4. **If Exemption Claimed:**
   a. Transfer Tax Exemption, per 375.090, Section: N/A
   b. Explain reason for exemption: N/A

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature: Amy Klinzing & Capacity: Agent
Signature: _____ Capacity: _____

SELLER (GRANTOR) INFORMATION (REQUIRED)	**BUYER (GRANTEE) INFORMATION (REQUIRED)**
Print Name: United States Department of Interior	Print Name: Southwest Desert Equities, LLC
Address: 4701 Torrey Pines Drive	Address: 3455 Cliff Shadows
City: Las Vegas	City: Las Vegas
State: NV Zip: 89130	State: NV Zip: 89129

COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)
Print Name: First American Title Insurance Company National Commercial Services File Number: NCS-146520-HHLV ak/ak
Address: 3960 Howard Hughes Parkway, Suite 380
City: Las Vegas State: NV Zip: 89109

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

22-0270
05/23/2022
3889

Description: Clark,NV Document - Year.Date.DocID 2005.811.3889 Page: 11 of 11
Order: 4247824f Comment:

91 05 0931CW

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9 1 0 6 1 4 0 0 0 7 1

4-1922
(Aug. 1957)

Nevada 033941

NEIL W. CROSS
1333 Hickory
Orange, CA 92666

The United States of America,

To all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Reno, Nevada, has been issued showing that full payment has been made by the claimant Neil Wesley Cross, pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

Mount Diablo Meridian, Nevada.

T. 19 S., R. 59 E.,

Sec. 1, W½NE¼SW¼NE¼.

The area described contains 5.00 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located along the boundaries of said land.

APN 470-250-032

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the FOURTH day of MARCH in the year of our Lord one thousand nine hundred and FIFTY-EIGHT and of the Independence of the United States the one hundred and EIGHTY-SECOND.

[SEAL]

For the Director, Bureau of Land Management.

By Rose M. Beall
Chief, Patents Section

22-0270
05/23/2022

Patent Number 1180049

U. S. GOVERNMENT PRINTING OFFICE 16—68764-5

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CLARK COUNTY, NEVADA
JOAN L. SWIFT, RECORDER
RECORDED AT REQUEST OF:
CHICAGO TITLE OF LV

22-0270
05/23/2022

BOOK 927

744616

2-1

4-1322
(Aug. 1967)

Nevada 028786

The United States of America,

To all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Reno, Nevada,
has been issued showing that full payment has been made by the claimant
Lawrence D. Sweatman
pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land

Mount Diablo Meridian, Nevada.

T. 19 S., R. 59 E.,

Sec. 1, $E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$.

The area described contains 5.00 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located along the boundaries of said land.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the SIXTEENTH day of SEPTEMBER in the year of our Lord one thousand nine hundred and SIXTY and of the Independence of the United States the one hundred and EIGHTY-FIFTH.

(SEAL)

For the Director, Bureau of Land Management

By Ruth W. Talley
Chief, Patents Section.

22-0270
05/23/2022

Patent Number 1212774

GPO 866837

BOOK 927

744616
2-2

RETURN TO:
LAWRENCE D SWEATMAN
P.O. BOX 6313 CAPITAL
PHOENIX, ARIZ.
85005

INST. NO 744616
OFFICIAL RECORD BOOK NO. 927
RECORDED AT REQUEST OF
Lawrence D. Sweatman
FEB 3 12 04 PM '69

CLARK COUNTY, NEVADA
PAUL L. MORIN, RECORDER
FEE $4.00 DEPUTY

22-0270
05/23/2022

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BOOK 503

(Aug. 1967)

Nevada 061057

405097

2-1

The United States of America,

To all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Reno, Nevada, has been issued showing that full payment has been made by the claimant Vernon S. Caples pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

Mount Diablo Meridian, Nevada.

T. 19 S., R. 59 E.,

Sec. 1, W½NW¼SW¼NE¼.

The area described contains 5.00 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located along the boundaries of said land.

RETURN TO:

V. H. CAPLES
1901 SUNLAND ST.
LAS VEGAS NEV.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the THIRTEENTH day of AUGUST in the year of our Lord one thousand nine hundred and SIXTY-THREE and of the Independence of the United States the one hundred and EIGHTY-EIGHTH.

SEAL (SEAL AFFIXED)

For the Director, Bureau of Land Management.

By Elizabeth A. Hughes

Patent Number 1232092

22-0270
05/23/2022

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BOOK 503

405097

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NO 405097
RECORDED AT THE REQUEST OF
W. H. Caples
JAN 2 4 14 PM '64
OFFICIAL RECORDS BOOK NO. 503
CLARK COUNTY, NEVADA
PAUL E. HORN, RECORDER
FEE $2.50 MC DEPUTY

22-0270
05/23/2022

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ORIGINAL

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That **UNITED LAND INVESTORS CORPORATION** in consideration of One Dollar ($1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell, and Convey to the County of Clark, a political subdivision of the State of Nevada, all that real property situate in the County of Clark, State of Nevada, bounded and described as follows:

ROCKY AVENUE, WATSON STREET, RUSTON ROAD AND SPANDREL AREAS

The North Thirty Feet (30.00'), the West Thirty Feet (30.00'), and the South Thirty Feet (30.00') of the West Half (W½) of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section 1, Township 19 South, Range 59 East, M.D.M., Nevada; together with a spandrel area in the Northwest corner thereof, being the Southeast corner of the intersection of **ROCKY AVENUE AND WATSON STREET**, bounded as follows: On the North by the South line of the North Thirty Feet (30.00') thereof; on the West by the East line of the West Thirty Feet (30.00') thereof; and on the Southeast by the arc of a curve concave Southeasterly, having a radius of Fifteen Feet (15.00') and being tangent to the South line of said North Thirty Feet (30.00') and tangent to the East line of said West Thirty Feet (30.00'); also together with a spandrel area in the Southwest corner thereof, being the Northeast corner of the intersection of **WATSON STREET AND RUSTON ROAD**, bounded as follows: On the West by the East line of the West Thirty Feet (30.00') thereof; on the South by the North line of the South Thirty Feet (30.00') thereof; and on the Northeast by the arc of a curve concave Northeasterly, having a radius of Fifteen Feet (15.00') and being tangent to the East line of the West Thirty Feet (30.00') and tangent to the North line of the South Thirty Feet (30.00').

Parcel Number: 470-250-032
Inquiry Number: 350-91
Land Division Number: 49-91

Signature of individual reviewing and approving document
Department: Road Dept. 8/7/91

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging and in any way appertaining.

Witness my/our hand(s) this 12th day of August, 1991.

UNITED LAND INVESTORS CORPORATION

BY: _____
HUGH L. HELVIN, VICE PRESIDENT

STATE OF NEVADA)
) SS
COUNTY OF CLARK)

On the _____ day of _____, 1991, before me, a notary public, personally appeared _____ personally known (or proved) to me to be the person(s) whose name(s) is/are subscribed to the above instrument, who acknowledged to me that ___he___ signed the above instrument.

NOTARY PUBLIC in and for said county and state

RECORDER'S USE ONLY

My commission expires:

22-0270
05/23/2022

11333CORP

WHEN RECORDED
RETURN TO
Rights-of-Way Division
Public Services Building
[illegible]
89101

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CORPORATION

STATE OF HAWAII,
City and County of Honolulu } ss.

On this 19th day of August, A. D. 19 91, before me appeared

Hugh L. McIvin

to me personally known, who, being by me duly sworn, did say that ~~they are~~ he is the

Vice president

~~respectively~~ of United Land Investors Corp.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and the said

vice president

acknowledged said instrument to be the free act and deed of said corporation.

David T. [illegible]

Notary Public, First Judicial Circuit,
State of Hawaii.

My Commission Expires 7/16/92

CLARK COUNTY, NEVADA
JOAN L. SWIFT, RECORDER
RECORDED AT REQUEST OF:
G MOFFATT

09-06-91 11:52 RCL 2
OFFICIAL RECORDS
BOOK: 910906 INST: 00766
FEE: .00 RPTT: EX#002

22-0270
05/23/2022



22-0270-MOD1, 22-0270-ZON1, 22-0270-VAC1, 22-0270-SDR1 AND 22-0270-TMP1 - APPLICANT: TRI POINTE HOMES NEVADA, INC. - OWNER: VFR SOUTHWEST DESERT EQUITIES II, LLC, ET AL
NORTHEAST CORNER OF RUSTON ROAD AND ALPINE RIDGE WAY

05/26/2022



22-0270-MOD1, 22-0270-ZON1, 22-0270-VAC1, 22-0270-SDR1 AND 22-0270-TMP1 - APPLICANT: TRI POINTE HOMES NEVADA, INC. - OWNER: VFR SOUTHWEST DESERT EQUITIES II, LLC, ET AL
NORTHEAST CORNER OF RUSTON ROAD AND ALPINE RIDGE WAY

05/26/2022

Westwood

12701 Whitewater Drive, Suite 300
Minnetonka, MN 55343

main (952) 937-5150
fax (952) 937-5822

TRI2201

May 19, 2022

City of Las Vegas
Planning and Development
495 S. Main St.
Las Vegas, NV 89101

RE: Kyle Canyon Gateway Unit 4 - Justification Letter for a Major Modification, Vacation, Zone Change, Site Development Review and Tentative Map

Assessor's Parcel Numbers: 126-01-601-001, 126-01-601-002, 126-01-601-003, 126-01-601-005, and 126-0r1-601-004 (Vacation Only)

Westwood Professional Services, on behalf of the applicant, Tri Pointe Homes, respectfully submit this justification letter in support of Zone Change, Major Modification, Vacation, Site Development Review and Tentative Map applications for the subject site. As the primary developer within the Kyle Canyon Gateway Planned Development, the applicant is the Master Developer. This justification letter and associated applications should be considered the approval from the Master Developer. Note that the variance requested with the Pre-App submittal is no longer needed.

The subject site is located at the northeast of the intersection of Rocky Avenue and Alpine Ridge Way. The parcel acreage is approximately 15.84 gross acres. The proposed development will consist of 54 single family residential lots resulting in a density of 3.4 du/ac. The proposed typical lot size is 70'x99'. The minimum area of a residential lot within the community is 7,350 square feet. The community consists of 54 lots within a gated community with private streets.

Major Modification to the Development Plan and Development Standards Justification

All but one parcel listed in this application are not currently included in the Kyle Canyon Gateway Planned Development with exception to APN 126-01-601-002. The applicant requests a Major Modification for the annexation of a 5-acre parcel (APN 126-01-601-001), 2.07-acre parcel (APN 126-01-601-003), and 2.06-acre parcel (APN 126-01-601-005) to the Kyle Canyon Gateway Master Plan per Title 19.10.040.G and to designate it as L (Residential Low) for compatibility with the adjacent parcels. Parcel (APN 126-01-601-001) is bordered by the Master plan community to the East and South, Parcel (APN 126-01-601-003) is bordered by the Master plan community to the West and North, Parcel (APN 126-01-601-005) is bordered by the Master plan community to the East and the owners have agreed to join the master planned community.

Revised exhibits from the Design Guidelines are included with this submittal. The revision to the exhibits includes the addition of the parcels to the planned development area as well updates to the street network, street sections, and wall height tables. The street network was updated to remove the street connection on Michelli Crest Way from Ruston Rd to Trails End Ave, to specify certain dimensions as minimum, and to specify the use of dead ends (Exhibit 5.T.1). The street section on page 68-70 of the updated guidelines were also updated to reflect the minimum dimensions and to add a dead-end street section (Exhibit 5.T.2, 5.T.3, 5.T.4). The wall height tables were updated to clear up conflicting information on the tables (2.A.1, 2.A.2, and 2.A.3). The wall height tables allow for

22-0270
06/16/2022

perimeter retaining wall heights of 6' and require 6'-8' of screen wall, while the overall height was listed as 10'. This discrepancy has been corrected by modifying the combined 10' specification to 12' to match the 6' retaining wall with 6' screen wall specification. Additionally, interior walls have been updated throughout the design guidelines to allow for an 8' max retaining wall with a 6' screen wall for a total combined height of 14' max. The interior retaining walls have been updated to allow flexibility in the community with higher natural grades.

Table 2.A.1 and Exhibit 2.A.1 were modified to remove a contradicting second story setback requirement. The table exhibit state both 14' and 20' as the second story setback requirement so the 20' requirement has been removed.

Two sections have also been added to the design guidelines. The first section, 3.A.2, was added to explicitly allow the use of dead-end streets as requested by staff. The second section, Section 8, was added to create a threshold and procedure for the Master Developer to allow for deviations within the Kyle Canyon Gateway community.

Zone Change

The requested Zone Change will modify the zoning of all parcels (APN 126-01-701-001, APN 126-01-701-002, APN 126-01-701-003 & APN 126-01-701-005) from Undeveloped to PD. The intent of the applicant is to utilize the R-1 zoning as detailed in Table 2.A.3 of the Kyle Canyon Gateway Design Guidelines. The remaining parcels within this community were zoned to PD with 20-0370- ZON1.

The proposed residential lots average 7,730 square feet, providing at least 7,044 square feet for the smallest lot in the community. The requested zoning is consistent with the adjacent community to the southeast (Kyle Canyon Gateway Unit 1), south (Kyle Canyon Gateway Unit 3), and north (Kyle Canyon Gateway Unit 2). All communities provide densities consistent with the Residential Low (L) Kyle Canyon Gateway Land Use Category. The density of this community is 3.4 dwelling units per acre, where up to 15 dwelling units per acre is allowed.

Vacation Justification

The applicant requests the vacation of patent easements and ROW encumbering the site. These easements are no longer required as this development will provide required easements and rights of way via a Final Map as necessary. Included with this application is a Vacation Map detailing the location of the easements to be vacated along with legal descriptions and exhibits for each easement.

Below is the patent easement and ROW to be vacated per this application:

Patent Number
1180049
1212774
27-2005-0137
1232992

ROW Number
91090600766

This vacation application will vacate the Michelli Crest Way corridor from Rocky Avenue to Ruston Road. The neighboring parcel (APN 126-01-601-004) has agreed to also vacate their portion of the ROW.

22-0270
06/16/2022

Variance Justifications

The variance for walls will no longer be requested. The Major Modification in this entitlement package will allow for this variance to be avoided.

Site Development Review Justification

The applicant requests a Site Development Review for the subject property. The architecture and proposed colors are provided conform to the Kyle Canyon Design Guidelines.

Tentative Map Justification

This Tentative Map submittal is in conformance with all associated applications to be reviewed concurrent with this application. The subject Tentative Map provides a summary of the project information, sections of proposed streets, preliminary grading of the site from south to north and west to east, details of typical wall sections, and locations of existing and proposed utilities. It is anticipated that the site will be developed in a single phase. The access to the community will be from Alpine Ridge Way. The gated entry to the community will be on Rocky Avenue.

The community incorporates concrete masonry retaining walls up to 8' high. The community will use the updated design guidelines per the Major Modification to design interior retaining walls up to 8' high for a combined max wall of 14'.

Thank you for considering these applications. Please contact us at (702) 284-5300 if you have any questions regarding these applications.

Sincerely,
Westwood Professional Services



Oscar Quiroz, PE
Project Manager

22-0270
06/16/2022

5.N Front Yard Residential Landscaping 57
5.O Cul-de-sac and oversized lot Front Yard Landscape 58
5.P Private Alley and Cluster Lot - Yard Landscape 58
5.Q Backyard Landscaping 59
5.R Flower and Vegetable Gardens 59
5.S Model Complexes 60
5.T Streetscapes and Vehicular Areas 60
5.U Lighting 61
5.V Utilities 61
5.W Public Realm Grading and Drainage 61
5.X Public Realm Irrigation Standards 62
5.Y Public Realm Maintenance Strategy 62
5.Z Approved / Prohibited Plant Lists 62

6. ICONIC MONUMENTS AND WALL GUIDELINES 73

6.A Iconic Monument Hierarchy 73
6.B Builder Subdivision Walls 73

7. COLOR 76

7.A Number of Color Schemes 76
7.B Building Colors 76
7.C Roof Colors 76
7.D Color Plotting Criteria 76

8. MINOR MODIFICATION FROM STANDARDS 78

8.A Threshold 78
8.B Procedure 78

New Section Added

22-0270
06/16/2022

Updated map

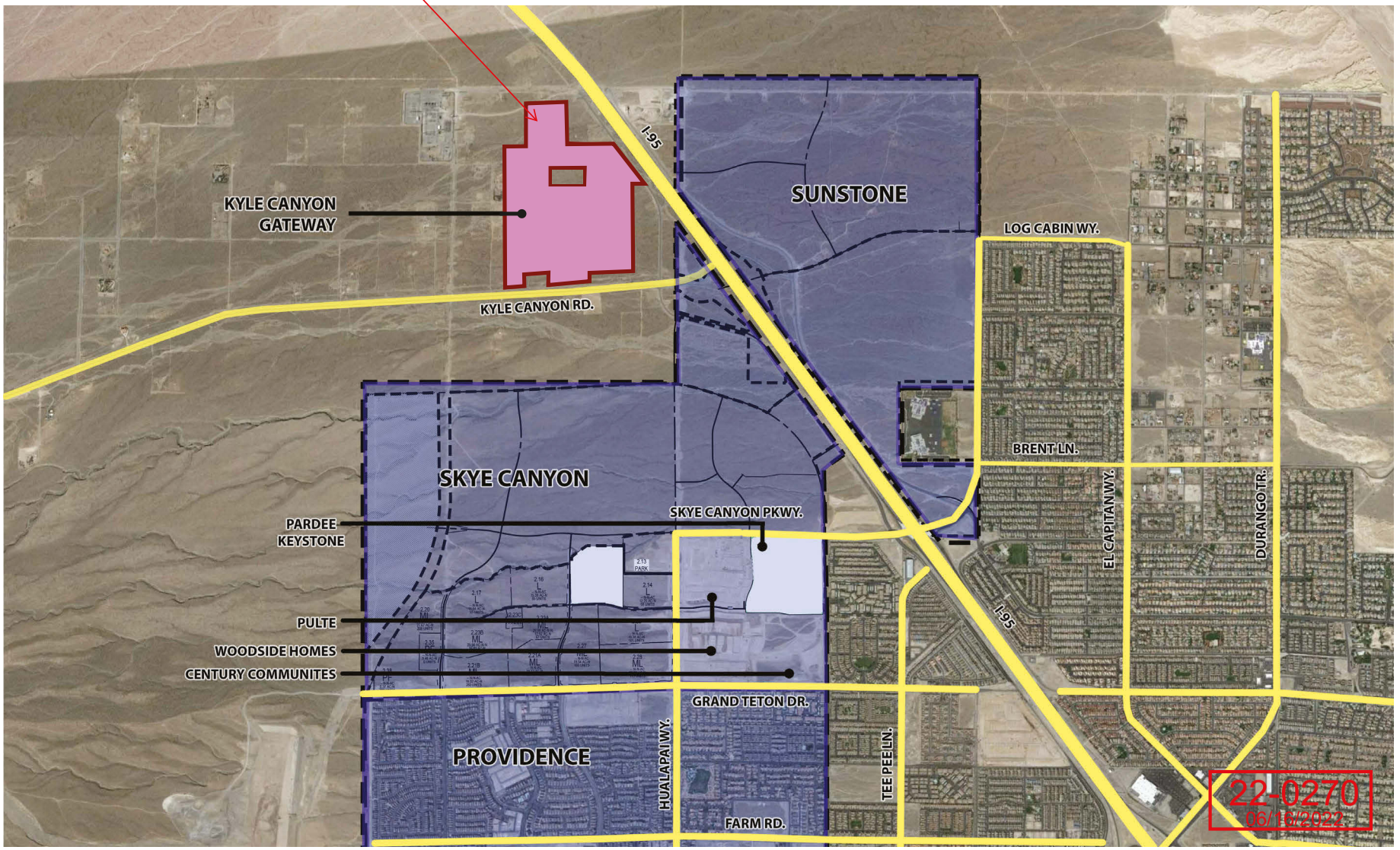


EXHIBIT 1.E.2: PROPERTY MAP

2. ZONING RESIDENTIAL STANDARDS

2.A SINGLE-FAMILY RESIDENTIAL STANDARDS

2.A.1 Kyle Canyon Gateway R-1 Single Family Residential District

Standard	Kyle Canyon Gateway R-1 Standards
Housing Types	Single Family Detached
Kyle Canyon Gateway Land Use Category	L, ML
Minimum Lot Size s.f.	6,000
Dwelling Units per Lot	1
Min. Lot Width	50′
Minimum Setbacks Refer to Exhibit 2.A.1 for Setback Diagram All setbacks measure from property line unless otherwise noted. Corner side setbacks are subject to City of Las Vegas sight visibility requirements. Non-livable encroachments no more than 24″ in depth consisting of non-livable architectural projections are permitted into the front setback.	
Main Building	
Front	14′ to single story Living or Porch** 14′ to second story elements 20′ to face of front entry garage door ~~or second story~~
Side	5′
Corner Side	8′ to ground level Porch 10′ to Living from property line or 5′ from common element
Rear	15′
Detached Accessory Structure*	
Front	14′ (May be reduced to 10′ for 30% of building).**
Side (Measured to roof eave)	5′ to single story element (14′ maximum height)
Corner Side (Measured to roof eave)	10′
Rear (Measured to roof eave)	5′ to single story element
Min. Separation to Main Building	6′
Size and Coverage	Not to exceed 50% of the floor area of the principle dwelling unit (subject to 60% total lot coverage maximum)**

22-0270
06/16/2022

Perimeter Landscape Buffers ▪ Minimum Zone Depths ▪ Streetscape Standards	 Adjacent to Right of Way: 6′ or building setback, whichever is less. Per Section 5.T Streetscapes and Vehicular Areas and Exhibits 5.T.1, 5.T.2, 5.T3, and 5.T.4.
Wall Screening Requirements	Front Screen Walls, when provided, shall have the same minimum setback requirement as the main building. Privacy walls used to screen AC units, pool equipment, or trash bins will not exceed 5′ in height.
Courtyard Walls ▪ Maximum Height	 5′-0″ solid masonry wall or view fence (3′ Solid wall + 24″ iron). Pilasters one course above wall.
Perimeter ~~and Retaining Walls~~ ▪ Max. Overall Height ▪ Perimeter Wall Height ▪ Max. Retaining Wall Height ▪ Max. Pilaster Height ▪ Contrasting Material	 ▪ ~~10′ Exterior – 12′ Interior~~ ▪ 6′-8′ ▪ ~~6′ Exterior – 6′ Interior~~ ▪ One course above wall (may extend 18″) ▪ 20%
Perimeter ~~and Retaining~~ Walls Standard Stepback ▪ Max. Primary Wall Height ▪ Max. Secondary Wall Height ▪ Min. spacing between wall sections – Inside Dimensions ▪ Max. Pilaster Height ▪ Min. spacing between wall sections – Outside Dimensions	 ▪ ~~6′-10′ Exterior / 6′-12′ Interior~~ ▪ 4′ ▪ 4′ ▪ One course above wall (18″) ▪ 5′

12' Exterior

removed interior wall items

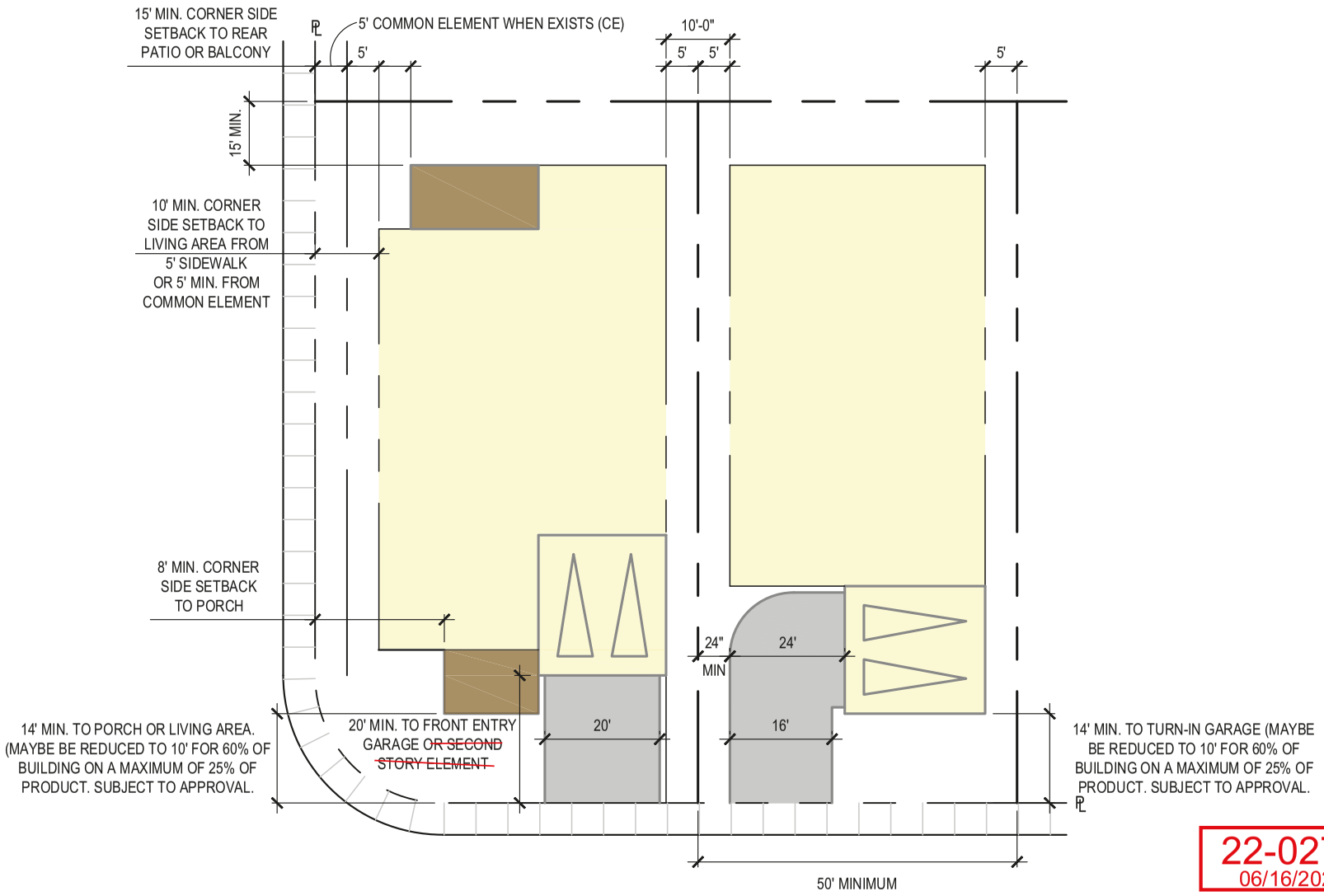
Renamed Section

12' Exterior

removed interior wall items

Add interior wall section

22-0270
06/16/2022



22-0270
06/16/2022

EXHIBIT 2.A.1: KYLE CANYON GATEWAY R-1 DEVELOPMENT STANDARDS

Perimeter Landscape Buffers ▪ Minimum Zone Depths ▪ Streetscape Standards	Adjacent to Right of Way: 6′ or building setback, whichever is less Per Section 5.T Streetscapes and Vehicular Areas and Exhibits 5.T.1, 5.T.2, 5.T3, and 5.T.4.
Wall Screening Requirements	Front Screen Walls, when provided, shall have the same minimum setback requirement as the main building. Privacy walls used to screen AC units, pool equipment, or trash bins will not exceed 5′ in height.
Courtyard Walls ▪ Maximum Height	5′-0″ solid masonry wall or view fence (3′ Solid wall + 24″ iron). Pilasters one course above wall (may extend 8″)
Perimeter and Retaining Walls ▪ Max. Overall Height ▪ Perimeter Wall Height ▪ Max. Retaining Wall Height ▪ Max. Pilaster Height ▪ Contrasting Material	▪ ~~10′~~ Exterior – ~~12′~~ Interior ▪ 6′ ▪ 6′ Exterior – ~~6′~~ Interior ▪ One course above wall (may extend 8″) ▪ 20%
Perimeter and Retaining Walls Standard Stepback ▪ Max. Primary Wall Height ▪ Max. Secondary Wall Height ▪ Min. spacing between wall sections – Inside Dimensions ▪ Max. Pilaster Height ▪ Min. spacing between wall sections – Outside Dimensions	▪ 6′-~~10′~~ Exterior / 6′-~~12′~~ Interior ▪ 4′ ▪ 4′ ▪ ▪ One course above wall ▪ 5′

12' Exterior

removed interior wall items

12' Exterior

Renamed Section

removed interior wall items

Add interior wall section

22-0270
06/16/2022

Rear Patio Cover, Sundeck, or Balcony	
Rear	5′ to patio cover post or edge of sundeck or balcony
Side	5′ to patio cover post or edge of sundeck or balcony
Corner Side	5′ to patio cover post or edge of sundeck or balcony
Courtyard Walls ▪ Interior Street ▪ Street, Drive Aisle or Parking ▪ Paseo or Common Open Space ▪ Corner Side	 5′ Setback 2′ Setback 0′ Setback 2′
Min. Distance Between Buildings	10′
Max Lot Coverage	80%
Max. Building Height Vertical distance between the building's finished floor elevation and either 1) the highest point of the coping of a flat roof; 2) the deck line of a mansard roof; or 3) the average height level between the eaves and ridge line of a gable, hip or gambrel roof)	Main Building ▪ 3 Stories max.; 35 feet max. Accessory Structure ▪ 14′ maximum (single-story only)
Parking	Two (2) unimpeded spaces per unit with at least one space in an enclosed garage. In neighborhoods where 5′ driveways are proposed, additional off-street parking must be provided.
Perimeter Landscape Buffers ▪ Minimum Zone Depths ▪ Streetscape Standards	 Adjacent to Right of Way: 6′ or building setback, whichever is less Per Section 5.T Streetscapes and Vehicular Areas and Exhibits 5.T.1, 5.T.2, 5.T3, and 5.T.4.
Wall Screening Requirements	Front Screen Walls, when provided, shall have the same minimum setback requirement as the main building. Privacy walls used to screen AC units, pool equipment, or trash bins will not exceed 5′ in height.
Courtyard Walls ▪ Maximum Height	 5′0″ solid masonry wall or view fence (3′ Solid wall + 24″ iron). Pilasters one course above wall

22-0270
06/16/2022

Renamed Section

12' Exterior

removed interior wall items

Perimeter and Retaining Walls	
▪ Max. Overall Height	▪ ~~10′ Exterior – 12′ Interior~~
▪ Perimeter Wall Height	▪ 6′
▪ Max. Retaining Wall Height	▪ ~~6′ Exterior – 6′ Interior~~
▪ Max. Pilaster Height	▪ One course above wall
▪ Contrasting Material	▪ 20%
Perimeter and Retaining Walls Standard Stepback	
▪ Max. Primary Wall Height	▪ ~~6′-10′ Exterior / 6′-12′ Interior~~
▪ Max. Secondary Wall Height	▪ 4′
▪ Min. spacing between wall sections – Inside Dimensions	▪ 4′
▪ Max. Pilaster Height	▪ One course above wall (may extend 18″)
▪ Min. spacing between wall sections – Outside Dimensions	▪ 5′
Open Space	
Common Open Space	150 s.f. per unit for a minimum Common Open Space element of 10,000 s.f The minimum 10,000 s.f. common open space requirement shall be consolidated into a single amenity area, visible from the main entry of the project to the extent feasible. The balance of any cumulative common open space requirement exceeding 10,000 s.f. may be distributed throughout the project as the builder desires, so long as such common open space element has a minimum dimension of 20′ in width.

12' Exterior

14' Interior

removed interior wall items

Add interior wall section betwwen walls and open space

22-0270
06/16/2022

3. SITE PLANNING GUIDELINES

3.A SUBDIVISION DESIGN CONCEPTS

3.A.1 Parcel Entries

The location of parcel entries into each parcel will be identified by the Master Developer at the time of the purchase and sale agreement and in conformance with the approved traffic analysis. It is the responsibility of the builder to design a subdivision plan that incorporates these points of access. Other points of access that do not impede the overall efficiency of Master Land Use Planned roadways may be possible but require specific approval from the Master Developer and the City of Las Vegas. In some cases, parcel entries or interconnections will be coordinated with an adjacent parcel.

The arrival experience into each neighborhood shall reinforce the overall community theme of Kyle Canyon Gateway. Architectural and landscape elements found throughout the community shall be incorporated into the neighborhood entry experience to provide a seamless transition between the overall community and individual neighborhoods.

3.A.2 Street Layout

The design of neighborhood streets should provide the opportunity to create a diverse and interesting street scene.

To allow more flexibility in street scene diversity, dead end streets for private residential streets up to 150 feet in length are permitted without an approved turnaround. See Exhibit 5.T.1 for 35' Neighborhood Dead End Street section. Streets over 150 feet in length are permitted with an approved turnaround per City of Las Vegas Unified Development Code 19.04.100 and must comply with the 40' Neighborhood Street Section on Exhibit 5.T.1.

3.A.3 Pedestrian Access

On builder parcels that are adjacent to a Master Development Planned roadway or open space, pedestrian access must be provided along each builder parcel edge having such frontage. Site design should encourage the proper locations for crossings that dissuade jay-walking and facilitate safe pedestrian crossing at streets.

At least one pedestrian connection should be installed on each side of the builder parcel, where builder parcel abuts a street, or common area. The connection should be installed mid-builder parcel. Builder shall complete the connection between their builder parcel, and any common area Pedestrian Pathways.

3.A.4 Common Open Space

Common open space area shall be oriented in such a manner that it is visible from the builder parcel entry to the extent feasible. Remaining open space, if any, may be provided in the form of a small pocket parks throughout the neighborhood, internal paseos, landscape strips at key locations, or other areas as long as it is a visible element from a street and has an approximate dimension of 25 feet in width (20' minimum per Residential Standards, Section 2.A). Common open space will be essential in neighborhoods with cluster and private alley-loaded homes in order to provide adequate open and recreational areas. Amenities may include play structures, picnic tables, and benches.

3.B PRODUCT PLOTTING CRITERIA

The plotting of residences should be done in a manner that achieves diversity and visual interest to the neighborhood street scene. Such diversity can be achieved through varying setbacks, articulated building massing, variable lot widths, de-emphasized garages, and enhanced elevations and/or single story elements on corner lots.

22-0270
06/16/2022

Parcels Added

Michelli Crest Way Removed

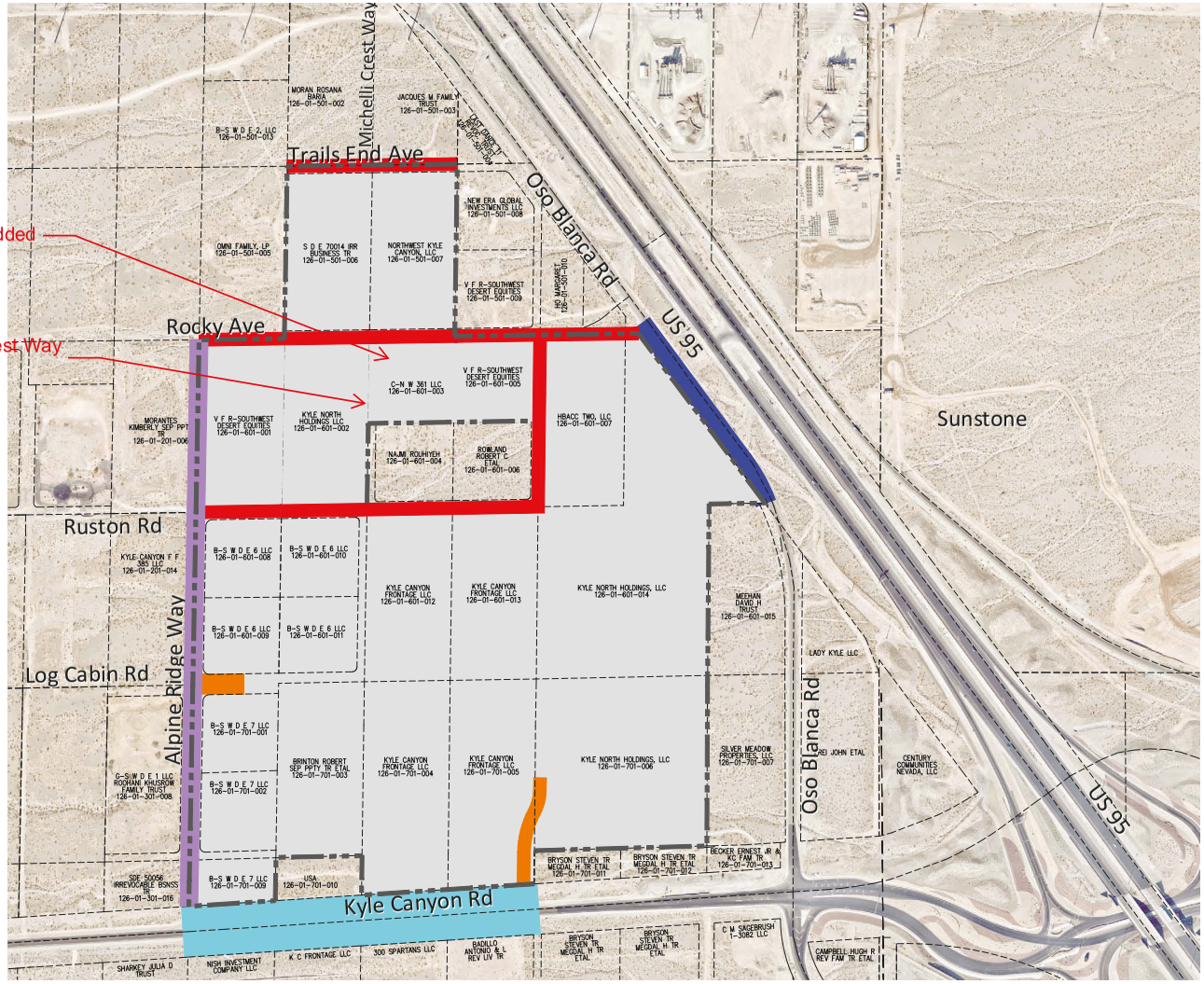
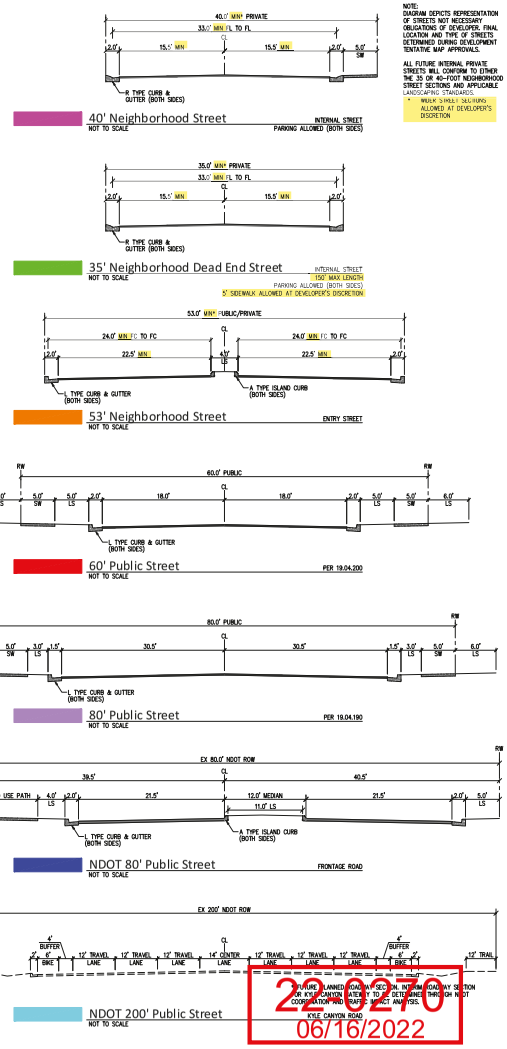
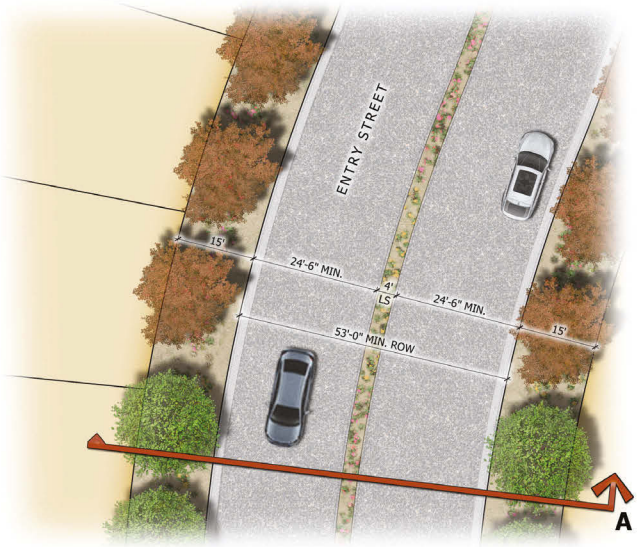


EXHIBIT 5.T.1: STREET SECTIONS

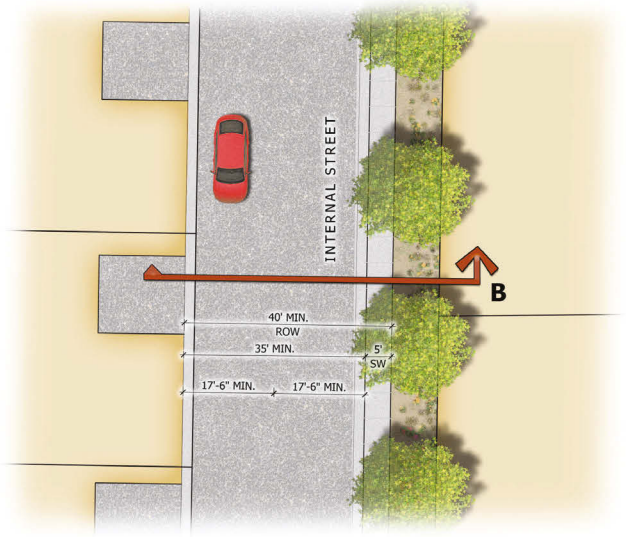


City Council - Page 698

MIN ADDED ON CROSS SECTIONS

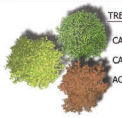


PLAN: ENTRY STREET Scale 1:10'



PLAN: INTERNAL STREET Scale 1:10'

PLANT MATERIALS LEGEND



TREES
CANOPY TREE - LARGE
CANOPY TREE - MEDIUM
ACCENT TREE

LANDSCAPE

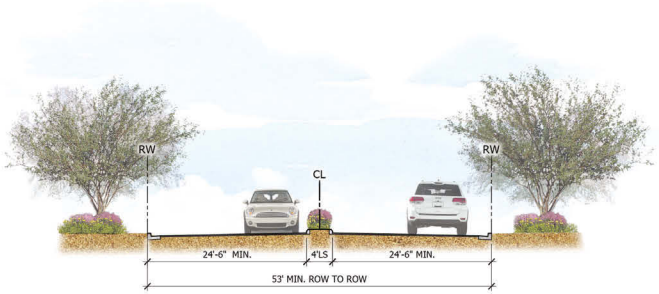
NOTES:
STREET FRONTAGE
TREES IN CLUSTERED LAYOUT ON AVERAGE OF ONE (1) TREE PER EVERY 30' LINEAR FEET WITH MAXIMUM SPACE BETWEEN CLUSTERS TO BE LESS THEN 45'.
ALTERNATE DRIFTS OF EVERGREEN AND DECIDUOUS TREES IN LAYERS TREES SIZES TO BE A MINIMUM OF THE FOLLOWING:
60% - 24" BOX
40% - 36" BOX

SHRUBS TO BE PLANTED AS 5-GALLON SHRUBS MINIMUM WITH FIVE (5) SHRUBS PER TREE. GROUND COVERS TO BE 1 GALLON MINIMUM AND USED AS SUPPLEMENTAL PLANTS FOR FLOWERING ACCENTS ALONG INTERSECTIONS AND SVZ'S.

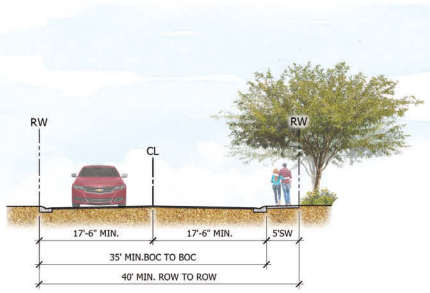
ALL DISTRIBUTED LANDSCAPE AREAS TO RECEIVE A MINIMUM OF 2' DEEP DECOMPOSED GRANITE WITH A SIZE NO LESS THAN 3/4" SCREENED (COLOR TO MATCH ADJACENT NATIVE AREAS).

ALL LANDSCAPE TO BE ON AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.

TREES AND SHRUBS TO BE SELECTED FROM APPROVED KYLE CANYON GATEWAY PLANT LIST OR SOUTHERN NEVADA REGIONAL PLANNING COALITION REGIONAL PLANT LIST.

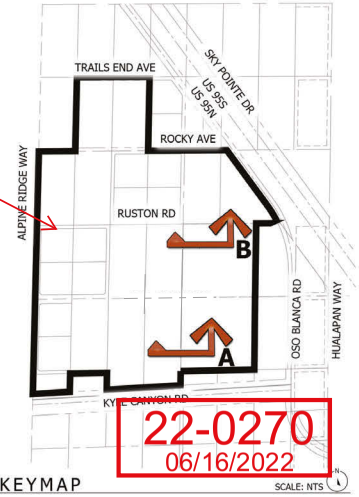


SECTION A: INTERNAL ENTRY Scale 1:8'



SECTION B: INTERNAL STREET Scale 1:8'

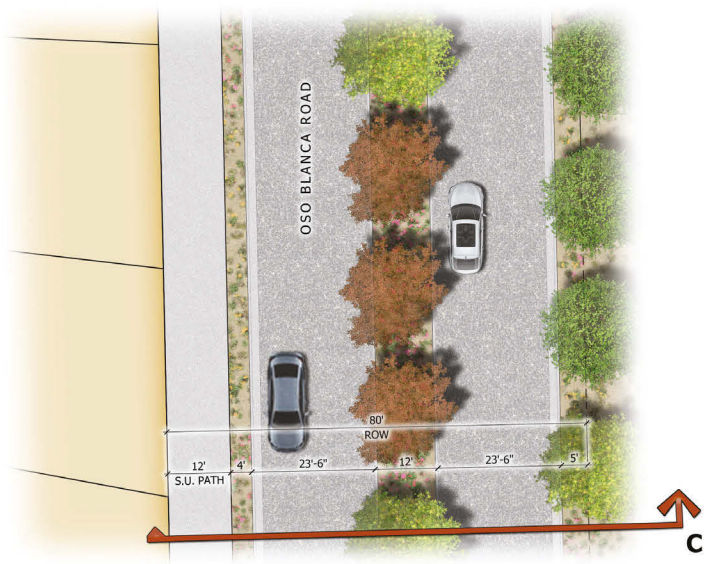
Updated Keymap



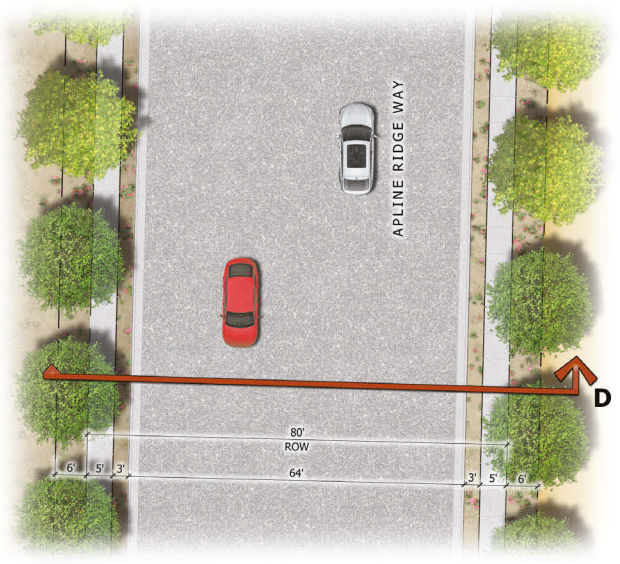
KEYMAP SCALE: NTS

EXHIBIT 5.T.2: STREET SECTION - PRIVATE STREETS

MIN ADDED ON CROSS SECTIONS

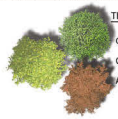


PLAN: OSO BLANCA ROAD Scale 1:10'



PLAN:APLINE RIDGE WAY Scale 1:10'

PLANT MATERIALS LEGEND



TREES
CANOPY TREE - LARGE
CANOPY TREE - MEDIUM
ACCENT TREE
LANDSCAPE

NOTES:
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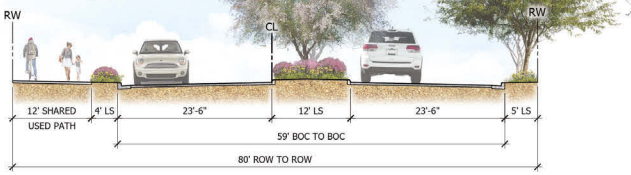
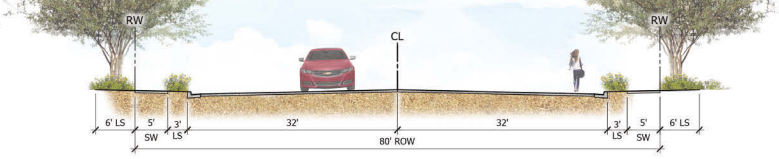
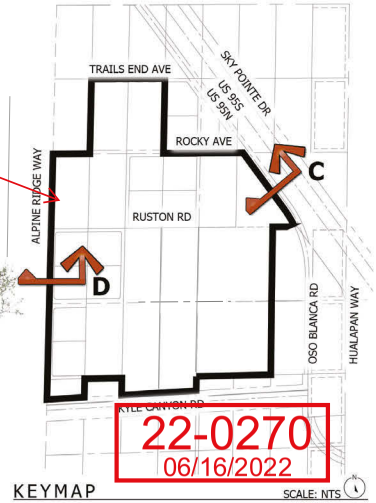


SECTION C: OSO BLANCA ROAD Scale 1:8'



SECTION D: 80' PUBLIC STREET Scale 1:8'

Updated Keymap



22-0270
06/16/2022

KEYMAP SCALE: NTS

EXHIBIT 5.T.3: STREET SECTION - PUBLIC STREETS

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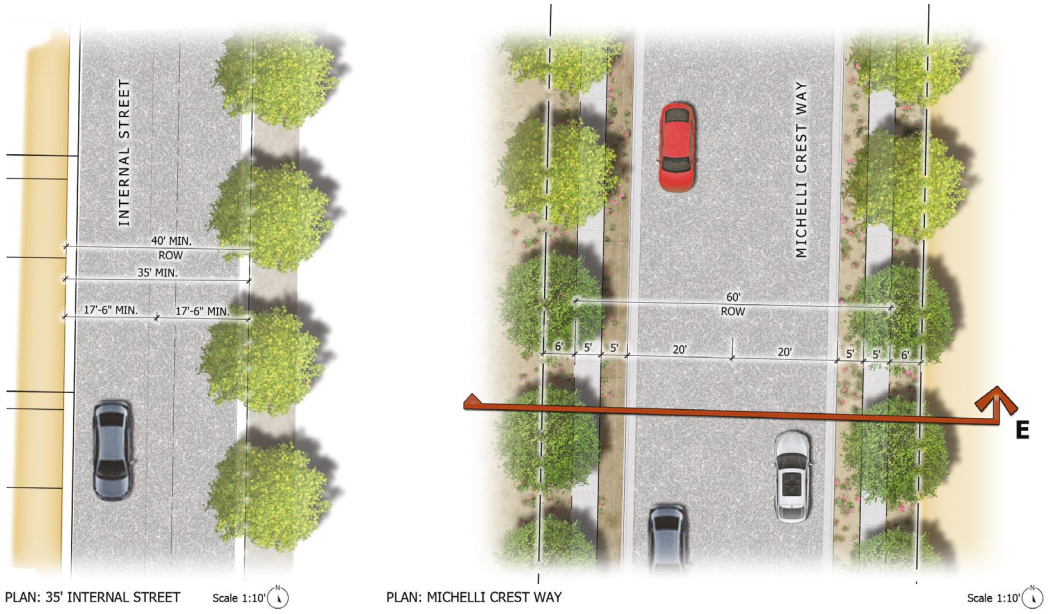
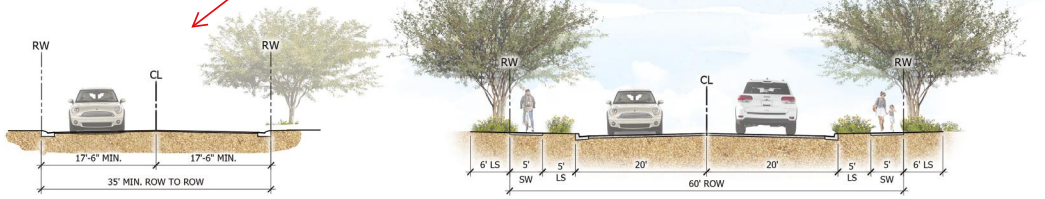


PLAN: 35' INTERNAL STREET Scale 1:10'

PLAN: MICHELLI CREST WAY Scale 1:10'

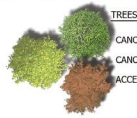
SECTION ADDED TO DISPLAY DEAD-END STREET DISPLAYED ON EXHIBIT 5.T.1



35' INTERNAL STREET Scale 1:8'

SECTION E: 60' PUBLIC STREET Scale 1:8'

PLANT MATERIALS LEGEND



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ACCENT TREE

LANDSCAPE

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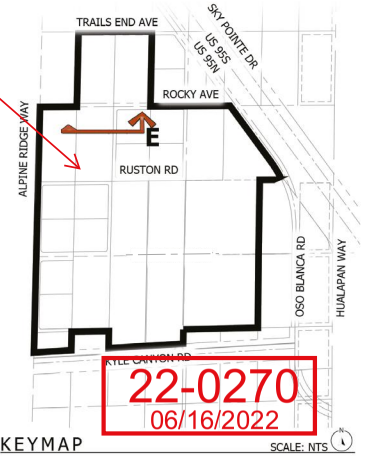
Updated Keymap



KEYMAP SCALE: NTS

EXHIBIT 5.T.4: STREET SECTION - 60' PUBLIC STREET

6.B.3 Retaining Walls

Retaining walls shall be designed to be 6-0" interior wall max height before requiring a stepback, if any additional height is needed the walls will need to be terraced.

Updated from 6' to 8'

Additional specifications:

Rockery retaining walls may be used in lots instead of masonry retaining walls. These walls shall be treated with Permeon or other approved equal;

Retaining walls should match materials and color of adjacent walls where they occur;

Retaining walls alongside lot lines may not exceed six feet (6') high within the front yard setback area and must terminate a minimum of five feet (5') from the back of sidewalk;

Terraced walls must provide a four foot (4') wide landscape area between the back of the lower retaining wall and the face of the upper wall/fence/retaining wall;

Where an internal wall is located atop a retaining wall, the maximum combined height of both walls may not exceed twelve feet (12') to the homeowner side;

Updated from 10' to 14'

Where a block-end masonry wall is located atop a retaining wall, the height of both walls may not exceed ten feet (12') to the visible edge and twelve feet (12') to the homeowner side; and

Updated text to state "twelve"

Updated from 10' to 14'

All retaining walls to be waterproofed and adequately drained if required, on the surcharge side.

22-0270
06/16/2022

8 MINOR DEVIATION FROM STANDARDS

8.A THRESHOLD

For the Purpose of allowing support and flexibility to the rigid development standards, an administrative adjustment may be considered by the Master Developer to allow for Minor Deviations to the design guidelines on a project-by-project basis. Minor Deviations shall be processed in accordance with the procedures and standards per Title 19.16.120, as applicable. Any deviations not meeting the requirements of Title 19.16.120 shall be processed as a Major Deviation pe the Variance requirements outlined in Title 19.16.140.

8.B PROCEDURE

Requests for deviations from the design guidelines shall be submitted to the Master Developer for approval on a project-by-project basis. These deviations may be approved on a case by case basis by the Master Developer. The Master Developer will verify the unlikelihood of the deviation having adverse effects on the neighborhood.

If approved by the Master Developer, the Master Developer will provide an approval letter to the site developer stating the extent of the deviation, which shall be submitted to the City as a required component in conjunction with any subsequent land use entitlement requests.

New section

22-0270
06/16/2022

5.N Front Yard Residential Landscaping 57
5.O Cul-de-sac and oversized lot Front Yard Landscape 58
5.P Private Alley and Cluster Lot - Yard Landscape 58
5.Q Backyard Landscaping 59
5.R Flower and Vegetable Gardens 59
5.S Model Complexes 60
5.T Streetscapes and Vehicular Areas 60
5.U Lighting 61
5.V Utilities 61
5.W Public Realm Grading and Drainage 61
5.X Public Realm Irrigation Standards 62
5.Y Public Realm Maintenance Strategy 62
5.Z Approved / Prohibited Plant Lists 62

6. ICONIC MONUMENTS AND WALL GUIDELINES 73

6.A Iconic Monument Hierarchy 73
6.B Builder Subdivision Walls 73

7. COLOR 76

7.A Number of Color Schemes 76
7.B Building Colors 76
7.C Roof Colors 76
7.D Color Plotting Criteria 76

8. MINOR MODIFICATION FROM STANDARDS 78

8.A Threshold 78
8.B Procedure 78

22-0270
06/16/2022

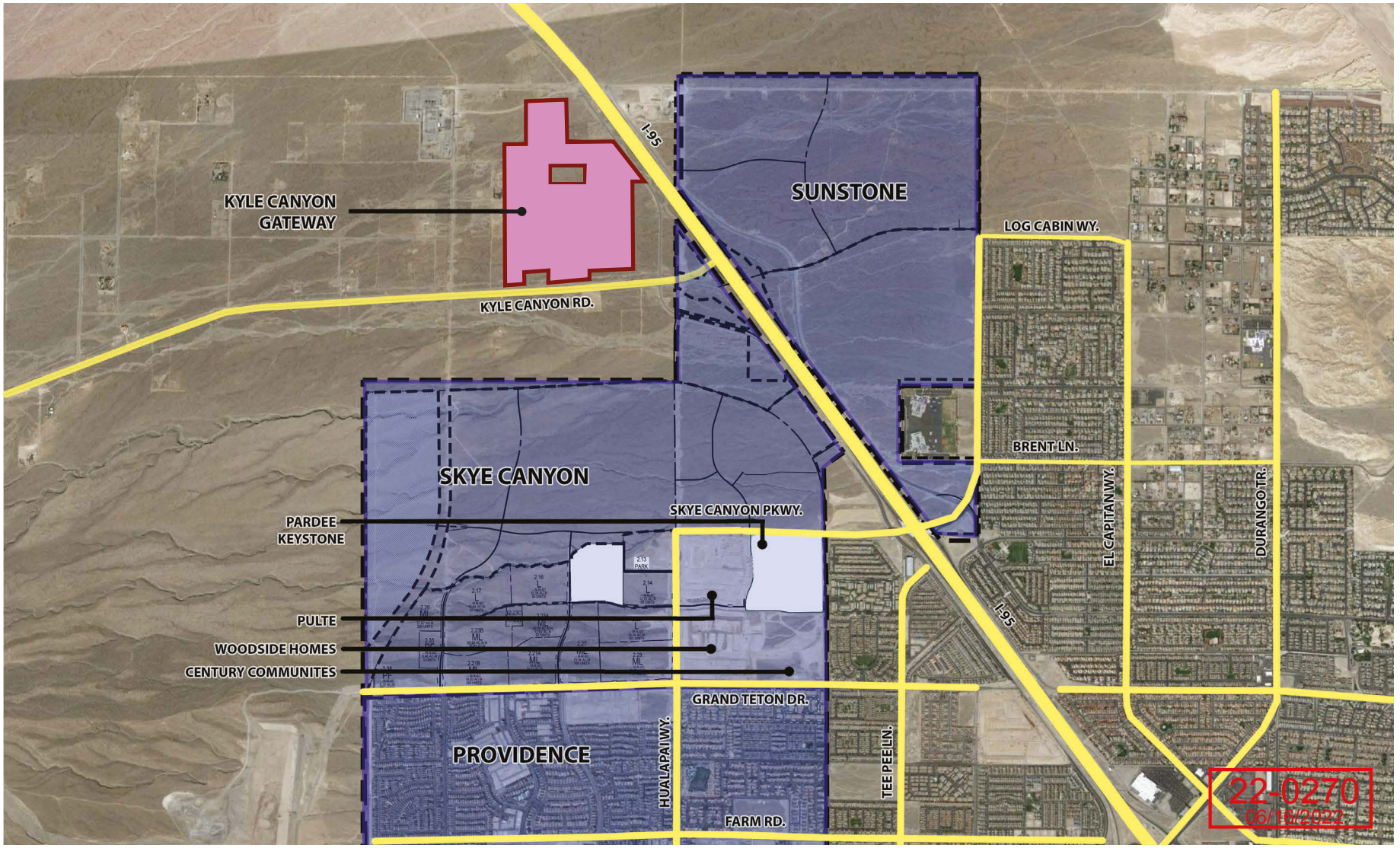


EXHIBIT 1.E.2: PROPERTY MAP

2. ZONING RESIDENTIAL STANDARDS

2.A SINGLE-FAMILY RESIDENTIAL STANDARDS

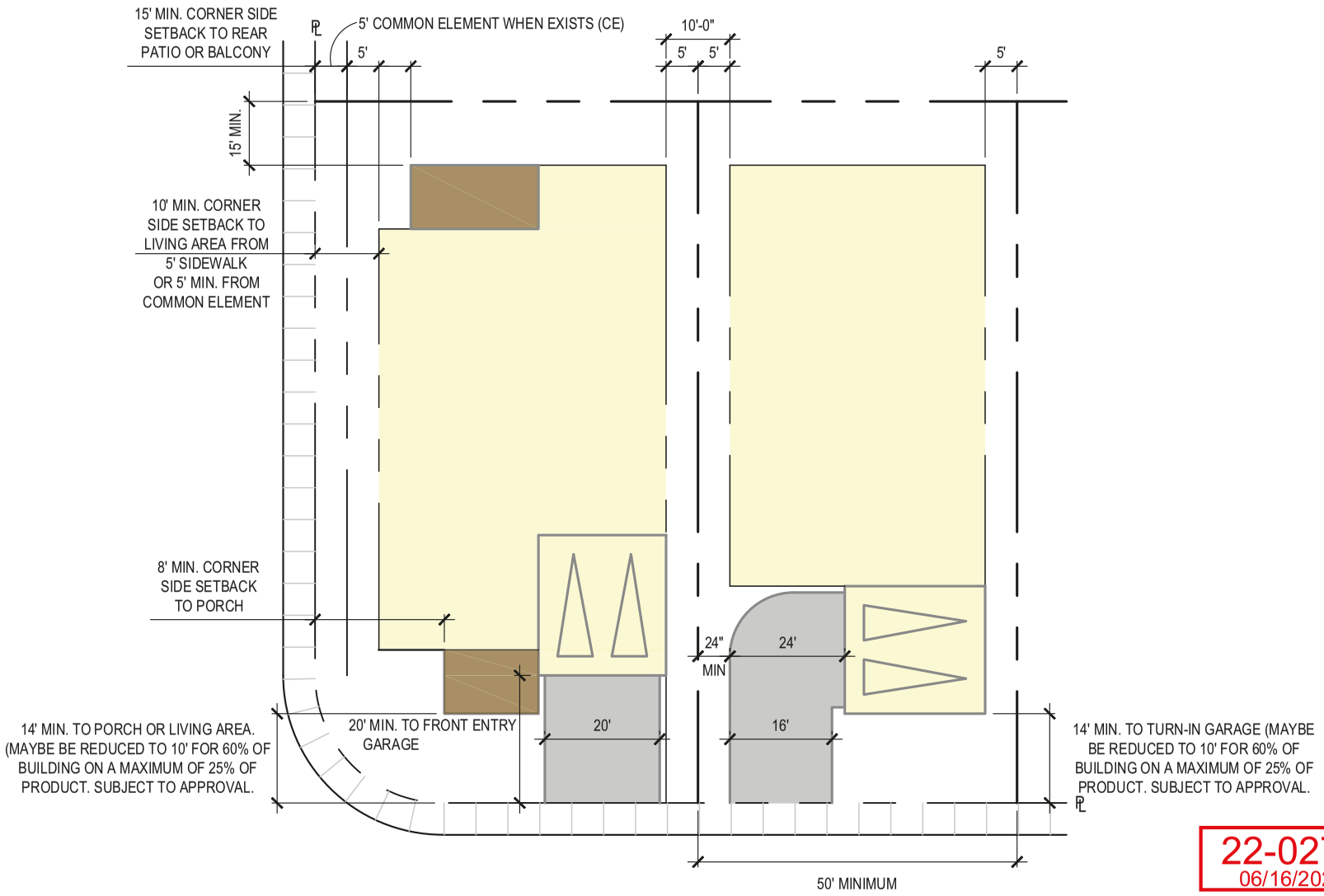
2.A.1 Kyle Canyon Gateway R-1 Single Family Residential District

Standard	Kyle Canyon Gateway R-1 Standards
Housing Types	Single Family Detached
Kyle Canyon Gateway Land Use Category	L, ML
Minimum Lot Size s.f.	6,000
Dwelling Units per Lot	1
Min. Lot Width	50′
Minimum Setbacks Refer to Exhibit 2.A.1 for Setback Diagram All setbacks measure from property line unless otherwise noted. Corner side setbacks are subject to City of Las Vegas sight visibility requirements. Non-livable encroachments no more than 24″ in depth consisting of non-livable architectural projections are permitted into the front setback.	
Main Building	
Front	14′ to single story Living or Porch** 14′ to second story elements 20′ to face of front entry garage door
Side	5′
Corner Side	8′ to ground level Porch 10′ to Living from property line or 5′ from common element
Rear	15′
Detached Accessory Structure*	
Front	14′ (May be reduced to 10′ for 30% of building). **
Side (Measured to roof eave)	5′ to single story element (14′ maximum height)
Corner Side (Measured to roof eave)	10′
Rear (Measured to roof eave)	5′ to single story element
Min. Separation to Main Building	6′
Size and Coverage	Not to exceed 50% of the floor area of the principle dwelling unit (subject to 60% total lot coverage maximum)**

22-0270
06/16/2022

Perimeter Landscape Buffers ▪ Minimum Zone Depths ▪ Streetscape Standards	 Adjacent to Right of Way: 6′ or building setback, whichever is less. Per Section 5.T Streetscapes and Vehicular Areas and Exhibits 5.T.1, 5.T.2, 5.T3, and 5.T.4.
Wall Screening Requirements	Front Screen Walls, when provided, shall have the same minimum setback requirement as the main building. Privacy walls used to screen AC units, pool equipment, or trash bins will not exceed 5′ in height.
Courtyard Walls ▪ Maximum Height	 5′-0″ solid masonry wall or view fence (3′ Solid wall + 24″ iron). Pilasters one course above wall.
Perimeter Walls ▪ Max. Overall Height ▪ Perimeter Wall Height ▪ Max. Retaining Wall Height ▪ Max. Pilaster Height ▪ Contrasting Material	 ▪ 12′ ▪ 6′-8′ ▪ 6′ ▪ One course above wall (may extend 18″) ▪ 20%
Perimeter Walls Standard Stepback ▪ Max. Primary Wall Height ▪ Max. Secondary Wall Height ▪ Min. spacing between wall sections – Inside Dimensions ▪ Max. Pilaster Height ▪ Min. spacing between wall sections – Outside Dimensions	 ▪ 6′-12′ ▪ 4′ ▪ 4′ ▪ One course above wall (18″) ▪ 5′
Interior Walls ▪ Max. Overall Height ▪ Screen Wall Height ▪ Max. Retaining Wall Height	 ▪ 14' ▪ 6'-8' ▪ 8'

22-0270
06/16/2022



22-0270
06/16/2022

EXHIBIT 2.A.1: KYLE CANYON GATEWAY R-1 DEVELOPMENT STANDARDS

Perimeter Landscape Buffers ▪ Minimum Zone Depths ▪ Streetscape Standards	 Adjacent to Right of Way: 6′ or building setback, whichever is less Per Section 5.T Streetscapes and Vehicular Areas and Exhibits 5.T.1, 5.T.2, 5.T3, and 5.T.4.
Wall Screening Requirements	Front Screen Walls, when provided, shall have the same minimum setback requirement as the main building. Privacy walls used to screen AC units, pool equipment, or trash bins will not exceed 5′ in height.
Courtyard Walls ▪ Maximum Height	 5′-0″ solid masonry wall or view fence (3′ Solid wall + 24″ iron). Pilasters one course above wall (may extend 8″)
Perimeter and Retaining Walls ▪ Max. Overall Height ▪ Perimeter Wall Height ▪ Max. Retaining Wall Height ▪ Max. Pilaster Height ▪ Contrasting Material	 ▪ 12′ ▪ 6′ ▪ 6′ ▪ One course above wall (may extend 8″) ▪ 20%
Perimeter and Retaining Walls Standard Stepback ▪ Max. Primary Wall Height ▪ Max. Secondary Wall Height ▪ Min. spacing between wall sections – Inside Dimensions ▪ Max. Pilaster Height ▪ Min. spacing between wall sections – Outside Dimensions	 ▪ 6′-12′ ▪ 4′ ▪ 4′ ▪ One course above wall ▪ 5′
Interior Walls ▪ Max. Overall Height ▪ Screen Wall Height ▪ Max. Retaining Wall Height	 ▪ 14' ▪ 6'-8' ▪ 8'

22-0270
06/16/2022

Rear Patio Cover, Sundeck, or Balcony	
Rear	5′ to patio cover post or edge of sundeck or balcony
Side	5′ to patio cover post or edge of sundeck or balcony
Corner Side	5′ to patio cover post or edge of sundeck or balcony
Courtyard Walls ▪ Interior Street ▪ Street, Drive Aisle or Parking ▪ Paseo or Common Open Space ▪ Corner Side	 5′ Setback 2′ Setback 0′ Setback 2′
Min. Distance Between Buildings	10′
Max Lot Coverage	80%
Max. Building Height Vertical distance between the building's finished floor elevation and either 1) the highest point of the coping of a flat roof; 2) the deck line of a mansard roof; or 3) the average height level between the eaves and ridge line of a gable, hip or gambrel roof)	Main Building ▪ 3 Stories max.; 35 feet max. Accessory Structure ▪ 14′ maximum (single-story only)
Parking	Two (2) unimpeded spaces per unit with at least one space in an enclosed garage. In neighborhoods where 5′ driveways are proposed, additional off-street parking must be provided.
Perimeter Landscape Buffers ▪ Minimum Zone Depths ▪ Streetscape Standards	 Adjacent to Right of Way: 6′ or building setback, whichever is less Per Section 5.T Streetscapes and Vehicular Areas and Exhibits 5.T.1, 5.T.2, 5.T3, and 5.T.4.
Wall Screening Requirements	Front Screen Walls, when provided, shall have the same minimum setback requirement as the main building. Privacy walls used to screen AC units, pool equipment, or trash bins will not exceed 5′ in height.
Courtyard Walls ▪ Maximum Height	 5′0″ solid masonry wall or view fence (3′ Solid wall + 24″ iron). Pilasters one course above wall

22-0270
06/16/2022

Perimeter Walls	
▪ Max. Overall Height	▪ 12′
▪ Perimeter Wall Height	▪ 6′
▪ Max. Retaining Wall Height	▪ 6′
▪ Max. Pilaster Height	▪ One course above wall
▪ Contrasting Material	▪ 20%
Perimeter Walls Standard Stepback	
▪ Max. Primary Wall Height	▪ 6′-12′
▪ Max. Secondary Wall Height	▪ 4′
▪ Min. spacing between wall sections – Inside Dimensions	▪ 4′
▪ Max. Pilaster Height	▪ One course above wall (may extend 18″)
▪ Min. spacing between wall sections – Outside Dimensions	▪ 5′
Interior Walls	
▪ Max. Overall Height	▪ 14'
▪ Screen Wall Height	▪ 6'-8'
▪ Max. Retaining Wall Height	▪ 8'
Open Space	
Common Open Space	150 s.f. per unit for a minimum Common Open Space element of 10,000 s.f The minimum 10,000 s.f. common open space requirement shall be consolidated into a single amenity area, visible from the main entry of the project to the extent feasible. The balance of any cumulative common open space requirement exceeding 10,000 s.f. may be distributed throughout the project as the builder desires, so long as such common open space element has a minimum dimension of 20′ in width.

22-0270
06/16/2022

3. SITE PLANNING GUIDELINES

3.A SUBDIVISION DESIGN CONCEPTS

3.A.1 Parcel Entries

The location of parcel entries into each parcel will be identified by the Master Developer at the time of the purchase and sale agreement and in conformance with the approved traffic analysis. It is the responsibility of the builder to design a subdivision plan that incorporates these points of access. Other points of access that do not impede the overall efficiency of Master Land Use Planned roadways may be possible but require specific approval from the Master Developer and the City of Las Vegas. In some cases, parcel entries or interconnections will be coordinated with an adjacent parcel.

The arrival experience into each neighborhood shall reinforce the overall community theme of Kyle Canyon Gateway. Architectural and landscape elements found throughout the community shall be incorporated into the neighborhood entry experience to provide a seamless transition between the overall community and individual neighborhoods.

3.A.2 Street Layout

The design of neighborhood streets should provide the opportunity to create a diverse and interesting street scene.

To allow more flexibility in street scene diversity, dead end streets for private residential streets up to 150 feet in length are permitted without an approved turnaround. See Exhibit 5.T.1 for 35' Neighborhood Dead End Street section. Streets over 150 feet in length are permitted with an approved turnaround per City of Las Vegas Unified Development Code 19.04.100 and must comply with the 40' Neighborhood Street Section on Exhibit 5.T.1.

3.A.3 Pedestrian Access

On builder parcels that are adjacent to a Master Development Planned roadway or open space, pedestrian access must be provided along each builder parcel edge having such frontage. Site design should encourage the proper locations for crossings that dissuade jay-walking and facilitate safe pedestrian crossing at streets.

At least one pedestrian connection should be installed on each side of the builder parcel, where builder parcel abuts a street, or common area. The connection should be installed mid-builder parcel. Builder shall complete the connection between their builder parcel, and any common area Pedestrian Pathways.

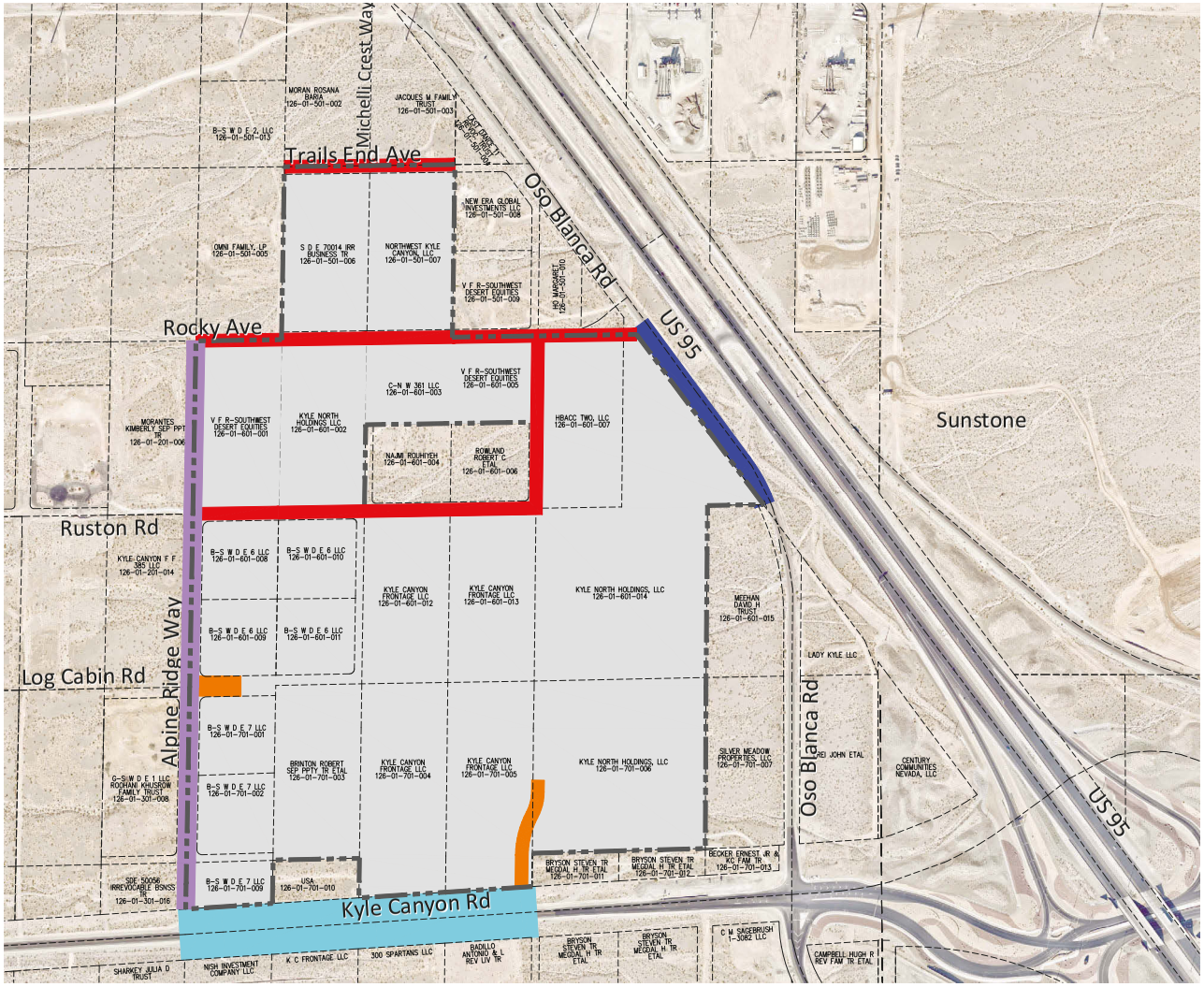
3.A.4 Common Open Space

Common open space area shall be oriented in such a manner that it is visible from the builder parcel entry to the extent feasible. Remaining open space, if any, may be provided in the form of a small pocket parks throughout the neighborhood, internal paseos, landscape strips at key locations, or other areas as long as it is a visible element from a street and has an approximate dimension of 25 feet in width (20' minimum per Residential Standards, Section 2.A). Common open space will be essential in neighborhoods with cluster and private alley-loaded homes in order to provide adequate open and recreational areas. Amenities may include play structures, picnic tables, and benches.

3.B PRODUCT PLOTTING CRITERIA

The plotting of residences should be done in a manner that achieves diversity and visual interest to the neighborhood street scene. Such diversity can be achieved through varying setbacks, articulated building massing, variable lot widths, de-emphasized garages, and enhanced elevations and/or single story elements on corner lots.

22-0270
06/16/2022



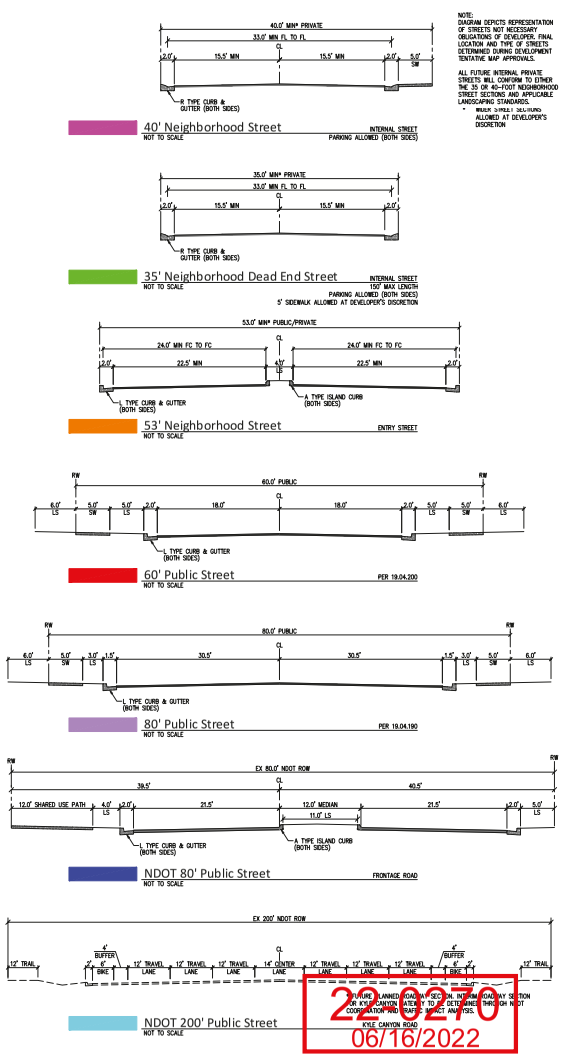
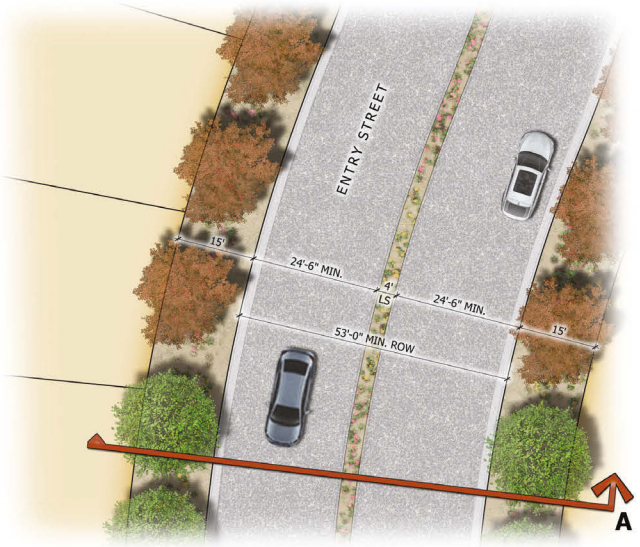
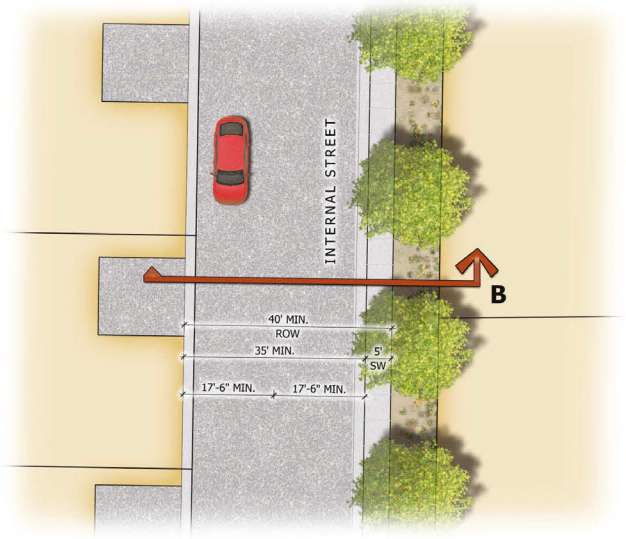


EXHIBIT 5.T.1: STREET SECTIONS

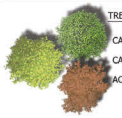


PLAN: ENTRY STREET Scale 1:10'



PLAN: INTERNAL STREET Scale 1:10'

PLANT MATERIALS LEGEND



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ACCENT TREE

LANDSCAPE

NOTES:
STREET FRONTAGE
TREES IN CLUSTERED LAYOUT ON AVERAGE OF ONE (1) TREE PER EVERY 30' LINEAR FEET WITH MAXIMUM SPACE BETWEEN CLUSTERS TO BE LESS THEN 45'.
ALTERNATE DRIFTS OF EVERGREEN AND DECIDUOUS TREES IN LAYERS TREES SIZES TO BE A MINIMUM OF THE FOLLOWING:
60% - 24" BOX
40% - 36" BOX

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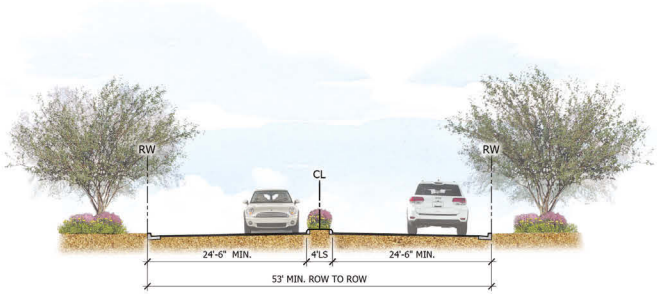
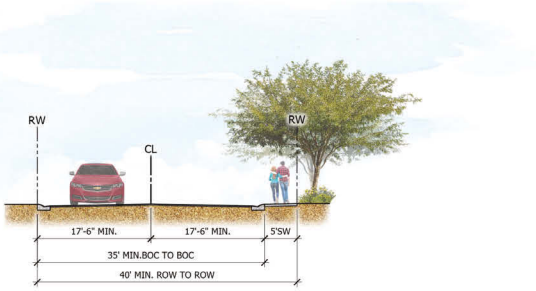
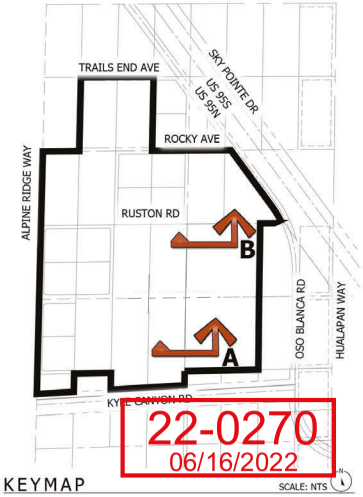
TREES AND SHRUBS TO BE SELECTED FROM APPROVED KYLE CANYON GATEWAY PLANT LIST OR SOUTHERN NEVADA REGIONAL PLANNING COALITION REGIONAL PLANT LIST.



SECTION A: INTERNAL ENTRY Scale 1:8'



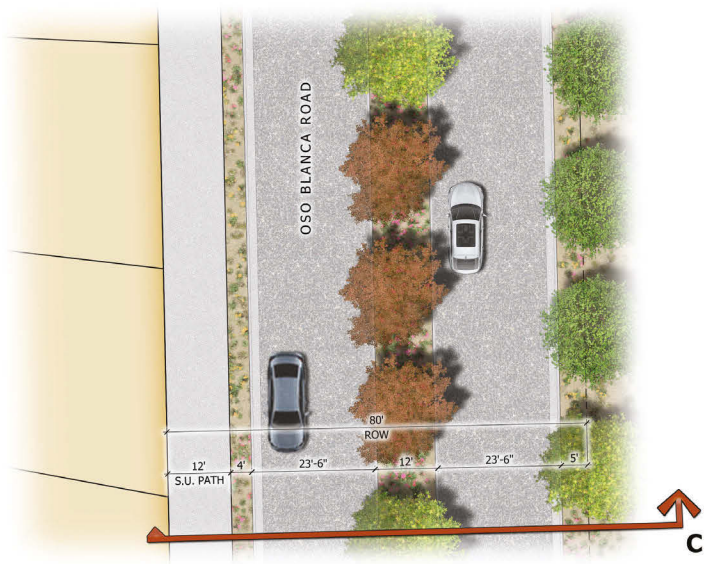
SECTION B: INTERNAL STREET Scale 1:8'



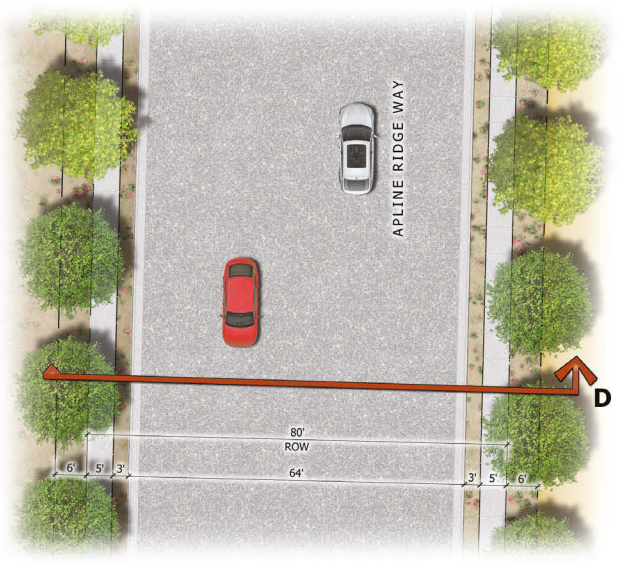
22-0270
06/16/2022

KEYMAP SCALE: NTS

EXHIBIT 5.T.2: STREET SECTION - PRIVATE STREETS

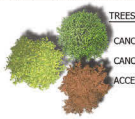


PLAN: OSO BLANCA ROAD Scale 1:10'



PLAN:APLINE RIDGE WAY Scale 1:10'

PLANT MATERIALS LEGEND



TREES
CANOPY TREE - LARGE
CANOPY TREE - MEDIUM
ACCENT TREE

LANDSCAPE

NOTES:
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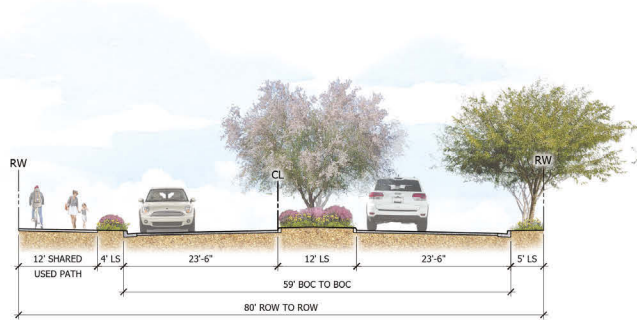
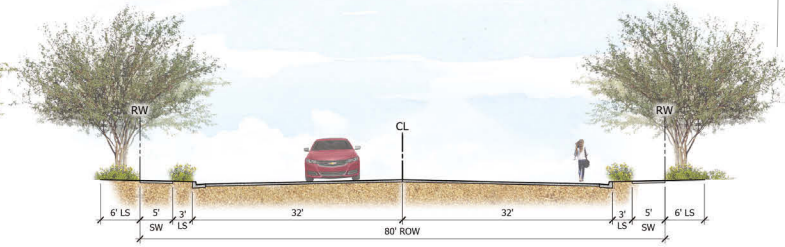
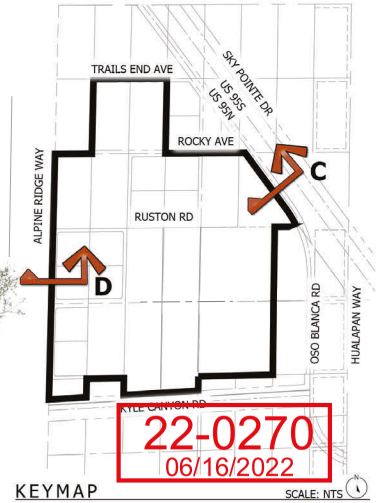


SECTION C: OSO BLANCA ROAD Scale 1:8'

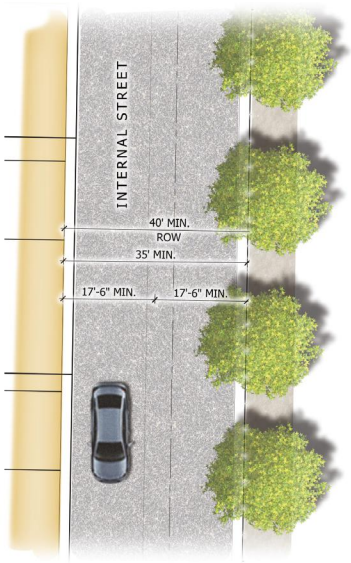


SECTION D: 80' PUBLIC STREET Scale 1:8'

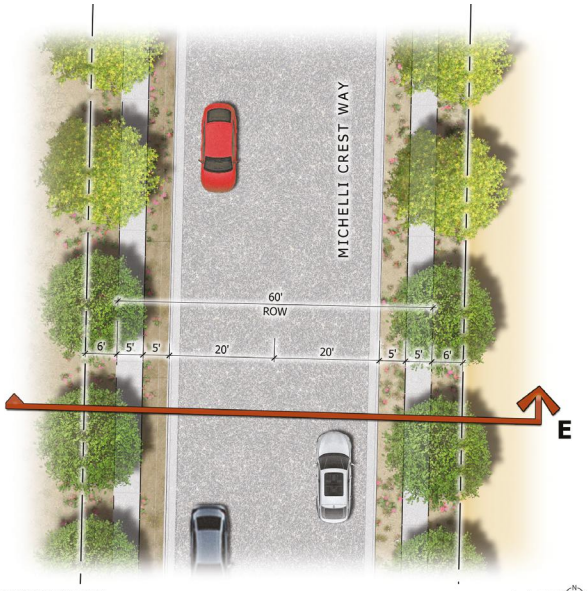


KEYMAP SCALE: NTS

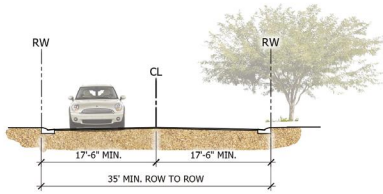
22-0270
06/16/2022



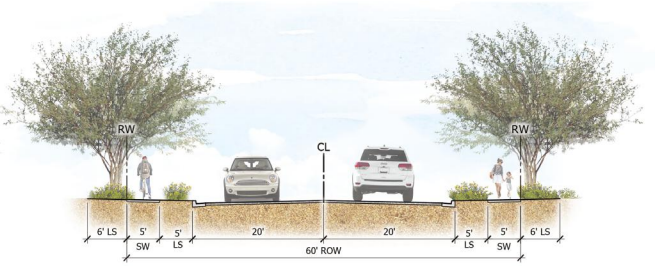
PLAN: 35' INTERNAL STREET Scale 1:10'



PLAN: MICHELLI CREST WAY Scale 1:10'

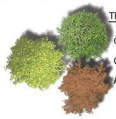


35' INTERNAL STREET Scale 1:8'



SECTION E: 60' PUBLIC STREET Scale 1:8'

PLANT MATERIALS LEGEND



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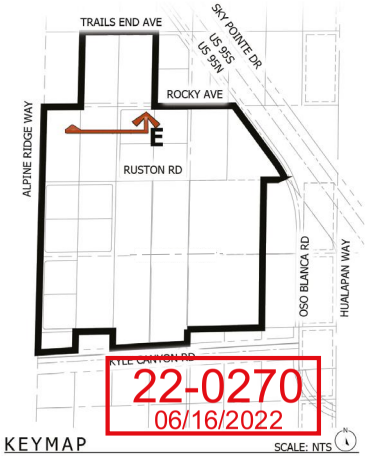

KEYMAP SCALE: NTS

22-0270
06/16/2022

EXHIBIT 5.T.4: STREET SECTION - 60' PUBLIC STREET

6.B.3 Retaining Walls

Retaining walls shall be designed to be 8-0" interior wall max height before requiring a stepback, if any additional height is needed the walls will need to be terraced.

Additional specifications:

Rockery retaining walls may be used in lots instead of masonry retaining walls. These walls shall be treated with Permeon or other approved equal;

Retaining walls should match materials and color of adjacent walls where they occur;

Retaining walls alongside lot lines may not exceed six feet (6') high within the front yard setback area and must terminate a minimum of five feet (5') from the back of sidewalk;

Terraced walls must provide a four foot (4') wide landscape area between the back of the lower retaining wall and the face of the upper wall/fence/retaining wall;

Where an internal wall is located atop a retaining wall, the maximum combined height of both walls may not exceed fourteen feet (14') to the homeowner side;

Where a block-end masonry wall is located atop a retaining wall, the height of both walls may not exceed twelve feet(12') to the visible edge and fourteen feet (14') to the homeowner side; and

All retaining walls to be waterproofed and adequately drained if required, on the surcharge side.

22-0270
06/16/2022

8 MINOR DEVIATION FROM STANDARDS

8.A THRESHOLD

For the Purpose of allowing support and flexibility to the rigid development standards, an administrative adjustment may be considered by the Master Developer to allow for Minor Deviations to the design guidelines on a project-by-project basis. Minor Deviations shall be processed in accordance with the procedures and standards per Title 19.16.120, as applicable. Any deviations not meeting the requirements of Title 19.16.120 shall be processed as a Major Deviation per the Variance requirements outlined in Title 19.16.140.

8.B PROCEDURE

Requests for deviations from the design guidelines shall be submitted to the Master Developer for approval on a project-by-project basis. These deviations may be approved on a case by case basis by the Master Developer. The Master Developer will verify the unlikelihood of the deviation having adverse effects on the neighborhood.

If approved by the Master Developer, the Master Developer will provide an approval letter to the site developer stating the extent of the deviation, which shall be submitted to the City as a required component in conjunction with any subsequent land use entitlement requests.

22-0270
06/16/2022

22-0270-TMP1
Tri Pointe Homes Nevada, Inc.

NEC Ruston Road and Alpine Ridge Way

Proposed 54 unit single family subdivision.

Traffic produced by proposed development:

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DU]	54	9.44	**510**
AM Peak Hour			0.74	**40**
PM Peak Hour			0.99	**53**

(heaviest 60 minutes)

Traffic Capacity of adjacent streets:

Kyle Canyon Road

Average Daily Traffic (ADT)	2,664
PM Peak Hour	213

(heaviest 60 minutes)

	Adjacent street ADT Capacity
Kyle Canyon Road	12,480

This project will add approximately 387 trips per day on Rocky Ave., Alpine Ridge Wy., and Kyle Canyon Rd. Currently, Kyle Canyon is at about 21 percent of capacity. With this project, Kyle Canyon is expected to be at about 25 percent of capacity. Counts are not available in this vicinity for Rocky or Alpine Ridge, but they are believed to be under capacity.

Based on Peak Hour use, this development will add into the area roughly 53 additional cars, or about one every minute.

Note that this report assumes all traffic from this development uses all named streets.

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Department of Planning
495 South Main Street, 3rd Floor
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 464-7499 Fax

CASE: 22-0270 [MOD1, ZON1, VAC1,SDR1,AND TMP1]

SUBJECT: APPLICANT: TRI POINTE HOMES NEVADA, INC. - OWNER: VFR SOUTHWEST DESERT EQUITIES II, LLC, ET AL

The above item has been placed on the One Motion/One Vote portion of the City Council Agenda for the ***August 17, 2022 City Council*** meeting. All of these items will be placed at the beginning of the agenda. The Mayor will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares and Emily Wetzstein*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov*** and ***ewetzstein@lasvegasnevada.gov*** . If there is no one present at the City Council meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any City Councilperson or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***TUESDAY, AUGUST 16, 2022.***

Dan Hale — 8/15/2022

Signature — Date

Dan Hale

Please Print Name

Tri Pointe Homes

Company Name

Sincerely,

Seth Floyd
Director of Community Develpment
Department of Planning

Submitted after Final Agenda

AGENDA ITEM 31
08.17.22 CC MEETING
RECEIVED 8.15.22

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

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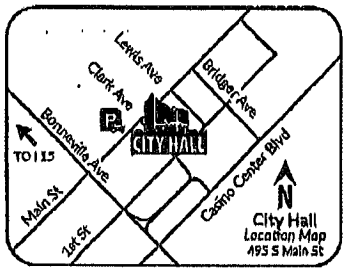
Las Vegas, NV
Permit No. 1630



Scan or go to:
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For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Office Of The City Clerk at the above address or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0270 and 22-0270-MOD1 and 22-0270-ZON1 and 22-0270-VAC1 and 22-0270-SDR1 and 22-0270-TMP1

City Council Meeting of **08/17/2022**

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2022 AUG -9 P 3:19

22-0270
12601601003
C-N W 361 L L C
3041 W HORIZON RIDGE PKWY # 155
HENDERSON NV 89052-4437

Laura C Lubach
Manager

65 FRDFNP1 89052

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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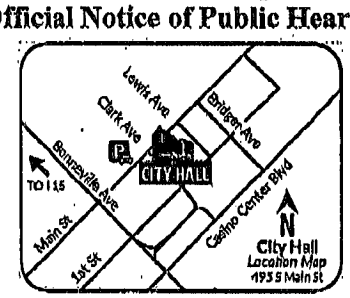

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22-0270 and 22-0270-MOD1 and 22-0270-ZON1 and 22-0270-VAC1 and 22-0270-SDR1 and 22-0270-TMP1

City Council Meeting of **08/17/2022**

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22-0270-VAC1
12601601003
C-N W 361 L L C
3041 W HORIZON RIDGE PKWY # 155
HENDERSON NV 89052-4437

Submitted after final agenda

Items 31a-31e

Application Information

22-0270 - PUBLIC HEARING - APPLICANT: TRI POINTE HOMES NEVADA, INC. - OWNER: VFR SOUTHWEST DESERT EQUITIES II, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 15.84 acres at the northeast corner of Ruston Road and Alpine Ridge Way (APNs 126-01-601-001 through 003 and 005), U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and PD (Planned Development) Zones, Ward 6 (Flore). The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

22-0270-MOD1 - MAJOR MODIFICATION - TO AMEND THE KYLE CANYON GATEWAY MASTER DEVELOPMENT PLAN TO ADD 9.13 ACRES TO THE PLAN AND DESIGNATE THE LAND USE AS L (RESIDENTIAL LOW) [APNs 126-01-601-001, 003 and 005], TO AMEND VARIOUS DEVELOPMENT STANDARDS WITHIN THE DESIGN GUIDELINES AND TO ADD PROCEDURES TO THE DESIGN GUIDELINES REGARDING DEVIATIONS FROM THE KYLE CANYON GATEWAY RESIDENTIAL DEVELOPMENT STANDARDS

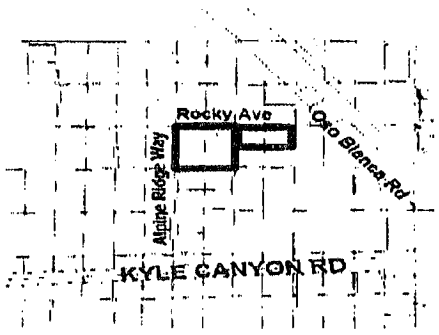
22-0270-ZON1 - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) [9.13 acres on APNs 126-01-601-001, 003 and 005]

22-0270-VAC1 - VACATION - PETITION TO VACATE THE EAST 30 FEET OF MICHELLI CREST WAY (PUBLIC RIGHT-OF-WAY) BETWEEN RUSTON ROAD AND ROCKY AVENUE AND U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED AT THE NORTHEAST CORNER OF RUSTON ROAD AND ALPINE RIDGE WAY

22-0270-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 54-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT

22-0270-TMP1 - TENTATIVE MAP - KYLE CANYON GATEWAY UNIT 4 - FOR A 54-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

Application Location



The proposed project may not pertain to the entire highlig project site.

Public Hearing Information

Meeting:	City Council
Date:	08/17/2022
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Time:	9:30 a.m.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Fl. City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For more information, go to www.lasvegasnevada.gov/meetings or call (702) 229-6311 (TTY 7-1-1). Note postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of governing body for their consideration prior to the meeting.

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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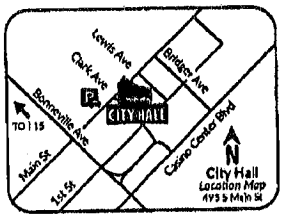

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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

22-0270 and 22-0270-MOD1 and 22-0270-ZON1 and 22-0270-VAC1 and 22-0270-SDR1 and 22-0270-TMP1

City Council Meeting of **08/17/2022**

22-0270-VAC1
12601201006
MORANTES KIMBERLY SEP PPTY TR
MORANTES KIMBERLY ELIZABETH TRS
8656 CACTUS CREEK DR
LAS VEGAS NV 89129-2205

2022 AUG 15 A 7:32

RECEIVED
CITY CLERK

Submitted after final agenda

Items 31a-31e

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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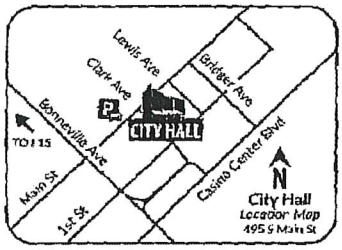

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22-0270 and 22-0270-MOD1 and 22-0270-ZON1 and 22-0270-VAC1 and 22-0270-SDR1 and 22-0270-TMP1

Planning Commission Meeting of **07/12/2022**

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City of Las Vegas
Department of Planning

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MORANTES KIMBERLY SEP PPTY TR
MORANTES KIMBERLY ELIZABETH TRS
8656 CACTUS CREEK DR
LAS VEGAS NV 89129-2205

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City of Las Vegas, Department of Planning
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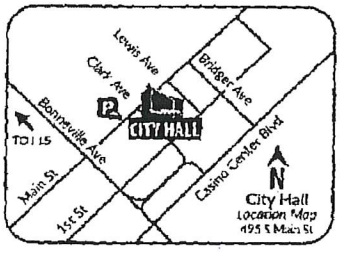

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For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Planning at the above address, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
22-0270 and 22-0270-MOD1 and 22-0270-ZON1 and 22-0270-VAC1 and 22-0270-SDR1 and 22-0270-TMP1
Planning Commission Meeting of **07/12/2022**

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City of Las Vegas
Department of Planning

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Permit No. 1630

22-0270
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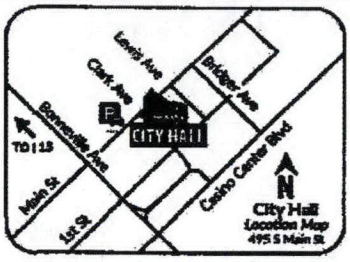
MORANTES KIMBERLY SEP PPTY TR
MORANTES KIMBERLY ELIZABETH TRS
8656 CACTUS CREEK DR
LAS VEGAS NV 89129-2205

30a-eA

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0270 and 22-0270-MOD1 and 22-0270-ZON1 and 22-0270-VAC1 and 22-0270-SDR1 and 22-0270-TMP1

Planning Commission Meeting of **07/12/2022**

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City of Las Vegas
Department of Planning

22-0270
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6325 S JONES BLVD # 500
LAS VEGAS NV 89118

Submitted after final agenda

30a-e A

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
31a

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0270-MOD1 - MAJOR MODIFICATION - TO AMEND THE KYLE CANYON GATEWAY MASTER DEVELOPMENT PLAN TO ADD 9.13 ACRES TO THE PLAN AND DESIGNATE THE LAND USE AS L (RESIDENTIAL LOW) [APNs 126-01-601-001, 003 and 005], TO AMEND VARIOUS DEVELOPMENT STANDARDS WITHIN THE DESIGN GUIDELINES AND TO ADD PROCEDURES TO THE DESIGN GUIDELINES REGARDING DEVIATIONS FROM THE KYLE CANYON GATEWAY RESIDENTIAL DEVELOPMENT STANDARDS

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	3
City Council Meeting	0	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
31b

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0270-ZON1 - REZONING - FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) [9.13 acres on APNs 126-01-601-001, 003 and 005]

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	3
City Council Meeting	0	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
31c

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0270-VAC1 - VACATION - PETITION TO VACATE THE EAST 30 FEET OF MICHELLI CREST WAY (PUBLIC RIGHT-OF-WAY) BETWEEN RUSTON ROAD AND ROCKY AVENUE AND U.S. GOVERNMENT PATENT EASEMENTS GENERALLY LOCATED AT THE NORTHEAST CORNER OF RUSTON ROAD AND ALPINE RIDGE WAY

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	3
City Council Meeting	0	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
31d

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0270-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 54-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	3
City Council Meeting	0	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
31e

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0270-TMP1 - TENTATIVE MAP - KYLE CANYON GATEWAY UNIT 4 - FOR A 54-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	3
City Council Meeting	0	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
32

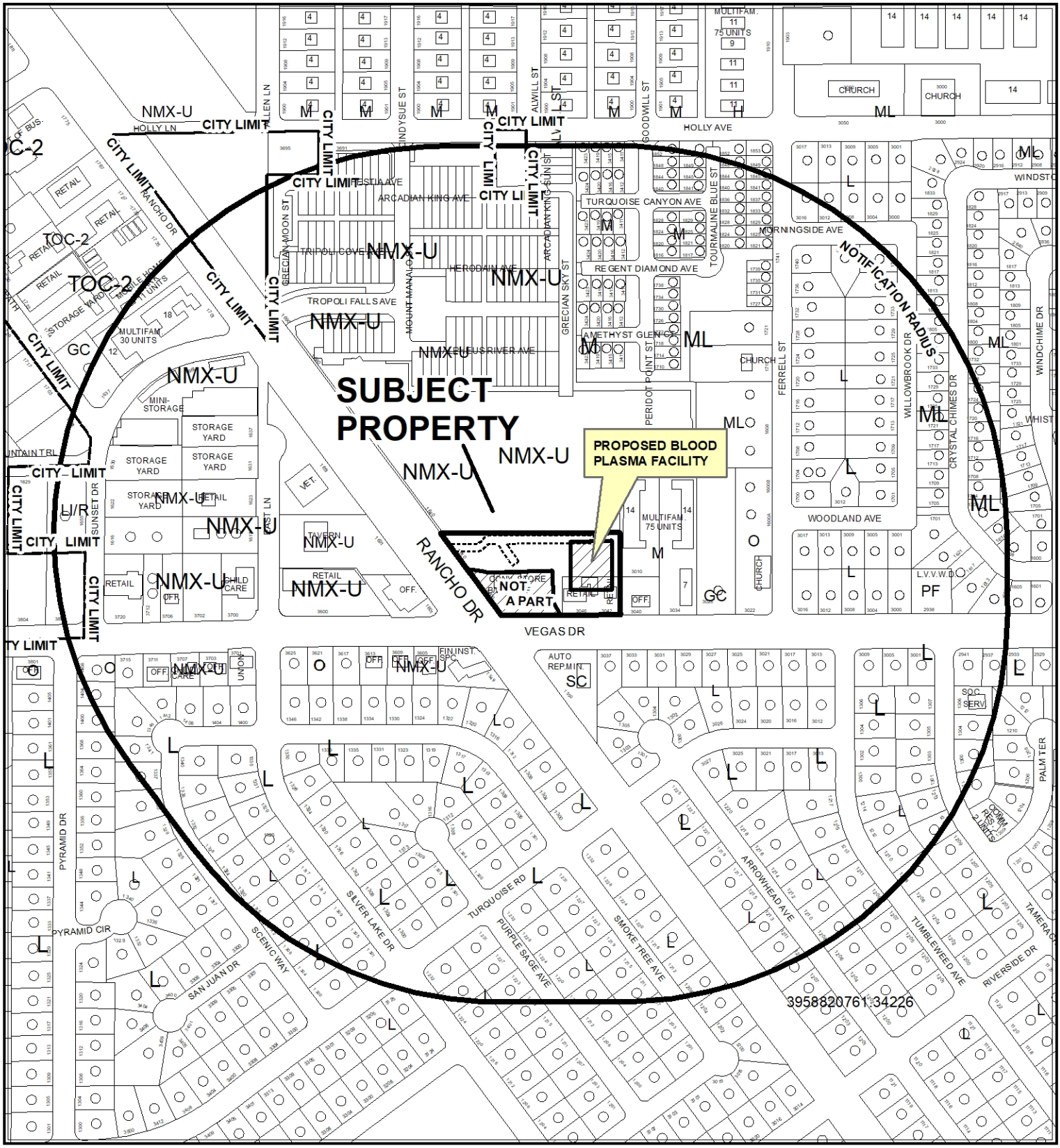
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0271 - PUBLIC HEARING - APPLICANT: RR COMPANY OF AMERICA - OWNER: VICTOR VALENZUELA - For possible action on the following Land Use Entitlement project requests on 1.41 acres at 1610 Rancho Drive and 3046 Vegas Drive (APNs 139-20-411-004 and 016), C-2 (General Commercial) Zone, Ward 5 (Crear). The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - 22-0271-GPA1
2. Land Use Map - 22-0271-GPA1
3. Location and Aerial Maps - 22-0271-SUP1 and 22-0271-SDR1
4. Conditions and Staff Report
5. Supporting Documentation
6. Photo(s)
7. Justification Letter
8. Traffic Notes Submitted by City of Las Vegas Department of Public Works Traffic Engineering Division - 22-0271-SDR1
9. Submitted after Final Agenda - Executed Condition Confirmation Documentation and Protest-Support Postcards
10. Backup Documentation Submitted for the July 12, 2022 Planning Commission Meeting

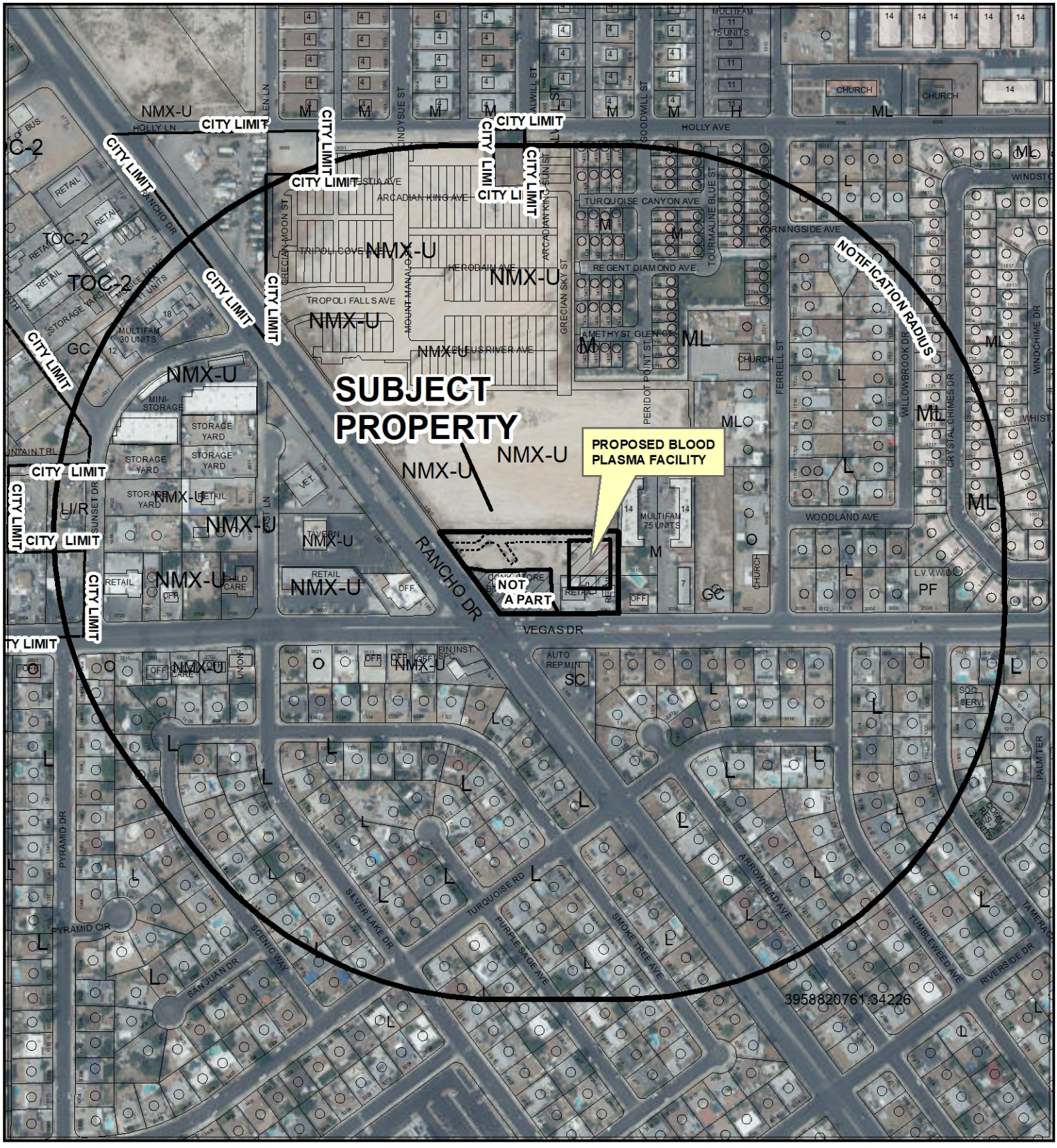


CASE: **22-0271-GPA1**

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: GC (GENERAL COMMERCIAL)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: NMX-U (NEIGHBORHOOD MIXED USE CENTER)



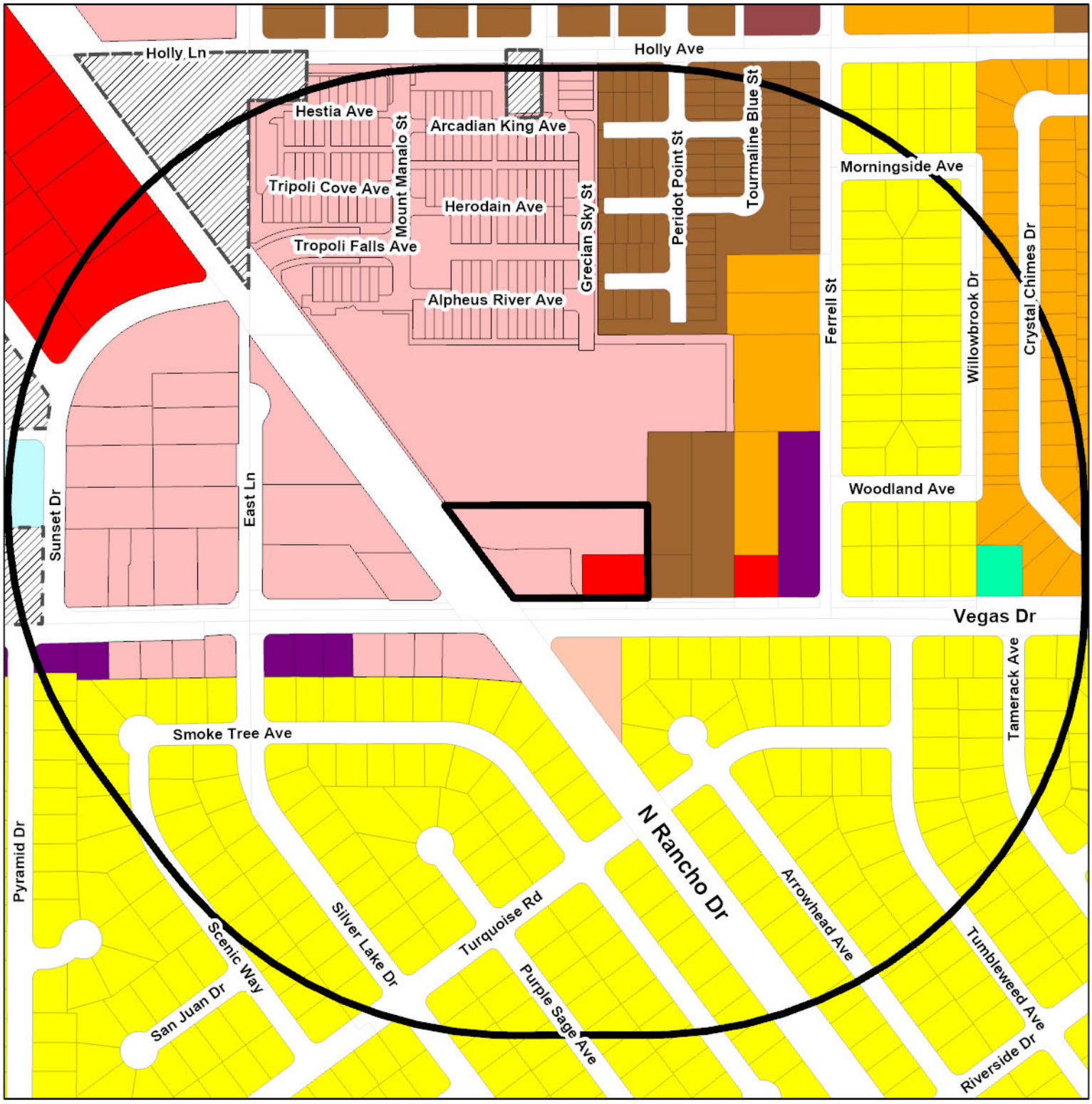
CASE: **22-0271-GPA1**

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: GC (GENERAL COMMERCIAL)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: NMX-U (NEIGHBORHOOD MIXED USE CENTER)

22-0271-GPA1



General Plan
- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium Low
- Medium Low Attached
- Medium
- High

- Form-Based Code
- Neighborhood Mixed Use Center
- Transit Oriented Corridor -1
- Transit Oriented Corridor -2
- Transit Orented Development - 1
- Transit Orented Development - 2
- Planned Community Development
- Office
- Service Commercial
- General Commercial

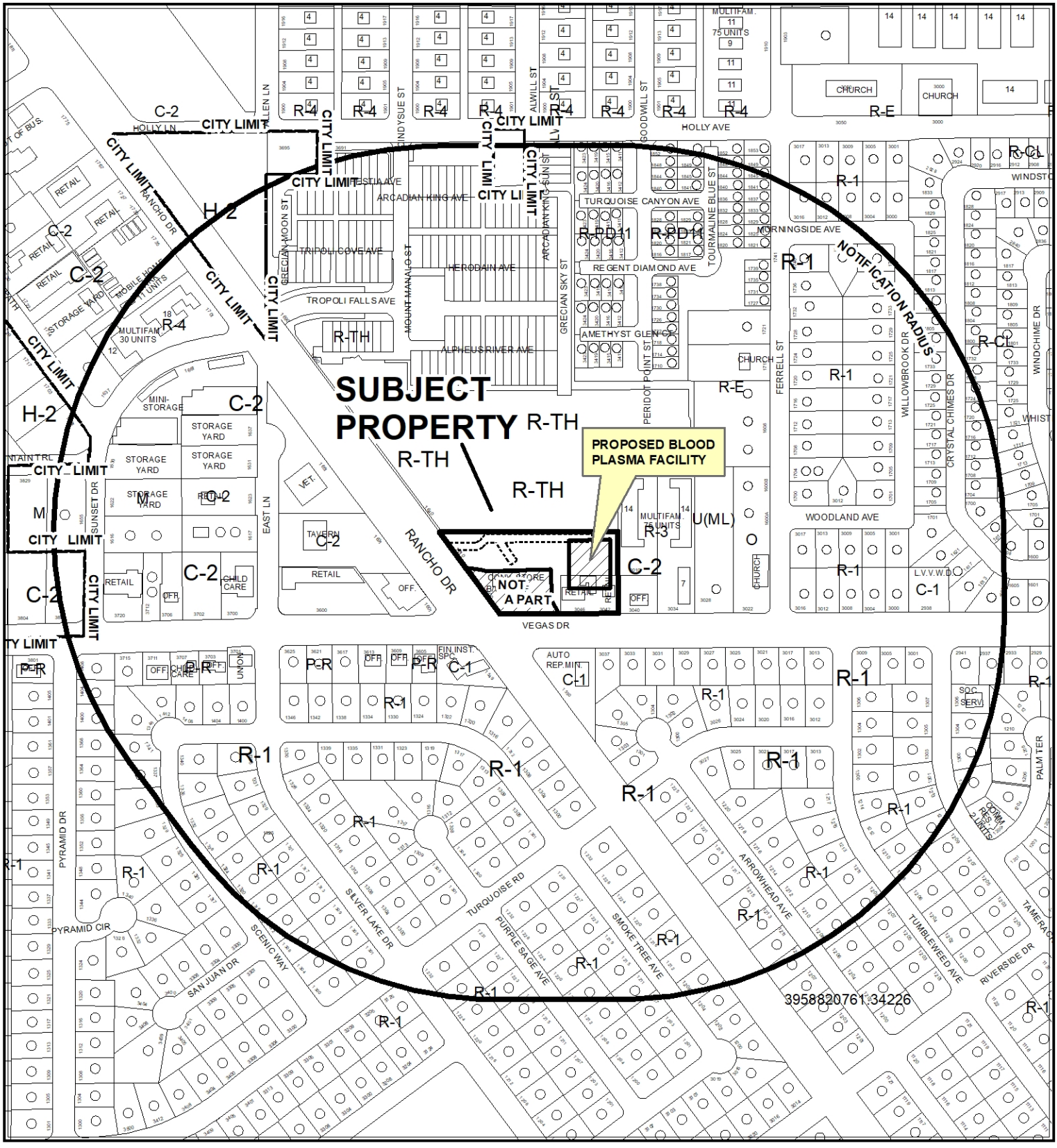
- Tourist Commercial
- Light Industry / Research
- Traditional Neighborhood Development
- Parks/Recreation/Open Space
- Public Facilities
- Town Center
- Commercial (Downtown Land-Use)
- Mixed Use (Downtown Land-Use)

FROM GC TO NMX-U

- Subject Property
- Not City
- City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

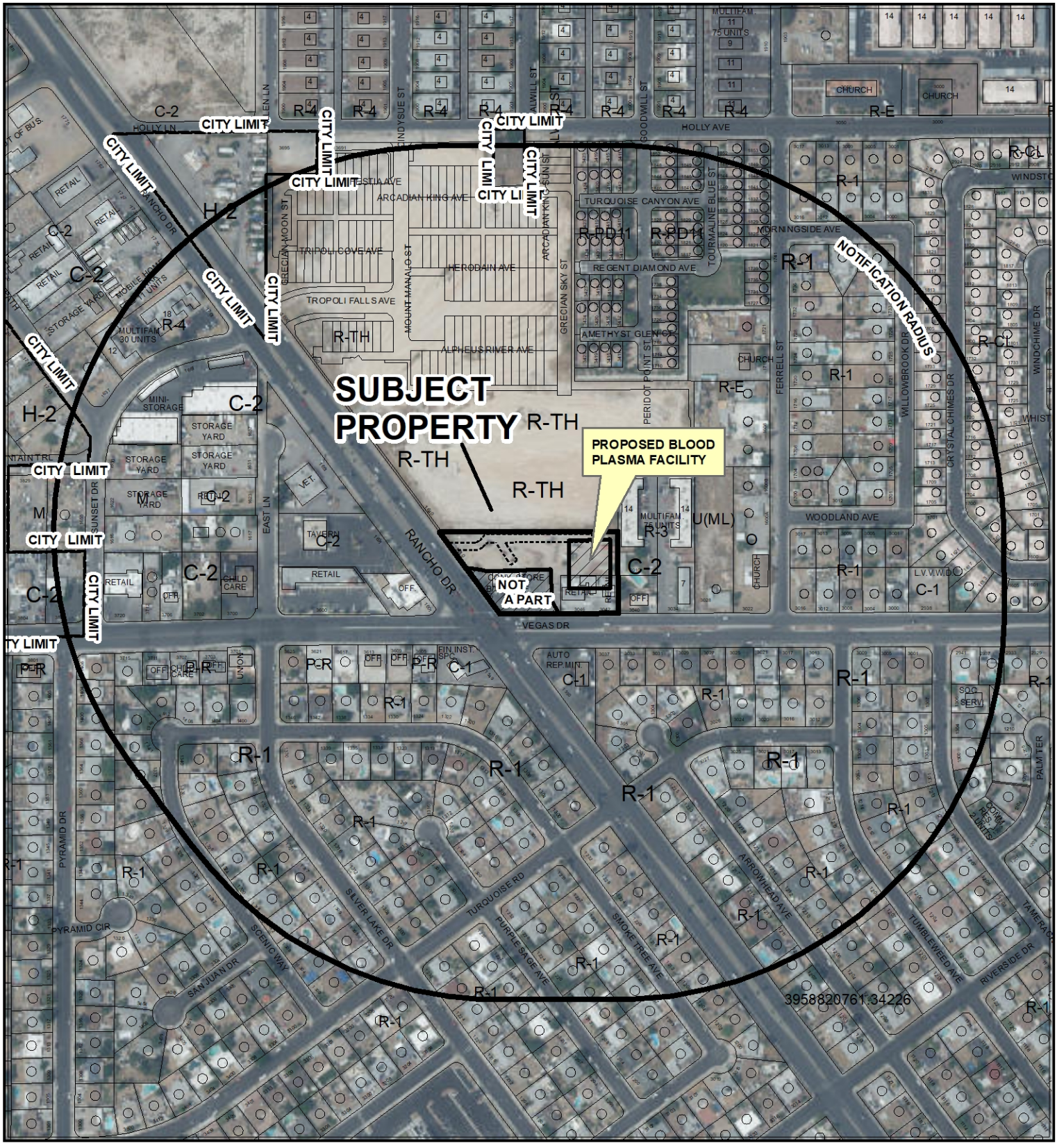
Date: Monday, May 23, 2022



CASE: 22-0271

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



CASE: **22-0271**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: RR COMPANY OF AMERICA - OWNER: VICTOR VALENZUELA

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0271-GPA1	Staff recommends APPROVAL.	
22-0271-SUP1	Staff recommends APPROVAL, subject to conditions:	22-0271-GPA1 22-0271-SDR1
22-0271-SDR1	Staff recommends APPROVAL, subject to conditions:	22-0271-GPA1 22-0271-SUP1

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 631 (by City Clerk)

PROTESTS 0

APPROVALS 0

CS

** CONDITIONS **

22-0271-SUP1 CONDITIONS

Planning

1. Approval of a General Plan Amendment (22-0271-GPA1) and approval of and conformance to the Conditions of Site Development Plan Review (22-0271-SDR1) shall be required, if approved.

2. This approval shall be void two 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, as well as submitted as part of any business license application.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0271-SDR1 CONDITIONS

Planning

1. Approval of a General Plan Amendment (22-0271-GPA1) and approval of and conformance to the Conditions of Approval for Special Use Permit (22-0271-SUP1) shall be required, if approved.

2. This approval shall be void two 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 development shall be in conformance with the site plan and landscape plan, date stamped 06/16/22 and building elevations, date stamped 05/19/22, except as amended by conditions herein.

4. A Waiver from Title 19.08 is hereby approved, to allow an 11-foot landscape buffer width along a portion of the west property line where 15 feet is required.

5. 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.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

7. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.

8. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

10. 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.

11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. The sidewalks adjacent to this site shall meet Public Right of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement, if any, needed to complete this requirement. 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.

13. Prior to the submittal of construction drawings, coordinate the design of the modified driveway with the Nevada Department of Transportation (NDOT). The modified driveway on Rancho Drive shall meet the approval of both NDOT and the City Traffic Engineer. Install one streetlight on Rancho Drive concurrent with the development of this site.

14. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all driveways or other private improvements in the Rancho Drive public right-of-way adjacent to this site prior to constructing any improvements within NDOT jurisdiction.

15. Coordinate sewer connection at a size, depth, and location acceptable to the Sanitary Sewer Section of the Department of Public Works.

16. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-2338 or emailed at ece@lasvegasnevada.gov

17. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the "Rancho Complete Street NEPA (Mesquite to Rainbow)" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer

18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Special Use Permit and Site Development Plan Review request for a proposed Blood Plasma Donor Center development on 1.41 acres at 1610 Rancho Drive and 3046 Vegas Drive.

ISSUES

- In order to allow a future mapping action to combine the subject lots, a General Plan Amendment is requested from GC (General Commercial) to NMX-U (Neighborhood Mixed-Use Center) for (APN: 139-20-411-016).
- The Blood Plasma Donor Center use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit. Staff supports the request.
- Driveway access via Rancho Drive will be subject to NDOT (Nevada Department of Transportation) approval.
- A Waiver is requested to allow an 11-foot wide landscape buffer along a portion of the west property line where 15 feet is required. Staff supports the request.

ANALYSIS

The subject 1.41-acre site consists of two lots zoned C-2 (General Commercial). Development is subject to Title 19 development standards. Per the submitted justification letter, the applicant proposes to develop the subject site with a 12,000 square-foot Blood Plasma Donor Center facility. There is an existing commercial building onsite that would be demolished. The surrounding area predominantly consists of other commercial uses. On November 18, 2020, the City Council approved a 235-lot single-family attached residential subdivision on adjacent property to the north.

CS

General Plan Amendment

The subject lots currently have two different land use designations. One has a land use designation of GC (General Commercial) and the other has a designation of NMX-U (Neighborhood Mixed-Use Center). In order to allow a future mapping action to combine the subject lots, a General Plan Amendment is requested from GC (General Commercial) to NMX-U (Neighborhood Mixed-Use Center) for the lot with APN: 139-20-411-016. Per the 2050 City of Las Vegas Master Plan, the NMX-U (Neighborhood Mixed-Use Center) designation allows for moderate intensity neighborhood-oriented mixed use and town centers. It conforms with the existing zoning district of C-2 (General Commercial). As such, staff recommends approval.

Special Use Permit

Title 19 defines a Blood Plasma Donor Center use as, "A building used for the collection of human blood plasma from plasma donors. This use does not include a facility for the provision of medical care or treatment." It is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit. Staff supports the request. There are no minimum Special Use Permit requirements listed for this use.

Site Development Plan Review

The submitted plans depict a two-story, 12,000 square-foot blood plasma donor facility development. The site can be accessed via Rancho Drive and Vegas Drive. A future mapping action will be required to combine the lots. The elevation plans depict a maximum building height of 22 feet. The proposed façade materials include stucco and stone wood paneling in neutral and blue tones. Title 19 parking requirements are met as a total of 60 parking are provided where 60 are required. While not required, two loading spaces are provided adjacent to the proposed building. Adequate landscaping is proposed for the perimeter and interior areas of the subject development. The proposed planting materials adhere to the recommendations of the Southern Nevada Regional Plant List.

The Department of Public Works – Traffic Engineering Division has commented, "This project will add approximately 443 trips per day on Vegas Drive and Rancho Drive. Currently, Vegas Drive is at about 47 percent of capacity and Rancho Drive is at about 81 percent of capacity. With this project, Vegas Drive is expected to be at about 48 percent of capacity and Rancho Drive to be at about 82 percent of capacity. Based on Peak Hour use, this development will add about 42 vehicles in the peak hour, or about three every four minutes."

The subject site is located within the West Las Vegas Plan Area. This Plan was adopted by City Council on July 1, 2009. West Las Vegas is comprised of the neighborhoods immediately surrounding the Historic Westside district of Downtown Las Vegas, a culturally significant and diverse area including the Berkley Square Neighborhood, Bonanza Village, Vegas Heights, and Eastland Village neighborhoods. A key objective of this plan is to improve the amount and quality of infill development on vacant and underutilized lands. The proposed Blood Plasma Donor Center development adheres to this objective, as it is a quality designed development and will provide a needed service to the area.

Staff finds the proposed development to be in substantial conformance with Title 19 and that it will be harmonious and compatible with the existing development in the surrounding area. Therefore, staff recommends approval of all entitlements with the Special Use Permit and Site Development Plan Review, subject to conditions.

(22-0271-GPA1)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

   The NMX-U (Neighborhood Mixed-Use Center) land use designation is compatible with the existing adjacent land use designations.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

   The zoning designation allowed by the proposed amendment are compatible with the existing land uses and zoning districts in the surrounding area.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

   There are adequate facilities to accommodate the uses and densities that would be permitted with the approval of the General Plan Amendment.

4. **The proposed amendment conforms to other applicable adopted plans and policies.**

   The proposed amendments conforms to all other applicable city codes.

FINDINGS (22-0271-SUP1)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

   The proposed land use can be conducted in a manner that is harmonious and compatible with the existing commercial and residential uses in the surrounding area.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site is physically suitable for the proposed Blood Plasma Donor Center use.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   The site is accessed from Rancho Drive, a 150-foot Freeway/Expressway and Vegas Drive, a 100-foot Primary Arterial. Both are adequate in size to meet the needs of the proposed development.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   If approved, the use will be subject to licensure inspections, thereby protecting the public health, safety and welfare.

5. The use meets all of the applicable conditions per Title 19.12.

There are no minimum conditions listed in Title 19.12 for the Blood Plasma Donor Center use.

FINDINGS (22-0271-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. The proposed development is compatible with adjacent development and development in the area;

The proposed Blood Plasma Donor Center use can be conducted in a manner that is harmonious and compatible with the existing land uses in the surrounding area.

2. The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;

If the associated General Plan Amendment request is approved, the proposed development will be in substantial compliance with all city codes. A Waiver is requested to allow an 11-foot landscape buffer width along a portion of the west property line. Staff finds the request to be minor in nature and recommends approval.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

The site is accessed from Rancho Drive, a 150-foot Freeway/Expressway and Vegas Drive, a 100-foot Primary Arterial. Both are adequate in size to meet the needs of the proposed development. Circulation of existing adjacent roadways will not be negatively impacted. The proposed driveway access via Rancho Drive will be subject to NDOT (Nevada Department of Transportation) approval.

4. Building and landscape materials are appropriate for the area and for the City;

The proposed stucco building façade is compatible with other commercial developments in the surrounding area. The landscape materials are drought tolerant species that are commonly found throughout the City of Las Vegas.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

   The submitted building elevations are not unsightly or obnoxious in appearance and will be harmonious and compatible with the existing development in the surrounding area.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   If approved, the proposed development will be subject to building permit inspections in order to protect the public health, safety and general welfare.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
06/01/88	The City Council approved the request for a Variance (V-0021-88) to allow a Carburetor Repair business, where such use is not permitted, on property located at 3046 Vegas Drive. The Board of Zoning Adjustment and staff recommended denial.
09/22/88	The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0133-88) to allow a Special Care Facility for the Housing and Care of Recovering Alcoholics, on property located at 3046 Vegas Drive. Staff recommended denial.
02/16/11	The City Council approved General Plan Amendment (GPA-40439) from SC (Service Commercial) to GC (General Commercial) on 0.34 acres at 3042 and 3046 Vegas Drive.
	The City Council approved Special Use Permit (SUP-40440) for a Bailbond Service use at 3042 and 3046 Vegas Drive.
	The City Council approved Site Development Plan Review (SDR-40441) for the conversion of two residential properties to a proposed 2,676 square-foot commercial development at 3042 and 3046 Vegas Drive.
06/02/21	The City Council approved General Plan Amendment (21-0029-GPA1) to adopt the City Of Las Vegas 2050 Master Plan and amend the City Of Las Vegas General Plan from various categories to TOD-1 (Transit Oriented Development-1), TOD-2 (Transit Oriented Development-2), TOC-1 (Transit Oriented Corridor-1), TOC-2 (Transit Oriented Corridor-2), or NMXU (Neighborhood Center Mixed Use) within the City Of Las Vegas.
07/12/22	The Planning Commission (6-0 vote) recommends APPROVAL on the following Land Use Entitlement project requests on 1.41 acres at 1610 Rancho Drive and 3046 Vegas Drive (APNs 139-20-411-004 and 016), C-2 (General Commercial) Zone, Ward 5 (Crear) • **22-0271-GPA1** - GENERAL PLAN AMENDMENT - FROM: GC (GENERAL COMMERCIAL) TO: NMX-U (NEIGHBORHOOD MIXED USE CENTER) [APN 139-20-411-016] • **22-0271-SUP1** - SPECIAL USE PERMIT - FOR A PROPOSED BLOOD PLASMA DONOR CENTER USE • **22-0271-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED BLOOD PLASMA DONOR CENTER DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS

CS

Most Recent Change of Ownership	
11/16/10	A deed was recorded for a change in ownership. (APN: 139-20-411-004)
09/14/12	A deed was recorded for a change in ownership. (APN: 139-20-411-016)

Related Building Permits/Business Licenses
There are no related building permits/licenses of note.

Pre-Application Meeting	
05/04/22	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Blood Plasma Donor Center development.

Neighborhood Meeting	
	Meeting Start Time: 5:30 pm Meeting End Time: 6:00 pm Attendance: 1 Applicant Representative 1 Council Ward Staff Member 1 Planning Department Staff Member 1 Member of the Public
06/22/22	As there was only one public member in attendance, the meeting was more conversational than the traditional presentation format. The applicant representative discussed the proposed development and explained how the Blood Center Donor facility would operate. No major issues of concern were noted by the public member in attendance. The meeting ended with the applicant representative explaining the process going forward. The public member in attendance was in support of the project.

Field Check	
06/07/22	Staff conducted a routine field check and found an existing commercial building and gated storage area. No issues were noted.

CS

Details of Application Request	
Site Area	
Net Acres	1.41

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail, Other than Listed	GC (General Commercial)	C-2 (General Commercial)
		NMX-U (Neighborhood Mixed Use Center)	
North	Undeveloped	NMX-U (Neighborhood Mixed Use Center)	R-TH (Single Family-Attached)
South	Auto Repair, Minor	NMX-U (Neighborhood Mixed Use Center)	C-2 (General Commercial)
		SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
	Office, Other than Listed		
West	Office, Other than Listed	NMX-U (Neighborhood Mixed Use Center)	C-2 (General Commercial)
	Tavern Limited		

Master and Neighborhood Plan Areas	***Compliance***
2050 Master Plan Area: West Las Vegas	Y
Special Area and Overlay Districts	***Compliance***
West Las Vegas Plan	Y
A-O (Airport Overlay) District (70 Feet)	Y

CS

Other Plans or Special Requirements	***Compliance***
Trails (Pedestrian Path – Sidewalk)	Y
Las Vegas Redevelopment Plan	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	N/A	61,419 SF	Y
Min. Lot Width	100 Feet	116 Feet	Y
Min. Setbacks • Front • Side • Rear	 10 Feet 10 Feet 20 Feet	 66 Feet 15 Feet 20 Feet	 Y Y Y
Max. Lot Coverage	50%	20%	Y
Max. Building Height	N/A	22 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Existing Zoning	***Permitted Density***	***Units Allowed***
C-2 (General Commercial)	N/A	N/A
Existing General Plan	***Permitted Density***	***Units Allowed***
GC (General Commercial)	N/A	N/A
Proposed General Plan	***Permitted Density***	***Units Allowed***
NMX-U (Neighborhood Mixed Use Center)	25 du/ac	35

CS

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	23 Trees	23 Trees	Y
• South	1 Tree / 20 Linear Feet	5 Trees	5 Trees	Y
• East	1 Tree / 20 Linear Feet	11 Trees	11 Trees	Y
• West	1 Tree / 20 Linear Feet	1 Trees	1 Trees	Y
TOTAL PERIMETER TREES		**40 Trees**	**40 Trees**	**Y**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	17 Trees	17 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		8 Feet	Y
• South	15 Feet		15 Feet	Y
• East	8 Feet		8 Feet	Y
• West	15 Feet		11 Feet	N*
Wall Height	6 to 8 Feet Adjacent to Residential		Not Indicated	Y**

*A Waiver is requested to allow a reduced landscape buffer width along a portion of the west property line.
**This requirement will be met via condition of approval.

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Rancho Drive	Freeway/Expressway	Master Plan of Streets and Highways Map	150	Y
Vegas Drive	Primary Arterial	Master Plan of Streets and Highways Map	100	Y

CS

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	ADA	Regular	ADA	
Blood Plasma Donor Center	12,000 SF	1:200 SF	60				
TOTAL SPACES REQUIRED			60		60		Y
Regular and Handicap Spaces Required			57	3	57	3	Y
Loading Spaces	0		2				Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
Provide a 15-foot landscape buffer width along the west property line.	To allow an 11-foot landscape buffer width along a portion of the west property line.	Approval

CS

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use

Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) GPA, SDPR, SUP (Blood Plasma)

Project Address (Location) 1610 Rancho Drive and 3046 Vegas Drive

Project Name CSL Plasma **Proposed Use** _____

Assessor's Parcel #(s) 139-20-411-004, 016 **Ward #** 5 - Crear

General Plan: Existing CG and NMX-U Proposed CG **Zoning:** Existing C-2 Proposed C-2

Additional Information GPA is to remove Mixed Use designation on parcel 016

Property Owner Victor Valenzuela Contact _____
Address 6717 Cypress Park Court City Las Vegas State NV Zip 89131
E-mail _____ Phone _____

Applicant RR Company of America Contact Laura McGrath
Address 1100 Camellia Blvd #201 City Lafayette State LA Zip 70508
E-mail lmcgrath@rrcoa.com Phone _____

Representative Brown, Brown and Premsrirut Contact Lora Dreja
Address 520 South Fourth Street City Las Vegas State NV Zip 89135
E-mail Lora@Brownlawlv.com Phone (702) 598-1408

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes
☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature [signature]

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Victor H. Valenzuela

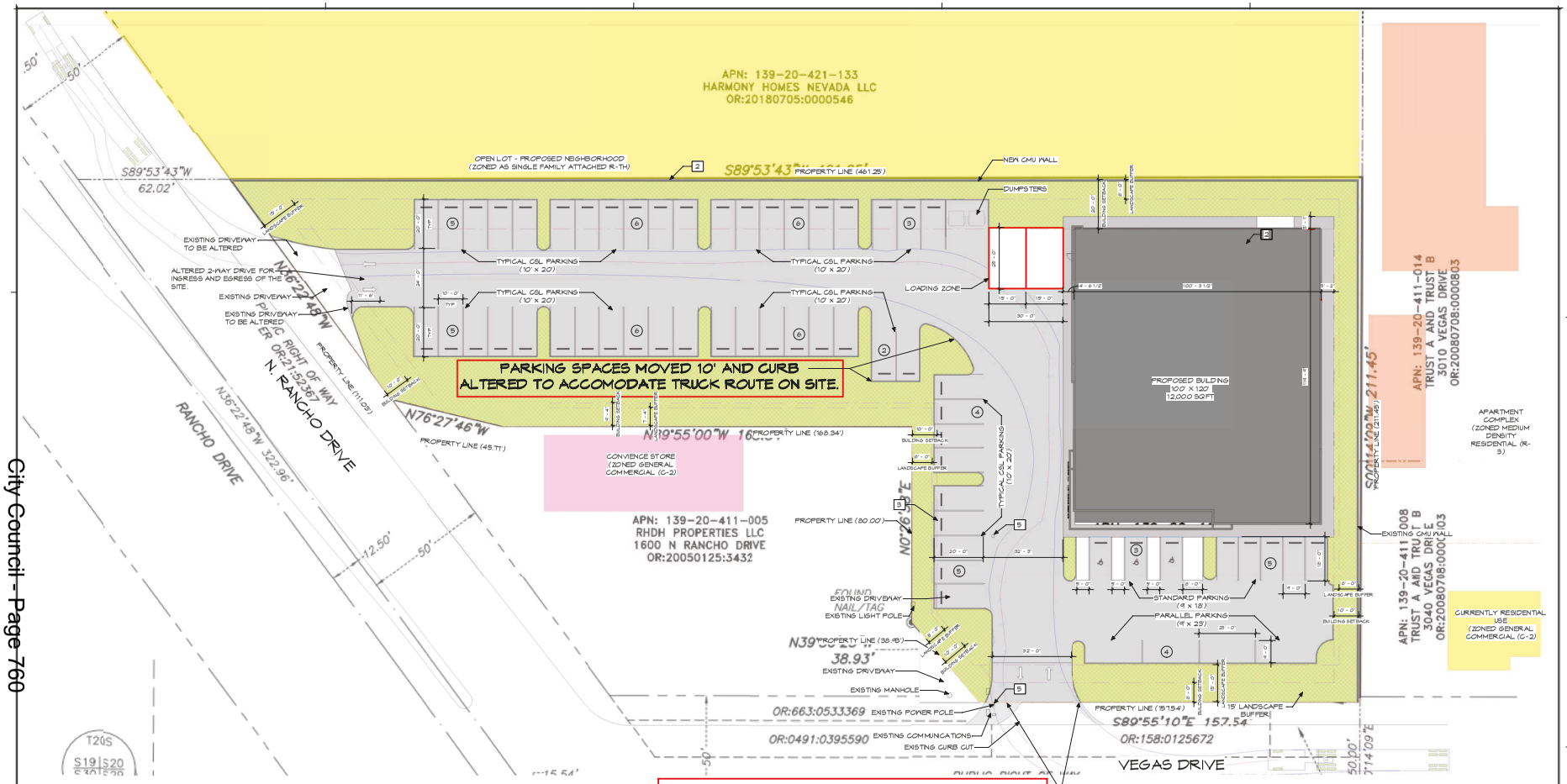
Subscribed and sworn before me State of Nevada County of Clark

This 10th day of May, 20 22

By Victor Hugo Valenzuela

Notary Public in and for said County and State

22-0271
05/19/2022
CHAY PADILLA
Notary Public State of Nevada
County of Clark
APPT NO 17-3715-1
My App Expires Oct. 15, 2025



1 SITE PLAN
1" = 20'-0"

VICINITY MAP



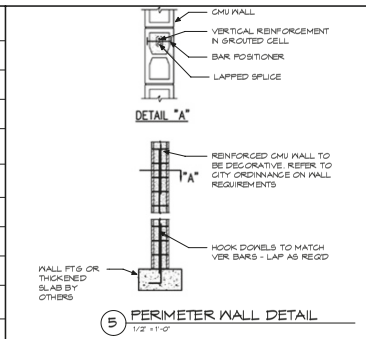
SCALE: NTS

LEGEND

- PROPERTY LINES
- BUILDING/LANDSCAPE SETBACK
- YELLOW REGION - RESIDENTIAL BUILDINGS/ DEVELOPMENTS
- ORANGE REGION - MULTI-FAMILY BUILDINGS
- PINK REGION - COMMERCIAL BUILDINGS
- GRAY REGION - PAVEMENT

CODE DATA

TOTAL PROVIDED PARKING SPACES	60 SPACES
TOTAL REQUIRED PARKING SPACES	60 SPACES
PARKING REQUIREMENT	ONE (1) PER TWO-HUNDRED (200) S.F. OF FLOOR AREA (INCLUDING 3 ACCESSIBLE PARKING SPACES)
PARKING DIMENSIONS	CSL: 10' x 20' (TYP.) CITY ORDINANCE: 9' x 18' PARALLEL PARKING: 9' x 23'
PROPERTY SIZE	1.41 ACRES (61,072 S.F.)
PROPERTY F.A.R.	.20
PROPERTY DENSITY	PROPERTY HAS NO RESIDENTIAL UNITS ON SITE.
GROUND COVER PERCENTAGE	25%
PROVIDED GROUND COVER PERCENTAGE	18,167.48 S.F. GREEN SPACE 61,740.52 S.F. OVERALL = 29.4%



5 PERIMETER WALL DETAIL
1/2" = 1'-0"

SITE PLAN KEYNOTES

1. PERIMETER WALL TO BE CONSTRUCTED FOR ALL COMMERCIAL AND INDUSTRIAL PROPERTIES THAT ARE CONSTRUCTED ADJACENT TO ANY RESIDENTIAL ZONING DISTRICT OR PORPERTY USED SOLELY FOR RESIDENTIAL PURPOSES. WALL SHALL BE A MINIMUM 6' IN HEIGHT AND BE CONSTRUCTED OF DECORATIVE MATERIALS (EX. STONE, DECORATIVE BLOCK, SLUMP STONE, AND WROUGHT IRON).
2. EXISTING CMU WALL TO REMAIN.
3. EXISTING DRIVEWAY TO REMAIN AS A SHARED ACCESS ON THE WESTERN PROPERTY LINE. ONLY OBSTRUCTIONS THAT WILL BE REMOVED IS THE WIRE FENCE GATE DOORS BLOCKING ACCESS TO THE SITE AND CROSSING THE PROPERTY LINE. WIRE FENCE THAT IS EXISTING ON THE LEFT HAND SIDE OF THE SHARED SITE ACCESS IS ASSUMED TO REMAIN.
4. PARKING IS PERMITTED TO BE WITHIN THE LANDSCAPE SETBACK, BUT MUST BE REVIEWED AND HAVE WRITTEN BY THE APPROVAL FROM LAS VEGAS DEVELOPMENT TEAM WHEN SITE PLAN REVIEW OCCURS.
5. EXISTING POWER POLE WOULD NEED TO BE REMOVED AND RELOCATED.

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4906 AMBASSADOR CAFFERY PKWY, BUILDING H, SUITE 800 - LAFAYETTE, LOUISIANA 70508
337 - 988 - 5271 ph. - 337 - 988 - 5272 fax
www.ackalarchitects.com

A NEW PLASMA DONOR CENTER FOR CSL PLASMA

1610 N. RANCHO DRIVE
LAS VEGAS, NV 89106

PRELIMINARY NOT FOR CONSTRUCTION

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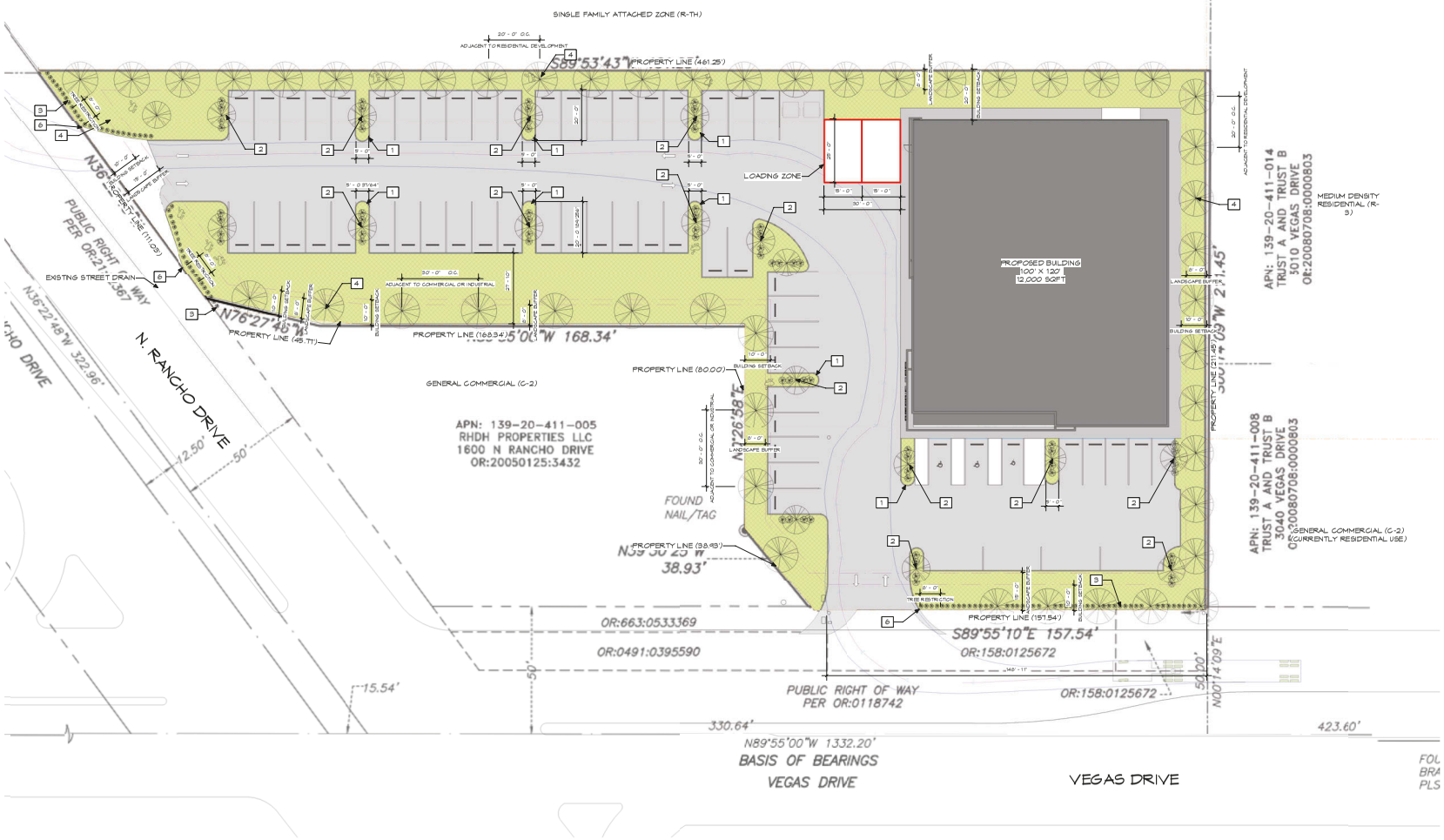
Project Number:	22-002
Date:	06/10/2022
Project Architect:	B.A.
Project Manager:	
Drawn By:	
File Name:	RANCHO
Revised:	
Sheet Name:	SITE PLAN
Sheet No.	A1

01 OF 04



TOTAL LANDSCAPE AREA: 15,935 S.F.

1 LANDSCAPE PLAN
1" = 20'-0"

LEGEND

- 24" BOX TREE - QUANTITY: 48 TREES
- 5-GALLON SHRUBS
- STREET SCREENING
- BOULDERS WITH ROCKS SURROUNDING
- GREEN AREAS

MATERIAL SELECTIONS

GROUND COVER:	TRAILING INDIGO BUSH
ROCK MULCH:	1/2" - 1" RED/BEIGE DECORATIVE LANDSCAPE GRAVEL
BOULDERS/ROCKS:	TEN (10) TOTAL 2'-3' DIAMETER WITH 6" - 8" ROCKS SURROUNDING BOULDERS IN NATURALISTIC APPEARANCE. COLOR TO MATCH BOULDER
24" BOX TREES:	BLUE PALO VERDE
ISLAND SHRUBS/ FRONTAGE SCREENNG:	DEER GRASS OR SIMILAR TYPE
PERIMETER WALL:	DECORATIVE BLOCK
TOTAL LANDSCAPED AREA:	15,935 S.F.

NOTE OWNER TO APPROVE ALL PLANTING AND LANDSCAPE MATERIAL PRIOR TO CONSTRUCTION

LANDSCAPE PLAN KEYNOTES

1. PARKING ISLANDS SHALL BE 5'-0" FROM INSIDE-TO-INSIDE OF CURB.
2. ALL ISLANDS ARE REQUIRED TO HAVE A MINIMUM 24" BOX SHADE TREE, A MINIMUM OF 4.5-GALLON SHRUBS, AND 2-INCH LAYER OF GROUND COVER/ ROCK MULCH.
3. PARKING LOT TO BE SCREENED FROM ADJACENT ROADWAYS WITH A SOLID LIVING HEDGE THAT HAS A MAXIMUM HEIGHT OF 36".
4. PERIMETER LANDSCAPING TO BE MINIMUM 24" BOX TREES SPACED 20'-0" IN BUFFER LOCATED NEXT TO PROPERTY ZONED OTHER THAN COMMERCIAL AND STREET FRONTAGES AND 30'-0" IN BUFFER LOCATED NEXT TO PROPERTY ZONED COMMERCIAL OR INDUSTRIAL.
5. ALL LANDSCAPE AREAS AND PARKING ISLANDS SHALL BE IRRIGATED WITH DRIP IRRIGATION ONLY.
6. TREE PLANTING RESTRICTION AREA MEASURED 8'-0" ALONG PROPERTY LINE FROM POINT WHERE DRIVEWAY AND STREET PROPERTY LINE MEET.

22-0271
06/16/2022

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A NEW PLASMA DONOR CENTER FOR CSL PLASMA

1610 N. RANCHO DRIVE
LAS VEGAS, NV 89106

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Project Number:	22-002
Date:	06/10/2022
Project Architect:	B.A.
Project Manager:	
Drawn By:	
File Name:	RANCHO
Revised:	

Sheet Name: LANDSCAPE PLAN

Sheet No. A2

02 OF 04

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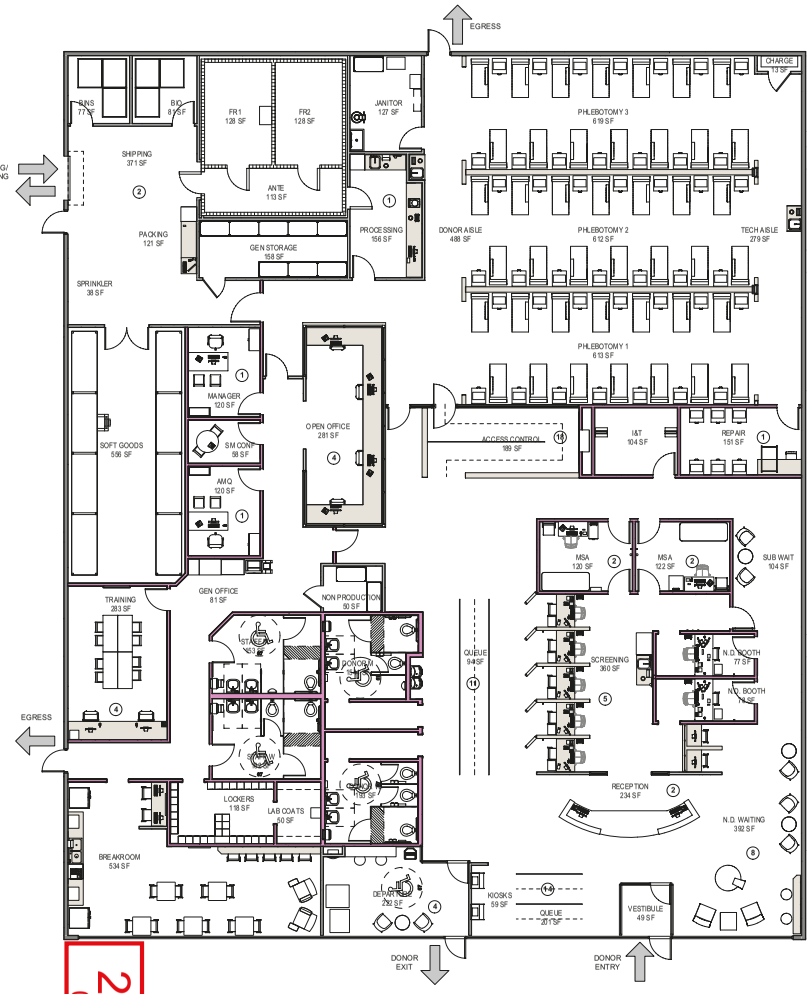
City Council - Page 762

PROPOSED FLOOR PLAN



22-0271
05/19/2022

CODE ANALYSIS & LIFESAFETY

USE AND OCCUPANCY AREAS WITH OCCUPANT LOAD

PUBLIC	STAFF		
			PHLEBOTOMY BAYS
42	0	42	BEDS (1 OCCUPANT PER BED)
0	7	7	STAFF FLOATING, 1 PER 6 BEDS)
0	3	3	SUPERVISORS (1 PER BAY)
0	3	3	OBSERVERS (1 PER BAY)
42	**13**	**55**	**TOTAL**
			NEW DONOR AREAS
2	2	4	MSA / EXAM ROOMS
2	2	4	NEW DONOR BOOTHS
8	0	8	NEW DONOR WAITING
0	2	2	RECEPTION
2	0	2	DONOR VIDEO
14	**6**	**20**	**TOTAL**
			RETURN DONOR AREAS
11	0	11	QUEUE-IN-LINE (1 PER 2 LF)
14	0	14	KIOSK QUEUE LINE (1 PER 2 LF)
5	5	10	RETURN DONOR BOOTHS (VITALS)
3	0	3	KIOSK
33	**5**	**38**	**TOTAL**
			ALL OTHER AREAS
18	0	18	ACCESS CONTROL
4	0	4	DEPARTURE LOUNGE
0	10	10	MANAGER, AMQ, GENERAL & OPEN OFFICE, TRAINING
0	4	4	SOFTGOODS, REPAIR, PROCESSING, SHIPPING
0	0	0	BREAKROOM, LOCKERS, FREEZERS, LABCOATS, BIOHAZ, JANITOR
0	0	0	STAFF ACCOUNTED FOR AT OTHER SPACES
22	**14**	**36**	**TOTAL**
111	**38**	**149**	**= TOTAL OCCUPANTS**

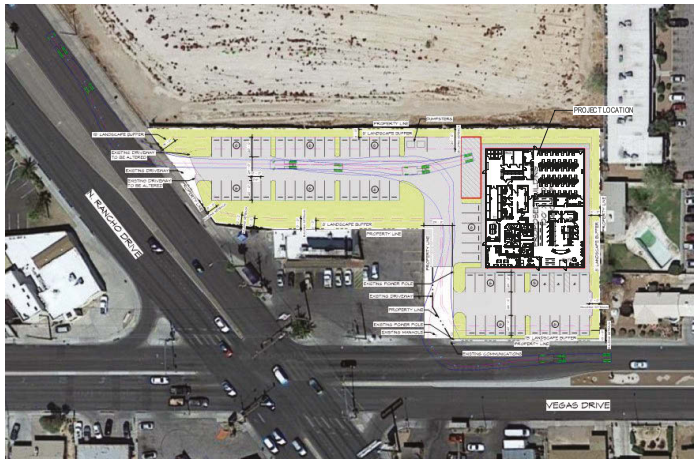
PROJECT DESCRIPTION

THE PROJECT WORK INCLUDES NEW INTERIOR TENANT IMPROVEMENT OF THE NEW SHELL SPACE FOR A BLOOD PLASMA COLLECTION FACILITY, GROUP B, BUSINESS USE.

GENERAL SYMBOL LEGEND

- ADJACENT TENANT NOT IN WORK SCOPE
- 0 — EXISTING COLUMN GRID
- 0 — NEW COLUMN GRID
- 1 HOUR FIRE BARRIER
- NON-RATED SMOKE PARTITION

AERIAL PHOTO



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CSL Plasma
Good for You. Great for Life.

LAS VEGAS
600 N. RANCHO DRIVE
LAS VEGAS, NV 89106

CODE ANALYSIS & LIFESAFETY INFO

REVISIONS:

No.	Description	Date

DRAWN BY: DTR
CHECKED BY: DMM
DATE: APRIL 1, 2022

NOVUS JOB NUMBER
2001.1111.90

SHEET NUMBER
G002

TEST FIT

A NEW PLASMA DONOR CENTER FOR
CSL PLASMA
1600 NORTH RANCHO DRIVE
LAS VEGAS, NV 89106

PRELIMINARY NOT FOR CONSTRUCTION

Project Number:	22-002
Date:	05/16/2022
Project Architect:	BA
Project Manager:	
Drawn By:	
File Name:	RANCHO
Revised:	
Sheet Name:	EXTERIOR ELEVATIONS
Sheet No.	A3
	03 OF 04

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ARCHITECTS
4906 AMBASSADOR CAFFERY PKWY, BUILDING H, SUITE 800 - LAFAYETTE, LOUISIANA 70508
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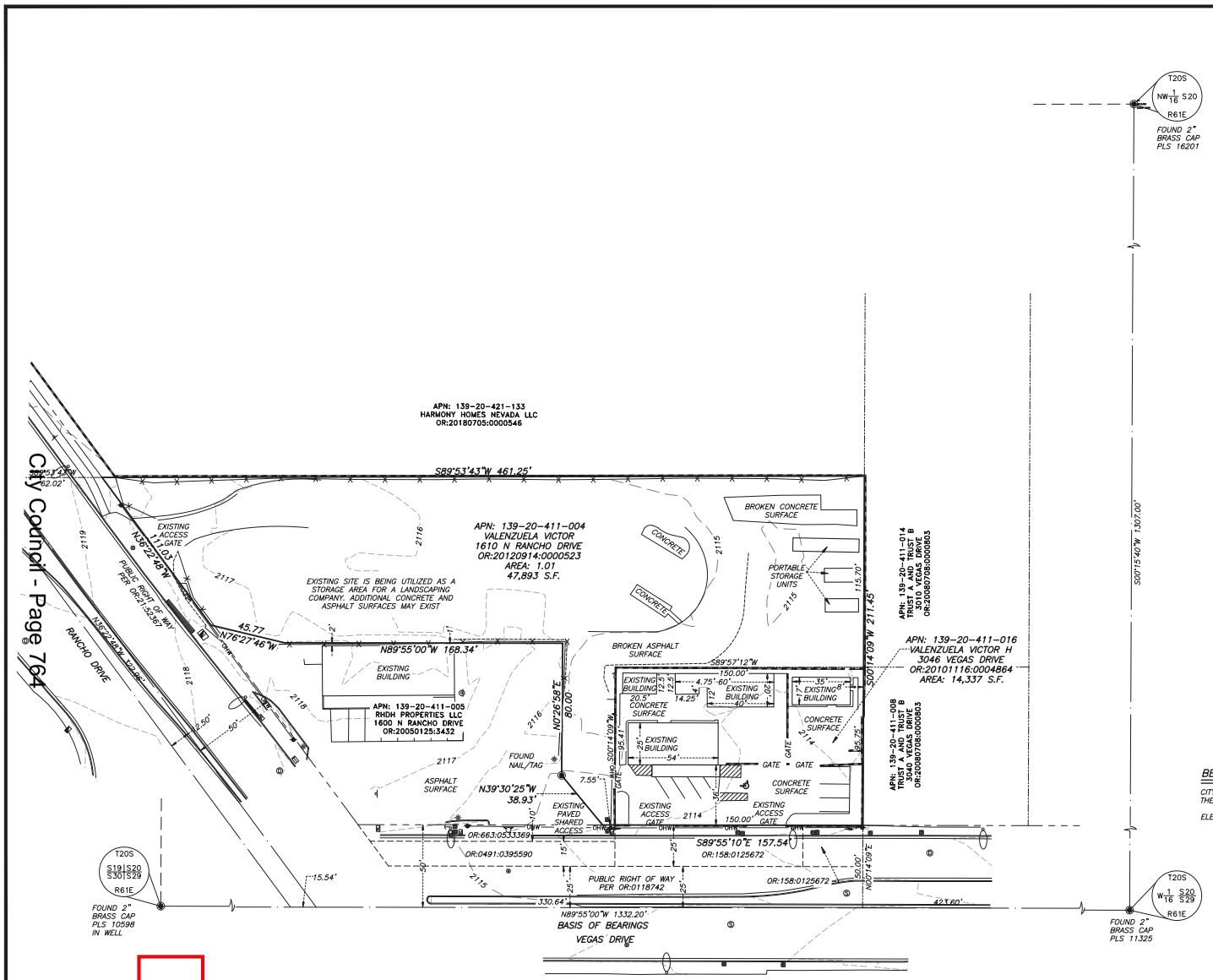
1 SOUTH ELEVATION
1/8" = 1'-0"

2 WEST ELEVATION
1/8" = 1'-0"

3 NORTH ELEVATION
1/8" = 1'-0"

4 EAST ELEVATION
1/8" = 1'-0"

22-0271
05/19/2022



0 15 30 60

(IN FEET)
1 INCH = 30' FT.

LEGEND

- SUBJECT PROPERTY BOUNDARY
- PROPERTY LINE
- SECTION LINE
- QUARTER SECTION LINE
- SIXTEENTH SECTION LINE
- EASEMENT LINE
- RIGHT-OF-WAY LINE
- STREET CENTERLINE
- EDGE OF PAVEMENT
- FENCE LINE
- OHW — OVERHEAD WIRE
- BUILDING LINE
- WALL
- APN: — AUDITOR'S PARCEL NUMBER
- OR: — OFFICIAL RECORD
- ELECTRICAL MANHOLE
- POWER POLE
- STREET OR TRAFFIC LIGHT BOX
- STREET LIGHT
- AREA LIGHT
- TELEPHONE BOX
- SEWER MANHOLE
- STORM DRAIN MANHOLE
- STORM DRAIN INLET
- SIGN
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- UNKNOWN UTILITY

BENCHMARK

CITY OF LAS VEGAS BENCHMARK 13\V0120SSW6 – BEING A RIVET AND PLATE IN THE NORTHWEST CORNER OF VEGAS DRIVE AND FERRELL STREET

ELEVATION: 2109.88 US FEET

UTILITY NOTE

ONLY SURFACE EVIDENCE OF UNDERGROUND UTILITIES WAS LOCATED FOR THIS SURVEY. ANY UNDERGROUND UTILITIES SHOWN ARE FROM BEST AVAILABLE INFORMATION. NO BELOW GROUND LOCATIONS WERE VERIFIED. THIS SURVEY MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SUGGESTED BY SUCH EVIDENCE COMPRISE OF ALL SUCH UTILITIES IN THE AREA.

RIETZ CONSULTING INC.
3203 E. WARM SPRINGS RD. # 400
LAS VEGAS, NV 89120
PH:702-521-3355

REV: DATE: DESCRIPTION:

ALTA/NSPS LAND TITLE SURVEY
APN: 139-20-411-004 & 139-20-411-016
RANCHO & VEGAS
EXISTING CONDITIONS

DATE: 04/25/22
DRAFTER: VKP
FIELD:
CHECKED: EJR
JOB NO.

SHEET 3 OF 3 SHEETS

22-0271
05/19/2022

City Council - Page 764



22-0271-GPA1, 22-0271-SUP1, AND 22-0271-SDR1 - APPLICANT: RR COMPANY OF AMERICA - OWNER: VICTOR VALENZUELA
1610 RANCHO DRIVE AND 3046 VEGAS DRIVE

06/07/2022



22-0271-GPA1, 22-0271-SUP1, AND 22-0271-SDR1 - APPLICANT: RR COMPANY OF AMERICA - OWNER: VICTOR VALENZUELA
1610 RANCHO DRIVE AND 3046 VEGAS DRIVE

06/07/2022



22-0271-GPA1, 22-0271-SUP1, AND 22-0271-SDR1 - APPLICANT: RR COMPANY OF AMERICA - OWNER: VICTOR VALENZUELA
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22-0271-GPA1, 22-0271-SUP1, AND 22-0271-SDR1 - APPLICANT: RR COMPANY OF AMERICA - OWNER: VICTOR VALENZUELA
1610 RANCHO DRIVE AND 3046 VEGAS DRIVE

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22-0271-GPA1, 22-0271-SUP1, AND 22-0271-SDR1 - APPLICANT: RR COMPANY OF AMERICA - OWNER: VICTOR VALENZUELA
1610 RANCHO DRIVE AND 3046 VEGAS DRIVE

06/07/2022



22-0271-GPA1, 22-0271-SUP1, AND 22-0271-SDR1 - APPLICANT: RR COMPANY OF AMERICA - OWNER: VICTOR VALENZUELA
1610 RANCHO DRIVE AND 3046 VEGAS DRIVE

06/07/2022

LAW OFFICE
Brown, Brown & Premsrirut
AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6520

JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jbrown@brownlawlv.com

May 16, 2022

City of Las Vegas Planning and Zoning
495 South Main Street
Las Vegas, Nevada 89101

RE: GPA, Use Permit and Site Development Plan Review and for Blood Plasma Center 1610 Rancho Road 139-20-411-004, 016

Dear Mr. Stewart;

Our client is interested in purchasing two properties at the northeast corner of Rancho Drive at Vegas Drive that are currently zoned C-2. The intent is to build a new Blood Plasma Donor Center. This involves demolishing a building addressed as 3045 Vegas Drive. Access to the project will remain at the current inlets on 3045 Vegas Drive as well as the ingress on Rancho Drive that historically accessed parcel 004.

General Plan Amendment: While the underlying zoning remains C-2, a GPA is required in order to merge the parcels to allow the building to build over what is currently a property line. The City of Las Vegas completed an area wide plan amendment to reclassify parcel 016 to NXU-U. This request is to classify parcel 004 to the same land use designation to meet mapping requirements.

Site Development Plan Review: The plan uses existing conditions to build and infill site. In particular, the design is benchmarked by existing access points to both properties as there is no shared access mapped on the adjacent irregularly shaped parcel. Note that parking, residential adjacency, parking lot landscaping requirements are met. Waivers were not identified in the site.

Special Use Permit for Blood Plasma Center: CSL Blood Plasma operates more than 180 centers across the USA including five in the Las Vegas Valley. Donations are used to treat hereditary bleeding disorders, immune deficiencies, hemophilia, respiratory conditions and burn traumas. All Blood Plasma centers use a National Donor Deferral Registry that is a permanent record of individuals tests. People that have tested for viruses (HIV, HPV, HCV) or illegal substances may no longer donate plasma. The industry is further regulated by the FDA.

Donors must be in good health, have not had tattoos or piercings within four months, carry state issued identification that demonstrates a permanent address.

The facility is open from 7:00 AM to 7:00 PM. Each location employs 40-60 people. Cash is not kept on-site as payment is made to VISA debit cards.

I can be reached at (702) 598-1408 to address additional questions and concerns.

Respectfully,

L A Dreja

Lora Dreja
Land Entitlements
Brown, Brown and Premsrirut

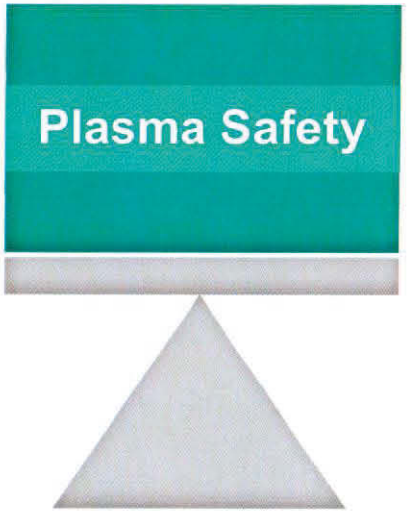
22-0271
05/19/2022

Regulatory Compliance- Its all about Quality

FDA, GHA(German Health Authority), PPTA (Plasma Proteins Therapeutics Association), CLIA (Clinical Laboratory Improvements Amendments-State regulators) and other Applicable Agencies

Over 2600 Standard Operating Procedures (SOP's)

More than 200 Regulatory Inspections per year company wide



City Council - Page 772

22-0271
05/19/2022

Donation Process



The donor is greeted by our friendly staff



The donor begins the SAHH (Self-Administered Health History) using their thumbprint for identification



The donor visits the vitals station or medical office



Our staff prepares the donor for their donation using a handheld PDA



Upon completion, the donor is thanked for their donation and compensated with a Visa Debit Card



The plasma is sent to processing where samples are drawn and units are prepared for shipping

22-0271
05/19/2022

Good for You. Great for Life. CSL Plasma

CSL Plasma is an integral part of the communities in which we live and work

- Each Collection Center provides a broad range of entry level positions with career advancement opportunities. We employ approximately **40-60** employees:
  - Reception Technician
  - Donor Support Technician
  - Phlebotomist
  - Medical Staff
  - Plasma Processing Technician
  - Training Coordinator
  - Quality Management
  - Operations Management and Supervision
- Comprehensive training is provided to ensure donor safety and compliance with regulatory and manufacturing requirements
- The majority of our employees and donors live within the local community.



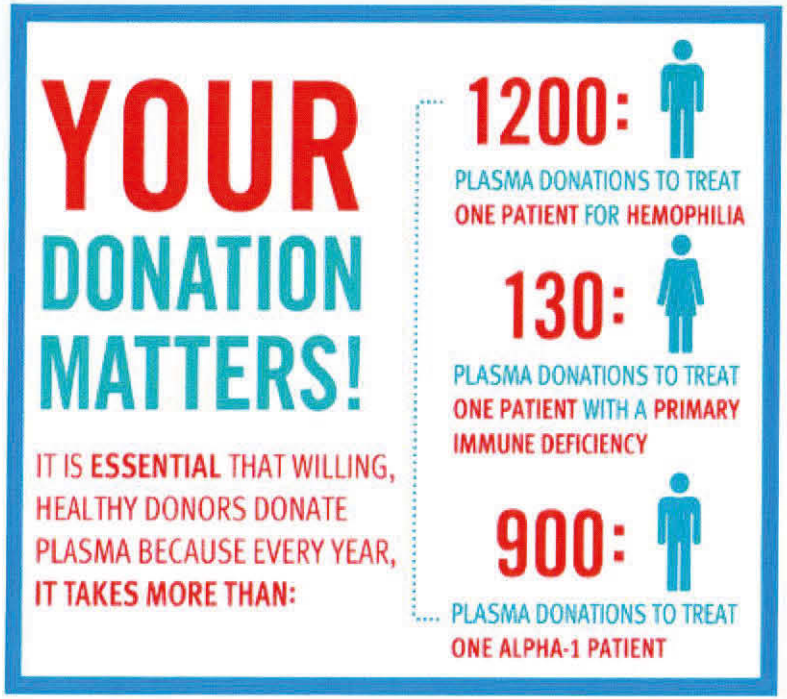
Our Lansing Michigan Center recently sponsored a food truck event in their parking lot to benefit vets

Good for You. Great for Life. CSL Plasma

22-0271
05/19/2022

Why Plasma Donation Matters

Who Needs Plasma Therapies?



Rare Diseases and Conditions

These therapies replace missing or deficient proteins that allow individuals to lead healthy and more productive lives. The patients that rely on these therapies generally require regular infusions or injections throughout their lives. The diseases and conditions treated by plasma protein therapies are considered rare diseases because they affect a relatively small percent of the population. Most are genetic, chronic conditions.

22-0271
05/19/2022

22-0271-SDR1
RR Company of America

NEC Vegas Drive and Rancho Drive

Proposed 12 thousand square foot blood plasma center replacing a 1.56 thousand square foot commercial building.

Traffic produced by proposed development:

Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	1.560	9.74	15
AM Peak Hour			1.16	2
PM Peak Hour			1.15	2

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CLINIC [1000 SF]	12.000	38.16	458
AM Peak Hour			3.69	44
PM Peak Hour			3.28	40

Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	NET CHANGE	10.440		**443**
AM Peak Hour				**42**
PM Peak Hour				**38**

Existing traffic on all nearby streets:

Vegas Drive	
Average Daily Traffic (ADT)	15,788
PM Peak Hour	1,263
(heaviest 60 minutes)	

Rancho Drive	
Average Daily Traffic (ADT)	49,628
PM Peak Hour	3,970
(heaviest 60 minutes)	

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity
Vegas Drive	33,800
Rancho Drive	61,398

This project will add approximately 443 trips per day on Vegas Dr. and Rancho Dr. Currently, Vegas is at about 47 percent of capacity and Rancho is at about 81 percent of capacity. With this project, Vegas is expected to be at about 48 percent of capacity and Rancho to be at about 82 percent of capacity.

Based on Peak Hour use, this development will add about 42 vehicles in the peak hour, or about three every four minutes.

Note that this report assumes all traffic from this development uses all named streets.

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Department of Planning
495 South Main Street, 3rd Floor
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 464-7499 Fax

CASE: **22-0271 [GPA1, SUP1, AND SDR1]**

SUBJECT: **APPLICANT: RR COMPANY OF AMERICA - OWNER: VICTOR VALENZUELA**

The above item has been placed on the One Motion/One Vote portion of the City Council Agenda for the ***August 17, 2022 City Council*** meeting. All of these items will be placed at the beginning of the agenda. The Mayor will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares and Emily Wetzstein*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov*** and ***ewetzstein@lasvegasnevada.gov*** . If there is no one present at the City Council meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any City Councilperson or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***TUESDAY, AUGUST 16, 2022.***

Laura McGrath — Signature

8/15/22 — Date

Laura McGrath — Please Print Name

RR Company of America, LLC — Company Name

Sincerely,

Seth Floyd
Director of Community Develpment
Department of Planning

Submitted after Final Agenda

AGENDA ITEM 32
08.17.22 CC MEETING
RECEIVED 08.15.22

No. 0167 P. 1

RECEIVED
CITY CLERK

2022 AUG 15 A 7:32

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101
Return Service Requested
Official Notice of Public Hearing

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630



Scan or go to:
www.lasvegasnevada.gov/meetings

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Office Of The City Clerk at the above address or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0271 and 22-0271-GPA1 and 22-0271-SUP1 and 22-0271-SDR1

City Council Meeting of **08/17/2022**

22-0271
13929111047
JEFFERSON T P FAMILY TRUST
JEFFERSON THEO & PATRICIA J TRS
PO BOX 570723
LAS VEGAS NV 89157-0723

Aug. 12. 2022 9:30AM

Submitted after final agenda
Items 32a-32c

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

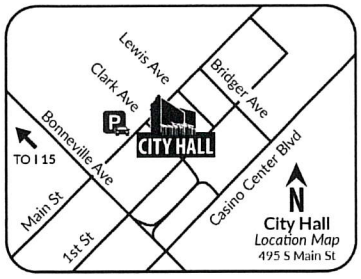
Return Service Requested

Official Notice of Public Hearing

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK

2022 AUG 15 P 1:17



Scan or go to:
www.lasvegasnevada.gov/meetings

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Office Of The City Clerk at the above address or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0271 and 22-0271-GPA1 and 22-0271-SUP1 and 22-0271-SDR1

City Council Meeting of **08/17/2022**

22-0271
13920420031
CHAVEZ RAFAEL SR
11462 CARAWAY CT
FONTANA CA 92337

36 FRDFNP1 92337

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

Nora Lares

From: noreply@formstack.com
Sent: Friday, July 8, 2022 8:21 PM
To: Planning Comments
Subject: Planning Application Comments Form

CAUTION: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials.**

formstack

Formstack Submission For: Planning App Comments
Submitted at 07/08/22 8:21 PM

Meeting Date:	Tuesday, July 12, 2022
Project Number:	22-0271
Position:	I OPPOSE the project and all related applications.
Name:	E ARCE
Residential or Business Address:	PO BOX 22221 SAN DIEGO, CA 92192
Phone:	(858) 531-1557
Email:	barce@ucsd.edu
Comments:	I oppose the development plan for a Blood Plasma Donor Center too close to residential area.

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Submitted after final agenda
Items 31a-c.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
32a

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0271-GPA1 - GENERAL PLAN AMENDMENT - FROM: GC (GENERAL COMMERCIAL) TO: NMX-U (NEIGHBORHOOD MIXED USE CENTER) [APN 139-20-411-016]

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	1	City Council Meeting	1

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
32b

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0271-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED BLOOD PLASMA DONOR CENTER USE

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	1	City Council Meeting	1

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
32c

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0271-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED BLOOD PLASMA DONOR CENTER DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	1	City Council Meeting	1

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
33

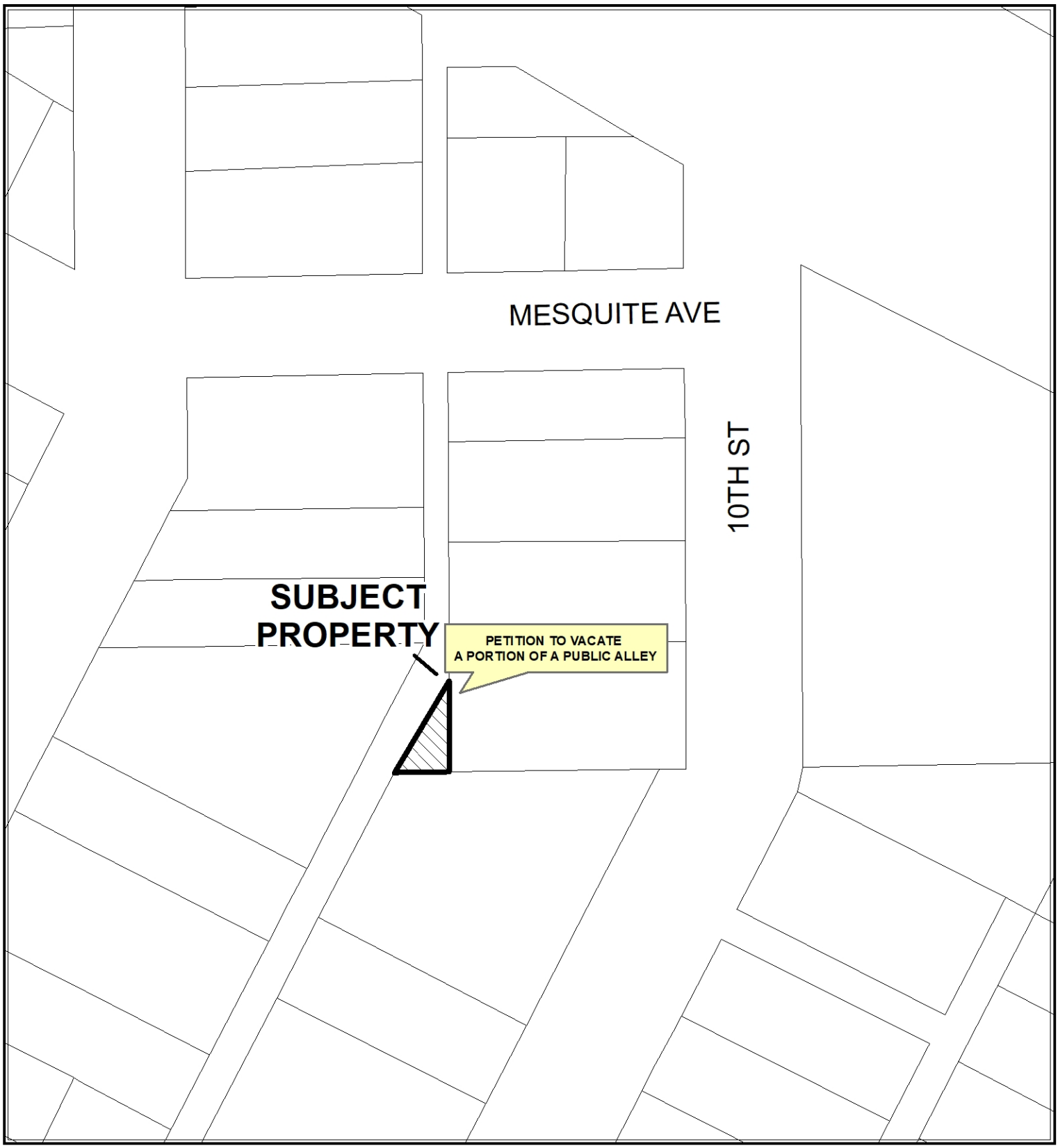
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0238 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GMD PROPERTIES, LLC - For possible action on the following Land Use Entitlement project requests on 0.69 acres on the west side of 10th Street, approximately 205 feet north of Stewart Avenue (APNs 139-35-112-005 and 139-35-211-008), T5-N (T5 Neighborhood) Zone, Ward 5 (Crear). The Planning Commission (5-0-1 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (5-0-1 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - 22-0238-VAC1
2. Location and Aerial Maps
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. School Development Tracking Form Submitted by Clark County School District - 22-0238-SDR1
8. Traffic Notes Submitted by City of Las Vegas Department of Public Works Traffic Engineering Division - 22-0238-SDR1
9. Backup Documentation Submitted for the July 20, 2022 City Council Meeting
10. Backup Documentation Submitted for the June 21, 2022 Planning Commission Meeting



CASE: 22-0238-VAC1

0 65 130
Feet

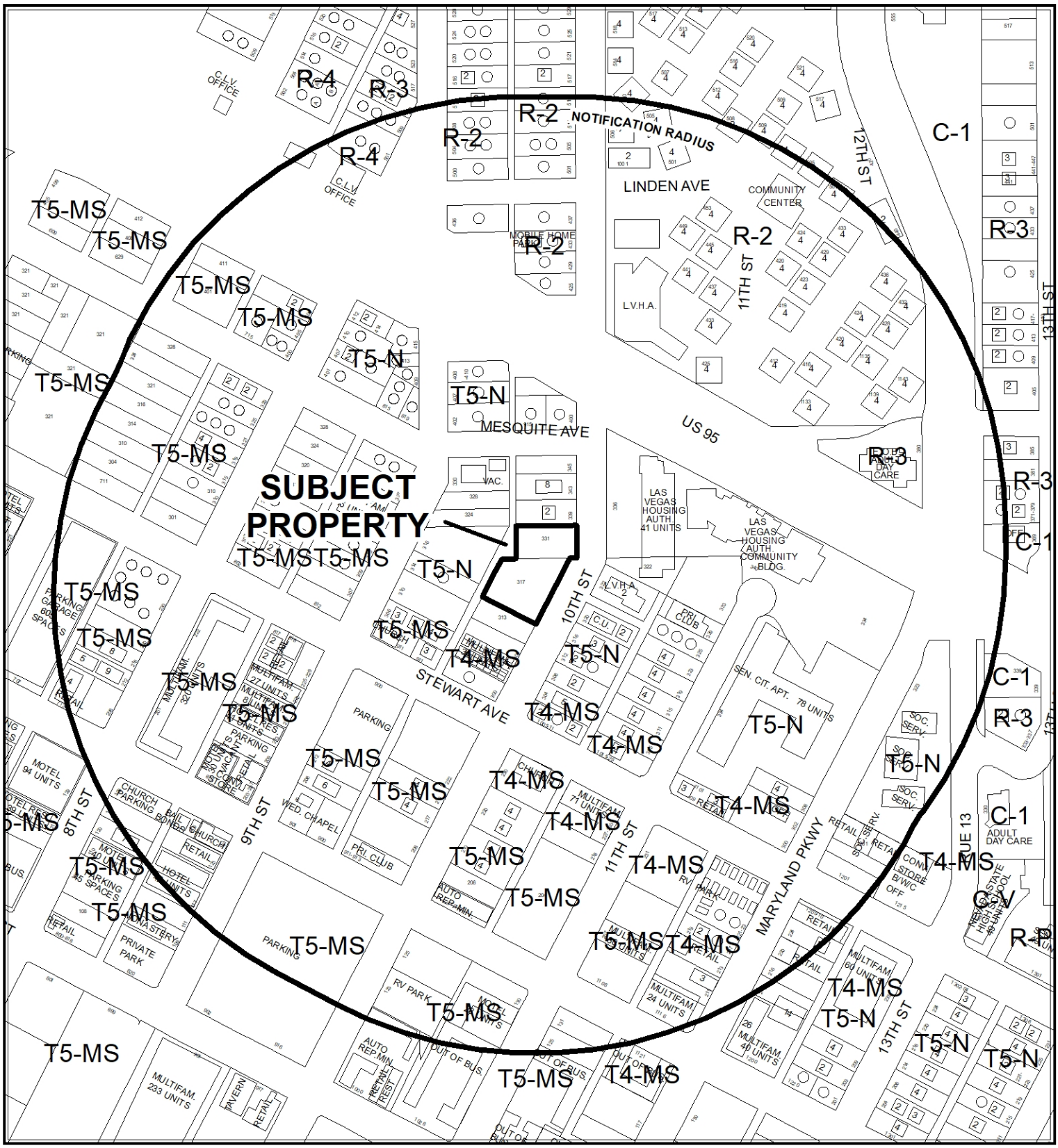
N



CASE: 22-0238-VAC1

0 65 130
Feet

N



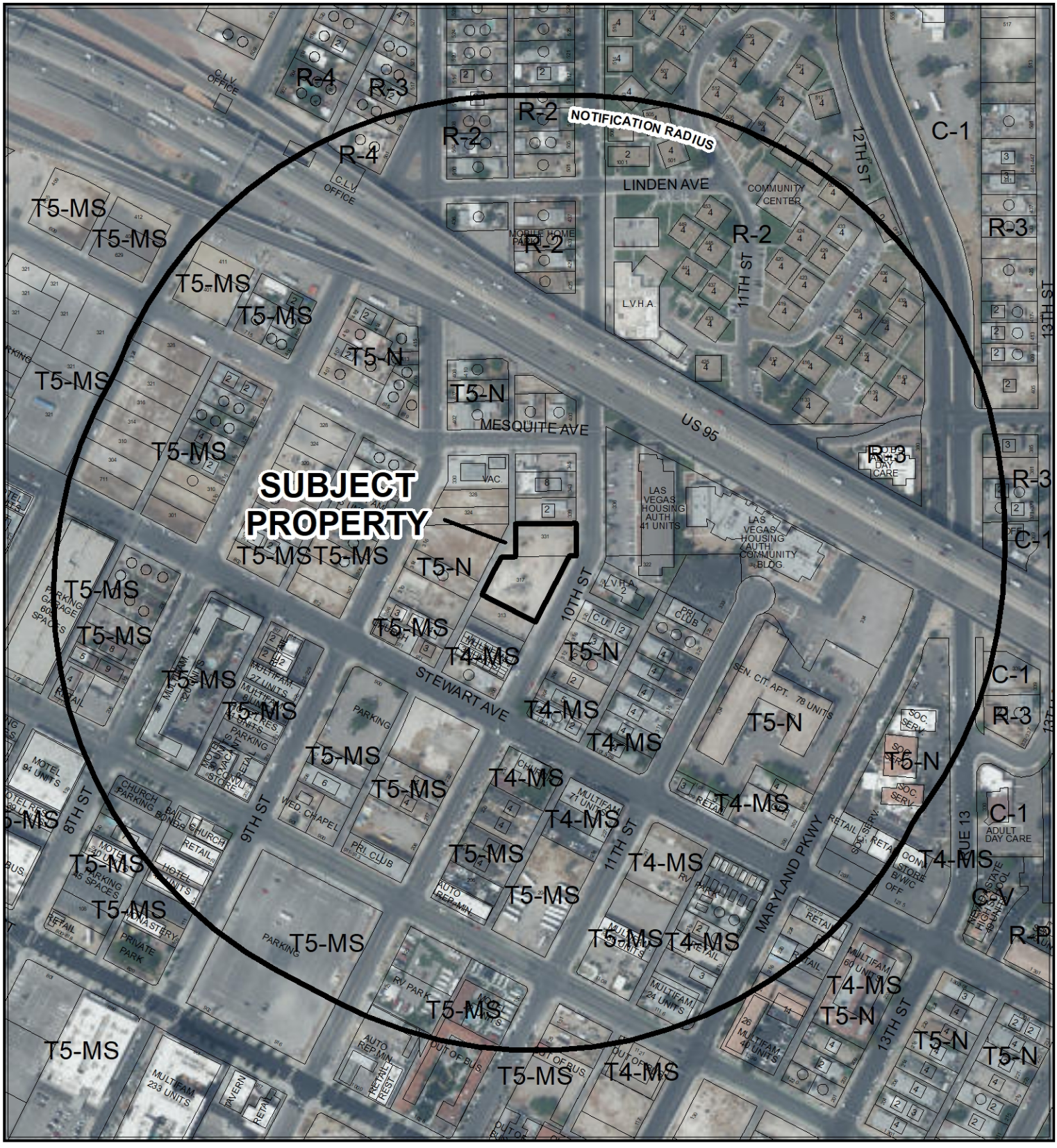
0 265 530 Feet

CASE: **22-0238**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: T5-N (T5 Neighboorhood)

N



0 265 530 Feet

CASE: **22-0238**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: T5-N (T5 Neighboorhood)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: GMD PROPERTIES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0238-VAC1	Staff recommends APPROVAL, subject to conditions:	
22-0238-SDR1	Staff recommends APPROVAL, subject to conditions:	22-0238-VAC1

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 31

NOTICES MAILED 236 (by City Clerk)

PROTESTS 1

APPROVALS 2

SS

**** CONDITIONS ****

22-0238-VAC1 CONDITIONS

1. The limits of this Petition of Vacation shall be defined as the excess right-of-way in the alley adjacent to Assessor's Parcel Number 139-35-112-005 between Mesquite Avenue and Stewart Avenue.

2. The Order of Vacation shall record prior to and concurrently with a dedication to make both 10th Street and the adjacent alley as uniform right-of-way widths.

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 Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by 22-0238-SDR1 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. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

6. All development shall be in conformance with code requirements and design standards of all City Departments.

7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that 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 or easement being vacated must be retained.

8. If the Order of Vacation is not recorded within one (1) year 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.

22-0238-SDR1 CONDITIONS

Planning

1. Approval of a Petition to Vacate (22-0238-VAC1) shall be required, if approved.

2. This approval shall be void two 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 development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 04/28/22, except as amended by conditions herein.

4. The Director of Planning approves a maximum six-foot tall wall and wrought iron fence in the front yard area, consisting of a maximum two-foot solid base wall pursuant to LVMC Title 19.09.100.C. No building permit for a wall or fence not in conformance with these requirements shall be issued unless and until a Waiver is first approved.

5. At least four bicycle spaces shall be provided that are visible from the main entrance of the building and placed within 40 feet of the entrance.

6. The property owner shall enter into a Covenant Running With Land agreement consenting to possible future installation of streetscape improvements along 10th Street adjacent to this site.

7. A revised wall and fence elevation shall be submitted to and approved by the Department of Planning prior to the time application is made for a building permit to reflect a maximum two-foot tall solid wall base and maximum 24-foot spacing between pilasters/posts in conformance with Title 19.09.100.C requirements, unless a separate Waiver is approved.

8. A Waiver from Title 19.09.050.E.024.E is hereby approved, to allow a front yard building setback between 11 feet and 18 feet where a minimum of five feet and a maximum of 15 feet is allowed, to allow an interior side yard setback of 75 feet where a maximum of 30 feet is allowed, to allow 42 percent façade encroachment into the Façade Zone where a minimum of 65 percent is required, and to allow a 11-foot landscape buffer between the sidewalk and building along 10th Street where the existing sidewalk is required to be extended to meet the portion of the proposed building within the Façade Zone.

9. A Waiver from Title 19.09.050.E.024.F is hereby approved, to allow a nine-foot floor-to-ceiling ground floor height where 13 feet is the minimum required.

10. A Waiver from Title 19.09.050.E.024.H is hereby approved, to allow driveway access from 10th Street where only rear alley access is allowed.
11. A Waiver from Title 19.09.050.E.024.L is hereby approved, to allow a minimum 17-foot open space depth where 20 feet is the minimum required.

12. A Waiver from Title 19.09.070.E is hereby approved, to allow an 11-foot deep yard along the 10th Street frontage where 20 feet is the minimum required for a Common Yard building type.

13. A Waiver from Title 19.09.070.G is hereby approved, to allow a seven-foot building depth where 12 feet is the minimum required for a Forecourt building type.

14. An Exception from Title 19.08.110.C.12 is hereby approved, to allow three landscape planter fingers within the parking area where four planter fingers are required.

15. 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.

16. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

17. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.

18. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
    - Provide two, 24-inch box shade trees at the north and south ends of the parking rows near the 10th Street driveway access.
    - Provide four, five-gallon shrubs for each provided tree within the landscape buffer along 10th Street and within each parking lot landscape finger and island.

19. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

20. 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.

21. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

22. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

23. Prior to the issuance of permits for this site dedicate the appropriate right-of-way both in the adjacent alley and on 10th Street so the both have uniform widths.

24. The sidewalk adjacent to this site shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement needed to complete this requirement. The mix of sidewalk styles (detached and attached) is approved as shown on the Site Plan.

25. Coordinate with the Sanitary Sewer Planning Section of the Department of Public Works to determine the most appropriate sewer connection size and location.

26. Perpendicular parking stalls on alleys must be set back from the property line by a minimum of 4 feet.

27. Landscape and maintain all unimproved right-of-way 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.

28. Submit a License Agreement for landscaping and private improvements in public rights of way 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 within 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 applicant and any successors in interest to the property and assigns pursuant to the terms 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).

29. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting to construct a four-story, 36-unit multi-family residential apartment building on two vacant parcels located on the west side of 10th Street, approximately 210 feet north of Stewart Avenue.

ISSUES

- The site is adjacent to an alley with excess right-of-way; the applicant has submitted a Petition to Vacate this area, which would add 858 square feet to the site if approved.
- The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits. The applicant has submitted a Parcel Map (100231-PMP) to consolidate the existing platted lots and dedicate portions of the site as public right-of-way for 10th Street and the adjacent alley.
- As the site has less than 50 percent block frontage, Title 19.04 Complete Streets streetscape standards are not required at this time. As a condition of approval, the property owner is required to enter into a Covenant Running With Land agreement for possible future installation of streetscape amenities as required by Title 19.04 and 19.09.
- The applicant has requested Waivers of Title 19.09 Form-Based Code building placement, building form, building type, open space and façade zone encroachment standards. Staff recommends approval.
- None of the requested deviations from Form-Based Code qualify for Pre-Entitlement Exception under Title 19.09.030.I.
- The applicant has requested an Exception to allow three landscape planter fingers within the parking area where four planter fingers are required. Staff approves the Exception.
- A six-foot tall combined wall/fence is proposed in the front yard for screening purposes. The Director of Planning is authorized to approve walls and fences that exceed the requirements of LVMC Title 19.09.100.C. In this case, the wall and fence exceeds the maximum height by one foot; however, the solid base should be revised to no more than two feet in height prior to issuance of a building permit for the wall and fence. Otherwise, a Waiver is required.

ANALYSIS

The site is located within the Fremont East District, the boundaries of which were established through the Vision 2045 Downtown Las Vegas Master Plan. Development of the site is subject to Title 19.09 Form-Based Code standards, which are based on transect zones emphasizing built form rather than Euclidean zones based on use. In many instances, these standards are highly specific in order to achieve the desired built form along a given street or block.
The site is zoned T5-N (T5 Neighborhood). This zoning district reinforces the walkable nature of the neighborhood, which over time is intended to achieve a compact urban form through the use of small to medium building footprints and medium intensity building types. The T5-N District zoning district generally allows two to five-story buildings on medium to large lot width lots. The applicant has proposed a four-story Flex Mid-Rise building type for this site, which is permitted in the T5-N District.

The project generally meets the intent of the form of development planned for this block, which includes buildings being placed at or near street frontages with parking located to the rear. Several minor waivers of architectural design standards, open space dimensions and amenity zone requirements accompany the request, which staff can support. These waiver requests are detailed in a background table below.

Two-way access to the building site is proposed from 10th Street and the adjacent rear alley. Title 19.09.090 classifies 10th Street as a Secondary Thoroughfare. The rear alley is classified as a Tertiary Thoroughfare. The front of the site will be along 10th Street. The Form-Based Code requires site access from the rear or lower order street type unless there is no alternative access. In this case, alley access is feasible and is being provided; thus, a Waiver of this standard is required. Staff recommends approval of the Waiver, as the site is located midblock and would require alley travel for approximately 200 feet in each direction before intersecting with a street. 10th Street has a low traffic count and the proposed driveway will not negatively affect neighborhood traffic. Analysis by the Traffic Engineering Division of Public Works indicates that this project will add approximately 264 trips per day on 10th Street and Stewart Avenue. Currently, 10th Street is at about nine percent of capacity and Stewart Avenue is at about 29 percent of capacity. With this project, 10th Street is expected to be about 11 percent of capacity and Stewart Avenue is expected to be at about 30 percent of capacity. Based on afternoon Peak Hour use, the proposed development will add into the area approximately 20 peak hour trips, or about one every three minutes.

The building is proposed to be situated along the 10th Street frontage, which angles due north adjacent to this site. The building is therefore set back further from the street than allowed by Title 19.09. Patios extending eastward from the building create small forecourts that are slightly shallower than Form-Based Code requires. This pattern is

repeated on the western side facing the rear alley. Onsite parking is provided to the side of the building and from the alley. Ideally, parking should be fully located along the alley; however, additional spaces are proposed on the side that ensure the minimum weighted parking requirement can be met. Alley-loaded spaces are 22 feet in length to account for space needed for backing into the alley; this will meet a Public Works condition of approval that requires standard-length spaces perpendicular to the alley to be set back a minimum of four feet from the property line.

The site consists of five previously platted lots at the edge of two subdivisions. As the two parcels that include these lots join at an angle, there is a triangular area of the alley that is larger than the standard 20 feet. The applicant is requesting to vacate this piece of land that would restore a uniform alley width and provide additional parking area for the multi-family residential development. The Department of Public Works has no objection to the request. A mapping action will be required to consolidate the previously platted lots. The applicant has submitted a Parcel Map (100231-PMP), which is currently in the technical review process.

Pursuant to Title 19.09.090.C, for new development, Title 19.04 Complete Streets standards are required when the development exceeds 50 percent block frontage. This site has less than 50 percent block frontage along 10th Street; in this case, the property owner must enter into a Covenant Running With Land agreement for possible future installation of streetscape within the public right-of-way adjacent to the site as a condition of approval.

Ample onsite landscaping has been provided. A combination of 15-gallon Silver Dollar Gum trees, California Fan Palm trees and 24-inch box Chilean Mesquite, Chaste and African Sumac trees are proposed along the 10th Street frontage. Chilean Mesquite trees and California Fan Palms are proposed within the parking area. The palm trees should be replaced with two 24-inch box shade trees as required by Title 19; however, an Exception is required to allow three parking planter fingers where four such planters are required. Staff approves the Exception, as the parking spaces where the planter should be are located on the interior next to a handicap accessible ramp, which is needed to provide adequate access to the building entrance.

A six-foot tall combined wall/fence is proposed in the front yard for screening purposes. The Director of Planning is authorized to approve walls and fences that exceed the requirements of LVMC Title 19.09.100.C. In this case, the wall and fence exceeds the maximum height by one foot. The Director conditionally approves this height, as the wall and fence will remain compatible with the surrounding area; however, the solid base should be revised to no more than two feet in height prior to issuance of a building permit for the wall and fence to allow for appropriate view of the front yard area. A Waiver must be approved for a wall/fence that exceeds these requirements.

SS

The proposed four-story building is 42 feet in height with a parapet reaching to 47 feet. The submitted elevations indicate numerous popouts and changes in material and color for visual interest. Window sizes are uniform. The east and west facing elevations feature stacked balconies. The building exterior consists of painted stucco with recessed lines to present the appearance of panels. The elevations create a pleasing environment and are compatible with other development within the Fremont East District.

The Clark County School District (CCSD) has commented on the impact future development might have on the three levels of schools in the area. CCSD projects that 10 additional primary and secondary school students would be generated by the proposed development on this site. According to CCSD, Hollingsworth Elementary School and Fremont Middle School are each under capacity for the 2021-22 school year. Rancho High School is 29 percent over capacity.

The proposed multi-family residential development generally provides the form of development that is sought in the Fremont East District. The requested waivers are minor design adjustments that would not alter the desired form of development. Staff recommends approval of the Site Development Plan Review, subject to conditions.

FINDINGS (22-0238-VAC1)

The Department of Public Works has no objection to the Petition to Vacate and presents the following information to justify its recommendation:

A. Does this vacation request result in uniform or non-uniform right-of-way widths?	Uniform
B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability?	No
C. Does it appear that the vacation request involves only excess right-of-way?	Yes
D. Does this vacation request coincide with development plans of the adjacent parcels?	Yes
E. Does this vacation request eliminate public street access to any abutting parcel?	No
F. Does this vacation request result in a conflict with any existing City requirements?	No
G. Does the Department of Public Works have an objection to this vacation request?	No

SS

FINDINGS (22-0238-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed multi-family residential development is compatible with similar development on surrounding parcels and infills development on several vacant parcels in this area.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

   The proposed development is generally consistent with Title 19.09 Form Based Code requirements, which emphasize building form to create compact urban, walkable and pedestrian friendly environments. Staff recommends approval of the requested waivers, which are minor and do not detract from the intended form of development for this area.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   The driveways provided on the rear alley and on 10th Street are not expected to negatively impact traffic in the area, which would marginally increase but not significantly impact the capacity of surrounding streets.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The exterior consists of colored stucco with metal accents that are appropriate for the city. Landscape materials are appropriate both for the site and within the Fremont East District.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

   The submitted elevations create a pleasing environment and are compatible with the existing development; the building types and facades proposed are desirable for the Fremont East District.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Site development is subject to permit and inspection, thereby protecting the public health, safety and general welfare.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
06/15/16	The City Council adopted a Resolution (R-25-2016) to adopt the Vision 2045 Downtown Las Vegas Master Plan and granted authority to the Department of Planning to implement the Plan.
10/17/18	The City Council adopted Ordinance #6649, which amended Title 19 to add a new chapter (19.09) related to form-based code and transect zones.
01/31/19	Department of Planning staff approved a Temporary Commercial Permit (TCP-75686) for a Temporary Contractor's Construction Yard from 01/31/19 through 03/31/19 at 317 and 331 North 10th Street.
07/03/19	The City Council adopted Ordinance #6693, which amended Title 19 to include development standards for the Fremont East District.
10/16/19	The City Council approved a request for a General Plan Amendment (GPA-75814) to amend portions of the Southeast Sector Land Use Map from: C (Commercial) and MXU (Mixed Use) to FBC (Form-Based Code) on approximately 226 acres in the Fremont East District generally location south of Interstate 515, west of Eastern Avenue, north of Carson Avenue, and east of Las Vegas Boulevard. The Planning Commission and staff recommended approval.
10/16/19	The City Council approved a request for a Rezoning from: C-1 (Limited Commercial), C-2 (General Commercial), R-5 (Apartment) R-4 (High Density Residential), R-3 (Medium Density Residential) and R-2 (Medium-Low Density Residential) to: T4-N (T4 Neighborhood), T4-MS (T4 Main Street), T4-C (T4 Corridor), T5-N (T5 Neighborhood), T5-MS (T5 Main Street) and T6-UC (T6 Urban Core) on approximately 226.00 acres in the Fremont East District generally located south of U.S. Highway 515, east of Las Vegas Boulevard, north of Carson Avenue, and west of Eastern Avenue. The Planning Commission and staff recommended approval.

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Related Relevant City Actions by Planning, Fire, Bldg., etc.	
12/13/21	Code Enforcement processed a Case (CE21-05707) regarding a vagrant encampment in a vacant lot at 317 North 10th Street. The case was resolved 12/21/21. There have not been any additional Code Enforcement cases opened since this date.
05/27/22	A Parcel Map (100231-PMP) for a one-lot merger and resubdivision on 0.73 acres on the west side of 10th Street, approximately 205 feet north of Stewart Avenue was submitted to the city of Las Vegas for Technical Review. The Department of Planning accepted the map for review on 06/06/22.
06/21/22	The Planning Commission (5-0-1 vote) recommend APPROVAL on the following Land Use Entitlement project requests on 0.69 acres on the west side of 10th Street, approximately 205 feet north of Stewart Avenue (APNs 139-35-112-005 and 139-35-211-008), T5-N (T5 Neighborhood) Zone, Ward 5 (Crear) • **22-0238-VAC1** - VACATION - PETITION TO VACATE A PORTION OF A PUBLIC ALLEY SOUTH OF MESQUITE AVENUE BETWEEN 9TH STREET AND 10TH STREET • **22-0238-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 36-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF TITLE 19.09 FORM-BASED CODE STANDARDS
07/20/22	The City Council voted to hold this item in abeyance to the August 17, 2022 City Council Meeting

Most Recent Change of Ownership	
12/06/21	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no relevant building permits or business licenses related to the subject site.

Pre-Application Meeting	
04/19/22	A pre-application meeting was held with the applicant to discuss submittal requirements for Vacation and Site Development Plan Review applications. Staff reviewed Form-Based Code requirements. The applicant stated that no landscape improvements in the public right-of-way would be proposed.

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Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
05/12/22	The site is undeveloped; no walls or fences surround the property. There is a palm tree and two shrubs planted in various locations on the interior, surrounded by rocks and broken concrete. Some refuse was visible along the western perimeter. Two utility poles were located on the site near the rear alley.

Details of Application Request	
Site Area	
Net Acres	0.69

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	FBC (Form-Based Code)	T5-N (T5 Neighborhood)
North	Multi-Family Residential	FBC (Form-Based Code)	T5-N (T5 Neighborhood)
South	Undeveloped	FBC (Form-Based Code)	T5-N (T5 Neighborhood)
East	Multi-Family Residential	FBC (Form-Based Code)	T5-N (T5 Neighborhood)
West	Undeveloped	FBC (Form-Based Code)	T5-N (T5 Neighborhood)

Master and Neighborhood Plan Areas	***Compliance***
Las Vegas 2050 Master Plan Area: East Las Vegas	Y
Vision 2045 Downtown Las Vegas Master Plan (Fremont East District)	Y
Special Area and Overlay Districts	***Compliance***
DTLV-O (Downtown Las Vegas Overlay) District – Area 3	Y
LW-O (Live/Work Overlay) District	Y

SS

Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.09, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
D. Building Types			
Flex Mid-Rise			
Max. Width	100% of lot	138 feet / 53%	Y
Max. Depth	175 feet	70 feet	Y

E. Building Placement			
Setback – Front (10th St)	min 5’ / max 15’	11-18 feet	N*
Setback – Interior Side	min 0’ / max 30’	75 feet	N*
Setback – Rear	min 0’ / max N/A	45 feet	Y
Min Façade within front Façade Zone – Front (5-15’)	65%	42%	N**
F. Building Form			
Building Height (primary)	2 to 5 stories	4 stories/45 feet	Y
Min Floor-to-Ceiling ground floor height	13 feet	9 feet	N*
Min Floor-to-Ceiling upper floor height	8 feet	9 feet	Y
Max Lot Coverage	85%	30%	Y***
Min Ground Floor Space	20 feet	30 feet	Y

*Waivers of Title 19.09 Form-Based Code Standards are requested. See Waivers table below.
**Per Footnote 2 of Title 19.09.050.E.024 Table E, the sidewalk must be extended into the setback area to meet the building. The applicant has proposed a landscape strip along the 10th Street frontage instead of the required extended sidewalk. This is included as part of the waiver request of the façade within Façade Zone standard.
***Assumes approval of the associated Petition to Vacate public right-of-way.

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G. Frontages			
Primary Frontage (10th St)	Arcade Common Yard Dooryard Forecourt Gallery Shopfront Stoop Terrace	Common Yard Forecourt	Y
Pedestrian Access	Connect to primary frontage through open space	Connects to 10th street through landscaped area and on edge of parking lot	Y
Common Yard (19.09.070.E)			
Min depth from frontage line	20 feet	11 feet	N*
Forecourt (19.09.070.G)			

G. Frontages			
Width, clear	12 feet min	12 feet	Y
Depth, clear	12 feet min	7 feet	N*
Height: width ratio	2:1 max	9:11.5	Y
H. Encroachments into Façade Zone			
Upper floor balconies	max 6 feet	4 feet	Y
Driveways	Allowed in Facade Zone if no access from rear is possible	One from 10th St One from rear alley	N*
K. Required Street Trees			
10th Street	Less than 50% block frontage not required at this time	Not provided	Y
See streetscape table below			
L. Open Space			
Min Width	20 feet	58 feet	Y
Min Depth	20 feet	17 feet	N*
Min Open Space Area	75 sf/unit (2,700 sf)	4,360 sf	Y

*Waivers of Title 19.09 Form-Based Code Standards are requested. See Waivers table below.

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Fencing and Screening Standards (19.09.100.C)			
Standard	***Required***	***Provided***	***Compliance***
Max. front yard primary wall height	5 feet	6 feet	By condition
Max. front yard solid wall base height	2 feet	0 feet	Y
Max. on-center distance between pilasters	24 feet	Not indicated	By condition
Decorative cap height	5 inches	5 inches	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
10th Street	Minor Collector	Title 13	60	Y*

*This public right-of-way is 80 feet wide, but is not a planned street on the Master Plan of Streets and Highways.

Pursuant to Title 19.04 and 19.09, the following standards apply:

Streetscape Standards	***Required***	***Provided***	***Compliance***
10th Street (Commercial Neighborhood Street)			
Sidewalk	6-10 feet	5-7 feet existing	Y*
Amenity Zone	5 feet	0-5 feet existing	Y*
Tree wells/planters	5-foot by 5-foot wells	Not provided	Y*
Tree spacing	20 feet on center	Not provided	Y*
Tree species	Per 19.09.040.C Table 1	Not provided	N/A

*The property owner must consent to future streetscape improvements through a covenant running with land agreement.

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Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential:							
1BR	24 units	1.25 spaces per unit	30				
2BR	12 units	1.75 spaces per unit	21				
Guest spaces	36 units	1 space per 6 units	6				
TOTAL SPACES REQUIRED (unweighted)			57				
TOTAL SPACES REQUIRED (weighted requirement, see below)			23-40		27		Y
Regular and Handicap Spaces Required (per Building Code)			21-38	1	25	2	Y
Downtown Form Based Code Parking Standards - Title 19.09.100.G							
Parking Standards High Load – Zone 3			Between 40% and 70% of 57 parking spaces		27 parking spaces (47%)		Y
Bicycle Parking Requirements			2 plus 1 per 20 units		4 spaces		By Condition

Waivers		
Requirement	***Request***	***Staff Recommendation***
Minimum 5’ and maximum 15’ front yard setback	To allow a front yard building setback between 11-18’	Approval
Minimum 0’ and maximum 30’ interior side yard setback	To allow an interior side yard setback of 75’	Approval

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Waivers		
Requirement	***Request***	***Staff Recommendation***
Minimum 65% of façade shall be within the Façade Zone (5'-15') along 10th Street	To allow 42% façade encroachment into the Façade Zone	Approval
Sidewalk shall be extended into the setback area (façade zone) to meet the building	To allow a 11' landscape buffer between the sidewalk and building along 10th Street	Approval
Minimum 13' Floor-to-Ceiling ground floor height	To allow 9 feet ground floor height	Approval
Common Yard building type minimum 20' depth from frontage line	To allow an 11' deep yard area along the 10th Street frontage	Approval
Forecourt minimum 12' depth of building	To allow 7' depth of building at frontage	Approval
Driveways may be located within the Façade Zone only if no rear access is possible	To allow driveway access from both 10th Street and rear alley	Approval
Minimum 20' open space depth	To allow minimum 17' open space depth	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
One 24" box shade tree for every six uncovered parking spaces in islands, plus one tree at the end of each parking row	To allow 3 parking lot landscape fingers/islands where 4 fingers/islands are required	Approval. Additional trees required by condition.

SS

Print Form

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use

Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) PARCEL MAP

Project Address (Location) 317 N 10TH STREET and 331 N 10TH STREET

Project Name TEN **Proposed Use** 36-UNIT APARTMENTS

Assessor's Parcel #(s) APN 139-35-211-008 and APN 139-35-112-005 **Ward #** 5

General Plan: Existing _____ Proposed _____ **Zoning:** Existing T5-N Proposed _____

Additional Information A proposed 36-unit apartment complex situated on the parcels of land identified as APN 139-35-211-008 and APN 139-35-112-005. Alley way vacation is required along with a portion of dedication for alley way and 10th Street

Property Owner GMD Properties, LLC. Contact Joseph DiLeo

Address 500 N. Rainbow Blvd, Suite 300 City Las Vegas State NV Zip 89107

E-mail Joe@LVRestoration.com Phone 702-241-4799

Applicant GMD Properties, LLC. Contact Joseph DiLeo

Address 500 N. Rainbow Blvd, Suite 300 City Las Vegas State NV Zip 89107

E-mail Joe@LVRestoration.com Phone 702-241-4799

Representative John R. Hamilton Enterprises, Inc. Contact John R. Hamilton, P.E.

Address 3945 Pebble Creek Avenue City Las Vegas State NV Zip 89147

E-mail John@JRHamiltonEnterprises.com Phone 702-580-3658

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Joseph DiLeo

Subscribed and sworn before me

This 26th day of May, 20 22

Patricia A. Linden

Notary Public in and for said County and State

State of Nevada

County of Clark

22-0238

05/26/2022

PATRICIA A. LINDEN
Notary Public, State of Nevada
Appointment No. 09-11085-1
My Appt. Expires Sep 14, 2025

A.P.N.: 139-35-199-017
Job No. 220223
PAGE 1 OF 4

EXHIBIT "A"

This Legal Description describes portions of a public alley right-of-way to be vacated, being a portion of the 15 Foot wide alley dedicated on the "Plat of the Grandview Addition to Las Vegas, Lincoln Co Nevada" thereof on file in Book 1 of Plats, Page 19 in the Clark County Recorder's Office, Clark County, Nevada, together with portions of Lots 5 and 6 in Block 3 of said "Plat of Grandview Addition to Las Vegas, Lincoln Co Nevada" as described in that certain "Correction Quitclaim Deed" to the City of Las Vegas recorded December 16, 1943 in Book 34 of Deeds, Pages 211 and 212 as Document No. 175224 and re-recorded as that certain "Resolution Accepting Deed" recorded August 19, 1954 in Book 19 of Official Records as Instrument No. 18075 in the Clark County Recorder's Office, Clark County, Nevada, described as follows:

BEGINNING at the Southeast Corner of Lot 7 in Block 3 of said "Plat of the Grandview Addition to Las Vegas, Lincoln Co Nevada" being a point on the South Line of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 35, Township 20 South, Range 61 East, M.D.M., City of Las Vegas, Clark County, Nevada and also being a point on the Northerly Line of Lot 10 in Block 9 as shown on Plat of "Fairview Tract Las Vegas Nev." thereof on file in Book 1 of Plats, Page 7 in the Clark County Recorder's Office, Clark County, Nevada, thence departing said Southeast Corner of Said Lot 7 along said South Line and Said Northerly Line of Lot 10 South 89°50'31" West, a Distance of 30.18 Feet to the Northwesterly Corner of said Lot 10 being a point on the Easterly Right-of-Way Line of a 20 foot wide alley as shown on said Plat of "Fairview Tract Las Vegas Nev."; thence departing said South Line and said Northerly Line of Lot 10 along the Northeasterly prolongation of said Easterly Right-of-Way Line of said 20 foot wide alley North 28°00'58" East, a Distance of 64.47 Feet to a point on the Westerly Line of Lot 8 in Block 3 of the aforementioned "Plat of the Grandview Addition to Las Vegas, Lincoln Co Nevada"; thence along the Westerly Lines of said Lot 8 and Lot 7 in Block 3 of said "Plat of the Grandview Addition to Las Vegas, Lincoln Co Nevada" South 00°06'31" West, a Distance of 56.84 Feet to the **POINT OF BEGINNING**.

Containing 857.6 Square Feet

Graphically depicted on the Exhibit "B", Exhibit to Accompany Legal Description attached hereto and made a part hereof.

Diamondback Land Surveying

◊ 6140 Brent Thurman Way, Suite 230B ◊
◊ Las Vegas, Nevada ◊89148 ◊
◊ Office: (702) 823-3257 ◊ Fax: (702) 933-9630 ◊
◊ www.diamondbacklandsurveying.com

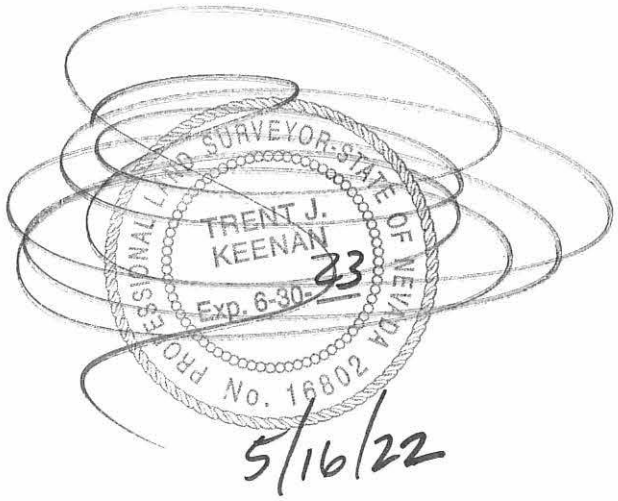
22-0238
05/17/2022

BASIS OF BEARINGS

Grid North as defined by the Central Meridian of the Nevada Coordinate Reference System (NCRS), Las Vegas Zone (Low Distortion Projection), North American Datum of 1983; said Meridian being coincident with 114°58' West of the Greenwich Meridian.

The Bearing Equation for this project would be the centerline of Stewart Avenue between 9th Street and 10th Street, having a bearing of S 61° 57' 18" E, also being S 62° 04' 45" E as shown on map thereof on file in File 104 of Surveys, Page 88, Official Records, Clark County Nevada.

Trent J. Keenan, P.L.S.
Nevada Certificate No. 16802



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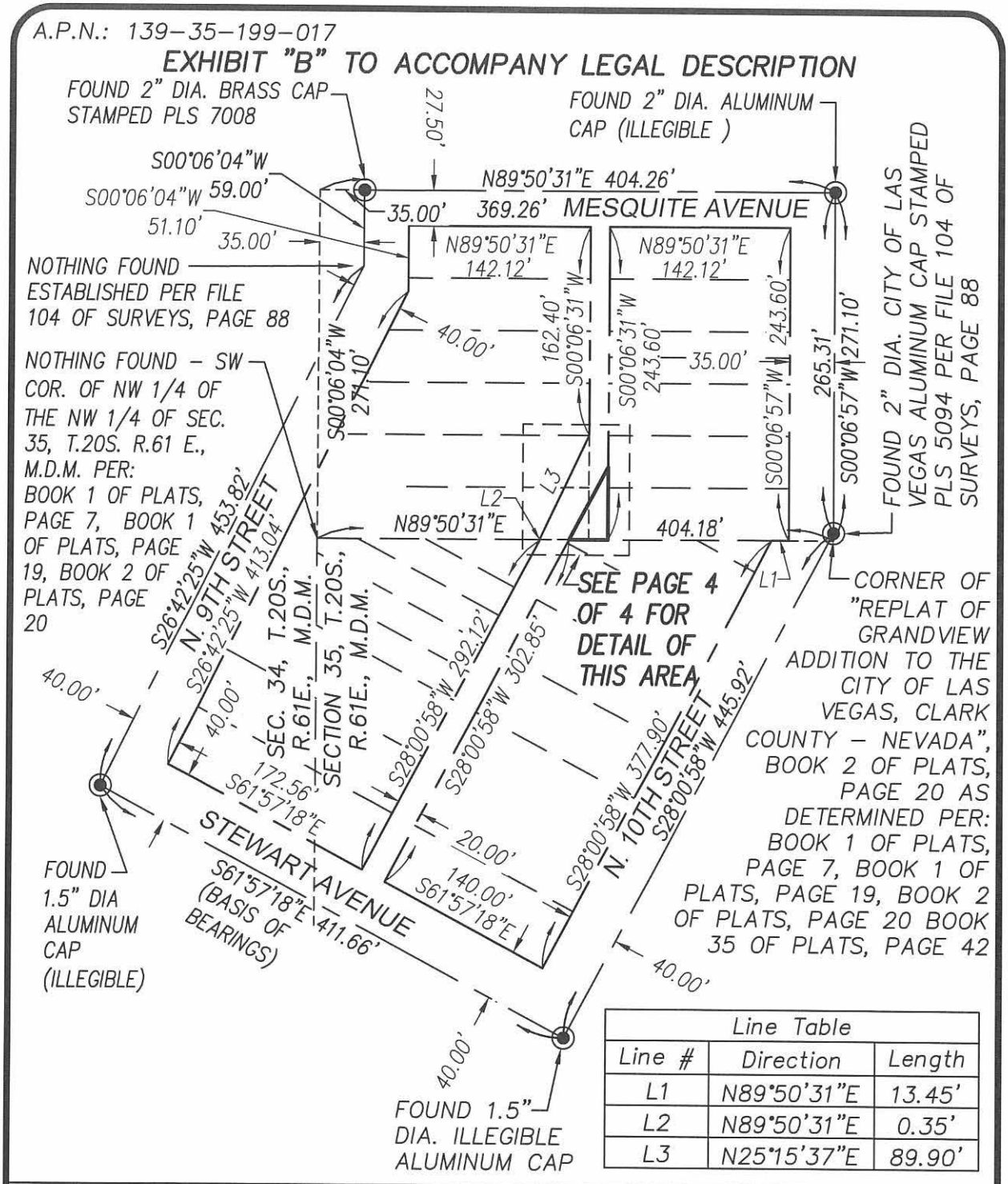
22-0238
05/17/2022

A.P.N.: 139-35-199-017

EXHIBIT "B" TO ACCOMPANY LEGAL DESCRIPTION



Line Table		
Line #	Direction	Length
L1	N89°50'31"E	13.45'
L2	N89°50'31"E	0.35'
L3	N25°15'37"E	89.90'

SCALE 1" = 120'

0 60' 120' 240'

JOB NUMBER: 220223

DRAWN BY: DAW	DATE: 5/16/2022
CHECKED BY: TJK	DATE: 5/16/2022

PAGE 3 OF 4

N

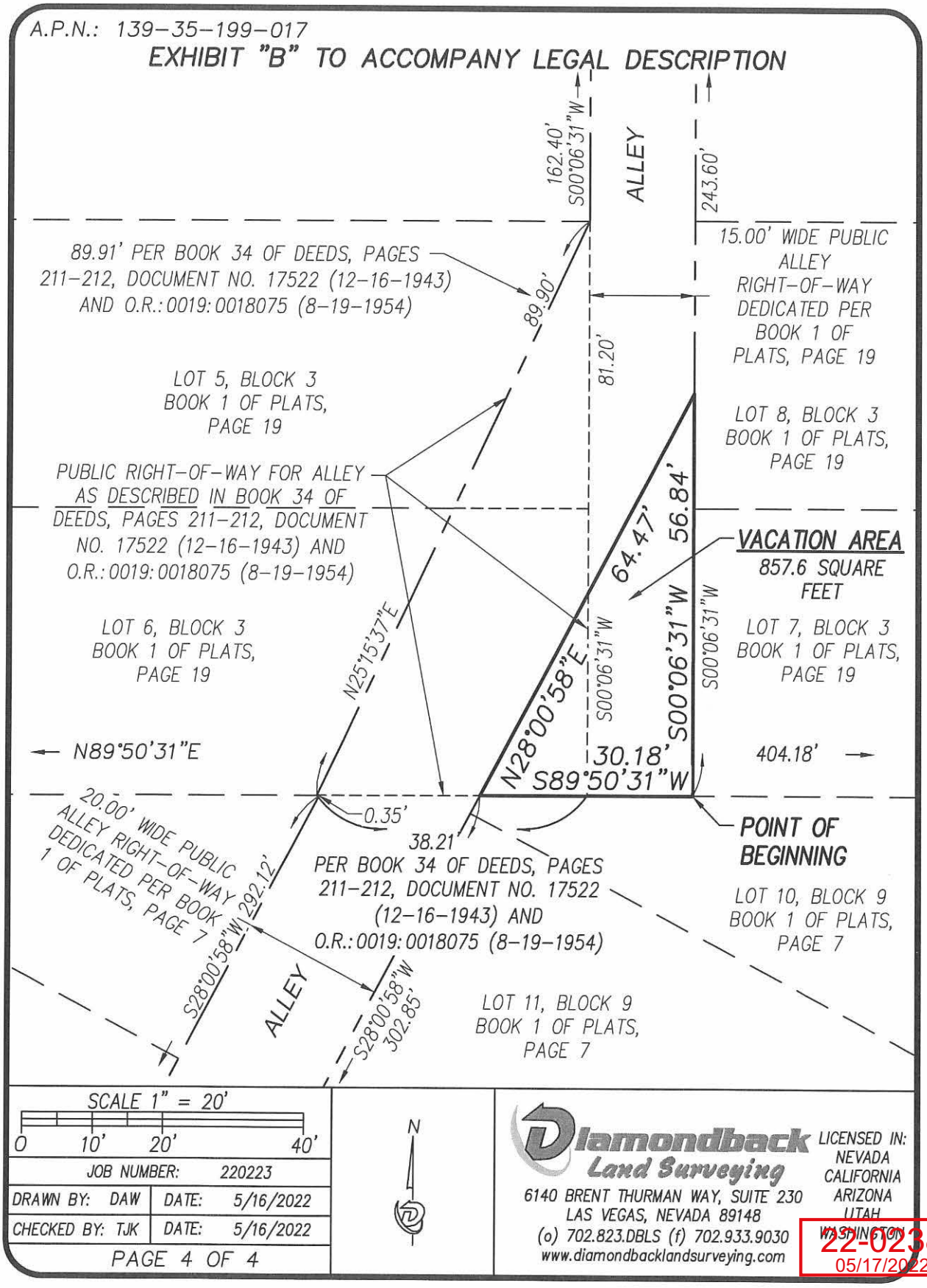
Diamondback Land Surveying
6140 BRENT THURMAN WAY, SUITE 230
LAS VEGAS, NEVADA 89148
(o) 702.823.DBLS (f) 702.933.9030
www.diamondbacklandsurveying.com

LICENSED IN:
NEVADA
CALIFORNIA
ARIZONA
UTAH
WASHINGTON

22-0238
05/17/2022

A.P.N.: 139-35-199-017

EXHIBIT "B" TO ACCOMPANY LEGAL DESCRIPTION



SCALE 1" = 20'

0 10' 20' 40'

N

JOB NUMBER: 220223	
DRAWN BY: DAW	DATE: 5/16/2022
CHECKED BY: TJK	DATE: 5/16/2022

PAGE 4 OF 4

Diamondback Land Surveying
6140 BRENT THURMAN WAY, SUITE 230
LAS VEGAS, NEVADA 89148
(o) 702.823.DBLS (f) 702.933.9030
www.diamondbacklandsurveying.com

LICENSED IN:
NEVADA
CALIFORNIA
ARIZONA
UTAH
WASHINGTON

22-0238
05/17/2022

Closure Calc: Alley

North: 627146.1023' East: 278858.9819'

Segment #1 : Line
Course: N28°00'58"E Length: 64.47' North: 627203.0174' East: 278889.2647'

Segment #2 : Line
Course: S00°06'31"W Length: 56.84' North: 627146.1775' East: 278889.1570'

Segment #3 : Line
Course: S89°50'31"W Length: 30.18' North: 627146.0943' East: 278858.9771'

Perimeter: 151.49' Area: 857.55 Sq. Ft.
Error Closure: 0.0094 Course: S30°49'58"W
Error North: -0.00803 East: -0.00480

Precision 1: 16115.96

Diamondback Land Surveying

◊ 6140 Brent Thurman Way, Suite 230B ◊
◊ Las Vegas, Nevada ◊89148 ◊
◊ Office: (702) 823-3257 ◊ Fax: (702) 938-9630 ◊
◊ www.diamondbacklandsurveying.com

22-0238
05/17/2022

REVISIONS:				DRAWN BY:
NO	DATE	COMMENTS		

GREENE TINDALL DESIGN
3047 E. WARM SPRINGS RD., SUITE 400
LAS VEGAS, NV 89120
PHONE (702) 460-4502

PROJECT: TEN PLACE
MULTI-FAMILY HOUSING
331 N 10th St
LAS VEGAS, NV, 89101

PROJECT NO: 2102-03

SHEET TITLE: VACATION EXHIBIT

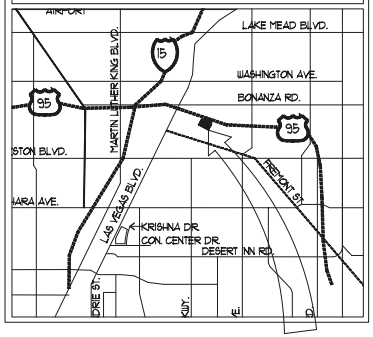
SHEET NO: AS1.00

22-0238
04/28/2022

NORTH

1 VACATION EXHIBIT
SCALE: 1" = 20'

VICINITY MAP



PROJECT LOCATION

SQUARE FOOTAGES

BUILDING A SQ. FT.:	40,840 SQ. FT.	(24) 1 BEDROOM	16,560 SQ. FT.
		(12) 2 BEDROOM	12,420 SQ. FT.
AMENITIES	1,930 SQ. FT.	(35) BALCONIES:	2,800 SQ. FT.
- LOUNGE	870 SQ. FT.		
- FITNESS:	690 SQ. FT.		
- LEASING:	370 SQ. FT.		
COURTYARD AREA:	1,660 SQ. FT.		
TRASH:	160 SQ. FT.		
POOL DECK:	2,700 SQ. FT.		
-POOL:	450 SQ. FT.		
-SPA:	80 SQ. FT.		

PROJECT DATA

APN:	13935112005 13935211008
ADDRESS:	317, 331 N 10TH ST. LAS VEGAS, NV., 89101
ZONE:	T5-N
SITE AREA:	0.73 ACRES = 31,780 SQ. FT.
BUILDING FOOTPRINT: (85% MAX)	9,624 SQ. FT. (30% ACTUAL)
GROSS FLOOR AREA:	40,840 SQ. FT.
BUILDABLE F.A.R.:	+/- 1.29
TOTAL UNITS:	36 UNITS
DENSITY:	49.3 DU/ACRE

PARKING LEGEND

HIGH LOAD (ZONE 3): MIN. 40% AND MAX 70% OF THE PARKING REQUIREMENT INDICATED IN LVMC SECTION 19.12.060

MULTI-FAMILY RESIDENTIAL

ONE GUEST SPACE PER 6 UNITS
36 UNITS / 6 = 6 SPACES

ONE BEDROOM UNIT 1.25 SPACES PER UNIT
24 UNITS X 1.25 = 30 SPACES

TWO BEDROOM UNIT 1.75 SPACES PER UNIT
12 UNITS X 1.75 = 21 SPACES

6 + 30 + 21 = 57 * 40% = 22.8 SPACES: 23 SPACES REQUIRED

27 SPACES PROVIDED

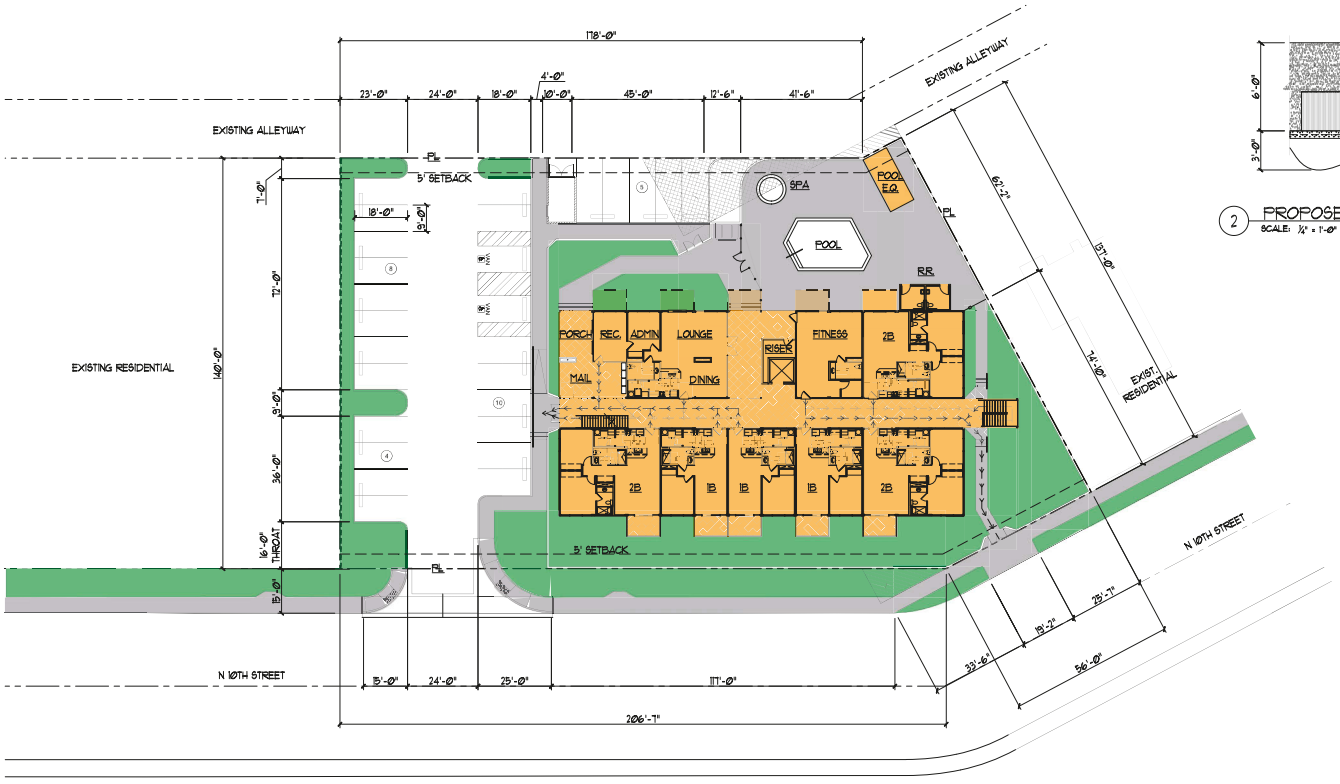
1 TO 25 REQUIRED PARKING SPACES: 1 ACCESSIBLE SPACES REQUIRED

2 ACCESSIBLE SPACES PROVIDED

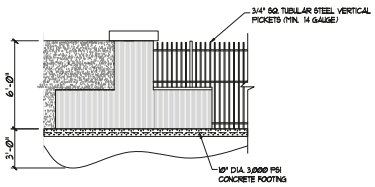
PLAN LEGEND

EXTEND OF ASSUMED PROPERTY LINE	APL
CMU WALL 6' HIGH	
WROUGHT IRON FENCE 6' HIGH	
SIGHT VISIBILITY ZONE	
CENTER OF STREET	

22-0238
04/28/2022



1 SITE PLAN
SCALE: 1" = 20'



2 PROPOSED PERIM. WALL DETAIL
SCALE: 1/4" = 1'-0"

NORTH

REVISIONS:

NO	DATE	COMMENTS

DRAWN BY:

GREENE TINDALL DESIGN
3047 E. WARM SPRINGS RD., SUITE 400
LAS VEGAS, NV 89120
PHONE (702) 460-4502

PROJECT:
TEN PLACE
MULTI-FAMILY HOUSING
331 N 10th St
LAS VEGAS, NV, 89101

PROJECT NO:
2102-03

SHEET TITLE:
SITE PLAN

SHEET NO:
AS1.00

PLAN LEGEND

EXTEND OF ASSUMED PROPERTY LINE	APL
CMU WALL 6' HIGH	
WROUGHT IRON FENCE 6' HIGH	
SVZ ZONE	
CENTER OF STREET	

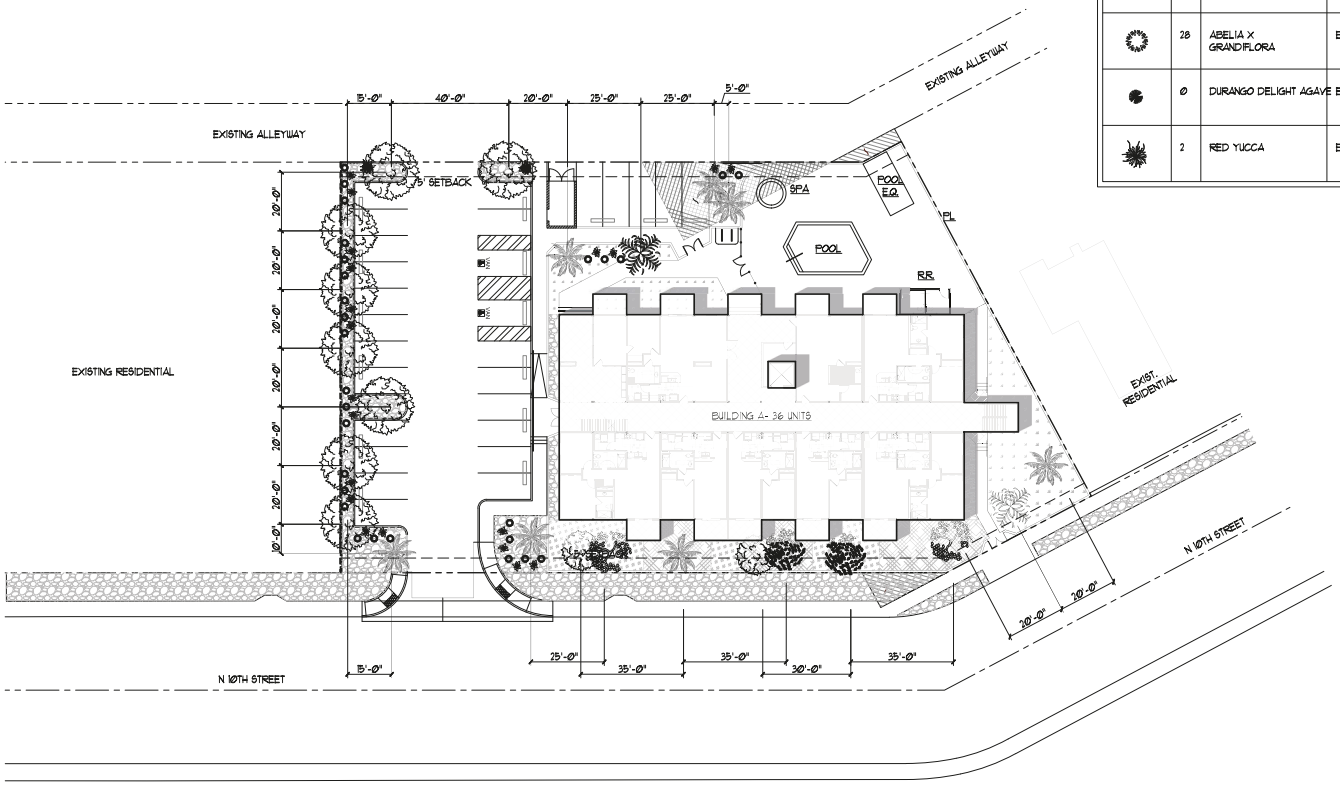
GROUND COVER LEGEND

REF.	COMMON NAME
	CREEPING FIG
	ENGLISH IVY
	DECORATIVE ROCK
	ARTIFICIAL TURF

LANDSCAPING LEGEND

	#	COMMON NAME	TREE TYPE	BOTANICAL TREE NAME	SIZE	WIDTH	HEIGHT
	7	CALIFORNIA FAN PALM	EVERGREEN	WASHINGTONIA FILIFERA	24"	18'	25'
	2	SILVER DOLLAR GUM	EVERGREEN	EUCALYPTUS POLYANTHEMOS	15gal	10'	15'
	10	CHILEAN MESQUITE TREE	SEMIEVERGREEN	PROSOPIS CHILENSIS STD	36"	25'	
	2	CHASTE TREE	DECIDUOUS	VITEX AGNUS CASTUS	24"	20'	20'
	2	AFRICAN SUMAC TREE	EVERGREEN	RHUS LANCEA STD	24"	15'	15'
	20	NERIUM OLEANDER 'PETITE'	EVERGREEN	DWARF WHITE OLEANDER	5gal	5'	6'
	28	ABELIA X GRANDIFLORA	EVERGREEN	PINK ABELIA	5gal	4'	4'
	0	DURANGO DELIGHT AGAVE	EVERGREEN	AGAVE SCHIDIGERA	5gal	3'	2'
	2	RED YUCCA	EVERGREEN	HESPERALOE PARVIFLORA	5gal	3'	3'

22-0238
04/28/2022



1 LANDSCAPE PLAN
SCALE: 1" = 20'

REVISIONS:

NO.	DATE	COMMENTS

DRAWN BY:

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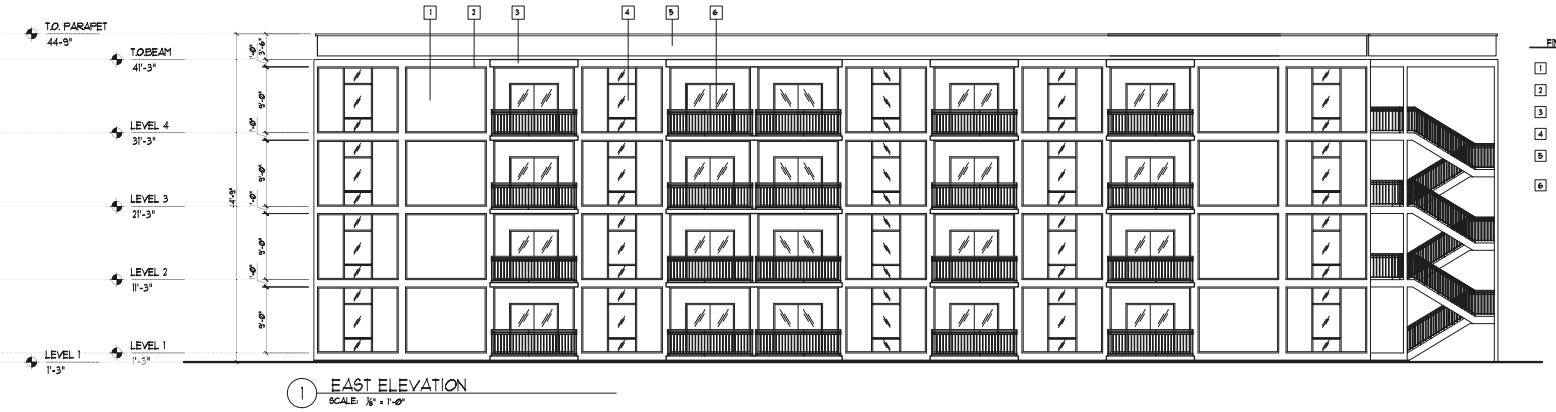
GREENE TINDALL DESIGN
3047 E. WARM SPRINGS RD., SUITE 400
LAS VEGAS, NV 89120
PHONE (702) 460-4502

PROJECT:
TEN PLACE
MULTI-FAMILY HOUSING
331 N 10th St
LAS VEGAS, NV, 89101

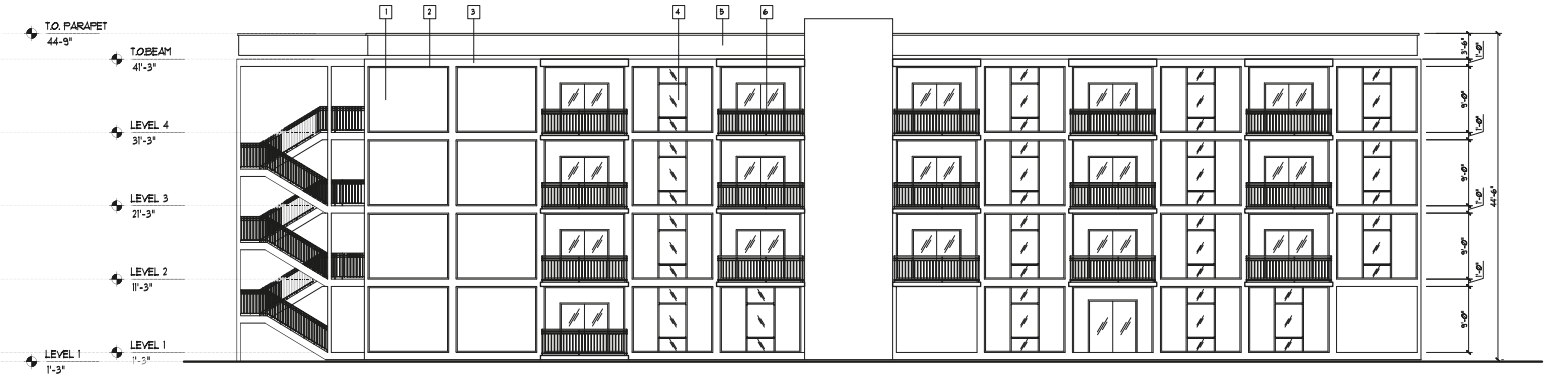
PROJECT NO:
2102-03

SHEET TITLE:
LANDSCAPE PLAN

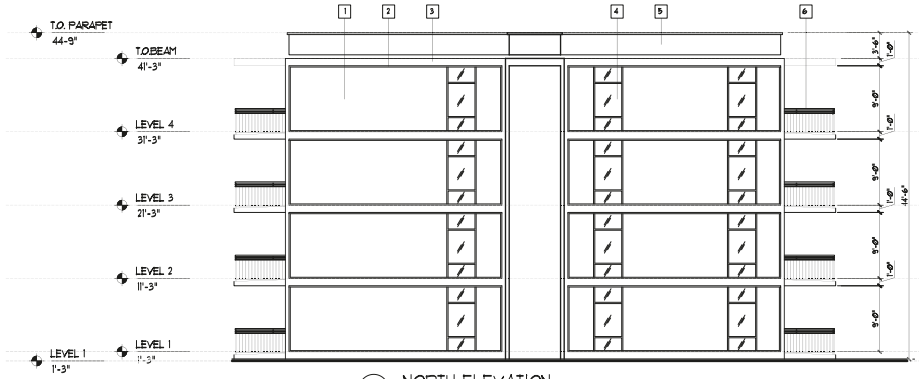
SHEET NO:
AS1.01



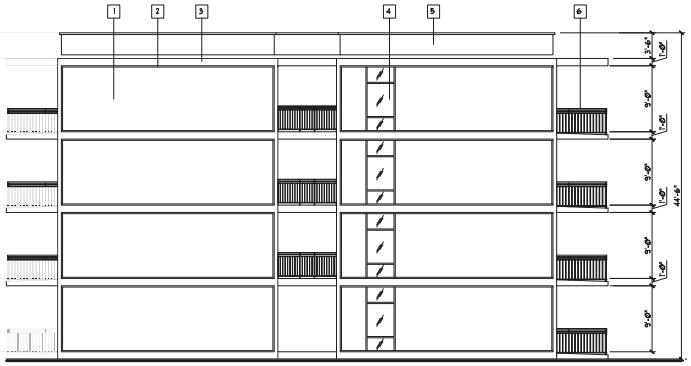
1 EAST ELEVATION
SCALE: 1/8" = 1'-0"



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

FINISH SCHEDULE:

1. STUCCO - SW 7662 EVENING SHADOW
2. PAINTED STEEL TRIM - SW 6992 INKWELL
3. PAINTED STEEL - SW 7006 EXTRA WHITE
4. GLAZING
5. METAL PANEL SYSTEM - COLOR TO MATCH SW 7665 WALL STREET
6. PAINTED STEEL - SW 6005 FOLKSTONE

22-0238
04/28/2022

REVISIONS:

NO	DATE	COMMENTS

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GREENE TINDALL DESIGN
3047 E. WARM SPRINGS RD., SUITE 400
LAS VEGAS, NV 89120
PHONE (702) 460-4502

PROJECT:
TEN PLACE
MULTI-FAMILY HOUSING
331 N 10th St
LAS VEGAS, NV, 89101

PROJECT NO:
2102-03

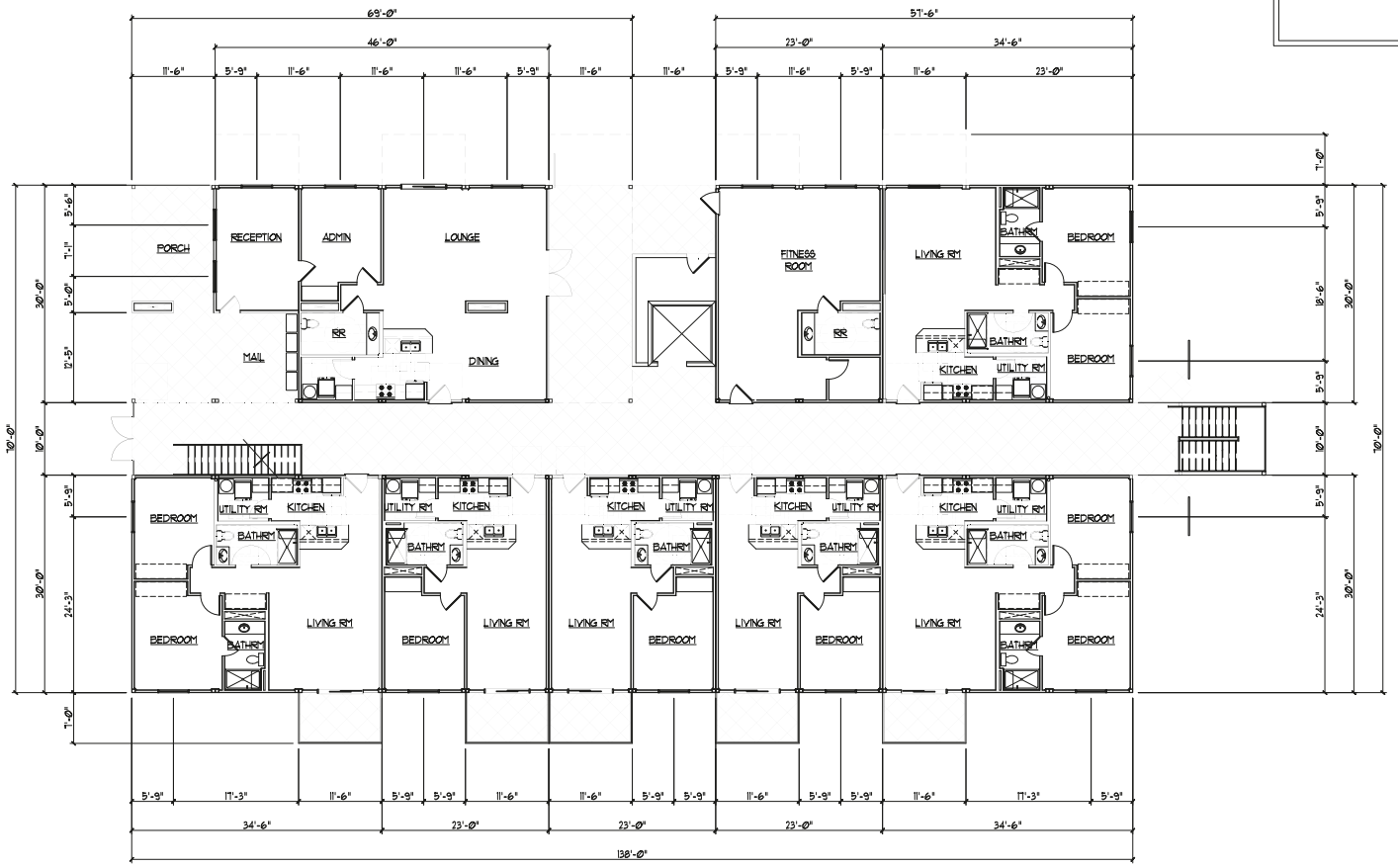
SHEET TITLE:
BUILDING A ELEVATIONS

SHEET NO:
A2.00

MAXIMUM OCCUPANCY

LOUNGE / DINING: (ASSEMBLY) 15 NET	874 SQ. FT. /15 =59
FITNESS: (EXERCISE ROOM) 50 GROSS	690 SQ. FT. /50 =14
LEASING: (BUSINESS) 150 GROSS	366 SQ. FT. /150 =3
(RESIDENTIAL) 200 GROSS	5,175 SQ. FT. /200 =26
	102 OCCUPANTS

22-0238
04/28/2022



1 BUILDING A PLAN - FIRST FLOOR
SCALE: 1/4" = 1'-0"

NORTH

REVISIONS:

NO	DATE	COMMENTS

DRAWN BY:

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GREENE TINDALL DESIGN
3047 E. WARM SPRINGS RD., SUITE 400
LAS VEGAS, NV 89120
PHONE (702) 460-4502

PROJECT:
TEN PLACE
MULTI-FAMILY HOUSING
331 N 10th St
LAS VEGAS, NV, 89101

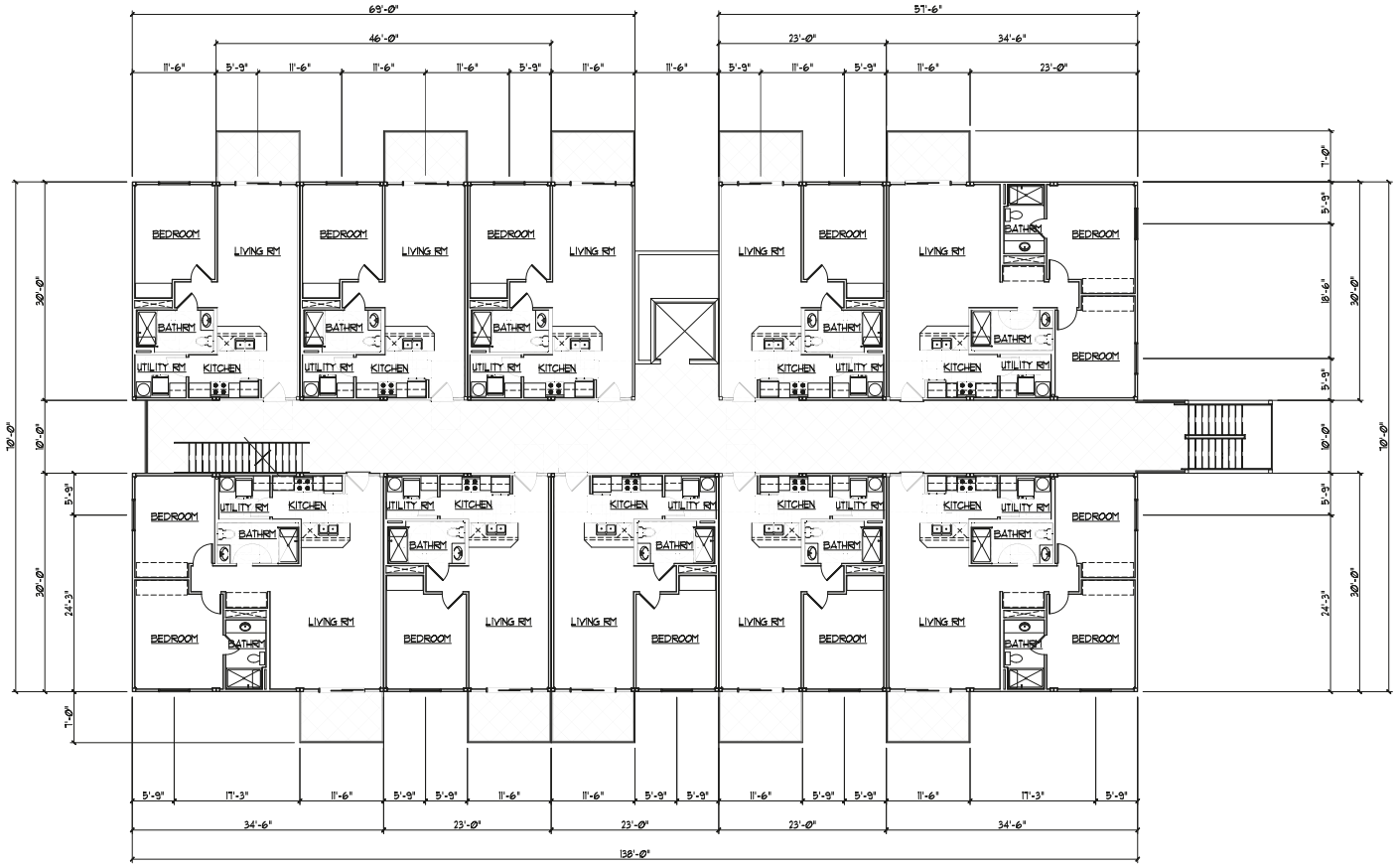
PROJECT NO:
2102-03

SHEET TITLE:
BLD A PLAN
FIRST FLOOR

SHEET NO:
A1.00

MAXIMUM OCCUPANCY	
RESIDENTAIL (200 GROSS)	7,935 / 200 40 OCCUPANTS

22-02238
04/28/2022



1 BUILDING A PLAN - SECOND FLOOR
SCALE: 1/4" = 1'-0"

NORTH

REVISIONS:

NO.	DATE	COMMENTS

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3047 E. WARM SPRINGS RD., SUITE 400
LAS VEGAS, NV 89120
PHONE (702) 460-4502

PROJECT:
TEN PLACE
MULTI-FAMILY HOUSING
331 N 10th St
LAS VEGAS, NV, 89101

PROJECT NO:
2102-03

SHEET TITLE:
BLD A PLAN
SECOND
FLOOR

SHEET NO:
A1.01

REVISIONS:			
NO	DATE	COMMENTS	

REVISIONS:			
NO	DATE	COMMENTS	

DRAWN BY:

GREENE TINDALL DESIGN
3047 E. WARM SPRINGS RD., SUITE 400
LAS VEGAS, NV 89120
PHONE (702) 460-4502

PROJECT:
TEN PLACE
MULTI-FAMILY HOUSING
331 N 10th St
LAS VEGAS, NV, 89101

PROJECT NO: 2102-03

SHEET TITLE:
BLD A PLAN
FOURTH
FLOOR

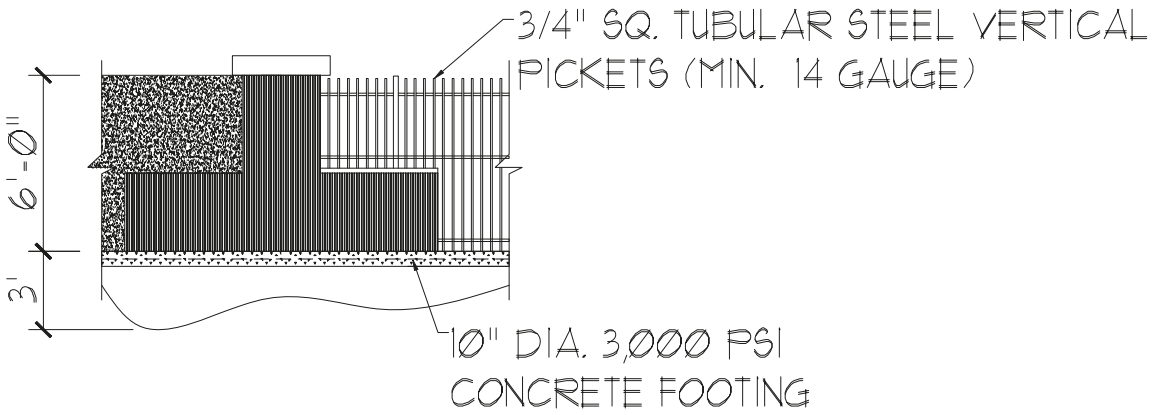
SHEET NO: A1.03

MAXIMUM OCCUPANCY	
RESIDENTAIL (200 GROSS)	1935 / 200
OCCUPANTS	10

22-0238
04/28/2022

1 BUILDING A PLAN - FOURTH FLOOR
SCALE: 1/4" = 1'-0"

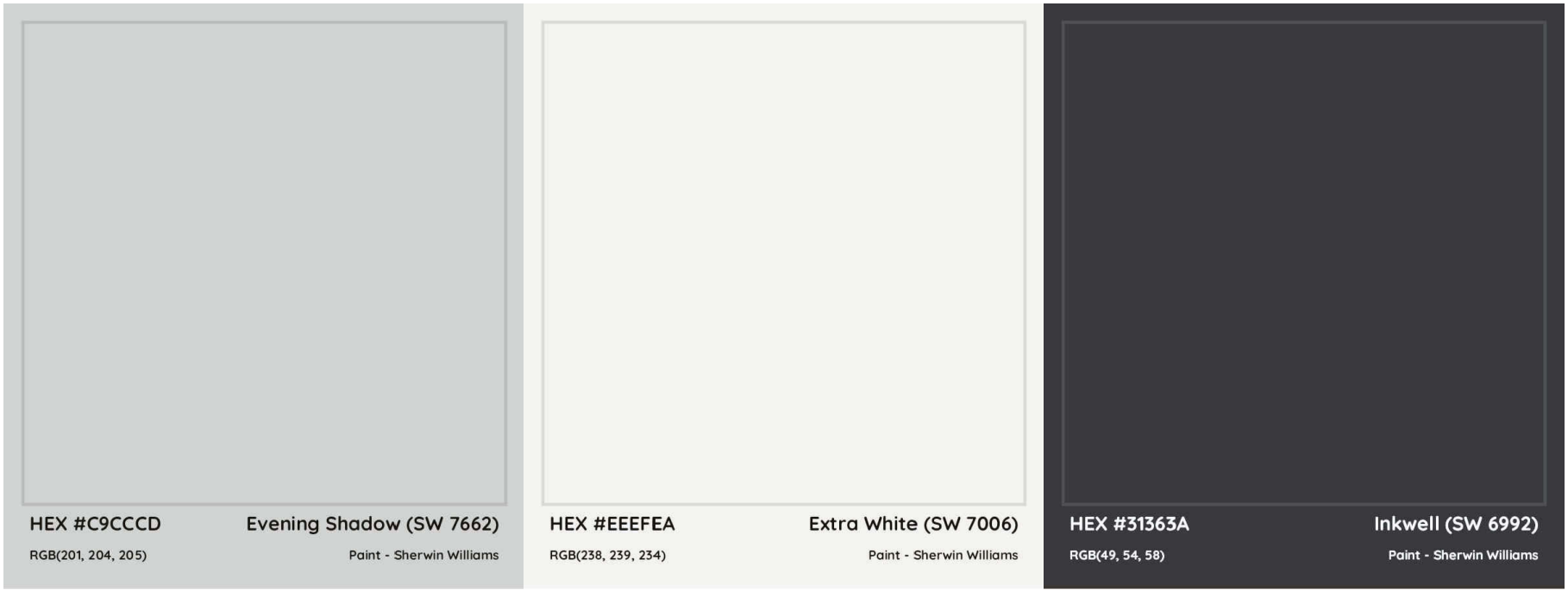
NORTH



EXTERIOR WALL DETAIL

22-0238
04/28/2022


GREENE TINDALL DESIGN
22-0238
04/28/2022



EXTERIOR WALL PAINT

EXTERIOR STEEL PAINT

EXTERIOR STEEL TRIM PAINT

22-0238
04/28/2022



22-0238-VAC1 AND 22-0238-SDR1 - APPLICANT/OWNER: GMD PROPERTIES, LLC
WEST SIDE OF 10TH STREET, APPROXIMATELY 205 FEET NORTH OF STEWART AVENUE

05/12/22



22-0238-VAC1 AND 22-0238-SDR1 - APPLICANT/OWNER: GMD PROPERTIES, LLC
WEST SIDE OF 10TH STREET, APPROXIMATELY 205 FEET NORTH OF STEWART AVENUE

05/12/22



22-0238-VAC1 AND 22-0238-SDR1 - APPLICANT/OWNER: GMD PROPERTIES, LLC
WEST SIDE OF 10TH STREET, APPROXIMATELY 205 FEET NORTH OF STEWART AVENUE

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22-0238-VAC1 AND 22-0238-SDR1 - APPLICANT/OWNER: GMD PROPERTIES, LLC
WEST SIDE OF 10TH STREET, APPROXIMATELY 205 FEET NORTH OF STEWART AVENUE

05/12/22



22-0238-VAC1 AND 22-0238-SDR1 - APPLICANT/OWNER: GMD PROPERTIES, LLC
WEST SIDE OF 10TH STREET, APPROXIMATELY 205 FEET NORTH OF STEWART AVENUE

05/12/22

GREENE TINDALL DESIGN

April 26, 2022

City of Las Vegas
Department of Planning

Job Address: 331 North 10th Street
317 North 10th Street

Attention: **City of Las Vegas** Planning & Zoning

RE: Justification Letter for Application Submittal

Dear Planning & Zoning,

We are requesting the development of a 36-Unit Multi-Family and Low-Income Housing project, to be located on 10th St, Las Vegas. The proposal contains one building, outdoor common spaces, and a pool, to create a greater sense of community within. This project meets the City policies and regulations under the LV Unified Development Code for T5-N Neighborhood Zones.

The previously existing driveways located on 10th St will be removed and replaced will a single driveway for residents' parking between 10th St and the existing alley.

We are requesting waivers as follows:

Waiver of Development Standard:

1. Requesting that we have a 24-ft driveway width as measured from face of curb to face of curb where 32-ft is required per Uniform Standard Drawing Clark County Area #222.1
2. Requesting that our Southern Interior-Side setback is 75-ft from building to Property Line (and 10-ft from building to parking lot) where there is a 30-ft max setback requirement.
3. Requesting that the floor to ceiling height of the ground floor is 9-ft where 13-ft is a minimum requirement.
    a. This project has residential use on the ground floor, thus 13-ft ceilings would be undesirable.
4. Requesting a front and rear access driveway connecting 10th St and the existing alleyway.

22-0238
04/28/2022

3047 East Warm Springs Road Suite 400 Las Vegas, Nevada 89120 Office (702) 597-5597

GREENE TINDALL DESIGN

Request vacation of public right of way:

Along the West side of the site; area adjacent to alley way.

Provide for Dedication:

Located at the East and West sides of the site.

After reviewing the justification letter if there are any questions or clarification needed, please feel free to contact me directly.

Respectfully,

Barry Greene, Architect
(702) 460-4502
focusgreene@gmail.com

22-0238
04/28/2022

Page PAGE * MERGEFORMAT 3

CCSD

Real Property Management
1180 Military Tribute Place
Henderson, NV 89074

RECEIVED
MAY 18 2022
City of Las Vegas
Department of Planning

School Development Tracking Form

http://facilities.ccsd.net/departments/real-property-management/

Date Filed 05/17/2022 **Application Number** 22-0238-SDR1 **Entity** LV

Company Name Greene Tindall Design

Contact Name

Contact Mailing Address

City **State** **Zip Code**

Phone (702) 460-4502 **Mobile** **Fax** **Email**

Project Name Ten Place

Project Description 36 Multi-Family Units

APN's 139-35-112-005 and 139-35-211-008

Student Yield		Elementary School		Middle School		High School	
Single-Family Units (1)		x 0.166=	0	x 0.093 =	0	x 0.131 =	0
Multi-Family Units (2)	36	x 0.139 =	5	x 0.065 =	2	x 0.074 =	3
Resort Condo Units (3)							
Total			5		2		3

(1) *Single Family unit is defined as single family detached home, mobile home, and townhouse.*
(2) *Multi-Family unit is defined as apartment, multiplexes, and condominiums.*
(3) *Resort Condominium units for tracking purposes only.*

** To be completed by CCSD*

Schools Serving the Area*					
Name	Address	Grade	Capacity	Enrollment	Site Date
Hollingsworth ES	1776 E. Ogden Rd	K-5	696	531	5/3/2022
Fremont MS	1100 E. St. Louis Ave	6-8	1261	765	5/3/2022
Rancho HS	1900 Searles Ave	9-12	2378	3052	5/3/2022

*** CCSD Comments** Rancho HS is over capacity for the 2021-2022 school year. Rancho HS is at 128.34% of program capacity.

☐ Approved ☐ Disapproved

22-0238-SDR1
GMD Properties, LLC

WS 10th Street, N of Stewart Avenue

Proposed 36 unit apartment building.

Traffic produced by proposed development:

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	MULTIFAMILY HOUSING (LOW-RISE) [DU]	36	7.32	**264**
AM Peak Hour			0.46	**17**
PM Peak Hour			0.56	**20**

(heaviest 60 minutes)

Existing traffic on all nearby streets:

10th Street	
Average Daily Traffic (ADT)	1,155
PM Peak Hour	92

(heaviest 60 minutes)

Stewart Avenue	
Average Daily Traffic (ADT)	7,797
PM Peak Hour	624

(heaviest 60 minutes)

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity
10th Street	12,480
Stewart Avenue	27,040

This project is expected to add an additional 264 trips per day on 10th St. and Stewart Ave. Currently, 10th is at about 9 percent of capacity and Stewart is at about 29 percent of capacity. With this project, 10th is expected to be at about 11 percent of capacity and Stewart to be at about 30 percent of capacity.

Based on Peak Hour use, this project will add into the area roughly 20 additional peak hour trips, or about one every three minutes.

Note that this report assumes all traffic from this development uses all named streets.

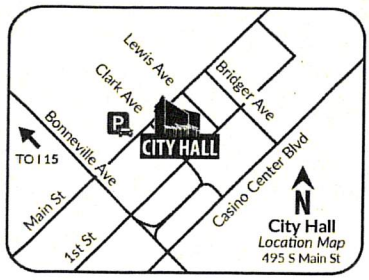
City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK
2022 JUL 18 A 11:45



Scan or go to:
www.lasvegasnevada.gov/meetings

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0238 and 22-0238-VAC1 and 22-0238-SDR1

City Council Meeting of **07/20/2022**

22-0238
13935110009
IAMELE LUIGI TRUST
IAMELE LUIGI TRS
761 SANDY DR
HENDERSON NV 89002

Submitted after final agenda
Items 85a-85b

15 DRDFMP1 89002

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested

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Las Vegas, NV
Permit No. 1630

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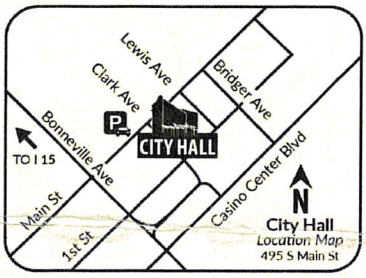
CITY CLERK

2022 JUL 18 A 11:44



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0238 and 22-0238-VAC1 and 22-0238-SDR1

City Council Meeting of **07/20/2022**

22-0238
13935110022
SCOTT WILLIAM JAMES
505 N 10TH ST
LAS VEGAS NV 89101

89 DROFNP1 89101

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested

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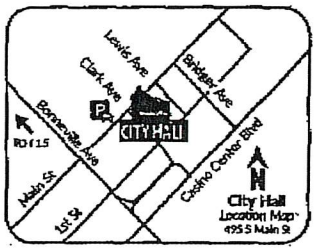
JUN 21 2022

City of Las Vegas
Department of Planning



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For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Planning at the above address, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0238 and 22-0238-VAC1 and 22-0238-SDR1

Planning Commission Meeting of **06/21/2022**

22-0238
13935211003
AMISTAD CRISTIANA INC
901 E STEWART
LAS VEGAS NV 89101-4223

89 DROPNP1 89101

Submitted after final agenda

42a-b P

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
33a

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0238-VAC1 - ABEYANCE ITEM - VACATION - PETITION TO VACATE A PORTION OF A PUBLIC ALLEY SOUTH OF MESQUITE AVENUE BETWEEN 9TH STREET AND 10TH STREET

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting	1	City Council Meeting	1

RECOMMENDATION:
The Planning Commission (5-0-1 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
33b

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0238-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED FOUR-STORY, 36-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF TITLE 19.09 FORM-BASED CODE STANDARDS

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting	1	City Council Meeting	1

RECOMMENDATION:
The Planning Commission (5-0-1 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
34

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

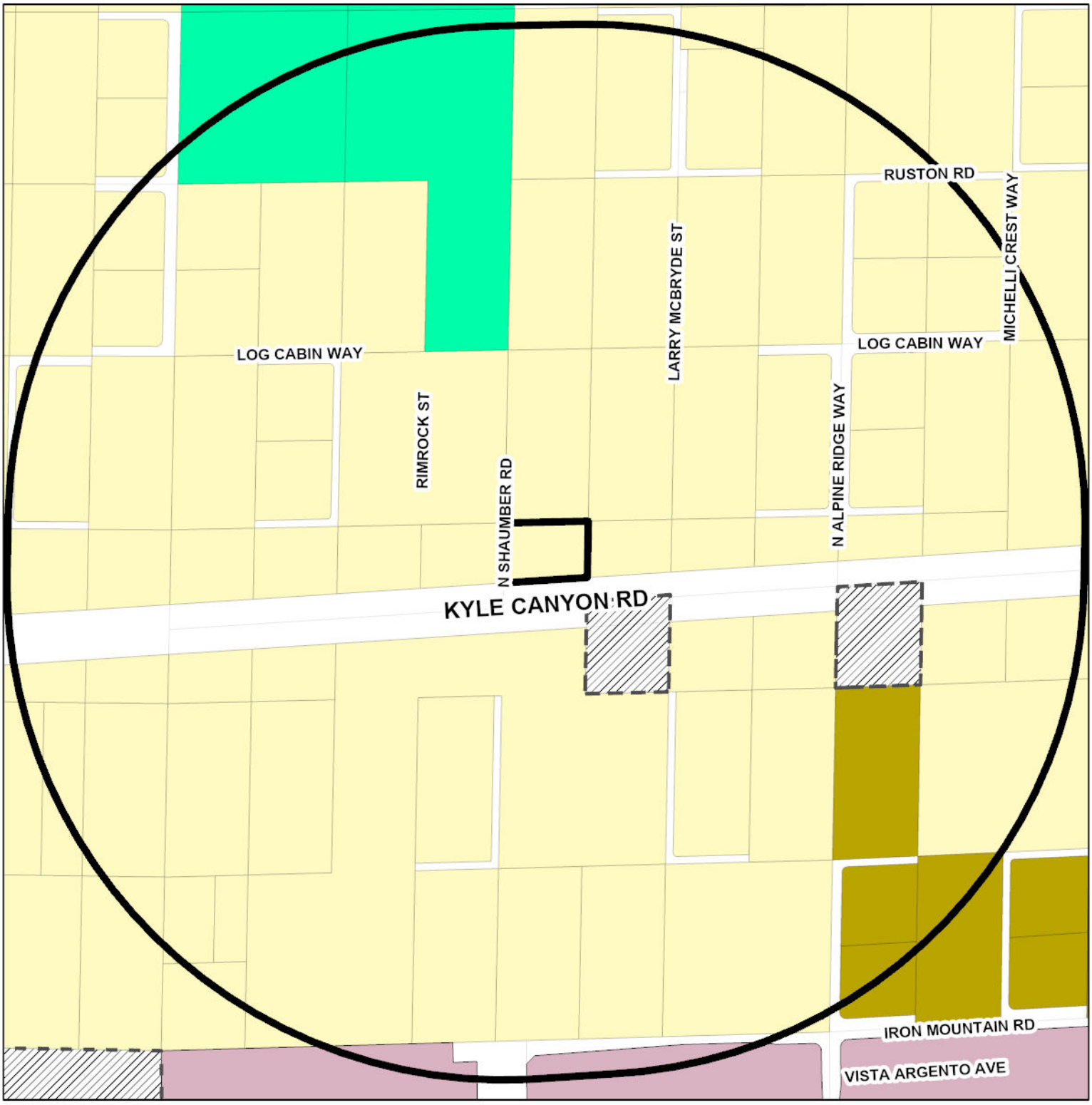
SUBJECT:
22-0172 - PUBLIC HEARING - APPLICANT/OWNER: INVESTMENTS WEST, LLC - For possible action on the following Land Use Entitlement project requests on 1.80 acres at the northeast corner of Kyle Canyon Road and Shaumber Road (APN 126-01-301-013), Ward 6 (Fiore). The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

BACKUP DOCUMENTATION:
1. Land Use Map - 22-0172-GPA1
2. Location and Aerial Maps - 22-0172-GPA1
3. Land Use Map - 22-0172-ZON1
4. Location and Aerial Maps
5. Special Map - 22-0172-SUP1 and 22-0172-SUP2
6. Conditions and Staff Report
7. Supporting Documentation
8. Photo(s)
9. Justification Letter
10. Traffic Notes Submitted by City of Las Vegas Department of Public Works Traffic Engineering Division - 22-0172-SDR1
11. Submitted after Final Agenda - Abeyance Request Letter by Kaempfer Crowell and Support Postcards
12. Backup Documentation Submitted for the July 12, 2022 Planning Commission Meeting

22-0172-GPA1



General Plan
- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium Low
- Medium Low Attached
- Medium
- High

- Form-Based Code
- Neighborhood Mixed Use Center
- Transit Oriented Corridor -1
- Transit Oriented Corridor -2
- Transit Orented Development - 1
- Transit Orented Development - 2
- Planned Community Development
- Office
- Service Commercial
- General Commercial

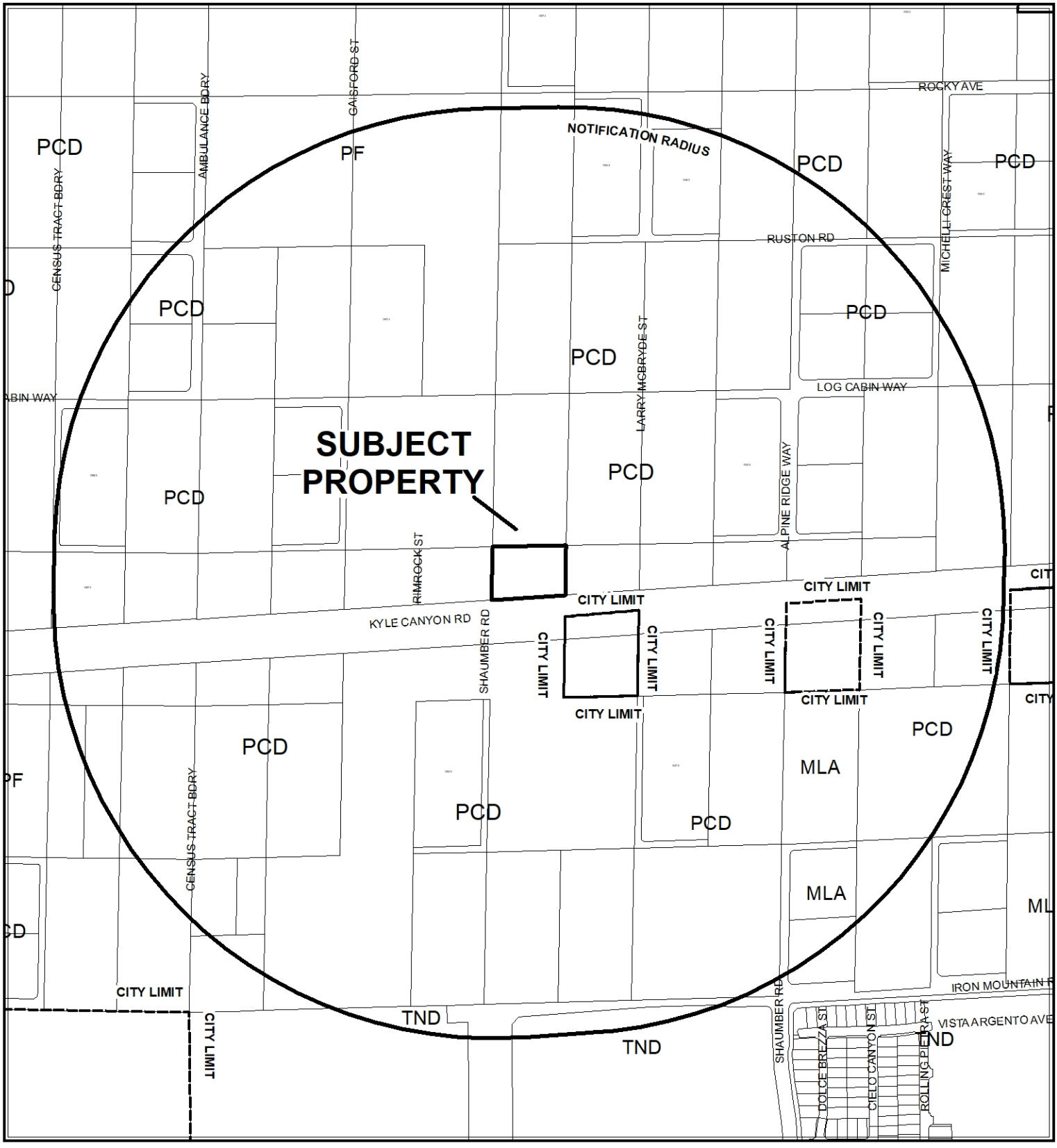
- Tourist Commercial
- Light Industry / Research
- Traditional Neighborhood Development
- Parks/Recreation/Open Space
- Public Facilities
- Town Center
- Commercial (Downtown Land-Use)
- Mixed Use (Downtown Land-Use)

FROM PCD TO SC

- Subject Property
- Not City
- City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Tuesday, June 14, 2022

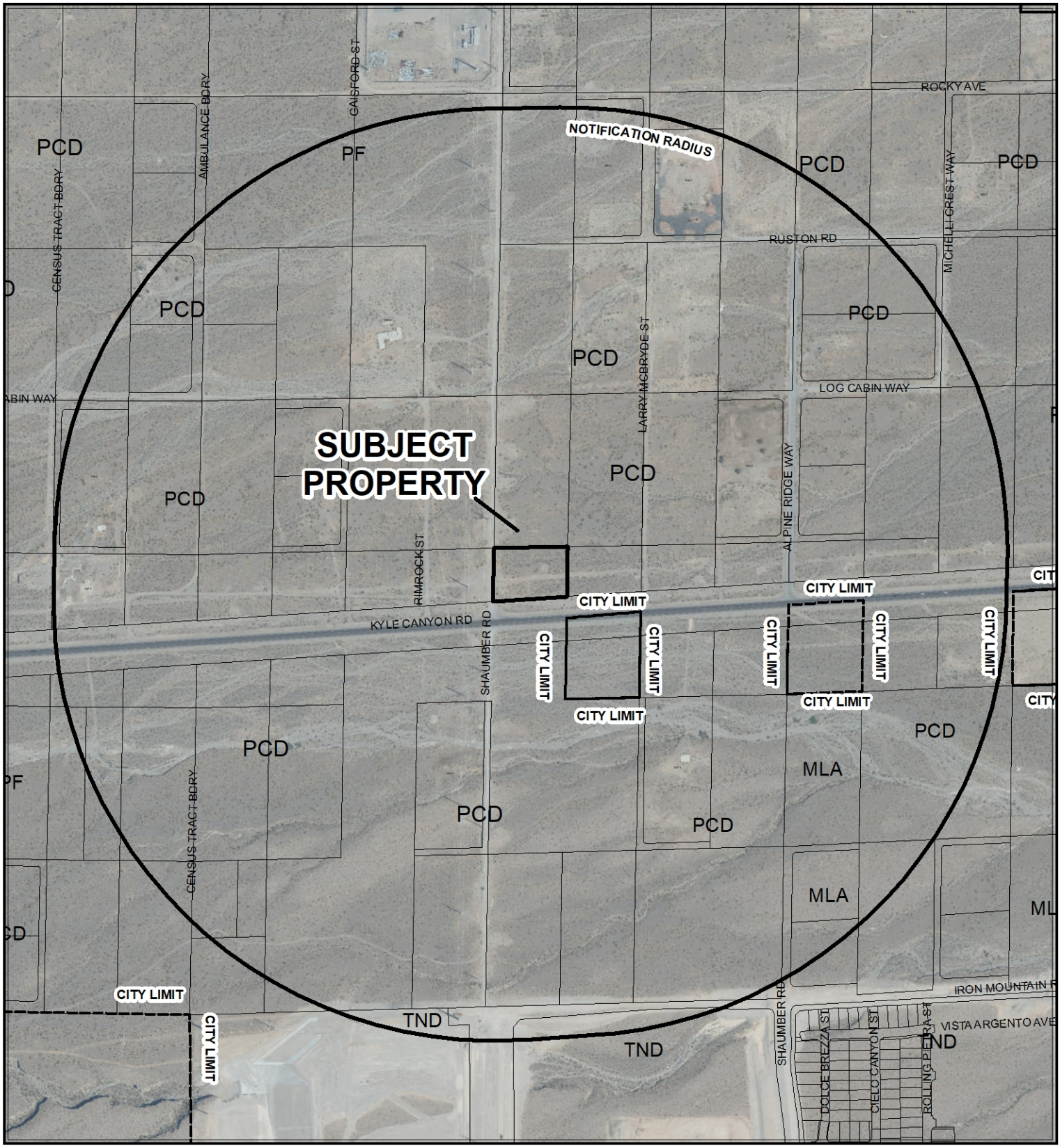


CASE: **22-0172-GPA1**

RADIUS: 2000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: PCD (PLANNED COMMUNITY DEVELOPMENT)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: SC (SERVICE COMMERCIAL)



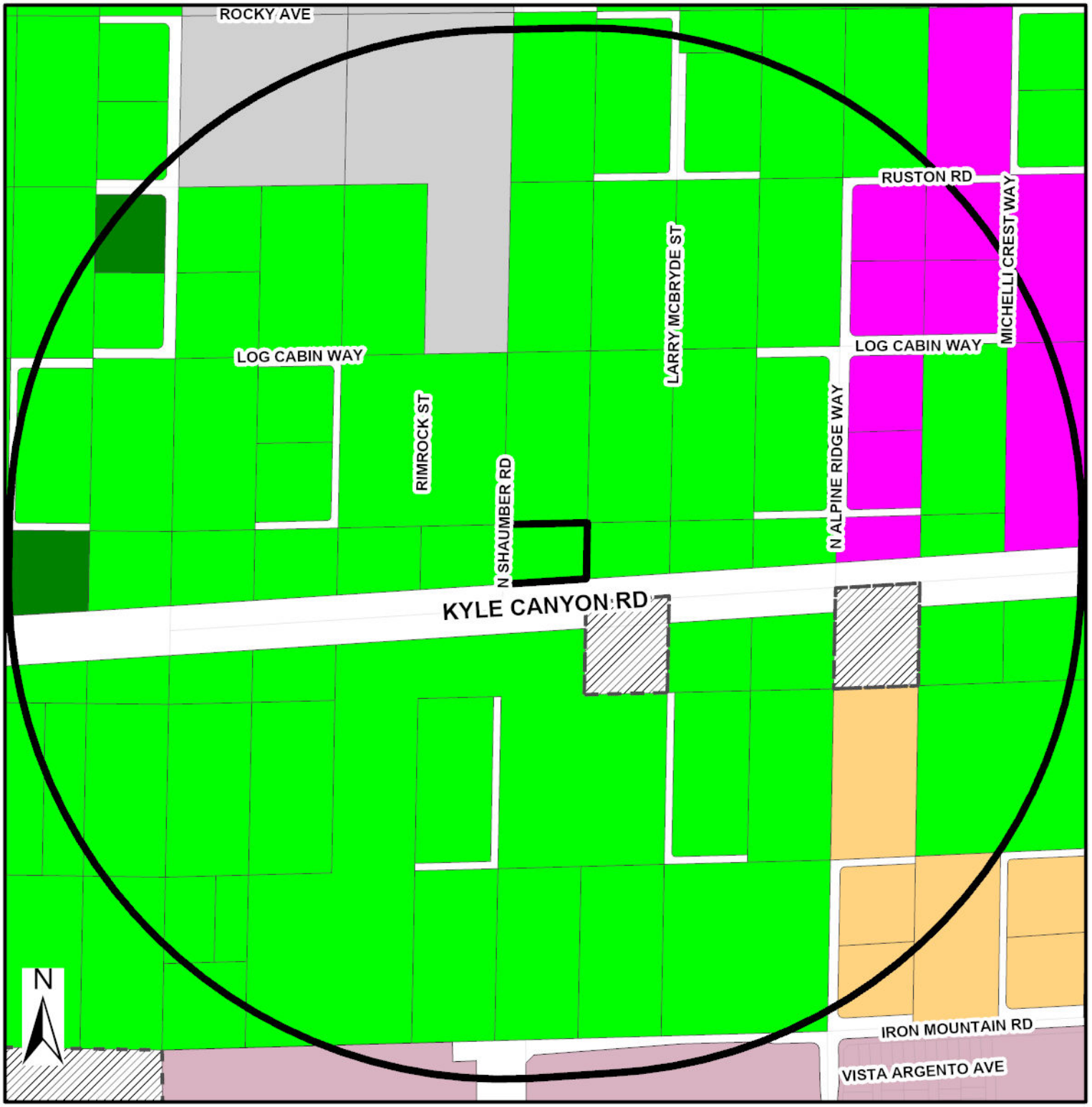
CASE: **22-0172-GPA1**

RADIUS: 2000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: PCD (PLANNED COMMUNITY DEVELOPMENT)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: SC (SERVICE COMMERCIAL)

22-0172-ZON1



Zoning

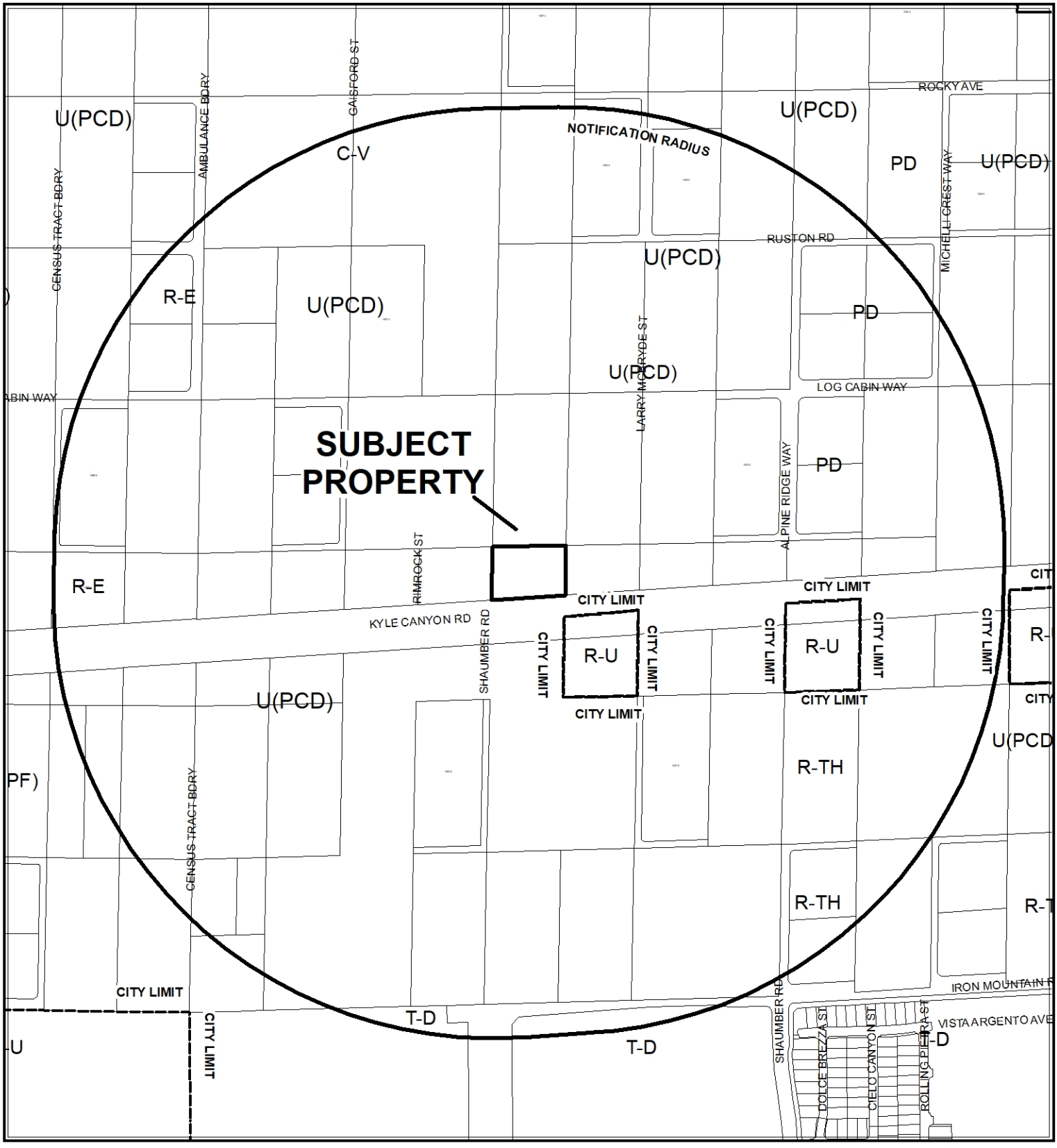
- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single Family Compact-Lot
- R-SL - Residential Small Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- T3-N - T3 Neighborhood
- T3-N-O - T3 Neigborhood Open
- T4-C - T4 Corridor
- T4-MS - T4 Main Street
- T4-N - T4 Neighborhood
- T5-N - T5 Neighborhood
- T5-M - T5 Maker
- T5-MS - T5 Main Street
- T5-C - T5 Corridor
- T6-UC - T6 Urban Core
- T6-UG - T6 Urban General
- T6-UG-L -T6 Urban General Limited
- P-R - Professional Offices and Parking
- P-O - Professional Office
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PB - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- [illegible] Development
- PD - Planned Development
- T-C - Town Center

FROM U (PCD)
TO C-1

Subject Property
Not City
City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Tuesday, June 14, 2022

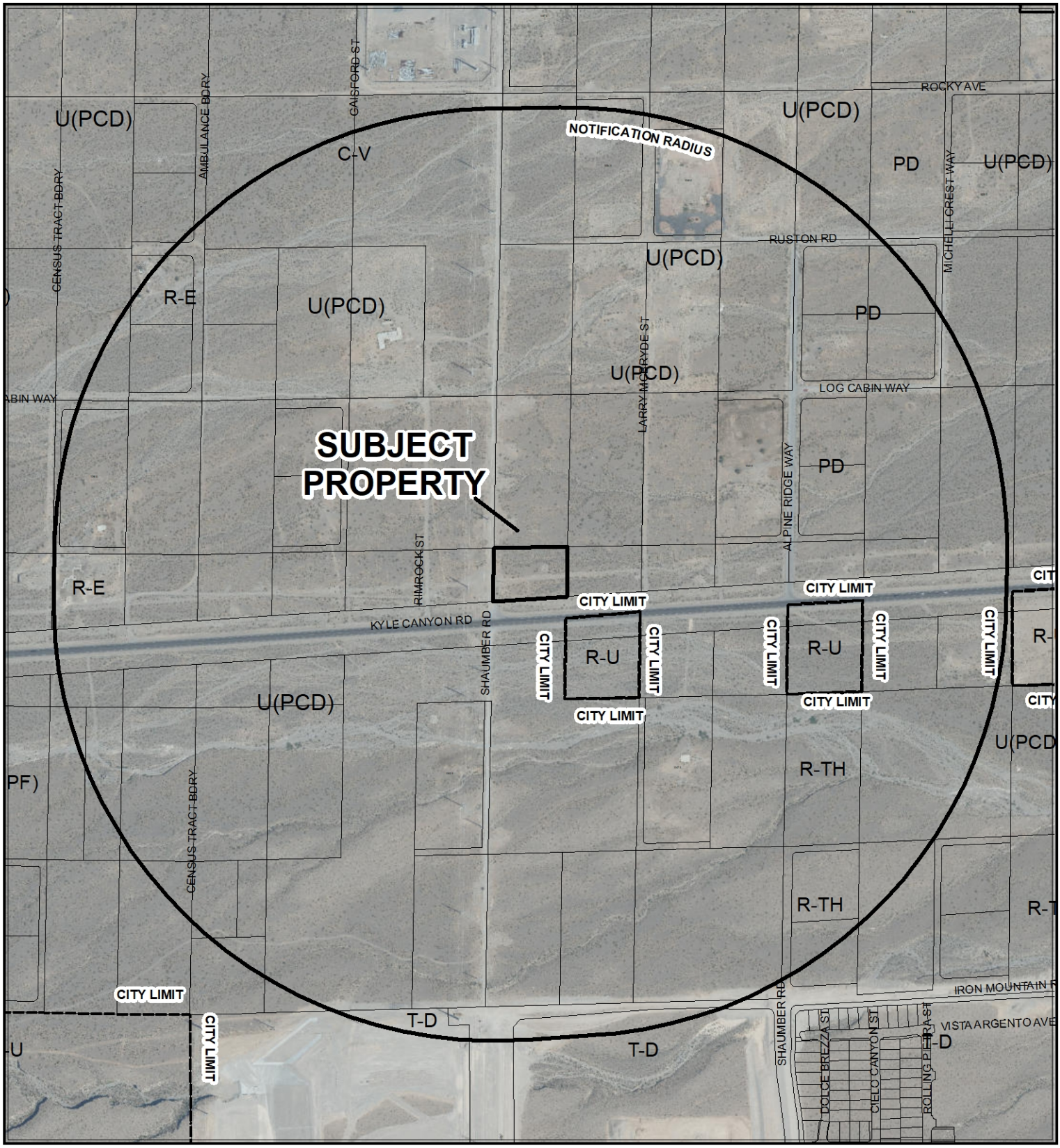


CASE: **22-0172**

RADIUS: 2000 FEET

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT)]

PROPOSED ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

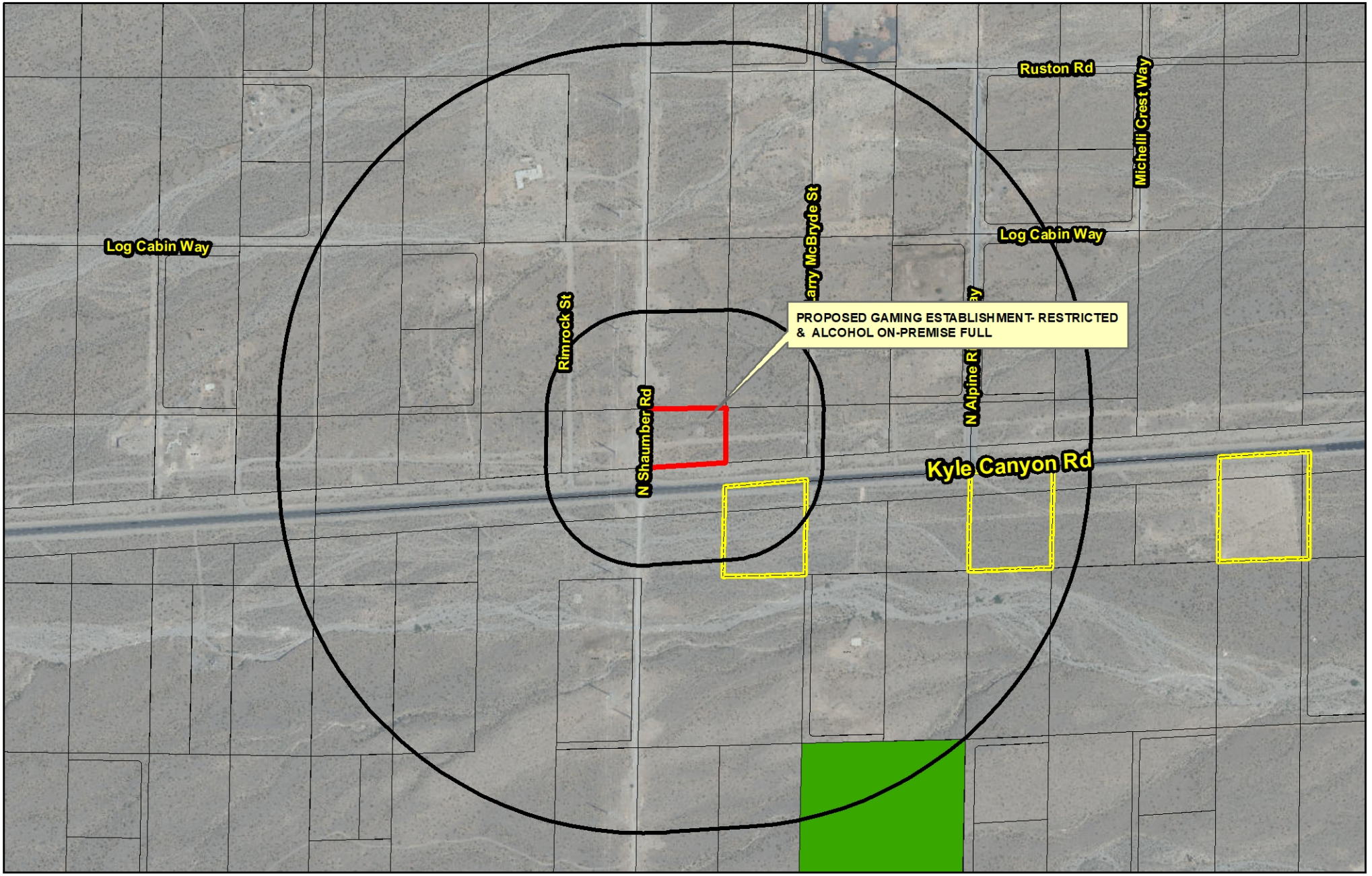


CASE: **22-0172**

RADIUS: 2000 FEET

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT)]

PROPOSED ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



22-0172-SUP1
22-0172-SUP2

Gaming Establishment Restricted & Alcohol On-Premise Full

Business Licenses

- Tavern
- Tavern - Limited
- Urban Lounge
- Beer/Wine/Cooler On-Sale
- Package Liquor Off-Sale
- Beer/Wine/Cooler On- and Off-Sale
- Gaming Restricted
- Gaming Location (Non-Restricted)
- Restaurant With Alcohol/ Restaurant With Service Bar/ Beer Wine Room/ Ancillary Brew Pub
- Beer/Wine/Cooler Off-Sale

Protected Uses

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility
- Private Schools

Downtown Districts

- Resort & Casino District
- Symphony Park District
- Civic & Business District
- Market Corridor District

- Subject Property
- 400 ft gaming with one to five gaming machines not less from the property line of a protected use.
- 1500 ft For gaming with six to fifteen gaming machines not less from the property line of a protected use, gaming with six to fifteen gaming machines or gaming non-restricted use

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, May 18, 2022

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: INVESTMENTS WEST, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0172-GPA1	Staff recommends APPROVAL.	
22-0172-ZON1	Staff recommends APPROVAL.	22-0172-GPA1
22-0172-SUP1	Staff recommends APPROVAL, subject to conditions:	22-0172-GPA1 22-0172-ZON1
22-0172-SUP2	Staff recommends APPROVAL, subject to conditions:	22-0172-GPA1 22-0172-ZON1 22-0172-SUP1
22-0172-SDR1	Staff recommends APPROVAL, subject to conditions:	22-0172-GPA1 22-0172-ZON1 22-0172-SUP1 22-0172-SUP2

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED 77 (by City Clerk)

PROTESTS 0

APPROVALS 10

JB

** CONDITIONS **

22-0172-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Alcohol, On-Premise Full use.

2. Approval of and conformance to the Conditions of Approval for Special Use Permit (22-0172-SUP2) and Site Development Plan Review (22-0172-SDR1) shall be required, if approved.

3. This approval shall be void two 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.

4. 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.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

6. Approval of this Special Use Permit does not constitute approval of a liquor license.

7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

JB

22-0172-SUP2 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Gaming Establishment, Restricted (6 to 15 Machines) use.

2. Approval of and conformance to the Conditions of Approval for Special Use Permit (22-0172-SUP1) and Site Development Plan Review (22-0172-SDR1) shall be required, if approved.

3. This approval shall be void two 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.

4. A Waiver from Title 19.12 is hereby approved, to allow a 1,195-foot distance separation from a parcel designated to become a City Park where 1,500 feet is the minimum allowed.

5. 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.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0172-SDR1 CONDITIONS

Planning

1. Approval of a General Plan Amendment (22-0172-GPA1) and Rezoning (22-0172-ZON1) and approval of and conformance to the Conditions of Approval for Special Use Permit (22-0172-SUP1) and Special Use Permit (22-0172-SUP2) shall be required, if approved.

2. This approval shall be void two 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 development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/14/22 except as amended by conditions herein.

4. 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.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

7. 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.

8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

9. Prior to the issuance of permits for this site, dedicate 60-feet of right-of-way on Sheep Mountain Parkway (North Shaumber Road) and a 25-foot radius at the northeast corner Sheep Mountain Parkway and Kyle Canyon Road.

10. Concurrent with development, construct half-street improvements on Kyle Canyon Road with appropriate overpaving and transition paving. The Kyle Canyon Road cross section shall be approved by the Nevada Department of Transportation (NDOT). Additionally, construct half street improvements on Sheep Mountain Parkway based on a 90-foot total roadway-width cross section that is approved by the City Traffic Engineer.

11. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all driveways or other private improvements in the East Charleston Boulevard public right-of-way adjacent to this site prior to constructing any improvements within NDOT jurisdiction.

12. Extend oversized public sewer in Kyle Canyon Road from its current terminus to this site, at a size, depth and location acceptable to the Sanitary Sewer Planning Section of the Department of Public Works. Coordinate with the Sanitary Sewer Planning Section to execute an Oversizing Agreement to be reimbursed for the cost difference of constructing an oversized sewer versus the minimum required 8-inch sewer.

13. Submit a License Agreement for landscaping and private improvements in the public right-of-way, if any, 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 within 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 applicant and any successors in interest to the property and assigns pursuant to the terms 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).

14. 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, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts 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 for exclusive right turn lanes and dual left turn lanes 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. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. The Traffic Impact Analysis shall also include a pedestrian circulation/access plan 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the 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.

15. 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed commercial development consisting of a 2,224 square-foot Restaurant with drive through and 3,800 square-foot Alcohol, On-Premise Full (Tavern) use on 1.80 acres located on the northeast corner of Kyle Canyon Road and Shaumber Road.

ISSUES

- The applicant has requested a General Plan Amendment (22-0172-GPA1) from PCD (Planned Community Development) to SC (Service Commercial) on the subject site. Staff recommends approval of the request.
- The applicant has requested a Rezoning (22-0172-ZON1) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to C-1 (Limited Commercial). Staff recommends approval of the request.
- The proposed Restaurant use is permitted, the Drive-Through use is permitted conditionally and the Alcohol, On-Premise Full (Tavern) use is allowed with an approved Special Use Permit within the proposed C-1 (General Commercial) zoning district.
- The applicant has requested a Special Use Permit (22-0172-SUP1) for a proposed 3,800 square-foot Alcohol, On-Premise Full (Tavern) use within the proposed development. Staff recommends approval of the request.
- The applicant has requested a Special Use Permit (22-0172-SUP2) for a proposed 3,800 square-foot Gaming, Restricted (6 to 15 machines) use with a Waiver to allow a 1,195-foot distance separation from site that is designated to be a City Park where 1,500 feet is required within the proposed Tavern. Staff recommends approval of the request.

ANALYSIS

The subject site is comprised of one undeveloped 1.80 acre parcel. The site is currently zoned U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] with a PCD (Planned Community Development) General Plan Designation and is subject to the development standards outlined in Title 19. The subject site is located on the northeast corner of Kyle Canyon Road and Shaumber Road alignment and is currently surrounded by undeveloped parcels with similar zoning and general plan designations.

JB

Also, the subject site is located within the Kyle Canyon Area as outlined in the City of Las Vegas 2050 Master Plan. The districts character is predominantly detached single-family residential and has several areas under development agreements, open desert, and large-lot estates. The area plan indicates that few major or significant employers or commercial centers exist within Kyle Canyon, with limited new suburban commercial will be constructed at major interchanges.

The applicant has proposed a General Plan Amendment (22-0172-GPA1) from PCD (Planned Community Development) to SC (Service Commercial). The Service Commercial category generally allows low to medium intensity retail, office and other commercial uses that serve primarily local patrons, and do not include more intense general commercial characteristics. The SC (General Commercial) General Plan land use designation allows the P-O (Professional Office and Parking), O (Office) and C-1 (Limited Commercial) zoning districts.

In addition, the applicant has proposed Rezoning (22-0172-ZON1) the subject site from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to C-1 (Limited Commercial). The C-1 (Limited Commercial) zoning district is intended to provide most retail shopping and personal services. This district should is intended to be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors and is consistent with the Service Commercial category of the General Plan.

Staff has determined that the proposed C-1 (Limited Commercial) zoning district and SC (Service Commercial) General Plan land use designation are consistent with the surrounding area. Furthermore, the Kyle Canyon Area plan indicates the Shaumber Road alignment is designated to become the Sheep Mountain Parkway alignment, which will create a major intersection that is suitable for commercial development on the subject site. The Department of Public Works states, “That although the right-of-way width for Sheep Mountain Parkway is determined, the physical roadway cross section has yet to be determined. However, we anticipate having a final determination on the Sheep Mountain Parkway roadway section prior to the submittal of technical studies for this project.” A condition of approval has been added which will require the applicant to dedicate 60-feet of right-of-way on Sheep Mountain Parkway (North Shaumber Road) and a 25-foot radius at the northeast corner Sheep Mountain Parkway and Kyle Canyon Road. In addition, the applicant will also have to construct half-street improvements on Kyle Canyon Road.

The permitted Restaurant use is described in Title 19.12 as, “An establishment providing for the preparation and retail sale of food and beverages, including without limitation cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out (i.e. pizza) and similar uses. The associated Drive-Through use is listed as a conditional land use with within the C-1 (Limited Commercial) zoning district. Title 19.12 describes the use as, “The use of a dedicated drive lane that, incidental to a principal use, provides access to a station, such as a window, door or mechanical device, from which occupants of a motor vehicle receive or obtain a product or service.”

The Conditional Use Requirements for the use include:

1. A single-station drive-through shall have a stacking lane that will accommodate a minimum of six vehicles, including the vehicle at the station. A multiple-station drive-through shall have stacking lanes that will accommodate a minimum of three vehicles per station, including the vehicle at that station.

The submitted site plan indicates that the proposed Restaurant with a Drive-Through will provide a single-station drive-through that will provide a stacking lane that will accommodate nine vehicles.

2. The drive-through shall be screened in accordance with LVMC 19.08.040(F).

The submitted landscaping plan indicates that the proposed development complies with all Title 19.08.040(F) landscape buffer screening requirements by providing a 15-foot wide landscape buffer adjacent to the drive-through with all required planting materials.

In addition, the applicant has requested a Special Use Permit (22-0172-SUP1) for a proposed 3,800 square-foot Alcohol, Off-Premise Full use with the proposed Tavern. The Alcohol, On Premise Full use is described in Title 19.12 as, “An establishment licensed to sell alcoholic beverages, not limited to the sale of beer, wine and coolers, for consumption on the premises where the same are sold.” This use requires approval of a Special Use Permit within a C-1 (Limited Commercial) zoning district in Title 19.

The Minimum Special Use Permit Requirements for this use include:

1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between an Alcohol, On-Premise Full establishment and certain other uses that should be protected from the impacts associated with that establishment. Therefore, except as otherwise provided in these Requirements, no Alcohol, On-Premise Full establishment may be located within 400 feet of any of the following uses:

a. Church/house of worship;
b. School;
c. Individual care center licensed for more than 12 children; or
d. City park.

This requirement has been met as there are no protected land uses within 400 feet of the subject site. All measurements have been taken from the perimeter boundary of APN 126-01-301-013.

2. The distance separation requirement set forth in Requirement 1 does not apply to the following:

a. An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
b. Any Alcohol, On-Premise Full use located on property within the Pedestrian Mall, as defined in LVMC Chapter 11.68; the Downtown Entertainment Overlay District, as described in LVMC 19.10.120; or the 18b Arts District, as described in Appendix F to this Title. The Special Use Permit approval may include conditions designed to mitigate any impacts related to distance separation.

This requirement is not applicable, as the proposed land use is not associated with a non-restricted gaming license with a hotel having more than 200 rooms or an establishment having more than 50,000 square feet of retail floor space.

Also, the applicant has requested a Special Use Permit (22-0172-SUP2) for a proposed 3,800 square-foot Gaming Establishment, Restricted (6 to 15 Machines) in conjunction with the proposed Tavern. The Gaming Establishment, Restricted use is described in Title 19.12 as “An establishment which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Title 6. For informational purposes, this description refers to an establishment whose gaming operations are limited to not more than 15 slot machines, and no other game or gaming device.” This use requires approval of a Special Use Permit within a C-1 (Limited Commercial) zoning district in Title 19.

The Minimum Special Use Permit Requirements for this use include:

*1. Pursuant to its general authority to regulate gaming, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between a Gaming Establishment, Restricted use and certain other uses that should be protected from the impacts associated with that establishment, or that otherwise should be separated so as to minimize impacts on surrounding areas. Therefore, except as otherwise provided in these Requirements, the following distance separation requirements apply:

a. For one to five gaming machines, no less than 400 feet to the nearest:
   I. Church/house of worship;
   II. School;
   III. Individual care center licensed for more than 12 children; or
   IV. City park.
b. For six to fifteen gaming machines, no less than 1500 feet to the nearest:
   I. Church/house of worship;
   II. School;
   III. Individual care center licensed for more than 12 children; or
   IV. City park;
   V. Gaming Establishment, Restricted use with six to fifteen gaming machines; or
   VI. Gaming Establishment, Non-restricted use.
c. For one to fifteen gaming machines, and operating independently of Requirement 1.b. above, no less than 1500 feet to the nearest Gaming Establishment, Restricted use or Gaming Establishment, Non-restricted use located within the Resort & Casino District, as described in LVMC Title 19, Appendix F.

This requirement has been not been met, there is an existing parcel (APN 126-01-401-013) located approximately 1,195 feet to the southeast across Kyle Canyon Road that is designated to be developed as a City Park where a 1,500-foot separation is required.

2. The distance separation requirement set forth in Requirement 1.b. may be waived in accordance with the provisions of LVMC 19.12.050(C) for the following:

a) An establishment located on property within one or more of the following Special Area and Overlay Districts:
   I. The Civic District, as described in LVMC 19.10.010;
   II. The Market District or the Symphony Park District within the Downtown Las Vegas Overlay District, as described in LVMC Title 19, Appendix F; or
   III. The Gaming Enterprise Overlay District, as described in LVMC 19.10.130, except for any portion of the Gaming Enterprise Overlay District that falls entirely within the Resort & Casino District, as described in LVMC Title 19, Appendix F.
b) An establishment located within a Regional Mall, as defined by LVMC 19.18.020;
c) An establishment located within a Mixed-Use development, as defined by LVMC 19.18.020;
d) An establishment that will be separated from an existing protected use by a street or highway with a minimum right-of-way width of 100 feet; or
e) An establishment that is located on a site, or within a building or structure, that is designated on the City of Las Vegas Historic Property Register.

JB

Pursuant to condition #2(d) the applicant has requested a Waiver to allow a reduced separation from the protected land use as the subject site is separated from the City Park by the Kyle Canyon Road right-of-way width that exceeds 100 feet, which staff supports.

*3. The use shall conform to, and is subject to, the provisions of LVMC Chapter 6.40.

The proposed use will be subject to all business licensing requirements outlined in LVMC Chapter 6.40 if approved.

The submitted building elevations indicate both structures will be one-story, with building façades that include a stone veneer exterior with painted stucco exterior finish, and is consistent with commercial development within the desert environment. The submitted landscape plan indicates the primary tree species being utilized throughout the development is the 24-inch box Mexican Sycamore, 24-inch box Golden Rain and 24-inch box Red Puss Pistache trees with a variety of five-gallon shrubs.

The proposed commercial development and use of the structures is consistent with the Kyle Canyon Area as outlined in the City of Las Vegas 2050 Master Plan and the surrounding area. The proposed project is compatible with the adjacent land uses and meets all the minimum requirements of Title 19 and the conditions of approval of the previous site development plan reviews for the commercial development with exception of the distance separation Waiver associated with the Gaming Restricted use; therefore, staff recommends approval the requested General Plan Amendment, Rezoning, Special Use Permits and Site Development Plan Review.

FINDINGS (22-0172-GPA1)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

   The proposed SC (Service Commercial) designation is compatible with the existing adjacent land use designations. The proposed amendment would allow for a commercial development at this location.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

   The proposed amendment would allow for the C-1 (Limited Commercial) zoning district, will be compatible with the proposed land uses and development trends outlined in the City of Las Vegas 2050 Master Plan – Kyle Canyon Area plan.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

   There are transportation, recreation, utility and other facilities that are adequate to accommodate the uses and densities permitted by the proposed General Plan Amendment.

4. **The proposed amendment conforms to other applicable adopted plans and policies.**

   The proposed amendment conforms to the policies for development outlined in the Las Vegas 2050 Master Plan for the Kyle Canyon area.

FINDINGS (22-0172-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

   The proposed Rezoning to C-1 (Limited Commercial) would conform to the SC (Service Commercial) General Plan designation if approved.

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

   The proposed C-1 (Limited Commercial) zoning district would allow for the proposed Restaurant development as permissible land use, Drive-Through as a conditional use and Alcohol, On Premise Full and Gaming, Restricted uses with an approved Special Use Permit. This is compatible with the surrounding uses within the subject site.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

   The pattern of development in this area supports rezoning to C-1 (Limited Commercial).

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

   Site access is provided from Kyle Canyon Road a 200-foot Primary Arterial Street as designated in the Master Plan of Streets and Highways. This street is sufficient in size to accommodate the needs of the proposed commercial land uses.

FINDINGS (22-0172-SUP1)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

   The proposed Alcohol, On-Premise Full use is appropriate for commercially zoned property on the corner of a major intersection with in the Kyle Canyon area.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The proposed commercial development is physically suitable for the intensity of the proposed Alcohol, On-Premise Full use.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   Site access is provided from Kyle Canyon Road a 200-foot Primary Arterial Street as designated in the Master Plan of Streets and Highways, which is adequate in size to accommodate the proposed commercial development.

JB

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   If approved, the proposed use will be subject to regular inspections by multiple governmental agencies to ensure the public health, safety and welfare are not compromised.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed Alcohol, On-Premise Full use meets the minimum requirements set forth by Title 19.12.

FINDINGS (22-0172-SUP2)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

   The proposed Gaming Establishment, Restricted (6 to 15 Machines) use is appropriate for commercially zoned property on the corner of a major intersection with in the Kyle Canyon area.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site is an proposed commercial development which is physically suitable for the intensity of the proposed Gaming Establishment, Restricted use.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   Site access is provided from Kyle Canyon Road a 200-foot Primary Arterial Street as designated in the Master Plan of Streets and Highways, which is adequate in size to accommodate the proposed commercial development.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   If approved, the proposed use will be subject to regular inspections by multiple governmental agencies to ensure the public health, safety and welfare are not compromised.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed Gaming Establishment, Restricted (6 to 5 Machines) use meets the minimum requirements set forth by Title 19.12, with the exception of the requested Waiver to allow a 1,195-foot distance separation from site that is designated to be a City Park where 1,500 feet is required. Staff finds the Waiver request will have minimal negative impact to the future development of the City Park, since the use is separated by a 200-foot wide Kyle Canyon right-of-way which will limit access to the park.

FINDINGS (22-0172-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed commercial development is located in the Kyle Canyon Area of the City of Las Vegas 2050 Master Plan and will serve as a commercial development that is complementary to the other single-family residential land uses in the surrounding area and is the type of use that is encouraged in the area.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

   The proposed site plan conforms to the General Plan, Title 19 and the overall site development plan for the commercial development.

JB

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   Site access is provided from Kyle Canyon Road a 200-foot Primary Arterial Street as designated in the Master Plan of Streets and Highways, which is adequate in size to accommodate the proposed commercial development.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The proposed building and landscape materials are appropriate for the surrounding area and a desert climate.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

   The proposed building elevations are not unsightly or obnoxious in appearance and would be compatible with future development in the area.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed development is subject to building permit review and regular inspections during the construction phase to ensure the public health, safety and general welfare are protected.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
06/01/05	The City Council approved a request for a Petition to Annex (ANX-5528) property generally located north of Iron Mountain Road and west of Hualapai Way, containing approximately 529 acres of land.
07/12/22	The Planning Commission (6-0 vote) recommends APPROVAL on the following Land Use Entitlement project requests on 1.80 acres at the northeast corner of Kyle Canyon Road and Shaumber Road (APN 126-01-301-013), Ward 6 (Fiore) • **22-0172-GPA1** - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL) • **22-0172-ZON1** - REZONING - FROM: U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL) • **22-0172-SUP1** - SPECIAL USE PERMIT - FOR A PROPOSED 3,800 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE • **22-0172-SUP2** - SPECIAL USE PERMIT - FOR A PROPOSED 3,800 SQUARE-FOOT GAMING ESTABLISHMENT, RESTRICTED (6 TO 15 MACHINES) USE WITH A WAIVER TO ALLOW A 1,195-FOOT DISTANCE SEPARATION FROM A SITE THAT IS DESIGNATED TO BE CITY PARK WHERE 1,500 FEET IS REQUIRED • **22-0172-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 6,024 SQUARE-FOOT COMMERCIAL DEVELOPMENT CONSISTING OF TWO BUILDINGS WITH AN 828 SQUARE-FOOT OUTDOOR PATIO AREA

Most Recent Change of Ownership	
08/25/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no Building Permits or Business Licenses associated with the subject site.

JB

Pre-Application Meeting	
03/21/22	Staff conducted a pre-application meeting where the submittal requirements for a General Plan Amendment, Rezoning, Variance, Special Use Permits and Site Development Plan Review were discussed for a proposed tavern and drive-through restaurant development.

Neighborhood Meeting	
05/19/22	A neighborhood meeting was held at the Centennial Hills YMCA Multipurpose Room at 6601 North Buffalo Drive, at 5:30pm to discuss the proposed General Plan Amendment and Rezoning at Assessor's Parcel 126-01-301-013. The meeting was attended by one Department of Planning staff member and no Council Ward 6 liaison. There were two members of the public in attendance; as such the following concerns were raised regarding the proposed development. • How future commercial development would impact future traffic on Kyle Canyon Road and Shaumber Road • Expressed that commercial development would be a great addition since there will be neighboring residents in need of a close commercial center • What future business types are being thought to occupy the future commercial center

Field Check	
05/26/22	During a routine site visit staff noted the subject site is undeveloped with natural desert vegetation.

Details of Application Request	
Site Area	
Net Acres	1.80

JB

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]
North	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]
South	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]
East	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]
West	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]

JB

Master and Neighborhood Plan Areas	***Compliance***
Master Plan 2050 Area: Kyle Canyon	N/A
Northwest Open Space Plan	N/A
Special Area and Overlay Districts	***Compliance***
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.080, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Width	100 Feet	333 Feet	Y
Min. Setbacks – Coffee Shop			
• Front (south)	10 Feet	30 Feet	Y
• Side (east)	10 Feet	170 Feet	Y
• Side (west)	10 Feet	39 Feet	Y
• Rear (north)	20 Feet	165 Feet	Y
Min. Setbacks – Tavern			
• Front (south)	10 Feet	15 Feet	Y
• Side (east)	10 Feet	65 Feet	Y
• Side (west)	10 Feet	128 Feet	Y
• Rear (north)	20 Feet	165 Feet	Y
Max. Lot Coverage	50 %	8 %	Y
Max. Building Height	N/A	24 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

JB

Existing Zoning	***Permitted Density***	***Units Allowed***
U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]	1du/lot	1du/lot
Proposed Zoning	***Permitted Density***	***Units Allowed***
C-2 (General Commercial)	N/A	N/A
Existing General Plan	***Permitted Density***	***Units Allowed***
PCD (Planned Community Development)	8du/acre	14
Proposed General Plan	***Permitted Density***	***Units Allowed***
GC (General Commercial)	N/A	N/A

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	14 Trees	14 Trees	Y
• South	1 Tree / 20 Linear Feet	12 Trees	12 Trees	Y
• East	1 Tree / 20 Linear Feet	11 Trees	11 Trees	Y
• West	1 Tree / 20 Linear Feet	12 Trees	20 Trees	Y
TOTAL PERIMETER TREES		**49 Trees**	**57 Trees**	**Y**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	22 Trees	31 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		8 Feet	Y
• South	15 Feet		15 Feet	Y
• East	8 Feet		8 Feet	Y
• West	8 Feet		15 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		Not Indicated	Y

JB

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Kyle Canyon	Primary Arterial	Master Plan of Streets and Highways	32	Y*
Shaumber Road - alignment	Local	Title 13	Zero	N*

*Half-street improvement will be required pursuant conditions.

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Alcohol, On Premise, Full (Tavern)	3,800 SF	Public: 1:50 SF (2,130 SF)	43				
		Back of House: 1:200 SF (1,670 SF)	9				
Restaurant with Drive Through (Coffee Shop)	2,224 SF	Public: 1:50 SF (838 SF)	17				
		Back of House: 1:200 SF (1,386 SF)	7				
TOTAL SPACES REQUIRED			76		79		Y
Regular and Handicap Spaces Required			72	4	75	4	Y
Loading Spaces	0 – 10,000 SF (6,024 SF)		1		2		Y

JB

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	22-0172
Meeting Date	04/14/2022
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) General Plan Amendment and Zone Change

Project Address (Location) Kyle Canyon Road and Shaumber Road

Project Name Investments West **Proposed Use** Commercial

Assessor's Parcel #(s) 126-01-301-013 **Ward #** 6

General Plan: Existing PCD Proposed GC **Zoning:** Existing U-PCD Proposed C-2

Additional Information

Property Owner Investments West, LLC **Contact** Chris Johsnon

Address PO Box 94313 City Las Vegas State NV Zip 89193

E-mail n/a Phone 000-000-0000

Applicant Investments West, LLC **Contact** Chris Johnson

Address PO Box 94313 City Las Vegas State NV Zip 89193

E-mail n/a Phone 000-000-0000

Representative Kaempfer Crowell **Contact** Tony Celeste

Address 1980 Festival Plaza Dr. #650 City Las Vegas State NV Zip 89135

E-mail ajc@kcnvlaw.com Phone 702-792-7000

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Christopher Johnson

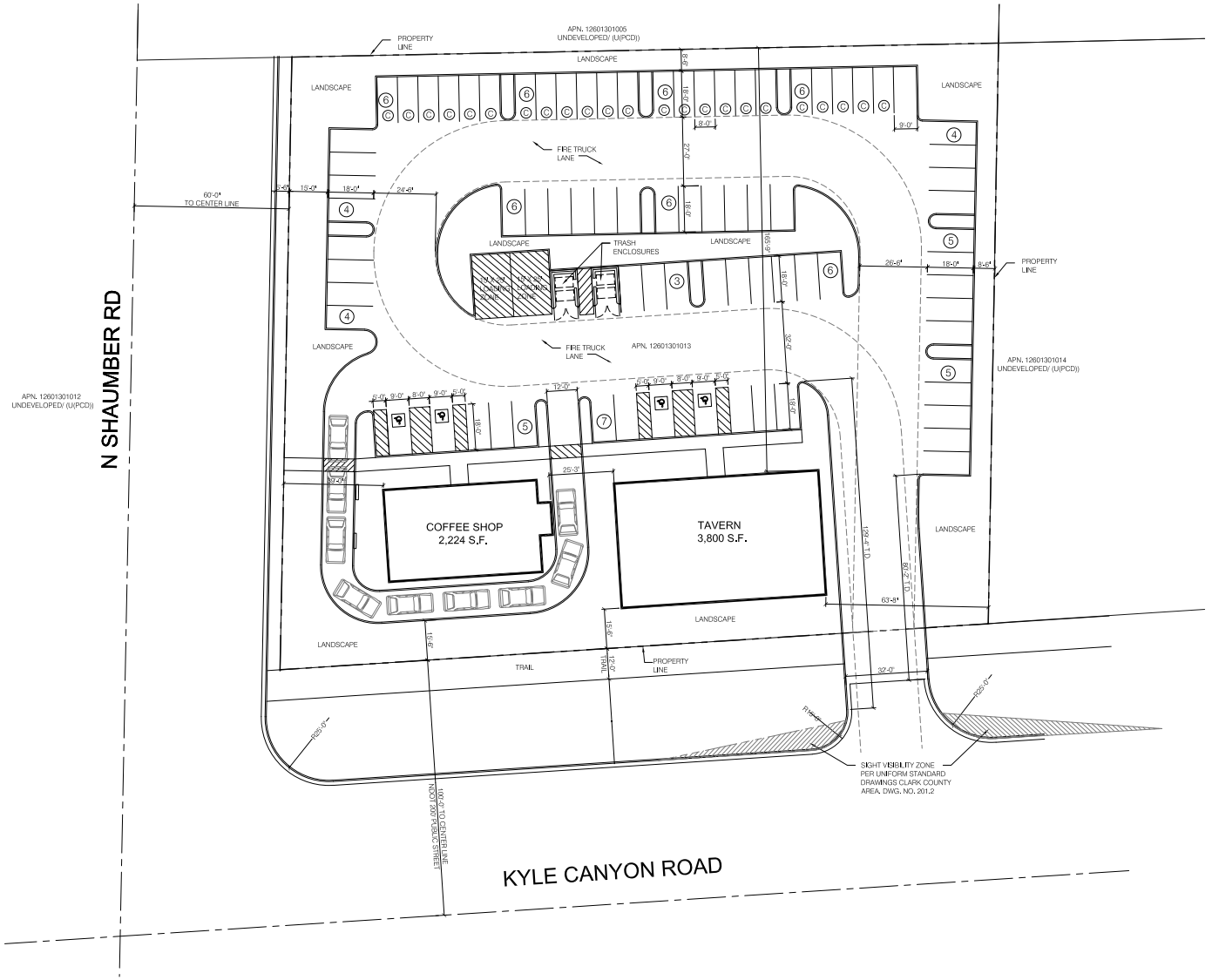
Subscribed and sworn before me

This 8th day of April, 2022

_____

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
MARCIA WYATT
No. 00-65841-1 / Comm. Exp. 10/16/2024



SITE INFORMATION

JURISDICTION:	Las Vegas, NV 89166	
EXISTING ZONING:	Undeveloped/ (U(PCD))	
APN #:	126-01-301-013	
PROJECT SITE GROSS AREA:	1.8 ACRES	78,408 S.F.
PROJECT SITE NET AREA:	1.48 ACRES	64,540 S.F.

SETBACK	REQUIRED	PROVIDED
FRONT	10 ft	15'-6"
SIDE STREET (CORNER)	10 ft	39'-0"
REAR	20 ft	165'-9"
HEIGHT	1 STORY	25'-0"

BUILDING AREA	GROSS
TAVERN	3,800 sq. ft.
COFFEE SHOP	2,224 sq. ft.
TOTAL BUILDING AREA	6,024 sq. ft.
TOTAL BUILDING LOT COVERAGE:	9.33 %

PARKING ANALYSIS

TAVERN: – 1 PER 50 FOR PUBLIC SEATING AND WAITING AREA @ 2,130 S.F./50 = 42.60 SPACES (43 SPACES)
– 1 PER 200 FOR BACK OF HOUSE @ 1,670 S.F./200 = 8.35 SPACES (9 SPACES)

COFFEE SHOP: – 1 PER 50 FOR PUBLIC SEATING AND WAITING AREA @ 838 S.F./50 = 16.76 (17 SPACES)
– 1 PER 200 FOR BACK OF HOUSE @ 1,386 S.F./200 = 6.93 SPACES (7 SPACES)

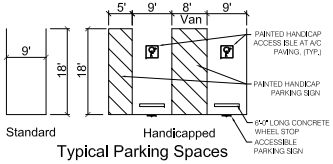
PARKING REQUIRED = 76 SPACES

PARKING PROVIDED = 79 SPACES
(INCLUDES 23 COMPACT SPACES – 30% ALLOWED)

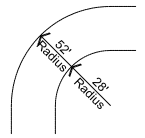
ACCESSIBLE PARKING REQUIRED: =4 STALLS
ACCESSIBLE PARKING PROVIDED: = 2 REGULAR STALLS
2 VAN ACCESSIBLE STALLS INCLUDED
2 LOADING ZONES PROVIDED

ACCESSIBLE PARKING BASED UPON 2018 IBC TABLE 1106.1
4 ACCESSIBLE STALLS OUT OF 76–100 STALLS

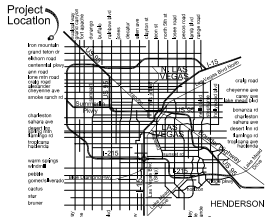
Ⓒ = COMPACT VEHICLE



Typical Parking Spaces



Fire Turning Radius



Vicinity Map

22-0172
06/14/2022

CHRIS JOHNSON TAVERN - SITE PLAN

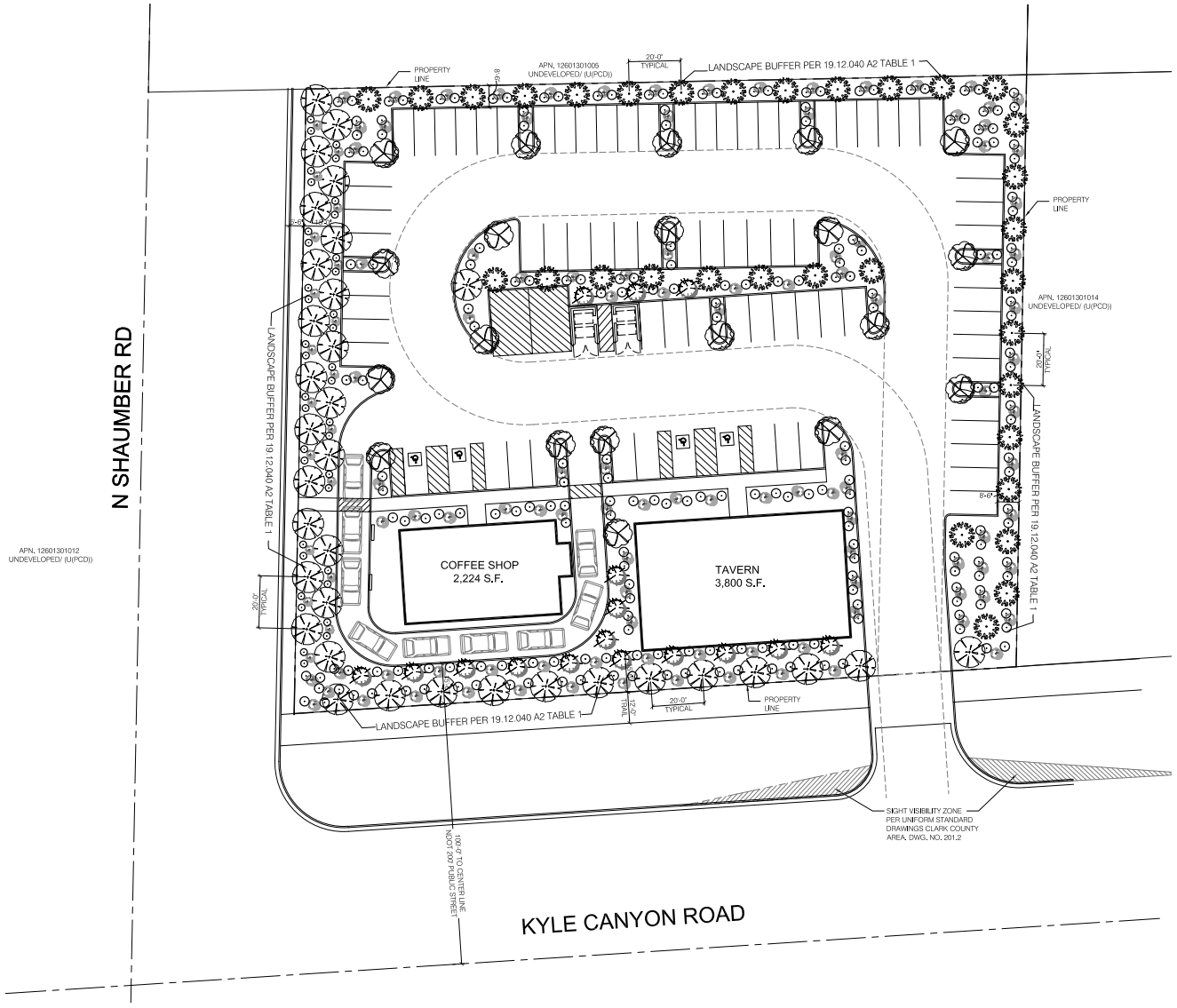
Las Vegas, Nevada 89166

Scale:1" = 20'

NORTH

Site Plan : Sheet Title
22-074 : Project Number
06-09-2022 : Date

MOSER architecture studio



LANDSCAPE SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
TREES					
	34	24"-Box	20' On Center	MEXICAN SYCAMORE	PLATINUS MEXICANA
	33	24"-Box	20' On Center	GOLDEN RAIN TREE	KOELREUTERIA PANICULATA
	20	24" Box	20' On Center	RED PUSH PISTACHE	PISTACIA X 'RED PUSH'
SHRUBS/ACCENTS					
	16	5 Gallon	N/A	RED BIRD OF PARADISE	CAESALPINIA PULCHERRIMA
	252	1- 5 Gallon	N/A	BUSH LANTANA	LANTANA CAMARA
	127	5 Gallon	N/A	DESERT SENNA	SENNA NEMOPHILIA

* Xeroscape- No turf to be used. Only rock, Crushed rock or other Low-water use, approved ground conver will be used.

City Council - Page 880

CHRIS JOHNSON TAVERN - LANDSCAPE PLAN

Las Vegas, Nevada 89166

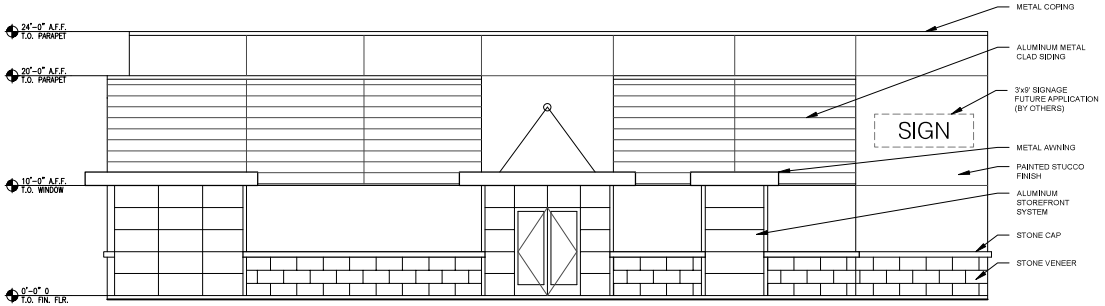
Scale:1" = 20'

NORTH

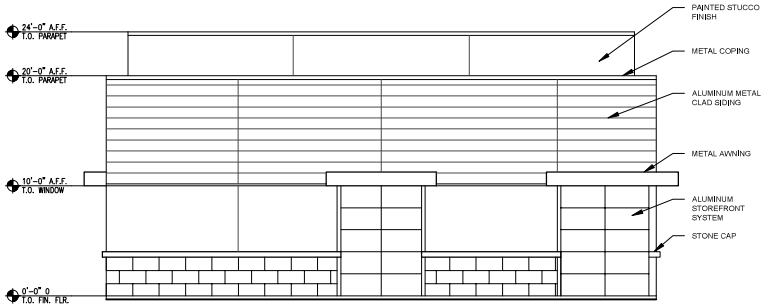
22-0172
06/14/2022

Landscape Plan : Sheet Title
22-074 : Project Number
06-09-2022 : Date

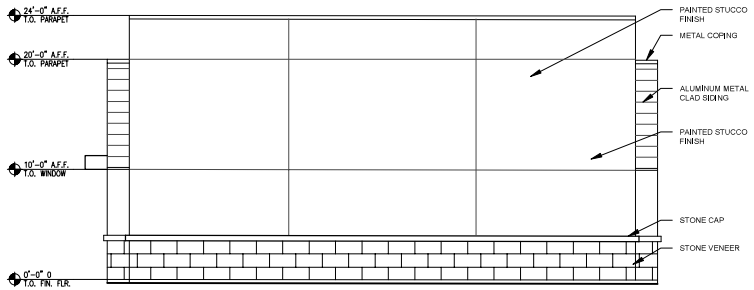
MOSER architecture studio



NORTH ELEVATION



EAST ELEVATION



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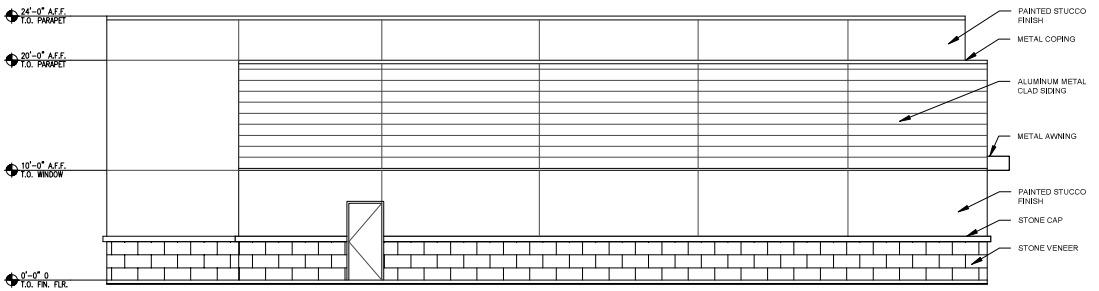


SOUTH ELEVATION

22-0172
06/14/2022

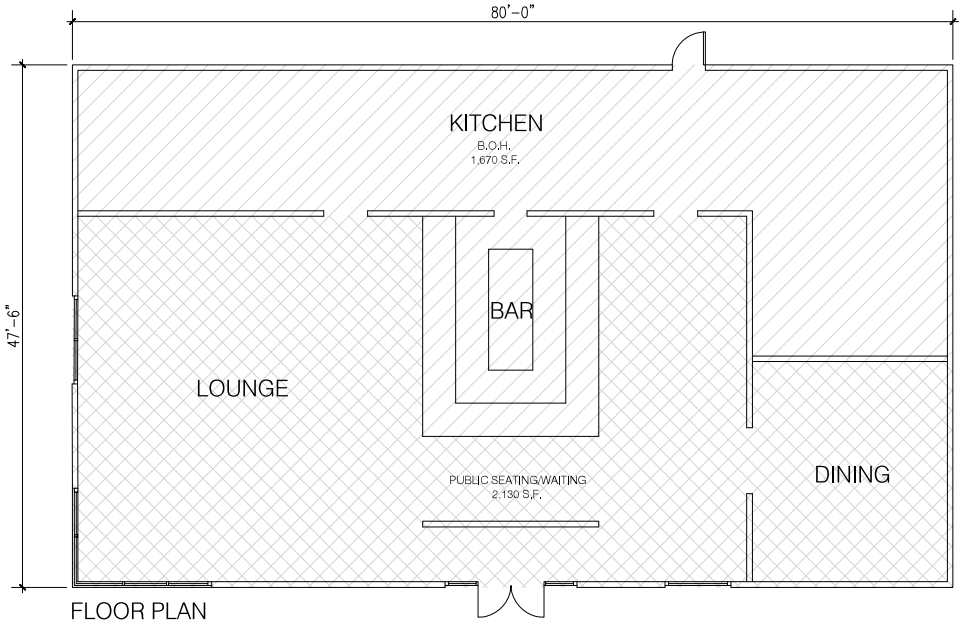
CHRIS JOHNSON TAVERN - TAVERN ELEVATIONS

Las Vegas, Nevada 89166

Scale:3/16" = 1'-0"

Exterior Elevations : Sheet Title
22-074 : Project Number
06-09-2022 : Date

MOSER architecture studio



FLOOR PLAN
3,800 s.f.

22-0172
06/14/2022

CHRIS JOHNSON TAVERN - TAVERN PLAN

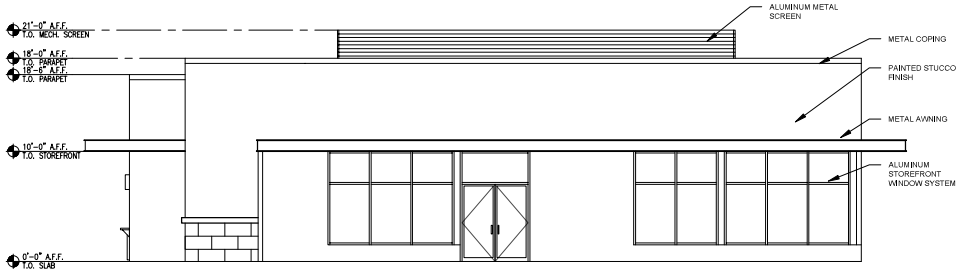
Las Vegas, Nevada 89166

Scale:3/16" = 1'-0"

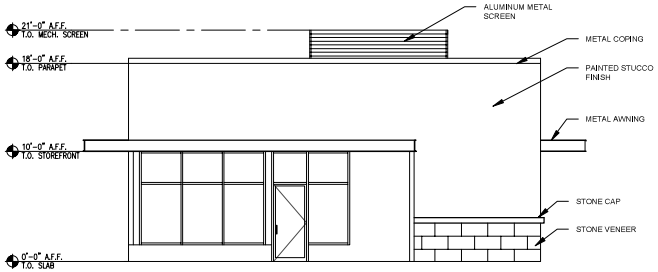
NORTH

MOSER architecture studio

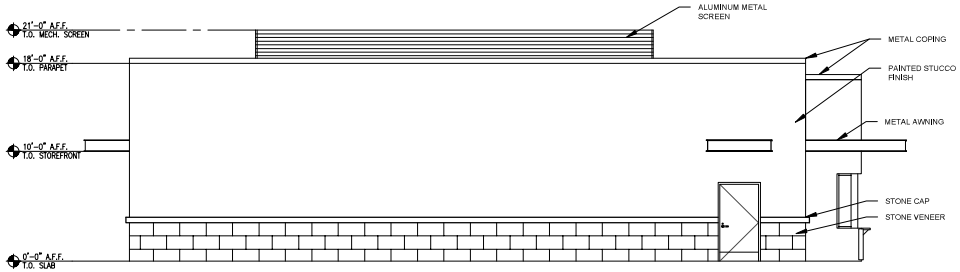
Floor Plan : Sheet Title
22-074 : Project Number
06-09-2022 : Date



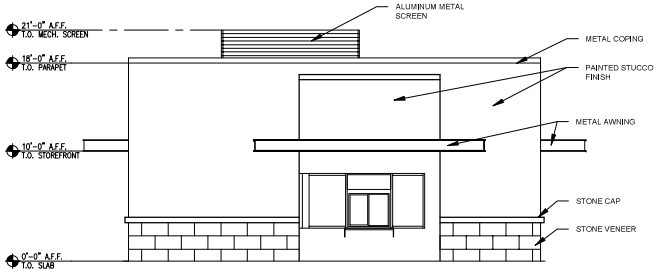
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

22-0172
06/14/2022

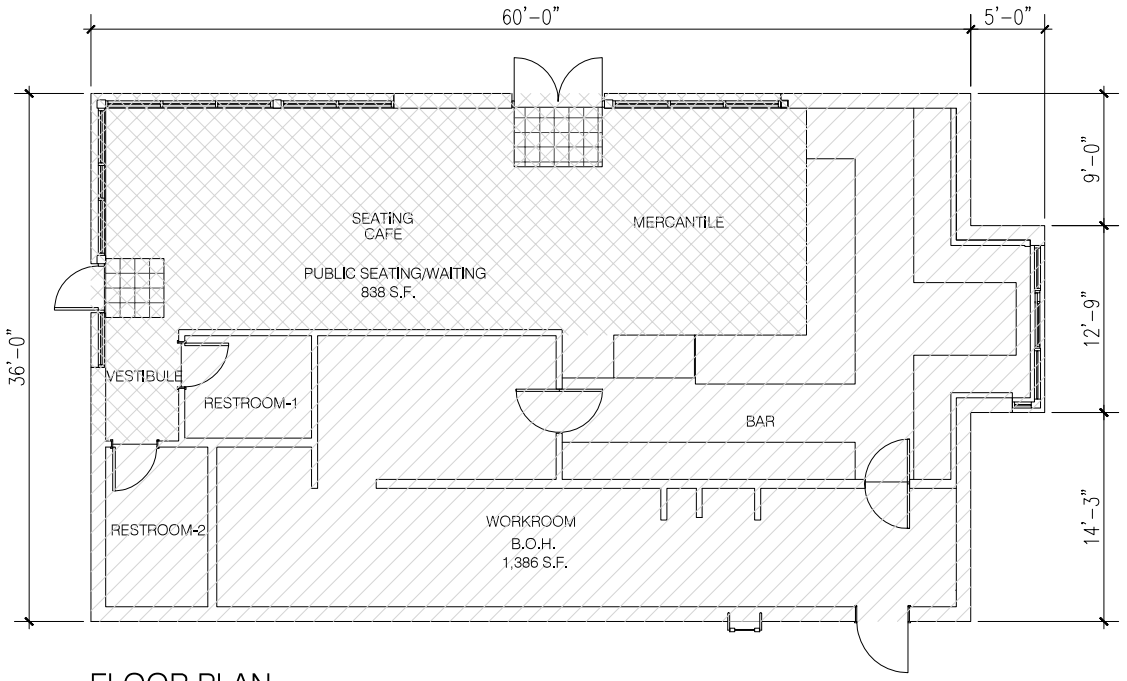
CHRIS JOHNSON TAVERN - COFFEE SHOP ELEVATIONS

Las Vegas, Nevada 89166

Scale: 3/16" = 1'-0"

Exterior Elevations : Sheet Title
22-074 : Project Number
06-09-2022 : Date

MOSER architecture studio



FLOOR PLAN
2,224 s.f.

22-0172
06/14/2022

CHRIS JOHNSON TAVERN - COFFEE SHOP PLAN

Las Vegas, Nevada 89166

Scale:1/4" = 1'-0"

NORTH

MOSER architecture studio

Floor Plan : Sheet Title
22-074 : Project Number
06-09-2022 : Date

MOSER architecture studio

CHRIS JOHNSON TAVERN

COLOR BOARD



PRIMARY



SECONDARY



ACCENT - 1



ALUMINUM
CLADDING



ELDORADO
RUSTIC LEDGE
SEQUOIA STONE

22-0172
06/02/2022

5975 Edmond Street, Suite 115 Las Vegas, NV 89118 Phone: 702.322.1177 Fax: 702.322.1188



22-0172-GPA1, 22-0172-ZON1, 22-0172-SUP1, 22-0172-SUP2, AND 22-0172-SDR1 - APPLICANT/OWNER: INVESTMENTS WEST, LLC
NORTHEAST CORNER OF KYLE CANYON ROAD AND SHAUMBER ROAD

05/26/2022



22-0172-GPA1, 22-0172-ZON1, 22-0172-SUP1, 22-0172-SUP2, AND 22-0172-SDR1 - APPLICANT/OWNER: INVESTMENTS WEST, LLC
NORTHEAST CORNER OF KYLE CANYON ROAD AND SHAUMBER ROAD

05/26/2022



22-0172-GPA1, 22-0172-ZON1, 22-0172-SUP1, 22-0172-SUP2, AND 22-0172-SDR1 - APPLICANT/OWNER: INVESTMENTS WEST, LLC
NORTHEAST CORNER OF KYLE CANYON ROAD AND SHAUMBER ROAD

05/26/2022



22-0172-GPA1, 22-0172-ZON1, 22-0172-SUP1, 22-0172-SUP2, AND 22-0172-SDR1 - APPLICANT/OWNER: INVESTMENTS WEST, LLC
NORTHEAST CORNER OF KYLE CANYON ROAD AND SHAUMBER ROAD

05/26/2022

KAEMPFER CROWELL
ATTORNEYS AT LAW
LAS VEGAS OFFICE
ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 950
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

21-32036
6-13-2022

June 13, 2022

VIA UPLOAD

City of Las Vegas
PLANNING & DEVELOPMENT DEPARTMENT
495 S. Main St.
Las Vegas, NV 89101

Re: ***[REVSIED] Justification Letter – Investments West General Plan Amendment, Zone Change, Site Development Plan Review for a Commercial Center, and Special Use Permits to Allow (1) On-Premises Liquor and (2) Restricted Gaming APN: 126-01-301-013 (Kyle Canyon Road/Shaumber Road)***

To Whom It May Concern:

Our Firm represents the Applicant with respect to a request for a general plan amendment and zone change for property located at the northeast corner of Kyle Canyon Road and Shaumber Road, more particularly described as APN: 126-01-301-013 (the "Site"), along with the site development plan review for a tavern use. The Site is approximately 1.8 acres.

GENERAL PLAN AMENDMENT AND ZONE CHANGE

The Applicant is seeking to change the general plan to Service Commercial (SC) from Planned Community Development (PCD). The Applicant is requesting to rezone the Site to C-1 from U-PCD. A C-1 zoning designation is an allowed zoning designation under GC.

A change to the general plan to SC and a zone change to C-1 are appropriate for the following reasons:

(1) The City of Las Vegas recently approved a large scale commercial development for properties located between Kyle Canyon Road and Iron Mountain Road and west of the Skye Village Road alignment. There is also an approved casino site located between the Skye Village Road alignment and the US 95 and north of Grand Canyon Road. Therefore, a plan update to SC and zone change to C-1 is compatible with these large-scale commercial and entertainment uses.

(2) There is developing residential uses along the Kyle Canyon Road corridor. With the increase in residential development, additional commercial is needed. Therefore, a commercial zoning designation is appropriate and compatible.

22-0122
06/13/2022

(3) Sheep Mountain Parkway will connect to Kyle Canyon Road immediately south of the Site. Sheep Mountain Parkway and Kyle Canyon Road will be a major intersection, therefore making commercial development on the Site appropriate.

SITE DEVELOPMENT PLAN REVIEW & SPECIAL USE PERMITS

The Applicant is proposing to build a 6,024 square foot commercial shopping center consisting of two buildings. The first building, approximately 24-feet in height, is a 2,224 square foot shop with drive thru located on the southwest corner of the Site near the hard corner of Kyle Canyon Road and Shaumber Road. The second building, approximately 25-feet in height, is a 3,800 square foot tavern located along the Kyle Canyon Road frontage. Both of the buildings' elevations provide enhanced articulation such as stone base, aluminum standing seam roof, clad siding, and painted stucco finishes.

Access to the Site is from Kyle Canyon Road. Although there is only one access point to the Site due to the City's desire to reduce curb cuts along Shaumber, the Site provides ideal on-site circulation with drive aisles circulating around the Site. The Site is meeting parking by providing 79 parking spaces. Additionally, the Site complies with all Title 19 requirements including landscaping and setbacks.

SPECIAL USE PERMITS

With special use permit approvals for on-premises liquor and restricted gaming, a tavern use is an allowed use in a C-1 zoned district. Here, the proposed tavern meets all the distance separation requirements as there are no taverns (on-premises liquor and restricted gaming) within 1,500-feet of the Site and there are no protected uses (i.e. religious centers, city parks, schools, or day cares) within 400-feet of the Site. In addition to meeting all the separation requirements, the Site is located on Kyle Canyon Road where the Sheep Mountain Parkway will connect to Kyle Canyon Road. This area will become an intense commercial corridor, and therefore, a tavern (on-premises liquor and restricted gaming) use is compatible and appropriate for the area.

We thank you in advance for your time and consideration of this request. Should you have any questions, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL

Anthony J. Celeste

AJC/

22-0172-SDR1
Investments West, LLC

NEC Kyle Canyon Road and Shaumber Road

Proposed 6.024 thousand square foot commercial development.

Traffic produced by proposed development:

First Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	COFFEE/DOUGNUT SHOP W/ DRIVE THRU [1000SF]	2.224	820.38	1,825
AM Peak Hour			88.99	198
PM Peak Hour			43.38	97

Second Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	HIGH-TURNOVER (SIT-DWN) RESTRNT [1000 SF]	3.800	112.18	426
AM Peak Hour			9.94	38
PM Peak Hour			9.77	37

Total Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	TOTAL	6.024		**2,251**
AM Peak Hour				**236**
PM Peak Hour				**134**

Existing traffic on all nearby streets:

Kyle Canyon Road	
Average Daily Traffic (ADT)	2,664
PM Peak Hour	213
(heaviest 60 minutes)	

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity
Kyle Canyon Road	12,480

This project will add approximately 2,251 trips per day on Kyle Canyon Rd. and Shaumber Rd. Currently, Kyle Canyon is at about 21 percent of capacity. With this project, Kyle Canyon is expected to be at about 39 percent of capacity. Counts are not available for Shaumber, but it is believed to be under capacity.

Based on Peak Hour use, this development will add into the area roughly 236 additional cars, or about four every minute.

Note that this report assumes all traffic from this development uses all named streets.

KAEMPFER CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY CELESTE
aceleste@kcnvlaw.com
702.693.4215

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

August 16, 2022

VIA FAX (702) 382-4803

Ms. LuAnn D. Holmes, City Clerk
City of Las Vegas
495 S. Mail Street
Las Vegas, NV 89101

Re: Request for 30 Day Hold
August 17, 2022 City of Las Vegas City Council Item 34
Investments West (22-0172 GPA1 & ZON1)

Dear Ms. Holmes:

Please be advised that this office represents the applicant in the above-referenced matter. We respectfully request that this application be held from its presently scheduled hearing date of August 17, 2022 to the **September 21, 2022** Las Vegas City Council hearing date.

Thank you again for your kind consideration and please contact our office if you have any questions.

Sincerely,

KAEMPFER CROWELL

Anthony J. Celeste

AJC/jmd

cc: Chance Bonaventure (cbonaventura@lasvegasnevada.gov)
Peter Lowenstein (plowenstein@lasvegasnevada.gov)

Submitted after Final Agenda
Items 34a-34e

7509145500 P.01/01

TRANSACTION REPORT

#702-382-4803 AUG/09/2022/TUE 12:50 PM

FAX(TX)

#	DATE	START T.	RECEIVER	COM.TIME	PAGE	TYPE/NOTE	FILE
001	AUG/09	12:46PM	~~[illegible]~~			MEMORY NO RESPONSE	1991

THE FOLLOWING DATA COULD NOT BE SENT.
PLEASE GIVE THIS TRANSACTION REPORT TO SENDER.

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Official Notice of Public Hearing

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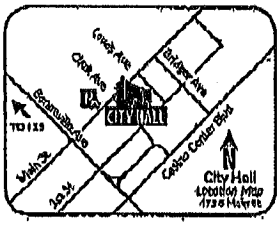

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0172 and 22-0172-GPA1 and 22-0172-ZON1 and 22-0172-SUP1 and 22-0172-SUP2 and 22-0172-SDR1

City Council Meeting of 08/17/2022

22-0172
12602601008
C-N W 362 L L C
3041 W HORIZON RIDGE PKWY # 155
HENDERSON NV 89052-4437

Laura C. Zelaschi
Manager

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CITY CLERK
2022 AUG -9 P 3:12

Submitted after final agenda

Items 34a-34e

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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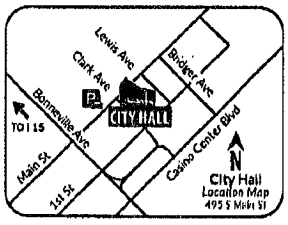

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22-0172 and 22-0172-GPA1 and 22-0172-ZON1 and 22-0172-SUP1 and 22-0172-SUP2 and 22-0172-SDR1

City Council Meeting of **08/17/2022**

22-0172
12601201006
MORANTES KIMBERLY SEP PPTY TR
MORANTES KIMBERLY ELIZABETH TRS
8656 CACTUS CREEK DR
LAS VEGAS NV 89129-2205

89129220E C096

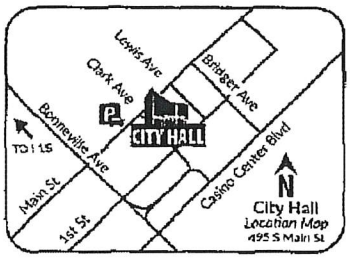
Submitted after final agenda
Items 34a-34e

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing



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[X] I SUPPORT this Request [ ] I OPPOSE this Request

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22-0172 and 22-0172-GPA1 and 22-0172-ZON1 and 22-0172-SUP1 and 22-0172-SUP2 and 22-0172-SDR1

Planning Commission Meeting of **07/12/2022**

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JUL 5 - 2022
City of Las Vegas
Department of Planning

22-0172
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MORANTES KIMBERLY ELIZABETH TRS
8656 CACTUS CREEK DR
LAS VEGAS NV 89129-2205

19a-e A

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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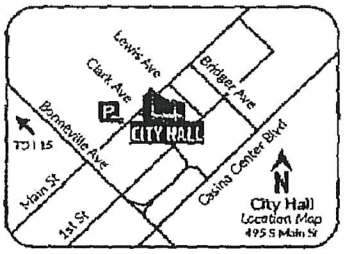
Official Notice of Public Hearing



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Planning Commission Meeting of **07/12/2022**

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MORANTES KIMBERLY SEP PPTY TR
MORANTES KIMBERLY ELIZABETH TRS
8656 CACTUS CREEK DR
LAS VEGAS NV 89129-2205

19a-eA

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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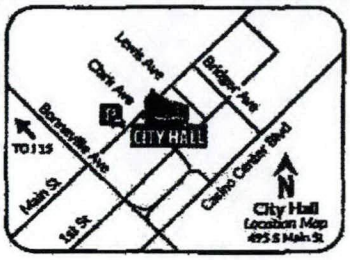

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Planning Commission Meeting of **07/12/2022**

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JUL 12 2022
City of Las Vegas
Department of Planning

22-0172
12601201009
S D E 50054 IRR BUSINESS TRUST
BEHRENS LYNN E
6325 S JONES BLVD # 500
LAS VEGAS NV 89118

115 DRDFNP1 89118

Submitted after final agenda

19a-eA

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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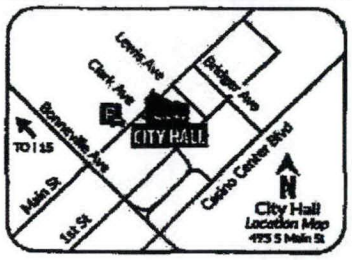
Official Notice of Public Hearing



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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

22-0172 and 22-0172-GPA1 and 22-0172-ZON1 and 22-0172-SUP1 and 22-0172-SUP2 and 22-0172-SDR1

Planning Commission Meeting of **07/12/2022**

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Department of Planning

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City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

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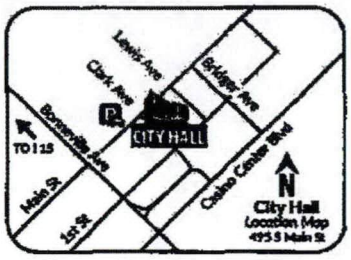

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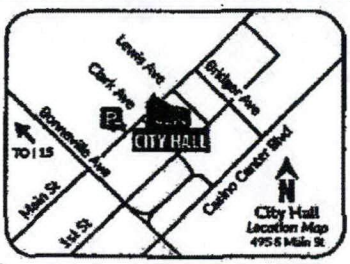

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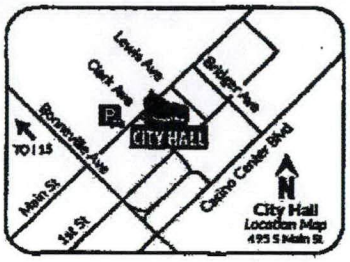

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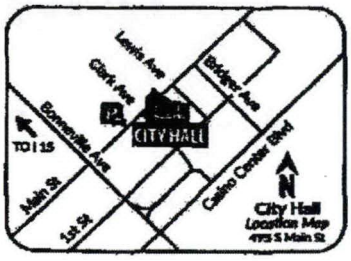

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Planning Commission Meeting of **07/12/2022**

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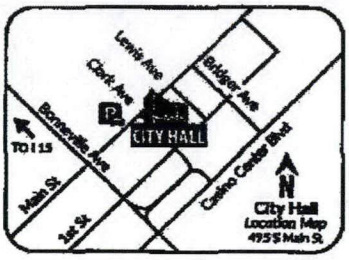

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Planning Commission Meeting of **07/12/2022**

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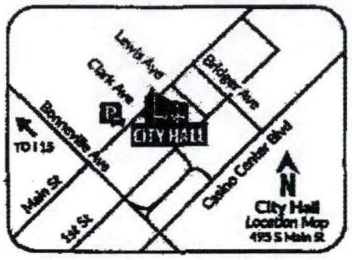

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Planning Commission Meeting of **07/12/2022**

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AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
34a

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0172-GPA1 - GENERAL PLAN AMENDMENT - FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	10
City Council Meeting	0	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
34b

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0172-ZON1 - REZONING - FROM: U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	10
City Council Meeting	0	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
34c

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0172-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 3,800 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	10
City Council Meeting	0	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
34d

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0172-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED 3,800 SQUARE-FOOT GAMING ESTABLISHMENT, RESTRICTED (6 TO 15 MACHINES) USE WITH A WAIVER TO ALLOW A 1,195-FOOT DISTANCE SEPARATION FROM A SITE THAT IS DESIGNATED TO BE CITY PARK WHERE 1,500 FEET IS REQUIRED

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	10
City Council Meeting	0	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
34e

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0172-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 6,024 SQUARE-FOOT COMMERCIAL DEVELOPMENT CONSISTING OF TWO BUILDINGS WITH AN 828 SQUARE-FOOT OUTDOOR PATIO AREA

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	10
City Council Meeting	0	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
35

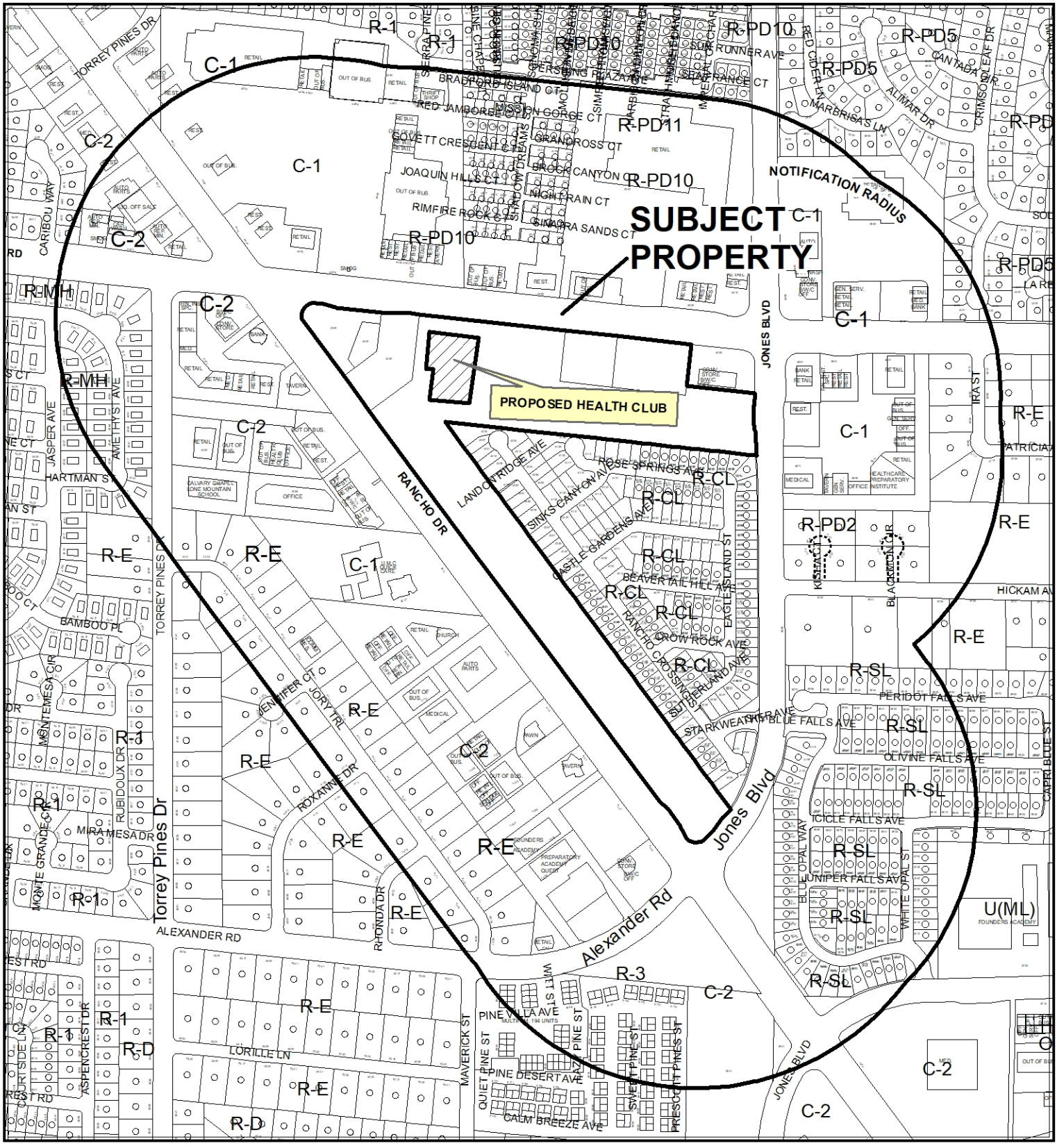
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0174 - PUBLIC HEARING - APPLICANT/OWNER: PRE RANCHO CRAIG, LLC - For possible action on the following Land Use Entitlement project requests on 20.76 acres on the south side of Craig Road, approximately 470 feet east of Rancho Drive (APN 138-02-715-008), C-2 (General Commercial) Zone, Ward 5 (Crear). Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (6-0 vote) recommends APPROVAL on the entire Land Use Entitlement project.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (6-0 vote) recommends APPROVAL on the entire Land Use Entitlement project.

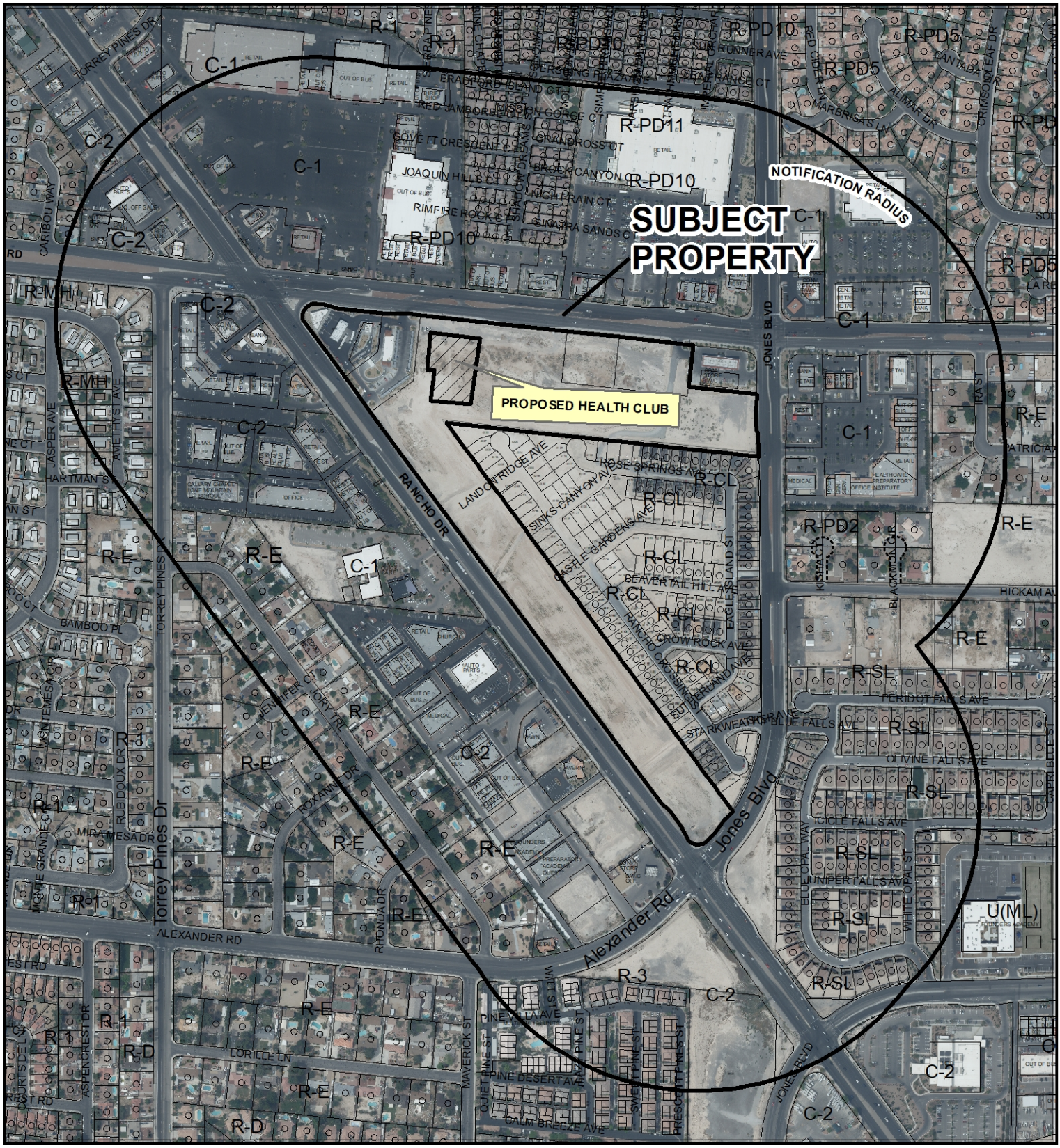
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Comments Submitted by Clark County Department of Aviation - 22-0174-VAR1 and 22-0174-SDR1
7. Traffic Notes Submitted by City of Las Vegas Department of Public Works Traffic Engineering Division - 22-0174-SDR1
8. Submitted after Final Agenda - Support Postcards
9. Backup Documentation Submitted for the July 12, 2022 Planning Commission Meeting



CASE: 22-0174

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



0 462.5 925 Feet

CASE: **22-0174**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: PRE RANCHO CRAIG, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0174-VAR1	Staff recommends DENIAL, if approved subject to conditions:	22-0174-SDR1
22-0174-SDR1	Staff recommends DENIAL, if approved subject to conditions:	22-0174-VAR1

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 876 (by City Clerk)

PROTESTS 0

APPROVALS 2

IR

**** CONDITIONS ****

22-0174-VAR1 CONDITIONS

Planning

1. Approval of and conformance to the approved conditions of approval for Site Development Plan Review (22-0174-SDR1) shall be required, if approved.

2. This approval shall be void two 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.

22-0174-SDR1 CONDITIONS

Planning

1. 36-inch box shade trees shall be planted within the perimeter landscape buffers.

2. Approval of and conformance to the Conditions of Approval for Variance (22-0174-VAR1) shall be required, if approved.

3. This approval shall be void two 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.

4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/14/2022, except as amended by conditions herein.

5. An Exception from 19.08.040 is hereby approved, to allow 4 landscape buffer trees where 18 are required.

6. An Exception from 19.08.110 is hereby approved, to allow 26 trees in the parking area where 43 are required.

7. 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.

8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

9. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.

10. All utility or mechanical equipment shall comply with the provisions of the Interim Downtown Las Vegas Development Standards, unless approved by a separate Waiver.

11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

12. 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.

13. Prior to or at the time of submittal for any building permit, the applicant shall provide written verification by the FAA and/or the Clark County Department of Aviation of the following:
    a. Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Clark County Director of Aviation a “Property Owner’s Shielding Determination Statement” and request written concurrence from the Clark County Department of Aviation;
    b. No Building Permit or other construction permit shall be issued for any structure greater than 35 feet above the surface of land that, based upon the FAA’s 7460 airspace determination (the outcome of filing the FAA Form 7460-1) would (a) constitute a hazard to air navigation, (b) would result in an increase to minimum flight altitudes during any phase of flight (unless approved by the Department of Aviation), or (c) would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.
    c. Applicant is advised that FAA’s airspace determinations are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments.
    d. Applicant is advised that the FAA’s airspace determinations include expiration dates and that the separate airspace determinations will be needed for construction cranes or other temporary equipment.

14. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/14/2022, except as amended by conditions herein.

15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Per the intent of a commercial subdivision, this site may connect to the on-site private sewer system. Alternatively, this site may connect to public sewer in Craig Road.

17. 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, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. The Traffic Impact Analysis shall also include a pedestrian circulation/access plan 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the 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. A Master Traffic Impact analysis for the entire commercial subdivision may be used to address this condition.

18. 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting land use entitlements for a Site Development Plan Review for a 40,103 square foot EOS Health Club near the intersection of Rancho Drive and Craig Road. The proposal utilizes 4.3 acres of a 20.73 acre single-lot commercial subdivision that fronts on both Craig Road and Rancho Drive. The remaining portions of the parcel are earmarked for future development.

ISSUES

- The applicant is requesting Exceptions for plant material that include a reduction of required number of perimeter landscape buffer trees from 18 to four, and a reduction of the number of parking lot trees from 43 to 26. Staff does not support this request.
- The applicant is requesting a Variance to allow a 95-foot Residential Adjacency Setback where 97 feet is required. Staff does not support this request.

ANALYSIS

The applicant is proposing a 40,103 square foot 'EOS' Health Club with 292 parking spaces, and a 2,466 square foot outdoor amenity area. The Health Club use is defined by Title 19.12 as, "an establishment that operates physical fitness facilities, sports clubs or recreation clubs." The proposed use meets the definition in 19.12 as it is a stand-alone Health Club with no other uses proposed.

The subject property is zoned C-2 (General Commercial) and is bound to the applicable development standards in Title 19. The property's designated land use is GC (General Commercial). According to the City of Las Vegas 2050 Master Plan, the General Commercial land use is suitable for higher intensity retail, service, wholesale, office, and other general business uses. The General Commercial land use designation supports the existing C-2 (General Commercial) zoning district.

The surrounding area consists of single-family residential to the south, which is buffered by commercially zoned land fronting on West Craig Road and North Rancho Drive, both Primary Arterials with 120 feet right-of-way widths characterized as commercial corridors. The businesses fronting on these two Primary Arterials consist of a wide range of neighborhood serving retail and services. Immediately to the west is a car wash and 'Dutch Bros' Coffee drive through. The properties fronting on West Craig Road and North Rancho Drive are zoned C-2 (General Commercial) on the same block. The use of the proposed development is suitable to the surrounding area.

According to Title 19.08.080, the C-2 (General Commercial) District is intended for the following:

> The C-2 District is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 District is also appropriate along commercial corridors.

The proposal is consistent with the goals and standards of the 2050 Master Plan and the intent of the General Commercial land use category and the C-2 zoning district. However, the applicant has requested a Variance for a reduction of the Residential Adjacency setback from 97 to 95 feet. While this is a small variance request, nevertheless, staff is not able to support this Variance request as it is preferential in nature. Due to the requested Variance of the Residential Adjacency Setback Standards, staff is not able to support the overall proposed development and is recommending denial of both the requested variance and Site development Plan Review.

The applicant is also requesting an Exception for planting materials to allow a reduction of required number of perimeter landscape buffer trees from 18 to four, and a reduction of the number of parking lot trees from 43 to 26. There are no circumstances that prevent the applicant from meeting Title 19 requirements for interior parking landscaping in this case, which leads staff to recommend denial of the site plan development review application. The lack of perimeter trees further the encumbrance of the requested Variance for Residential Adjacency Standards as the lack of perimeter trees provide no buffer to the existing residential neighborhood.

In addition to providing a much needed buffer to the neighboring residential homes, a goal outlined in the 2050 City of Las Vegas Master Plan is to prioritize the increase in tree canopy across all areas of the City for multiple public health and environmental benefits. This goal includes the planting of "60,000 'Bulletproof' native and adaptive trees on public and private property that are heat, cold, and wind tolerant; water efficient; low maintenance; noninvasive, and pest and disease resistant." The planting of trees improves air quality and reduces the urban heat island impacts felt across the City due to the lack of trees. Approving the requested Exception will increase the City's deficiency in trees and support the growing heat island effect the City continues to endure year after year. Planting trees does not negatively impact the existing water issues the entire southwest is enduring right now. As a matter of fact, the planting of heat tolerant, desert species use less water and reduces the heat island effect that ultimately requires the consumption of more water and energy. Staff supports the City's 2050 Master Plan and is recommending denial of the Exception request to plant an insufficient number of shade trees as it is preferential in nature and a self-imposed hardship that only benefits the applicant.

This project will add approximately 1,383 trips per day on Craig Road, Rancho Drive and Jones Boulevard. Currently, Craig Road is at about 60 percent of capacity, Rancho Drive is at about 41 percent of capacity and Jones Boulevard is at about 46 percent of capacity. With this project, Craig Road is expected to be at about 62 percent of capacity, Rancho Drive to be at about 43 percent of capacity and Jones Boulevard to be at about 49 percent of capacity.

FINDINGS (22-0174-VAR1)

In accordance with the provisions of Title 19.16.140(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by requesting a 95-foot Residential Adjacency Setback where 97 feet is required. Moving the southern extent of the building north by two feet would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (22-0174-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed development is incompatible with adjacent development due to the requested Variance of the Residential Adjacency setback requirement and an Exception for planting materials such as trees that would provide a much needed buffer to the neighboring residential neighborhood from the commercial activity.

2. The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;

The proposed development has requested a Variance of the required Residential Adjacency Setback requirements and an Exceptions of the required landscape buffer and parking lot trees which is inconsistent with Title 19 development standards.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

The subject site is accessed by West Craig Road, a 120-foot wide Primary Arterial as designated by the Master Plan of Streets and Highways and will not negatively impact the adjacent roadways.

4. Building and landscape materials are appropriate for the area and for the City;

The proposed painted CMU and wood siding building façade and color palette is deemed appropriate for the desert environment. The primary tree species utilized are the 24-inch box "Desert Museum Palo Verde" and 24-inch box "Escarpment Oak" trees, which are consistent with the Southern Nevada Regional Plan Coalition Regional Plant List.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed building elevations and materials are not unsightly, undesirable, or obnoxious in appearance, but due to the requested Variance of the Residential Adjacency Setback requirements, the proposed scale of the structure is not compatible with the adjacent residential neighborhood and is not harmonious nor compatible with the existing development in the area.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Site development is subject to building permit review and inspection, thereby protecting the public's health, safety and welfare.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
11/18/15	The City Council approved a request for a General Plan Amendment (GPA-60900) from SC (Service Commercial) to GC (General Commercial) on 51.21 acres on the southeast corner of Rancho Drive and Craig Road.
11/18/15	The City Council approved a request for a Rezoning (ZON-60901) from C-2 (General Commercial) and R-E (Residence Estates) to C-2 (General Commercial) on 51.21 acres on the southeast corner of Rancho Drive and Craig Road.
11/18/15	The City Council approved a request for a Tentative Map (TMP-60902) for a one-lot commercial subdivision on 51.21 acres on the southeast corner of Rancho Drive and Craig Road.
07/12/22	The Planning Commission (6-0 vote) recommends APPROVAL on the following Land Use Entitlement project requests on 20.76 acres on the South Side of Craig Road, approximately 470 feet east of Rancho Drive (APN 138-02-715-008), C-2 (General Commercial) Zone, Ward 5 (Crear) • **22-0174-VAR1** - VARIANCE - TO ALLOW A 95-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 97 FEET IS REQUIRED • **22-0174-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 41,103 SQUARE-FOOT HEALTH CLUB

Most Recent Change of Ownership	
08/28/19	A deed was recorded for a change in ownership.

Pre-Application Meeting	
03/23/22	A pre-application meeting was held with the applicants to discuss the project.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/01/22	Staff conducted a routine site visit and found the undeveloped property to be free of trash and debris.

IR

Details of Application Request	
Site Area	
Gross Acres	20.76 acres
Net Acres	4.3 acres

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Vacant Commercial	GC (General Commercial)	C-2 (General Commercial)
North	Office, Other than Listed	TOD-2 (Transit Oriented Development – 2)	C-1 (Limited Commercial)
	Restaurant		
South	Single Family, Detached	ML (Medium Low)	R-CL (Single Family Compact-Lot)
East	Vacant Commercial	GC (General Commercial)	C-2 (General Commercial)
West	Car Wash, Full Service or Auto Detailing	GC (General Commercial)	C-2 (General Commercial)

Master and Neighborhood Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (140 Feet)	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

IR

DEVELOPMENT STANDARDS

Pursuant to 19.08.080, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	373 Feet	Y
Min. Setbacks			
• Front	10 Feet	83 Feet	Y
• Side	10 Feet	52 Feet	Y
• Rear	20 Feet	95 Feet	Y
Max. Lot Coverage	50 %	21 %	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	CMU	Y
Mech. Equipment	Screened		Y

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	97 Feet	95 Feet	N
Trash Enclosure	50 Feet	99 Feet	Y

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	18 Trees	4 Trees	N
• South	1 Tree / 20 Linear Feet	22 Trees	28 Trees	Y
TOTAL PERIMETER TREES		**40 Trees**	**32 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	43 Trees	26 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		20 Feet	Y
• South	8 Feet		8 Feet	Y

IR

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
West Craig Road	Primary Arterial	Title 13	126	Y
North Rancho Road	Primary Arterial	Title 13	125	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	ADA	Regular	ADA	
Health Club	40,103	200 SF:1	201				
TOTAL SPACES REQUIRED			201		292		Y
Regular and Handicap Spaces Required			194	7	284	8	Y

Exceptions		
Requirement	***Request***	***Staff Recommendation***
One, 24-inch box tree for every 20 linear feet within the perimeter landscape buffer (18 Trees).	4 Perimeter Landscape Buffer Trees	Denial
One landscape island with 24-inch box shade trees for every six uncovered parking spaces and at the end of each row of parking (43 Trees).	26 Parking Lot Trees	Denial

IR

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Site Development Plan Revised, VAR

Project Address (Location) Rancho and Craig (Rancho Triangle)

Project Name EOS Fitness @ Rancho and Craig **Proposed Use**

Assessor's Parcel #(s) 138-02-715-008 **Ward #**

General Plan: Existing _____ Proposed X **Zoning:** Existing X Proposed _____

Additional Information New EOS Fitness center

Property Owner PRE Rancho Craig LLC **Contact** Daniel Sullivan

Address One Marina Park Drive, Suite 1500 City Boston State MA Zip 02210

E-mail dsullivan@eastern-re.com Phone 617 274-5667

Applicant Momeni Engineers **Contact** Rene Rolin / Moe Momeni

Address 3120 S. Durango Drive, Suite 205 City Las Vegas State NV Zip 89117

E-mail rener@momeniengineers@gmail.com Phone 702.499.4555

Representative See above **Contact** _____

Address _____ City _____ State _____ Zip _____

E-mail _____ Phone _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Daniel Sullivan

Subscribed and sworn before me

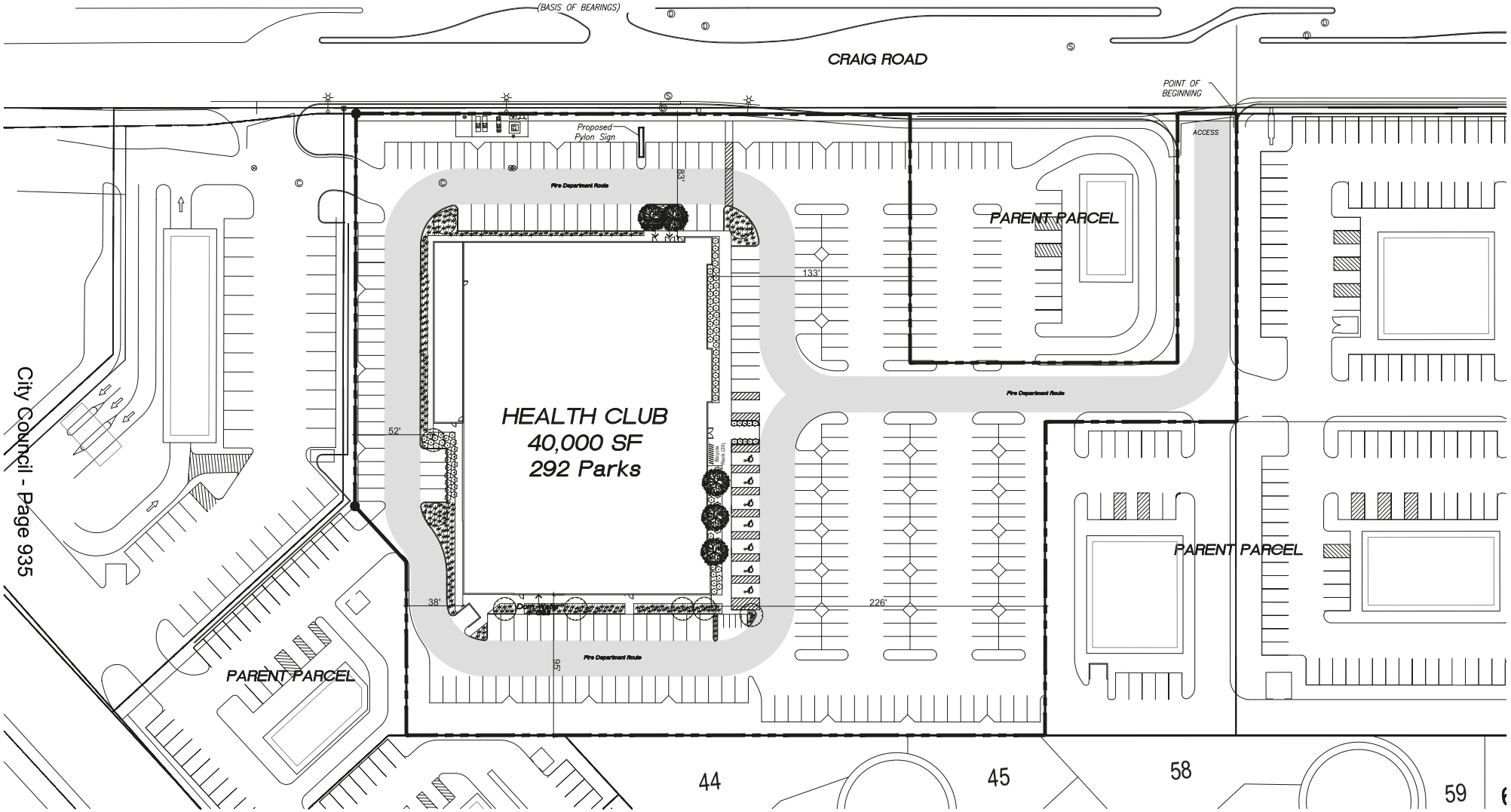
This 17th day of May , 20 22

_____

Notary Public in and for said County and State Judy C. Sullivan

JUDY C SULLIVAN
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
May 23, 2022

22-0174
05/18/2022



22-0174
05/18/2022

EOS FITNESS • RANCHO TRIANGLE • Site Plan • May 9, 2022

1" = 30'

JSA ARCHITECTURE

PROJECT NUMBER: 18128

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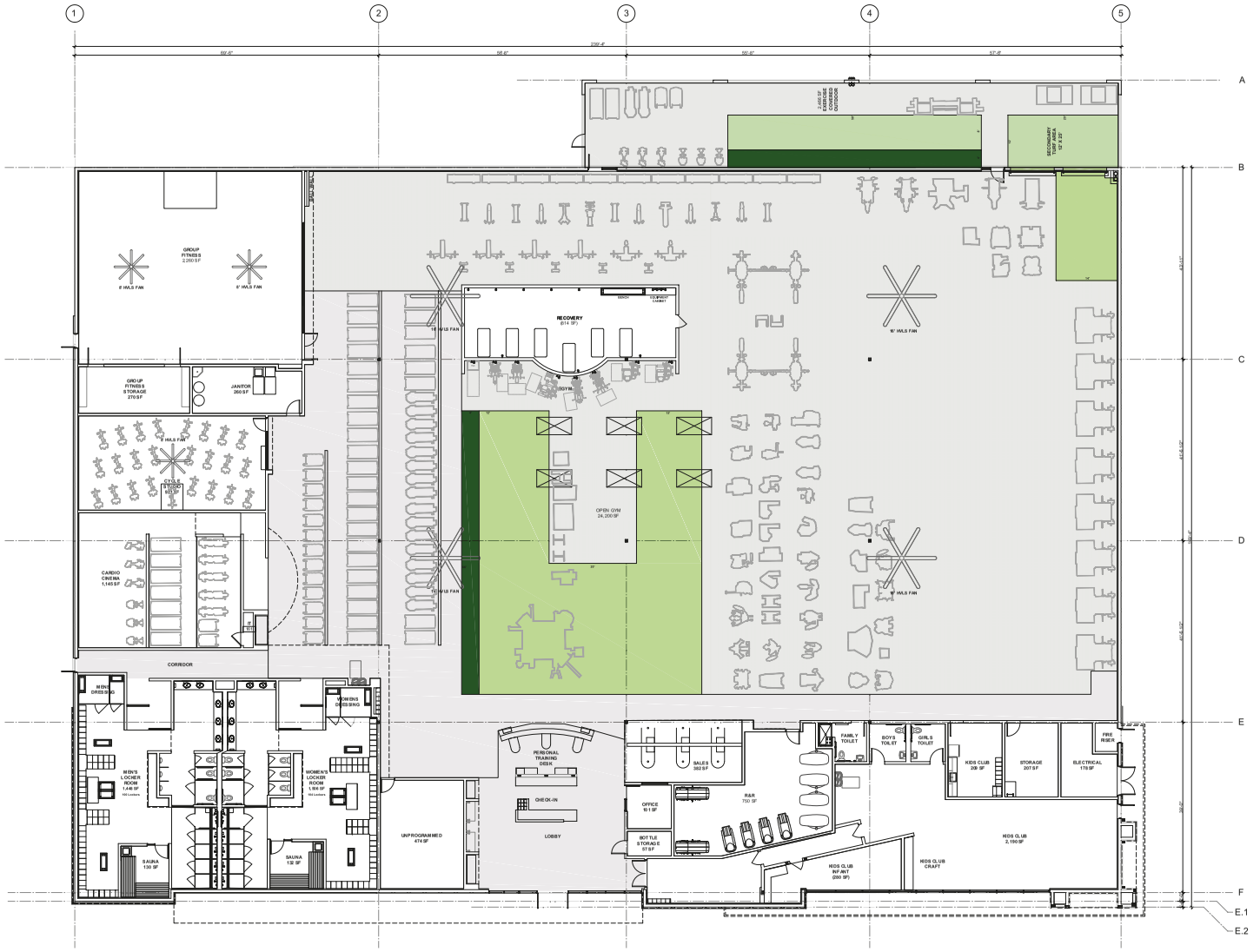
22-0174
05/18/2022



EOS FITNESS • CRAIG-RANCHO • Floor Plan • May 5, 2022

40,000 SF

1" = 10'

JSA ARCHITECTURE

PROJECT NUMBER: 18128

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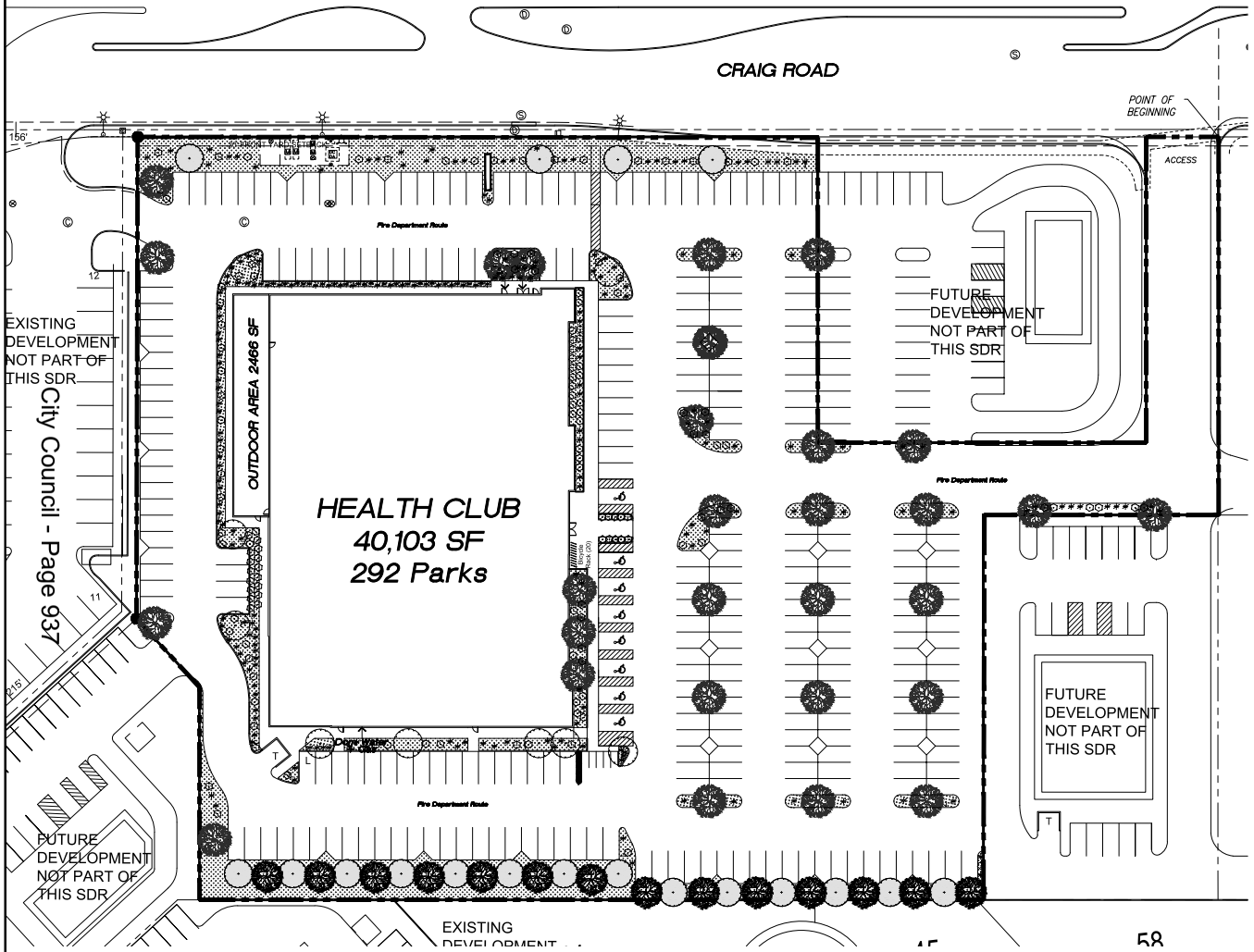
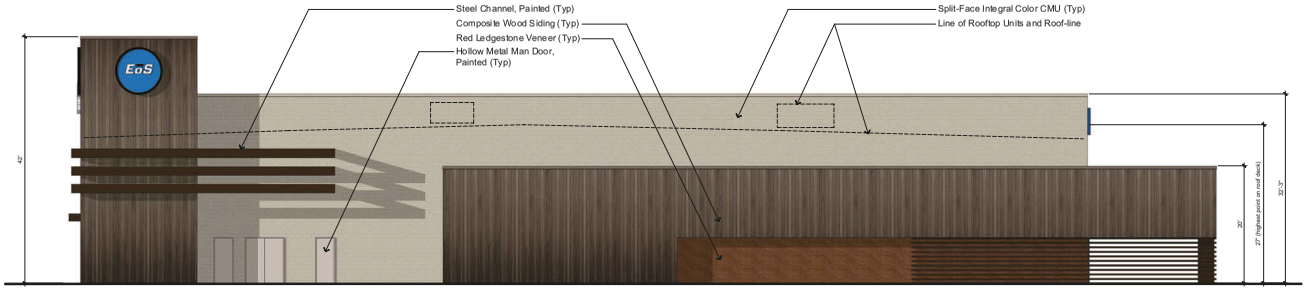

CRAIG ROAD
POINT OF BEGINNING
ACCESS
EXISTING DEVELOPMENT NOT PART OF THIS SDR
City Council - Page 937
OUTDOOR AREA 2466 SF
HEALTH CLUB
40,103 SF
292 Parks
FUTURE DEVELOPMENT NOT PART OF THIS SDR
FUTURE DEVELOPMENT NOT PART OF THIS SDR
FUTURE DEVELOPMENT NOT PART OF THIS SDR
EXISTING
Fire Department Route
Fire Department Route
Fire Department Route



North Elevation



East Elevation

22-0174
05/18/2022

EOS FITNESS • RANCHO TRIANGLE • Elevations • May 9, 2022

1" = 10'

JSA ARCHITECTURE

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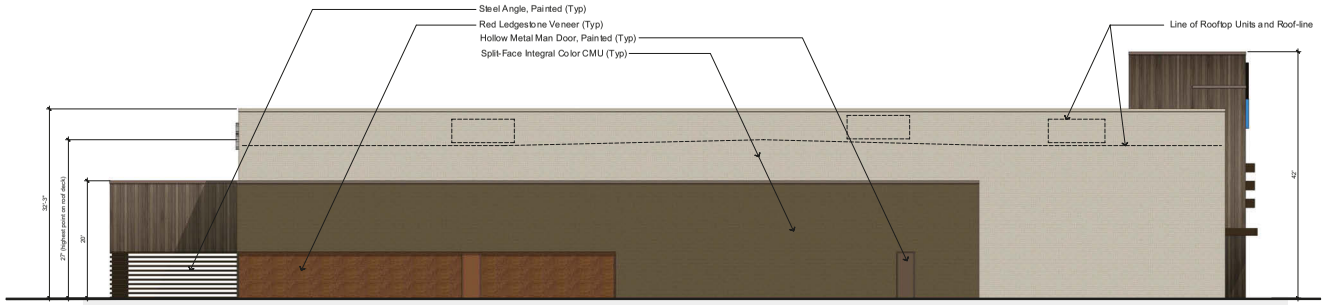
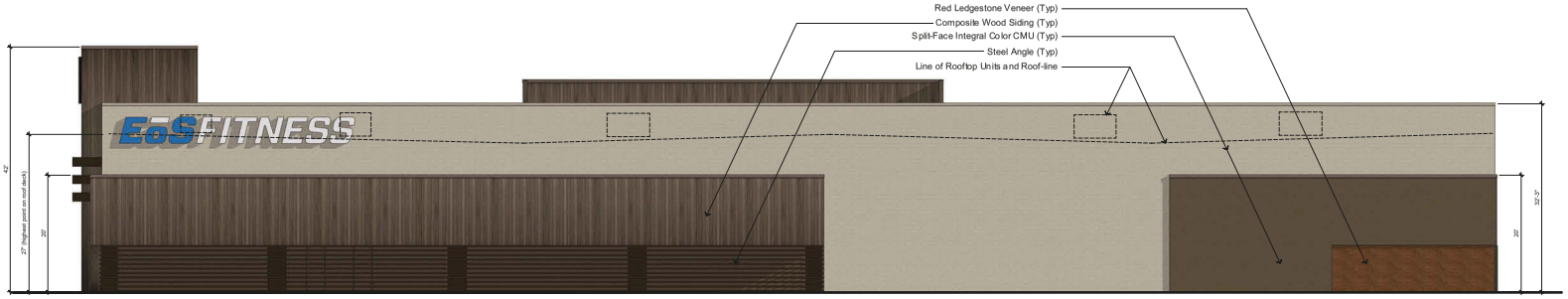


West Elevation



South Elevation

22-0174
05/18/2022

EOS FITNESS • RANCHO TRIANGLE • Elevations • May 9, 2022

1" = 10'

JSA ARCHITECTURE

PROJECT NUMBER: 18128

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22-0174
05/18/2022

EOS FITNESS • RANCHO TRIANGLE • Impression Looking Southwest • May 9, 2022

JSA ARCHITECTURE

PROJECT NUMBER: 18128

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22-0174
05/18/2022

EOS FITNESS • RANCHO TRIANGLE • Impression Looking Southeast • May 9, 2022

JSA ARCHITECTURE

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22-0174
05/18/2022

EOS FITNESS • RANCHO TRIANGLE • Impression Looking Northeast • May 9, 2022

JSA ARCHITECTURE

PROJECT NUMBER: 18128

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SPLIT-FACE CMU, PAINTED
SW 7632 "MODERN GRAY"



COMPOSITE WOOD SIDING
FIBERON WILDWOOD SAHARA COLLECTION
"KOA"



SPLIT-FACE CMU, PAINTED



RED LEDGESTONE VENEER



STEEL ACCENT, PAINTED
SW 9183 "DARK CLOVE"



STANDARD BRONZE ANODIZED
ALUMINUM STOREFRONT SYSTEM WITH 1"
INSULATED CLEAR GLAZING

City Council - Page 943

22-0174
05/18/2022

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22-0174-VAR1 AND 22-0174-SUP1 - APPLICANT/OWNER: PRE RANCHO CRAIG, LLC
SOUTH SIDE OF CRAIG ROAD, APPROXIMATELY 470 FEET EAST OF RANCHO DRIVE

06/01/2022



22-0174-VAR1 AND 22-0174-SUP1 - APPLICANT/OWNER: PRE RANCHO CRAIG, LLC
SOUTH SIDE OF CRAIG ROAD, APPROXIMATELY 470 FEET EAST OF RANCHO DRIVE

06/01/2022



22-0174-VAR1 AND 22-0174-SUP1 - APPLICANT/OWNER: PRE RANCHO CRAIG, LLC
SOUTH SIDE OF CRAIG ROAD, APPROXIMATELY 470 FEET EAST OF RANCHO DRIVE

06/01/2022

momeni ENGINEERS, LLC.
CIVIL & STRUCTURAL ENGINEERING

May 16, 2022

City of Las Vegas Planning Department

Subject: Planning Application Justification Letter:

Health Club @ Rancho Triangle
6021 W. Craig Road, Las Vegas, NV 89130

Dear Planning Department,

We are requesting approval to construct a Health Fitness Club in an area of the Las Vegas Valley where none exists nearby. The local area would benefit from the proximity of a Health Fitness Club for their use and enjoyment.

The development conforms to all requirements of the title code and is appropriate and architecturally compatible to the area.

Please do not hesitate to contact our office at your earliest convenience, if you have any questions.

Sincerely,
Momeni Engineers, LLC.



Moe Momeni, P.E., S.E.
Principal

lol 702.902-2444 lfl 702.248-8495
3110 S. DURANGO, DR., STE. #205
LAS VEGAS, NEVADA 89117
www.mhmengineers.com

22-0174
05/18/2022

CITY OF LAS VEGAS
PLANNING COMMISSION AND CITY COUNCIL
RECOMMENDATIONS / COMMENTS

FROM:	**CLARK COUNTY DEPARTMENT OF AVIATION**
APPLICATION NUMBERS:	**22-0174-VAR1, SDR1**
PROJECT:	**FITNESS CENTER**
LOCATION:	**138-02-715-008**
MEETING DATES:	**JULY 12, 2022, PLANNING COMMISSION, AUGUST 17, 2022, CITY COUNCIL**

COMMENTS:

Federal Aviation Regulations (14 CFR, Part 77) and City of Las Vegas Code (Section 19.10.080) require that the Federal Aviation Administration (FAA) be notified before the construction or alteration of any building or structure that will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of any airport runway or for any structure greater than 200 feet in height. Such notification allows the FAA to determine what impact, if any, the proposed development will have upon aircraft operations, and allow the FAA to determine whether the development should be obstruction marked or lighted.

The proposed development would exceed the 100:1 notification requirement or is greater than 200 feet in height.

- **Applicant is required to file FAA form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA,**

- Applicant is advised that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments. Applicant is advised that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA.

- No structure greater than 35' in height shall be permitted to be erected or altered that would constitute a hazard to air navigation, or would result in an increase to minimum flight altitudes during any phase of flight, or would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.

22-0174-SDR1
Pre Rancho Craig

SS Craig Road, E of Rancho Drive

Proposed 42 thousand square foot health club.

Traffic produced by proposed development:

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	HEALTH/FITNESS CLUB [1000 SF]	42.000	32.93	**1,383**
AM Peak Hour			1.31	**55**
PM Peak Hour			3.45	**145**

Existing traffic on all nearby streets:

Craig Road

Average Daily Traffic (ADT)	35,855
PM Peak Hour	2,868
(heaviest 60 minutes)	

Rancho Drive

Average Daily Traffic (ADT)	25,850
PM Peak Hour	2,068
(heaviest 60 minutes)	

Jones Boulevard

Average Daily Traffic (ADT)	19,073
PM Peak Hour	1,526
(heaviest 60 minutes)	

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity
Craig Road	59,900
Rancho Drive	62,895
Jones Boulevard	41,790

This project will add approximately 1,383 trips per day on Craig Rd, Rancho Dr. and Jones Blvd. Currently, Craig is at about 60 percent of capacity, Rancho is at about 41 percent of capacity and Jones is at about 46 percent of capacity. With this project, Craig is expected to be at about 62 percent of capacity, Rancho to be at about 43 percent of capacity and Jones to be at about 49 percent of capacity.

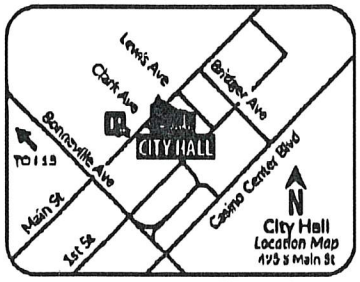
Based on Peak Hour use, this development will add about 145 vehicles in the peak hour, or about five every two minutes.

Note that this report assumes all traffic from this development uses all named streets.

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101
Return Service Requested
Official Notice of Public Hearing

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK
2022 AUG 15 A 7:31



Scan or go to:
www.lasvegasnevada.gov/meetings

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Office Of The City Clerk at the above address or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
22-0174 and 22-0174-VAR1 and 22-0174-SDR1
City Council Meeting of **08/17/2022**

22-0174
13801301017
VEGAS HOMES L L C
19333 COLLINS AVE # 1708
SUNNY ISLES BEACH FL 33160-2371

TO: PROPERTY OWNER

Submitted after final agenda
Items 35a and 35b

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

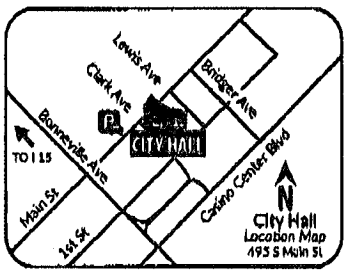
Return Service Requested

Official Notice of Public Hearing

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK

2022 AUG 15 A 7:32



Scan or go to:
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For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Office Of The City Clerk at the above address or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0174 and 22-0174-VAR1 and 22-0174-SDR1

City Council Meeting of **08/17/2022**

22-0174
13802811016
PRUETTE ROGER
4001 JORY TRL
LAS VEGAS NV 89108-5202

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101
Return Service Requested
Official Notice of Public Hearing

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

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CITY CLERK

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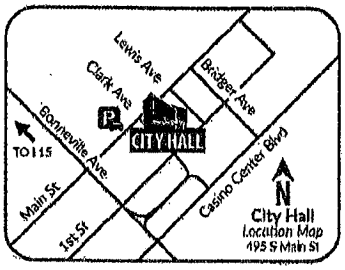

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22-0174
13801410030
LOWE GREGORY DEAON & KAREN DENISE
5974 JUNIPER FALLS AVE
LAS VEGAS NV 89130

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
22-0174 and 22-0174-VAR1 and 22-0174-SDR1
City Council Meeting of **08/17/2022**

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing

PRSRT
FIRST CLASS MAIL
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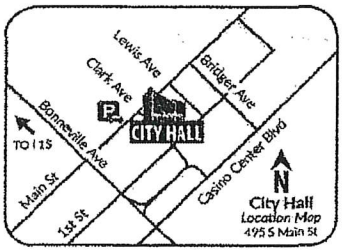
PAID
Las Vegas, NV
Permit No. 1630



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www.lasvegasnevada.gov/meetings

RECEIVED
JUL 5 - 2022
City of Las Vegas
Department of Planning

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Planning at the above address, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
22-0174 and 22-0174-VAR1 and 22-0174-SDR1
Planning Commission Meeting of **07/12/2022**

22-0174
13801410030
LOWE GREGORY DEAON & KAREN
DENISE
5974 JUNIPER FALLS AVE
LAS VEGAS NV 89130

89 DROPNP1 89130

20a-b A

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

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Permit No. 1630

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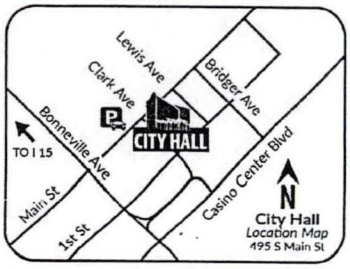
JUL 06 2022
Dept of Planning
City of Las Vegas



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www.lasvegasnevada.gov/meetings

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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

22-0174 and 22-0174-VAR1 and 22-0174-SDR1

Planning Commission Meeting of **07/12/2022**

22-0174
13802811032
STIRLING DEAN F & LESLIE S
6300 JENNIFER CT
LAS VEGAS NV 89108-5201

99 DRDFNP1 89108

Submitted after final agenda

20a-bA

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
35a

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0174-VAR1 - VARIANCE - TO ALLOW A 95-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 97 FEET IS REQUIRED

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	2
City Council Meeting	0	City Council Meeting	3

RECOMMENDATION:
Staff recommends DENIAL, if approved, subject to conditions. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
35b

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0174-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 41,103 SQUARE-FOOT HEALTH CLUB

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	2
City Council Meeting	0	City Council Meeting	3

RECOMMENDATION:
Staff recommends DENIAL, if approved, subject to conditions. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
36

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

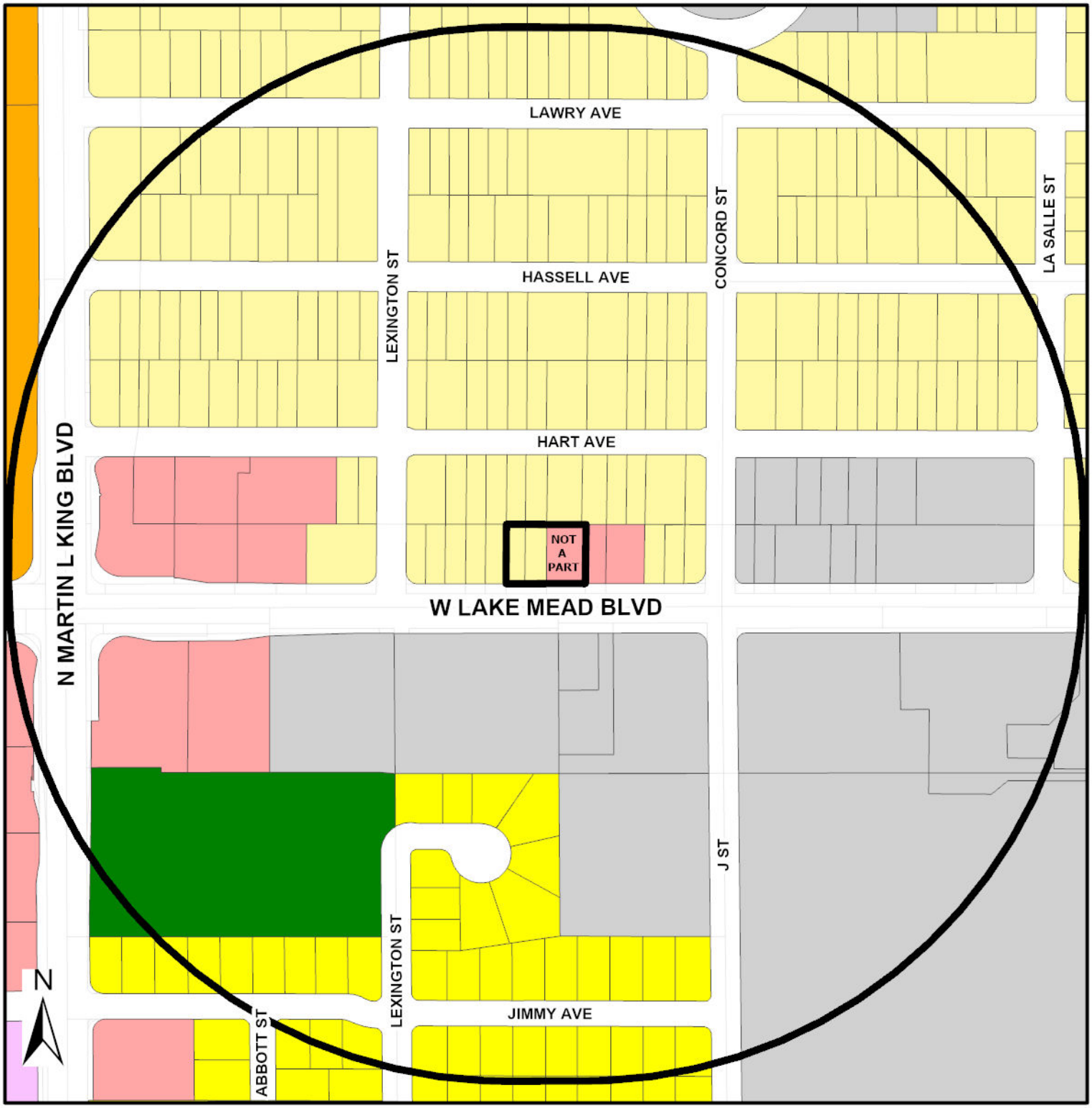
SUBJECT:
22-0223 - PUBLIC HEARING - APPLICANT/OWNER: MARCUS ALLEN - For possible action on the following Land Use Entitlement project requests on 0.43 acres at 1200, 1212 and 1224 West Lake Mead Boulevard (APNs 139-21-610-285 through 287), R-2 (Medium-Low Density Residential) and C-1 (Limited Commercial) Zones, Ward 5 (Crear). Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (6-0 vote) recommends APPROVAL on the entire Land Use Entitlement project.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (6-0 vote) recommends APPROVAL on the entire Land Use Entitlement project.

BACKUP DOCUMENTATION:
1. Land Use Map - 22-0223-ZON1
2. Location and Aerial Maps
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Traffic Notes Submitted by City of Las Vegas Department of Public Works Traffic Engineering Division - 22-0223-SDR1
8. Backup Documentation Submitted for the July 12, 2022 Planning Commission Meeting

22-0223-ZON1



Zoning

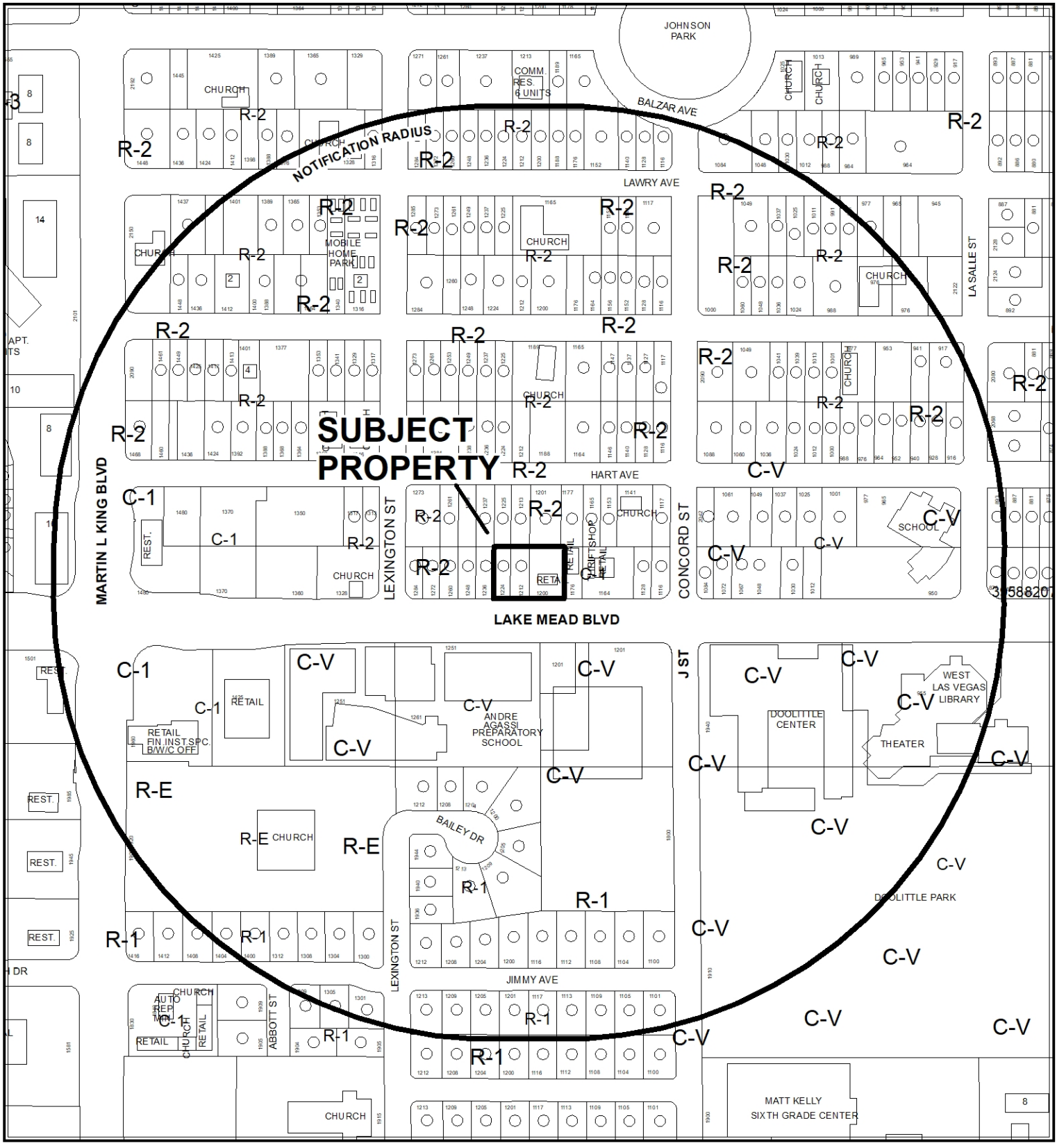
- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single Family Compact-Lot
- R-SL - Residential Small Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- T3-N - T3 Neighborhood
- T3-N-O - T3 Neigborhood Open
- T4-C - T4 Corridor
- T4-MS - T4 Main Street
- T4-N - T4 Neighborhood
- T5-N - T5 Neighborhood
- T5-M - T5 Maker
- T5-MS - T5 Main Street
- T5-C - T5 Corridor
- T6-UC - T6 Urban Core
- T6-UG - T6 Urban Gerneral
- T6-UG-L - T6 Urban General Limited
- P-R - Professional Offices and Parking
- P-O - Professional Office
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PB - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- [illegible] Traditional Development
- PD - Planned Development
- T-C - Town Center

FROM: R-2
TO: C-1

Subject Property
Not City
City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Thursday, June 2, 2022



0 260 520 Feet

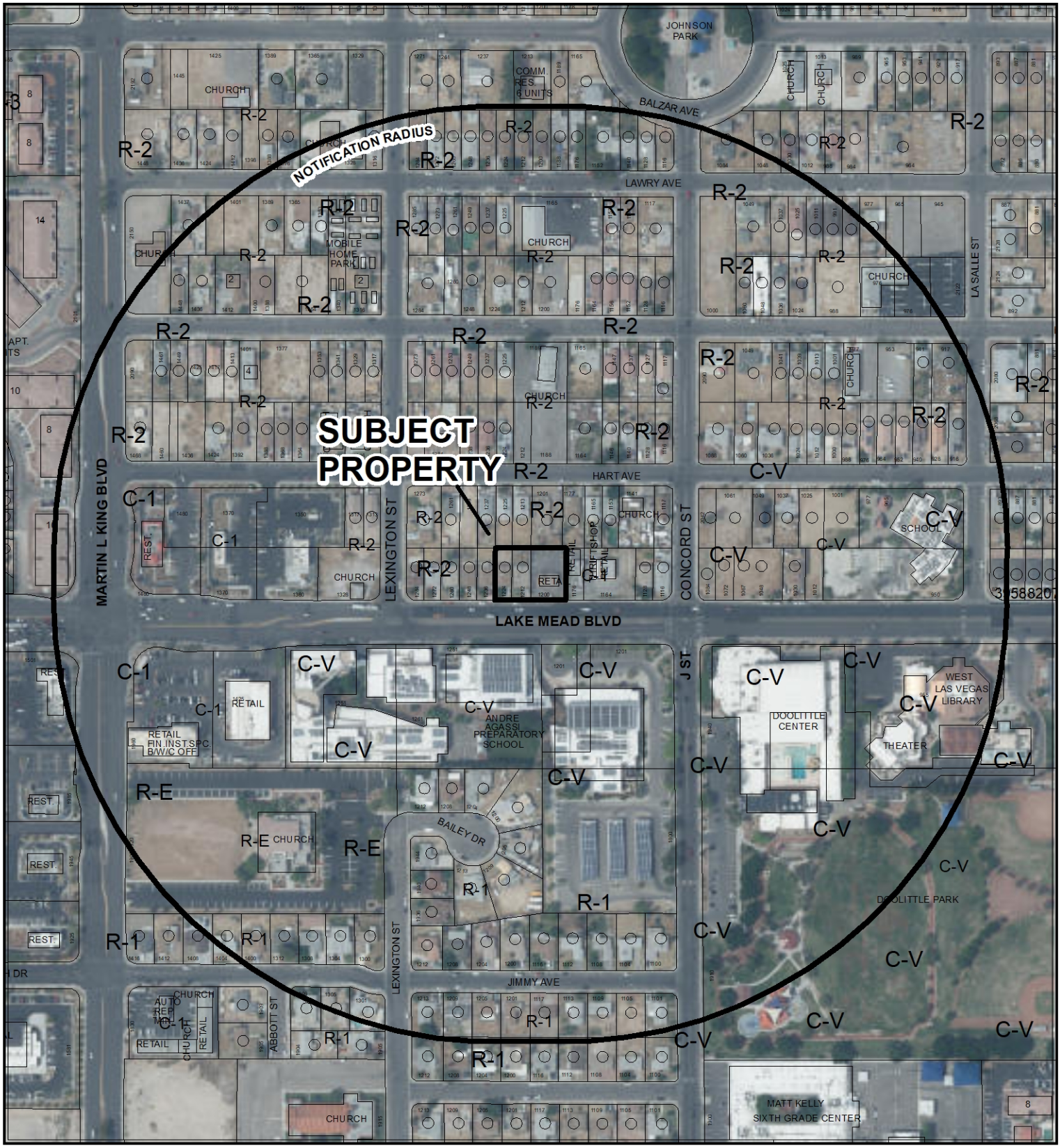
CASE: **22-0223**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) and C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



0 260 520 Feet

CASE: **22-0223**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) and C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: MARCUS ALLEN

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0223-ZON1	Staff recommends DENIAL.	
22-0223-VAR1	Staff recommends DENIAL, if approved subject to conditions:	22-0223-ZON1
22-0223-SDR1	Staff recommends DENIAL, if approved subject to conditions:	22-0223-ZON1 22-0223-VAR1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

NOTICES MAILED 249 (by City Clerk)

PROTESTS 1

APPROVALS 0

SS

** CONDITIONS **

22-0223-VAR1 CONDITIONS

Planning

1. Approval of a Rezoning (22-0223-ZON1) and approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0223-SDR1) shall be required, if approved.

2. This approval shall be void two 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.

22-0223-SDR1 CONDITIONS

Planning

1. 36-inch box Palo Verde trees shall be planted.

2. Approval of a Rezoning (22-0223-ZON1) and approval of and conformance to the Conditions of Approval for a Variance (22-0223-VAR1) shall be required, if approved.

3. All mechanical equipment shall be adequately screened from view in conformance to Title 19.08.040.E.

SS

4. The site plan shall be revised and submitted to the Department of Planning for review prior to the time application is made for a building permit to depict minimum 23-foot long parallel parking spaces. The number of parking spaces shall not be reduced below 18 unless a Variance is approved.

5. Prior to the issuance of a building permit, provide Department of Planning staff with a letter from Republic Services confirming curbside refuse pickup from this site.

6. This approval shall be void two 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.

7 All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/15/22, except as amended by conditions herein.

8. A Waiver from Title 19.08.070 is hereby approved, to allow zero-foot wide perimeter landscape buffers along the north, west and east property lines where eight feet is required and a three-foot wide buffer along the south property line where 15 feet is required.

9. An Exception from Title 19.08.110.C.12 is hereby approved, to allow zero parking lot shade trees where eight, 24-inch box shade trees are required.

10. An Exception from Title 19.08.110.C.12 is hereby approved, to allow a 2.5-foot wide paved buffer area between the parking lot and any building where a minimum five-foot sidewalk or combined three-foot sidewalk and two-foot landscape buffer is required.

11. 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.

12. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

13. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.

14. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.

15. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
    - Trees within the perimeter landscape buffer along the south property line shall be depicted on the north side of the property line.
    - A minimum of four (4) five-gallon shrubs shall be provided for each proposed tree within perimeter buffer planters.
    - All trees shall be of minimum 24-inch box size.

16. 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.

17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. The sidewalk adjacent to this site shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement needed to complete this requirement.

19. No queuing or backing in the public right-of-way is allowed.

20. Landscape and maintain all unimproved right-of-way 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting to convert two existing single-family dwellings at 1212 and 1224 West Lake Mead Boulevard into commercial office buildings and combine those properties with a third site containing an existing barber shop at 1200 West Lake Mead Boulevard.

ISSUES

- A Rezoning is requested from R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) for APNs 139-21-610-286 and 287 in order make the zoning across the subject site consistent and allow for the proposed commercial uses.
- A Site Development Plan Review is required for the conversion of single-family dwellings to commercial buildings and to determine conformance with commercial development standards.
- The applicant requests a Variance to allow a five-foot side yard setback where the C-1 (Limited Commercial) zoning district standards require 10 feet for the existing building at 1224 West Lake Mead Boulevard. Staff recommends denial.
- There are currently four driveways providing access to the site from Lake Mead Boulevard. Circulation is dependent on one-way traffic in and out of the site and two-way traffic at the rear in order to utilize proposed 90 degree parking spaces. One of the existing driveways is proposed to be eliminated.
- Title 19 requires perimeter walls adjacent to residential zoning districts to be a minimum of six feet in height. Existing walls adjacent to the R-2 (Medium-Low Density Residential) zoning district are currently five feet tall. A condition of approval addresses this issue.
- Waivers of Title 19 perimeter landscape standards are requested to allow no buffers along the north, west and east property lines where eight feet is required and a three-foot buffer along the south property line. Staff recommends denial. Where trees are provided, a condition of approval requires minimum 24-inch box tree size.
- An Exception is required to allow no parking lot trees where eight shade trees are required. Staff recommends denial.
- An Exception is required to allow a 2.5-foot paved buffer area between the parking lot and a building where a minimum five-foot sidewalk or combination three-foot sidewalk and two-foot landscape buffer is required. Staff recommends denial.

- A separate mapping action is needed to consolidate the existing subdivided lots that make up the subject site. In addition to allowing for a uniform zoning district across the site, this would eliminate the need to request Waivers of perimeter landscape buffer standards along interior platted lot lines. A condition of approval addresses this issue.

ANALYSIS

This site is located within the West Las Vegas Plan Area as designated by the 2050 Las Vegas Master Plan. This area has a high percentage of vacant or underutilized lots, providing opportunities for infill and mixed-use redevelopment. Lake Mead Boulevard is a major east-west thoroughfare that is shifting away from direct residential access and toward commercial and civic uses.

The zoning of the current residential properties is R-2 (Medium-Low Density Residential), which is intended to accommodate low to medium density single-family detached and duplex units. The adjacent property included in this request is zoned C-1 (Limited Commercial), which is intended to allow retail, office, restaurants and personal services such as the existing barber shop. As the applicant intends to combine the existing lots into a single site with shared access and parking, the applicant has requested Rezoning to C-1. The C-1 zoning district is consistent with the existing MXU (Mixed Use) General Plan designation, which allows both residential and commercial zoning districts. A precedent for C-1 zoning is present on this block, but the parcels currently zoned C-1 are not located at the corner. This will leave residentially zoned properties on both sides of the current and proposed commercial areas.

Rezoning will require development on the western two lots to conform to C-1 development standards. The existing building at 1224 West Lake Mead Boulevard does not meet the side yard setback requirement and therefore requires a Variance. In addition, the lots are shallow (approximately 115 feet long), which presents a challenge in accommodating site circulation and parking, particularly behind the existing buildings. In addition to the Variance, an Exception of Title 19.08.110.C is requested to reduce the required buffer width between the parking area and the buildings at 1212 and 1224 West Lake Mead Boulevard to 2.5 feet where five feet is the minimum allowed. A sidewalk of at least three feet is preferred, but is unable to be provided because at least 24 feet is needed for two-way traffic and placement of 90 degree parking spaces. Staff recommends denial and recommends that the parking be reconfigured at an angle to provide safer vehicular and pedestrian circulation.

Access to the rear is only possible from the easternmost driveway on Lake Mead Boulevard. One of the four current driveways is proposed to be removed. All access to and from Lake Mead Boulevard is restricted to one-way, as drive aisles connected to the access points are less than 24 feet wide. Parking spaces in front of and behind the barber shop are configured as parallel spaces that do not appear to be striped to the minimum required 23-foot length. The site plan will need to be revised as a condition of approval to extend these parallel spaces prior to issuance of a building permit.

According to the Traffic Engineering Section of the Department of Public Works, this project will add approximately 72 trips per day on Lake Mead Boulevard, Concord Street and Martin L. King Boulevard. Currently, Lake Mead Boulevard is at about 46 percent of capacity and Martin L. King Boulevard is at about 76 percent of capacity. With this project, these capacities are expected to remain unchanged. Counts are not available for Concord Street, but it is believed to be under capacity. Based on Peak Hour use, this development will add about seven vehicles in the peak hour, or about one every eight minutes.

Due to the size of the site and the configuration of existing buildings and parking, the site cannot meet several commercial development standards, including side yard setback, landscape buffer and parking lot landscaping requirements, parking lot buffering, mechanical screening, and screening standards from adjacent residential properties. Reconfiguration of the site to provide a single, compact commercial building or mixed use development could allow for conformance to zoning code requirements. Denial of the Variance is recommended, as the hardship in this case is self-imposed. In turn, because the site as proposed cannot meet these C-1 (Limited Commercial) standards, staff recommends denial of the Rezoning and Site Development Plan Review requests.

FINDINGS (22-0223-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

   The existing General Plan designation of the site is MXU (Mixed Use). The proposed Rezoning to C-1 (Limited Commercial) is in conformance to the density requirements of the MXU land use category.

2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The C-1 (Limited Commercial) zoning district allows for most retail and shopping services and is intended to be located at intersections of primary and secondary thoroughfares along major retail corridors. There are still a significant number of residentially zoned properties in this area, which is located on a midblock segment of Lake Mead Boulevard. Therefore, the intensity of possible uses may still be too high in this area.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

Lake Mead Boulevard is a fully improved Primary Arterial street that is no longer appropriate for new residential development. However, the intensity of the uses allowed by the proposed C-1 (Limited Commercial) zoning district are not yet appropriate at this midblock location.

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

Lake Mead Boulevard adjacent to this site is a fully improved 100-foot wide Primary Arterial street that is sufficient to accommodate the needs of the proposed C-1 (Limited Commercial) zoning district.

FINDINGS (22-0223-VAR1)

In accordance with the provisions of Title 19.16.140(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to convert a single-family dwelling to a commercial office where it will not conform to C-1 (Limited Commercial) setback requirements. It is recommended that either the dwellings be removed and rebuilt to meet C-1 standards or the lots be rezoned to a P-O (Professional Office) zoning district, which would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (22-0223-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed commercial development under the current configuration is of low intensity of use. However, the site layout requires a Variance of Title 19 C-1 standards and multiple waivers that is not compatible with the adjacent residential properties. In addition, the layout depicts a complex pattern of circulation for onsite traffic and parking placement that may be confusing for customers.

2. The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;

The proposed development does not meet Title 19 wall, landscaping, parking lot screening and mechanical screening standards. The General Plan supports either commercial or residential uses or mixed uses in this area. Several additional conditions are recommended to ensure code compliance and public safety.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

The site is proposed to retain three of the four existing four driveways for access, which allows for one-way ingress and egress and two-way circulation for parking in the rear. The multiple driveways may negatively impact traffic along Lake Mead Boulevard. However, peak hour trips to and from this site are projected to be relatively low.

4. Building and landscape materials are appropriate for the area and for the City;

The existing stucco and vinyl materials used for building exteriors are acceptable for commercial use; however, concrete or clay tile roofing is preferred for all roofing.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The submitted elevations indicate that the exteriors will not significantly change from their current appearance, thereby maintaining compatibility with the adjacent residential properties.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Site development is subject to building permit review and inspection, thereby protecting the public health, safety and general welfare.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
11/19/03	The City Council approved a request for a Rezoning (ZON-3047) from R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) and to allow an 82-foot minimum lot width where 100 feet is the minimum required on 0.21 acres at 1200 West Lake Mead Boulevard. The Planning Commission and staff recommended approval.
11/19/03	The City Council approved a request for a Site Development Plan Review (SDR-3048) for a proposed 1,092 square foot barber shop and a reduction in the width of the perimeter landscape planter on 0.21 acres at 1200 West Lake Mead Boulevard. The Planning Commission and staff recommended approval.
11/17/15	Code Enforcement processed a Case (CE-161097) for trash, carts and outside storage at 1224 West Lake Mead Boulevard. The case was resolved on 12/23/15.
10/30/17	Code Enforcement processed a Case (CE-183743) for inoperable vehicles in the yard at 1212 West Lake Mead Boulevard. The case was resolved on 02/06/18.
11/20/17	Code Enforcement processed a Case (CE-184310) for vehicles parked in the yard at 1224 West Lake Mead Boulevard. The case was resolved on 12/04/17.
07/12/22	The Planning Commission (6-0 vote) recommends APPROVAL on the following Land Use Entitlement project requests on 0.43 acres at 1200, 1212 and 1224 West Lake Mead Boulevard (APNs 139-21-610-285 through 287), R-2 (Medium-Low Density Residential) and C-1 (Limited Commercial) Zones, Ward 5 (Crear) • **22-0223-ZON1** - REZONING - FROM: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) ON 0.22 ACRES AT 1212 AND 1224 WEST LAKE MEAD BOULEVARD (APNs 139-21-610-286 AND 287) • **22-0223-VAR1** - VARIANCE - TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN EXISTING BUILDING • **22-0223-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR THE PROPOSED CONVERSION OF TWO EXISTING 1,200 SQUARE-FOOT SINGLE-FAMILY RESIDENTIAL DWELLINGS TO TWO OFFICE BUILDINGS AND OTHER SITE IMPROVEMENTS WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Most Recent Change of Ownership	
09/10/03	A deed was recorded for a change in ownership on APN 139-21-610-285.
06/03/04	A deed was recorded for a change in ownership on APN 139-21-610-286.
08/11/04	A deed was recorded for a change in ownership on APN 139-21-610-287.

Related Building Permits/Business Licenses	
01/13/71	A building permit (#56770) was issued for a 1,320 square-foot single family dwelling at 1212 West Lake Mead Boulevard. The permit was finaled 09/02/71.
01/13/71	A building permit (#56771) was issued for a 1,320 square-foot single family dwelling at 1224 West Lake Mead Boulevard. The permit was finaled 03/22/71.
04/02/75	A building permit (#1211) was issued for a 1,092 square-foot single family dwelling at 1200 West Lake Mead Boulevard. The permit was finaled 07/01/75.
06/15/04	A business license (B04-01124) was issued for a barber shop (Masterpiece) at 1200 West Lake Mead Boulevard. The license remains active.

Pre-Application Meeting	
03/29/22	A pre-application meeting was held with the applicant to discuss submittal requirements for a Site Development Plan Review application. It was determined that C-1 development standards could not be met and therefore a Variance would needed in combination with a Rezoning. Issues with site circulation and the parking layout were discussed that would require a new site plan before submittal.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/01/22	The site contains two single family dwellings with trees in the front yards and a barber shop with parking in the front and rear of the building. An existing streetlight is located in the sidewalk in front of the building at 1212 West Lake Mead Boulevard. Existing CMU block walls are located on the north, west and east sides of the barber shop portion of the site. The building at 1212 West Lake Mead Boulevard was boarded up. All three buildings have rooftop mechanical units visible from the street.

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Details of Application Request	
Site Area	
Net Acres	0.43

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Personal Service	MXU (Mixed Use)	C-1 (Limited Commercial)
	Single Family, Detached		R-2 (Medium-Low Density Residential)
North	Single Family, Detached	MLA (Medium Low Attached Density Residential)	R-2 (Medium-Low Density Residential)
South	Public or Private School, Primary and Secondary	C (Commercial)	C-V (Civic)
East	General Retail Store, Other Than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
West	Single Family, Detached	MXU (Mixed Use)	R-2 (Medium-Low Density Residential)

Master and Neighborhood Plan Areas	***Compliance***
2050 Las Vegas Master Plan Area: West Las Vegas	Y
West Las Vegas Plan	Y
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (105 Feet)	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

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DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	18,920 SF	N/A
Min. Lot Width	100 Feet	159 Feet	Y
Min. Setbacks • Front • Side • Rear	 10 Feet 10 Feet 20 Feet	 27 Feet 5 Feet 43 Feet	 Y N* Y
Max. Lot Coverage	50 %	19 %	Y
Max. Building Height	Limited by residential adjacency	12 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Existing curbside pickup	By condition
Mech. Equipment	Screened	Not indicated	By condition

*Applicant requests a Variance of this standard, which staff does not support.

Pursuant to Title 19.08.040, the following standards apply:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	5 Feet	5 Feet	Y
Adjacent development matching setback	5 Feet	5 Feet	Y
Trash Enclosure	50 Feet	N/A	N/A

Existing Zoning	*Permitted Density*	*Units Allowed*
R-2 (Medium-Low Density Residential)	6-12 du/ac	2
Proposed Zoning	***Permitted Density***	***Units Allowed***
C-1 (Limited Commercial)	N/A	N/A
Existing General Plan	***Permitted Density***	***Units Allowed***
MXU (Mixed Use)	Unlimited	Unlimited

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Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	7 Trees	0 Trees	N
• South	1 Tree / 20 Linear Feet	3 Trees	3 Trees	Y
• East	1 Tree / 30 Linear Feet	3 Trees	0 Trees	N
• West	1 Tree / 20 Linear Feet	4 Trees	0 Trees	N
TOTAL PERIMETER TREES		**17 Trees**	**3 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	8 Trees	0 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		0 Feet	N**
• South	15 Feet		3 Feet	N**
• East	8 Feet		0 Feet	N**
• West	5 Feet		0 Feet	N**
Wall Height	6 to 8 Feet Adjacent to Residential		Existing 5-foot CMU adjacent to north, east and west PLs	By condition

*An Exception is requested. See Exception table below.
**A Waiver is requested. See Waiver table below.

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Lake Mead Blvd	Primary Arterial	Master Plan of Streets and Highways Map	100	Y

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Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
General Personal Service	5 barber chairs	2 spaces per barber chair	10				
Office, Other Than Listed	2,400 SF	1 space per 300 SF GFA	8				
TOTAL SPACES REQUIRED			18		20		Y
Regular and Handicap Spaces Required			17	1	19	1	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
15-foot wide perimeter landscape buffer along public rights-of-way	To allow a zero-foot wide buffer along the south property line (Lake Mead Blvd.)	Denial
8-foot wide perimeter landscape buffer along interior property lines	To allow zero-foot wide buffers along the north, east and west property lines	Denial

Exceptions		
Requirement	***Request***	***Staff Recommendation***
One 24” box shade tree for every 6 uncovered parking spaces, plus 1, 24” box shade tree at the ends of each parking row, in planter islands	To allow no parking lot trees or islands where 8 trees and islands are required	Denial
Min. 5’ sidewalk buffer between buildings and the parking lot (including drive aisles) or a combination of a min. 3’ sidewalk and landscaping	To allow a 2.5-foot wide paved buffer area between the parking lot and 1212 and 1224 W. Lake Mead Blvd. buildings	Denial

SS

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) ZON, VAR, VAR, SDR

Project Address (Location) 1200, 1212 and 1224 W. Lake Mead Blvd.

Project Name Marcus Allen Development **Proposed Use** Commercial

Assessor's Parcel #(s) 139-21-610-285, 139-21-610-286, 139-21-610-287 **Ward #** 5

General Plan: Existing R-1 Proposed C-1 **Zoning:** Existing R-1 Proposed C-1

Additional Information

Property Owner Marcus Allen Contact 702-461-3121
Address 1212 W. Lake Mead Blvd. City Las Vegas State NV Zip 89106
E-mail RickiBarlow@LVAccess.com Phone 702-461-3121

Applicant Marcus Allen Development Contact 702-461-3121
Address 1212 W. Lake Mead Blvd. City Las Vegas State NV Zip 89106
E-mail RickiBarlow@LVAccess.com Phone 702-461-3121

Representative LV Access & Associates Contact Ricki Barlow
Address 2222 W. Bonanza Road, Suite A City Las Vegas State NV Zip 89106
E-mail RickiBarlow@LVAccess.com Phone 702-461-3121

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official **Partner(s)**

Partner(s)

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

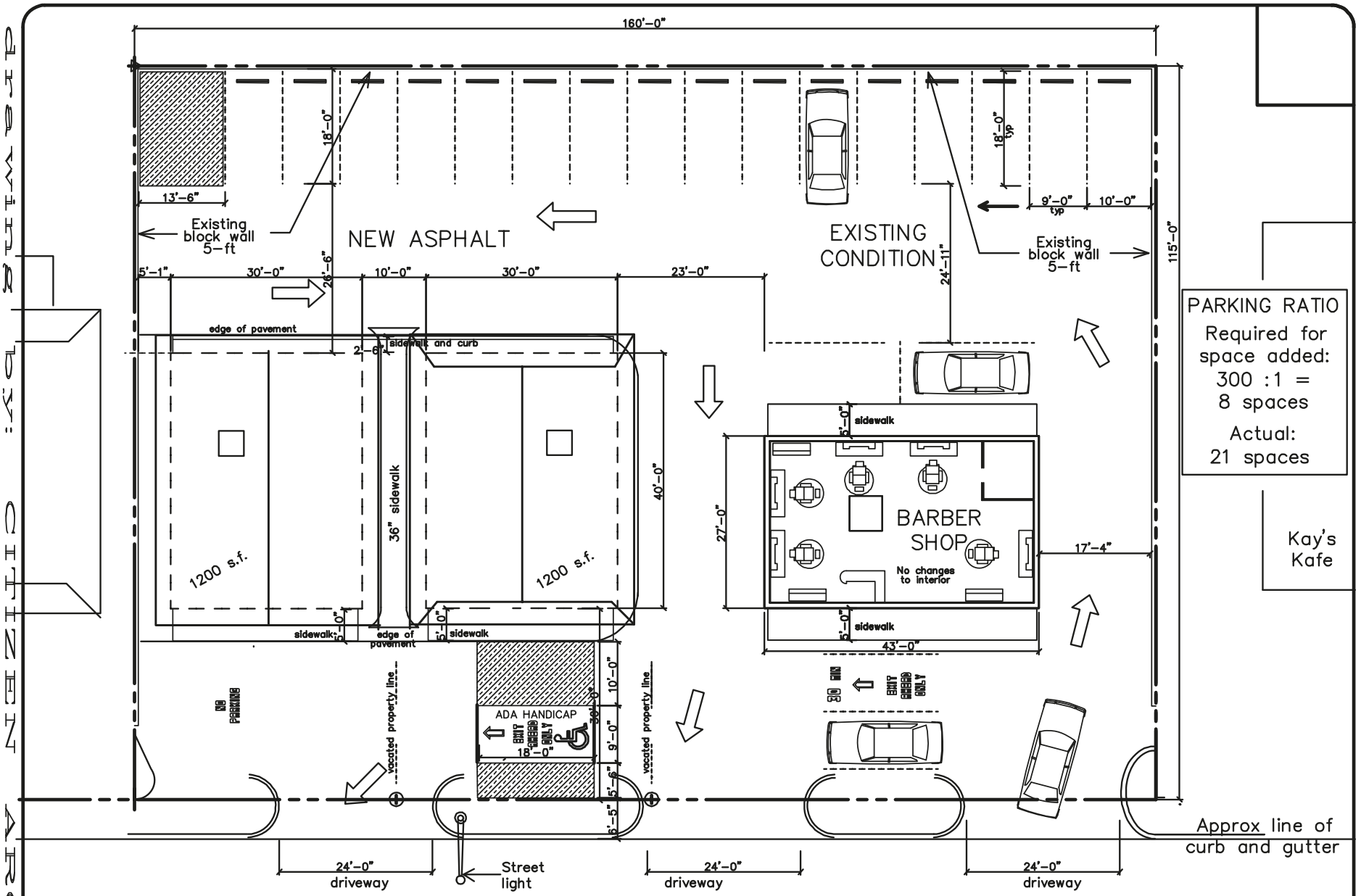
Print Name Marcus S Allen

Subscribed and sworn before me
This 16th day of May, 20 22

Tatiana
Notary Public in and for said County and State

TATIANA JIMENEZ
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 04-01-25
Certificate No: 12-8238-1

22-0223
05/16/2022



PARKING RATIO
Required for space added:
300 :1 = 8 spaces
Actual:
21 spaces

Kay's Kafe

Marcus Allen Expansion Project

1212 W. Lake Mead Bl. APN 13921610287
1224 W. Lake Mead Bl. APN 13921610286

PROPOSED CHANGE/ADDITION

SITE PLAN

Las Vegas, NV 89106

DATE 14 June 2022
PREVIOUS REVISION 05 Apr 2022

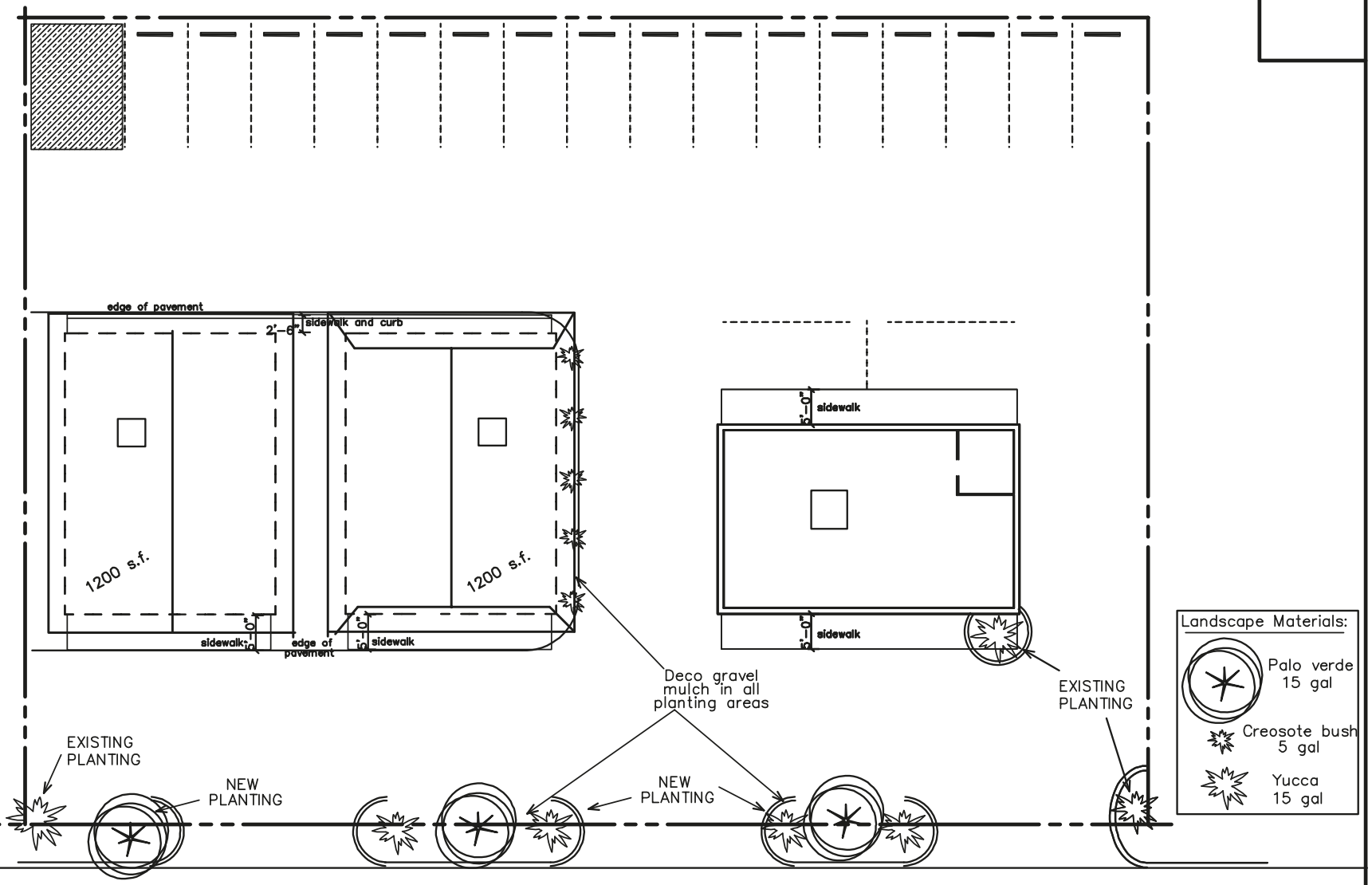
Do not scale improvements on this drawing.
All features are derived frrom aerial photography, not from official sources or records
Site verification is advised

Scale: 1" = 20 ft.
0 1 5 10 20

22-0223
06/15/2022

REVIEWED BY: CITIZEN ARCATE

REVIEWED BY: CITIZEN ARCHITECT



Marcus Allen Expansion Project

1212 W. Lake Mead Bl. APN 13921610287
1224 W. Lake Mead Bl. APN 13921610286

Las Vegas, NV 89106

PROPOSED CHANGE/ADDITION

DATE 14 June 2022
PREVIOUS REVISION 05 Apr 2022

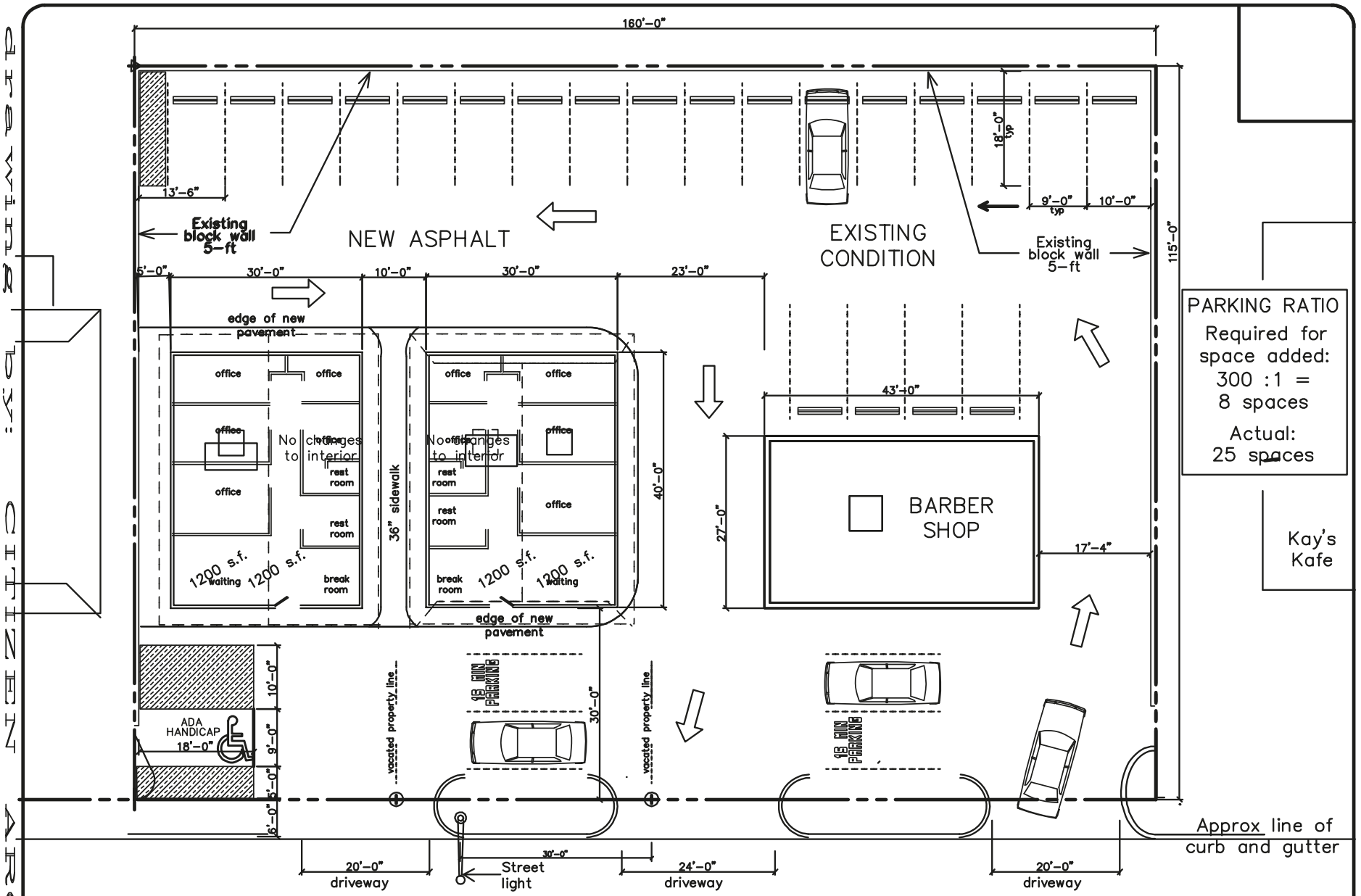
LANDSCAPE

Do not scale improvements on this drawing.
All features are derived frrom aerial photography, not from official sources or records
Site verification is advised

Scale: 1" = 20 ft.

0 1 5 10 20

22-0223
06/15/2022



Marcus Allen Expansion Project	INTERIOR WALLS
1212 W. Lake Mead Bl. APN 13921610287 1224 W. Lake Mead Bl. APN 13921610286	Las Vegas, NV 89106
PROPOSED CHANGE/ADDITION	DATE 18 May 2022 PREVIOUS REVISION 05 Apr 2022

Do not scale improvements on this drawing.
All features are derived frrom aerial photography, not from official sources or records
Site verification is advised

22-0223
05/19/2022

Scale: 1" = 20 ft.
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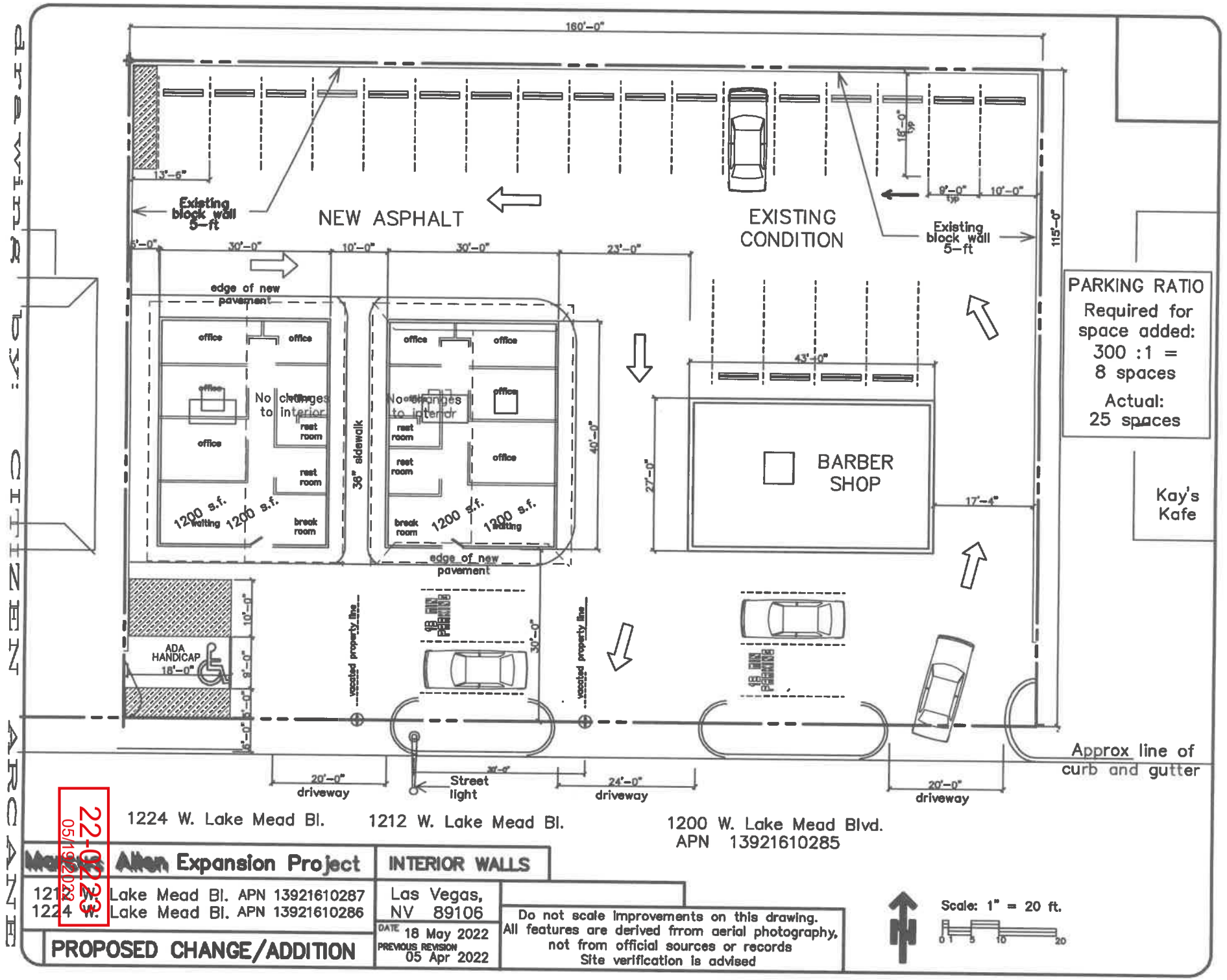
REVIEWED BY: CITIZEN ARCHITECT


160'-0"
Existing block wall 5-ft
NEW ASPHALT
EXISTING CONDITION
Existing block wall 5-ft
115'-0"
18'-0" typ
9'-0" typ
10'-0"
13'-6"
30'-0"
10'-0"
30'-0"
23'-0"
edge of new pavement
office
office
office
office
office
office
office
office
rest room
rest room
rest room
rest room
break room
break room
No changes to interior
No changes to interior
1200 s.f. waiting
1200 s.f.
1200 s.f.
1200 s.f. waiting
38" sidewalk
40'-0"
43'-0"
27'-0"
BARBER SHOP
17'-4"
edge of new pavement
ADA HANDICAP 18'-0"
10'-0"
9'-0"
6'-0"
6'-0"
vacated property line
vacated property line
30'-0"
20'-0" driveway
Street light
30'-0"
24'-0" driveway
20'-0" driveway
Approx line of curb and gutter
PARKING RATIO
Required for space added:
300 :1 =
8 spaces
Actual:
25 spaces
Kay's Kafe
1224 W. Lake Mead Bl.
1212 W. Lake Mead Bl.
1200 W. Lake Mead Blvd.
APN 13921610285
22-0223
05/19/2023
Expansion Project
INTERIOR WALLS
1212 W. Lake Mead Bl. APN 13921610287
1224 W. Lake Mead Bl. APN 13921610286
Las Vegas, NV 89106
DATE 18 May 2022
PREVIOUS REVISION 05 Apr 2022
PROPOSED CHANGE/ADDITION
Do not scale improvements on this drawing.
All features are derived frrom aerial photography, not from official sources or records
Site verification is advised
Scale: 1" = 20 ft.
0 1 5 10 20
PREPARED BY: CITIZEN ARCHITECT

22-0223
05/19/2022

22-0223
05/19/2022

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05/19/2022

22-0223
05/19/2022



1212 W. Lake Mead Bl.



1224 W. Lake Mead Bl.

22-0223
05/19/2023

Marcus Allen Expansion Project

1212 W. Lake Mead Bl. APN 13921610287
1224 W. Lake Mead Bl. APN 13921610286

PROPOSED CHANGE/ADDITION

ELEVATIONS

Las Vegas, NV 89106

DATE 18 May 2022
PREVIOUS REVISION 05 Apr 2022

Do not scale improvements on this drawing.
All features are derived frrom aerial photography, not from official sources or records
Site verification is advised

Scale: 1" = 10–ft

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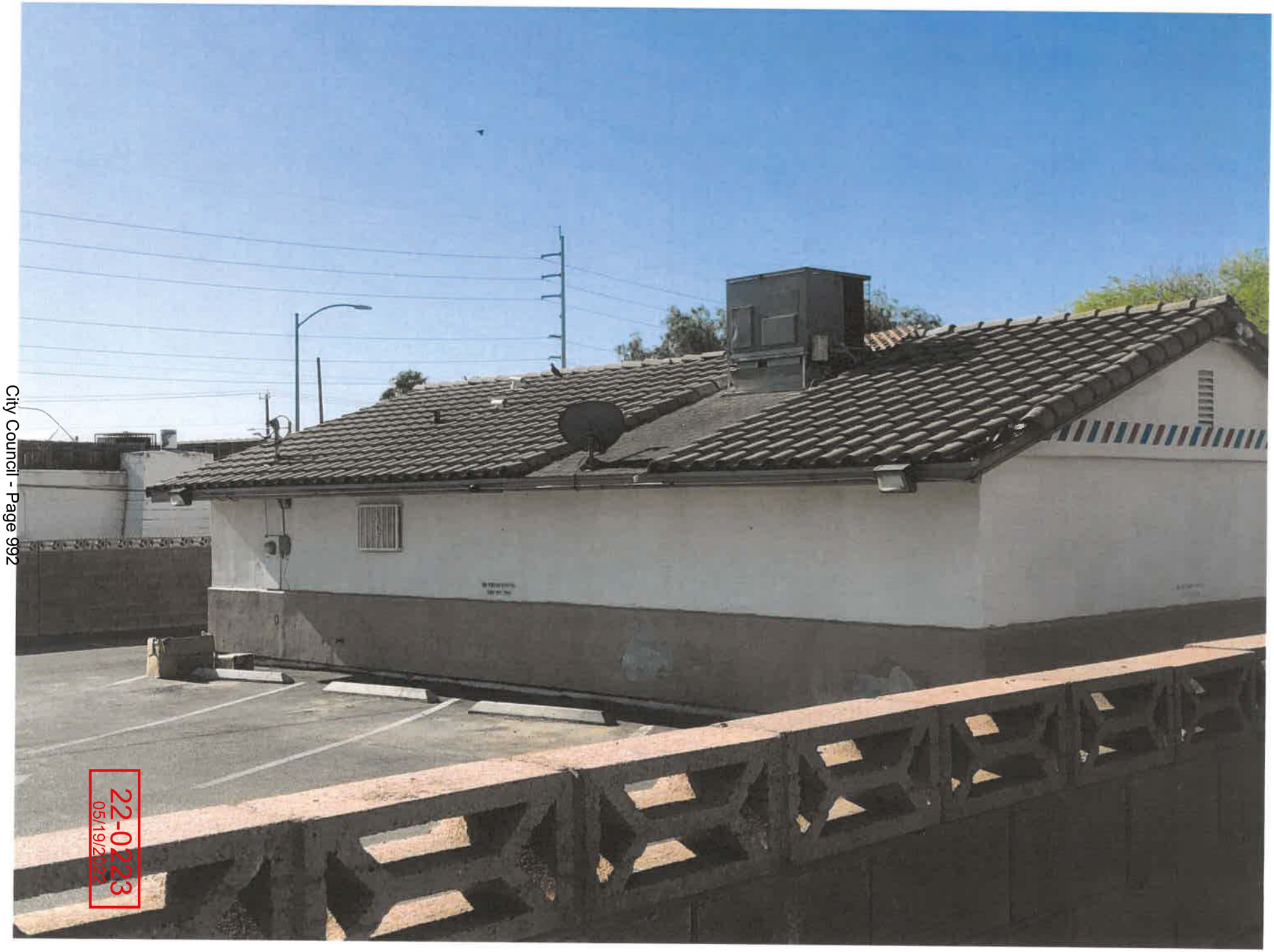
Drawing by: CITIZEN ARCHITECT



22-0223
05/19/2022



22-0223
05/19/2022



City Council - Page 993

22-0223
05/19/2022

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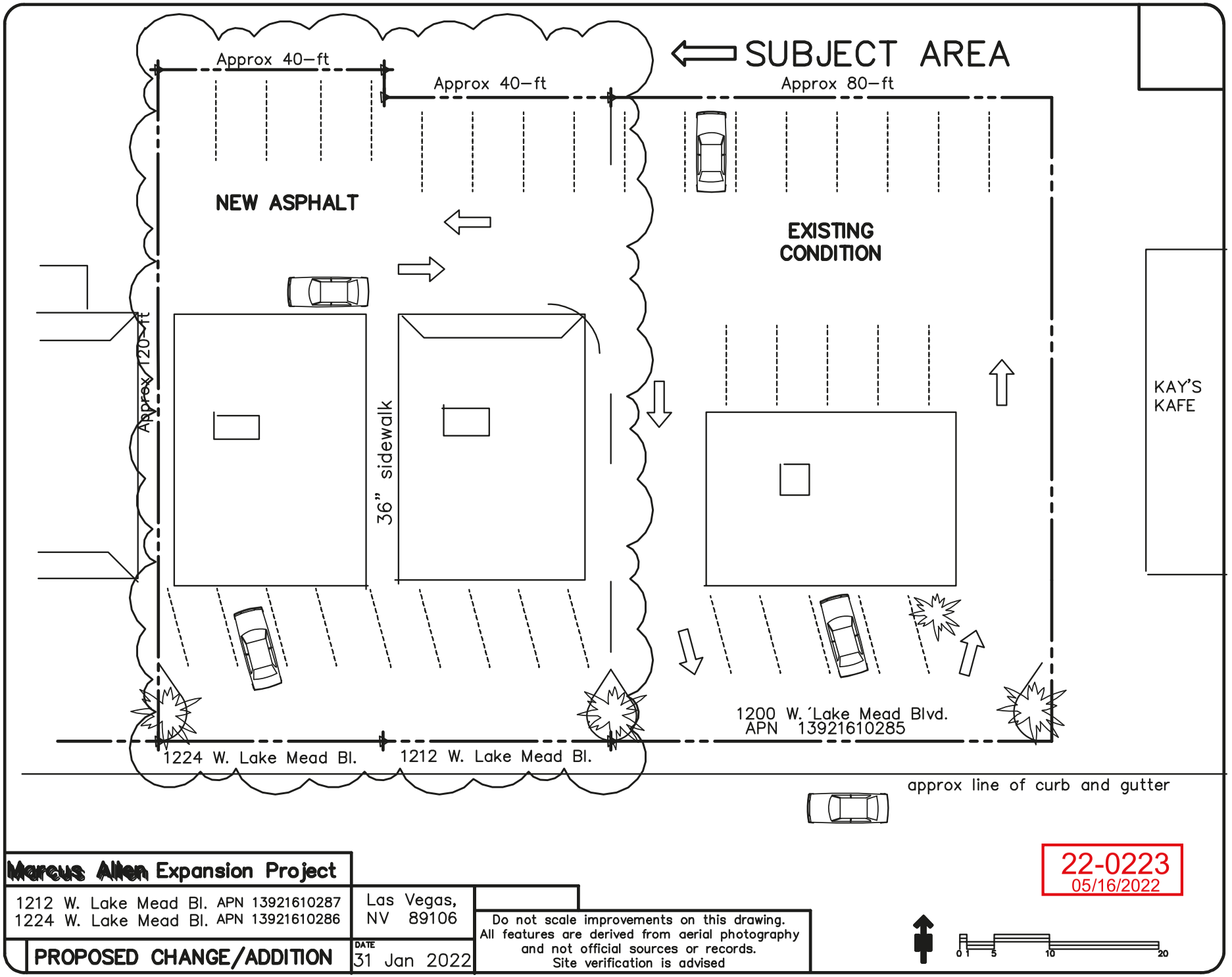


City Council - Page 1001

Marcus Allen Expansion Project

1212 W. Lake Mead Bl. APN 13921610287
1224 W. Lake Mead Bl. APN 13921610286

Las Vegas, NV 89106

PROPOSED CHANGE/ADDITION

DATE 31 Jan 2022

Do not scale improvements on this drawing.
All features are derived from aerial photography and not official sources or records.
Site verification is advised

22-0223
05/16/2022

0 1 5 10 20



22-0223-ZON1, 22-0223-VAR1, AND 22-0223-SDR1 - APPLICANT/OWNER: MARCUS ALLEN
1200, 1212 AND 1224 WEST LAKE MEAD BOULEVARD

06/01/2022



22-0223-ZON1, 22-0223-VAR1, AND 22-0223-SDR1 - APPLICANT/OWNER: MARCUS ALLEN
1200, 1212 AND 1224 WEST LAKE MEAD BOULEVARD

06/01/2022



22-0223-ZON1, 22-0223-VAR1, AND 22-0223-SDR1 - APPLICANT/OWNER: MARCUS ALLEN
1200, 1212 AND 1224 WEST LAKE MEAD BOULEVARD

06/01/2022

LV ACCESS LLC.

Ricki Y. Barlow | 3172 N. Rainbow Blvd. Suite 202 | 702.461.3121 | RickiBarlow@LVAccess.com

June 15, 2022

C/o: City of Las Vegas Planning/Justification Letter

LV Access & Associates has been contracted to represent the said property located at: 1212 and 1224 W. Lake Mead (APN: 139-21-610-286, 139-21-610-287) for the following Land Use applications;

(1) **Zone Change:**
1212 and 1224 W. Lake Mead (APN: 139-21-610-286, 139-21-610-287) would like to rezone from Residential (R-2) to Commercial (C-1). The applicant will be converting the current use to professional office space and minor retail.

(2) **Landscape Waiver**:
The backyard space for both parcels will be converted to asphalt for rear yard parking on the North property lines and request zero-foot landscape setbacks. A *zero-foot setback is requested for all side yards of both parcels on the East and West side of each parcel. Therefore, there will be no landscape* on the North, East and West property lines and will be replaced with concrete/asphalt for pedestrian walkways, while maximizing the backyard useable floor space for customer parking. This request is crucial for business operations in order for the flow of traffic entering and exiting the site. Understandably, this is an undue hardship however, the impact to surrounding neighbors, to include esthetics, does not impact anyone in the immediate area within this transitioning commercial corridor which fronts Lake Mead Boulevard (super arterial roadway). There will be limited landscape on the frontage of both buildings which is outlined within the site plan attached.

(3) **Site Development Review**:
The proposed parcels will be rezoned from Residential (R-2) to Commercial (C-1) and therefore the site plan depicts the proposed revisions within the interior of each building. Please make note, that if/when the application is approved, the applicant plans to submit a re-parcel map for parcels 1200, 1212 and 1224 Lake Mead Blvd, Las Vegas, NV. 89106, in preparation for future development opportunities.

(4) **Parking**: We request an exception for our parking buffer from the parking stalls to the buildings, being that the 30" sidewalk has a wheel curb to defend against car tires (19.08.110.c.12).

(5) **Elevations**:
Attached you will find photo imagery of the current elevations for parcels 1212 and 1224 W. Lake Mead Blvd as required by development standards.

22-0223
06/15/2022

22-0223-SDR1
Marcus Allen

1200, 1212 & 1224 W Lake Mead Boulevard

Proposed 2.4 thousand square foot retail/office uses replacing 2 single family dwelling units.

Traffic produced by proposed development:

First Existing Use - to Remain	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	1.092	37.75	41
AM Peak Hour			0.94	1
PM Peak Hour			3.81	4

Second Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DU]	2	9.44	19
AM Peak Hour			0.74	1
PM Peak Hour			0.99	2

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	2.400	37.75	91
AM Peak Hour			0.94	2
PM Peak Hour			3.81	9

Total Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	TOTAL			60
AM Peak Hour				2
PM Peak Hour				6

Total Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	TOTAL	3.092		132
AM Peak Hour				3
PM Peak Hour				13

Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	NET CHANGE	4.400		**72**
AM Peak Hour				**1**
PM Peak Hour				**7**

Existing traffic on all nearby streets:

Lake Mead Boulevard	
Average Daily Traffic (ADT)	28,991
PM Peak Hour	2,319
(heaviest 60 minutes)	

Martin L. King Boulevard	
Average Daily Traffic (ADT)	47,527
PM Peak Hour	3,802
(heaviest 60 minutes)	

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity
Lake Mead Boulevard	62,895
Martin L. King Boulevard	62,895

This project will add approximately 72 trips per day on Lake Mead Blvd., Concord St. and Martin L. King Blvd. Currently, Lake Mead is at about 46 percent of capacity and Martin L. King is at about 76 percent of capacity. With this project, these capacities are expected to remain unchanged. Counts are not available for Concord, but it is believed to be under capacity.

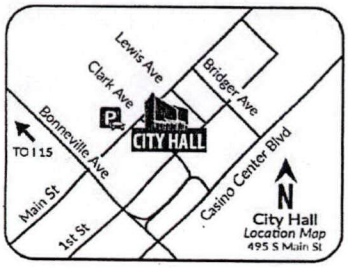
Based on Peak Hour use, this development will add about 7 vehicles in the peak hour, or about one every eight minutes.

Note that this report assumes all traffic from this development uses all named streets.

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



Scan or go to:
www.lasvegasnevada.gov/meetings

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Planning at the above address, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0223 and 22-0223-ZON1 and 22-0223-VAR1 and 22-0223-SDR1

Planning Commission Meeting of **07/12/2022**

RECEIVED
JUL 07 2022
Dept of Planning
City of Las Vegas

PRSRT
FIRST CLASS MAIL
U.S. Postage
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Las Vegas, NV
Permit No. 1630

22-0223
13921612040
DAVIS CHARLES LARRY
1012 HART AVE
LAS VEGAS NV 89106-2308

89 DRDFNP1 89106

Submitted after final agenda

23a-c P

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
36a

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0223-ZON1 - REZONING - FROM: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) ON 0.22 ACRES AT 1212 AND 1224 WEST LAKE MEAD BOULEVARD (APNs 139-21-610-286 AND 287)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
36b

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0223-VAR1 - VARIANCE - TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN EXISTING BUILDING

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL, if approved, subject to conditions. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
36c

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0223-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR THE PROPOSED CONVERSION OF TWO EXISTING 1,200 SQUARE-FOOT SINGLE-FAMILY RESIDENTIAL DWELLINGS TO TWO OFFICE BUILDINGS AND OTHER SITE IMPROVEMENTS WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL, if approved, subject to conditions. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
37

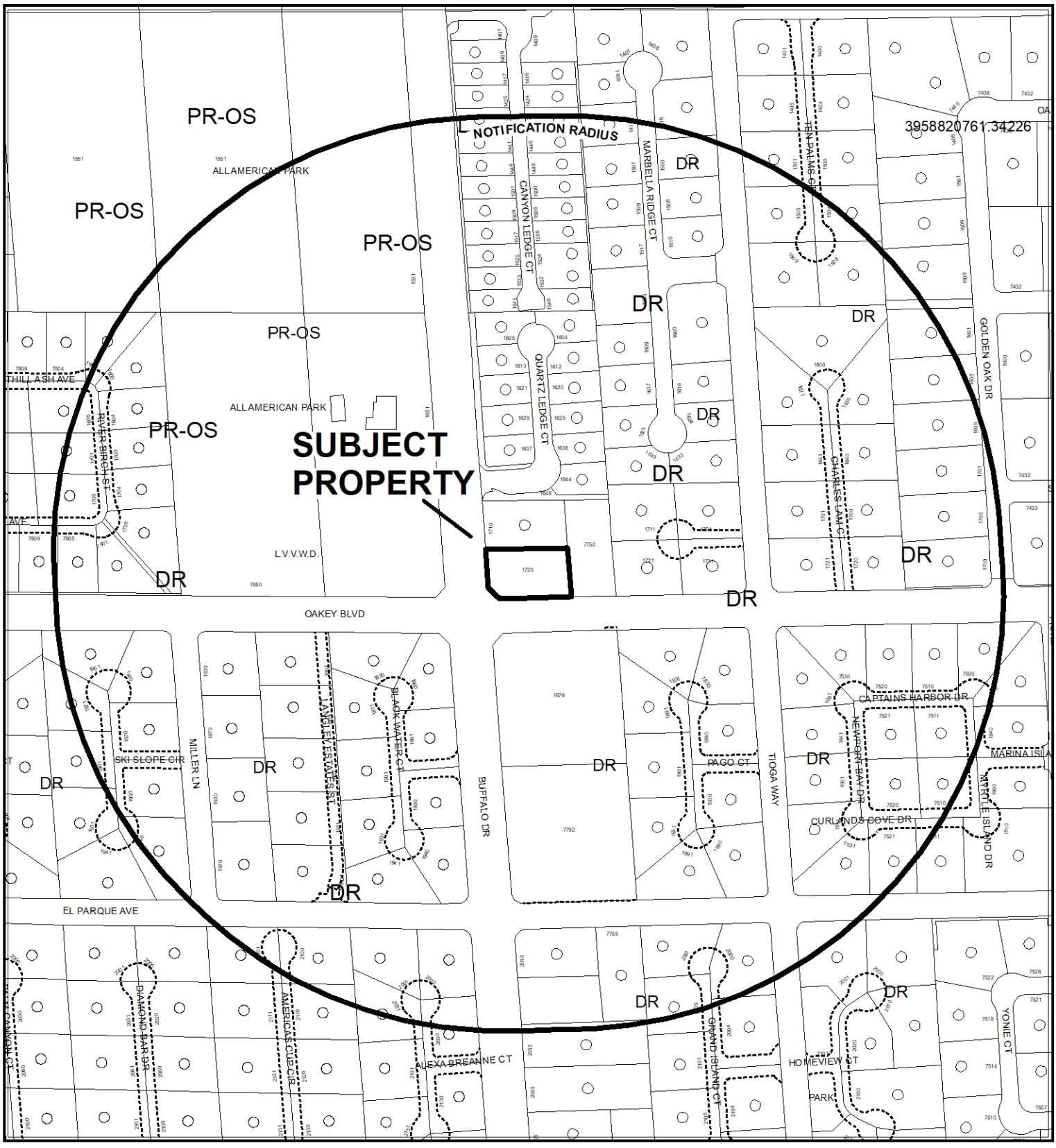
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0229 - PUBLIC HEARING - APPLICANT: IZ DESIGN STUDIO - OWNER: DORIS H. LAUER TRUST - For possible action on the following Land Use Entitlement project requests on 0.46 acres at 1720 South Buffalo Drive (APN 163-03-201-007), Ward 1 (Knudsen). Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (6-0 vote) recommends APPROVAL on the entire Land Use Entitlement project.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (6-0 vote) recommends APPROVAL on the entire Land Use Entitlement project.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - 22-0229-GPA1
2. Land Use Map - 22-0229-GPA1
3. Land Use Map - 22-0229-ZON1
4. Location and Aerial Maps
5. Conditions and Staff Report
6. Supporting Documentation
7. Photo(s)
8. Justification Letter
9. Traffic Notes Submitted by City of Las Vegas Department of Public Works Traffic Engineering Division - 22-0229-SDR1
10. Protest Postcard
11. Submitted after Final Agenda - Protest Postcards
12. Backup Documentation Submitted for the July 12, 2022 Planning Commission Meeting



CASE: **22-0229-GPA1**

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: DR (DESERT RURAL DENSITY)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: O (OFFICE)



0 262.5 525 Feet

CASE: **22-0229-GPA1**

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: DR (DESERT RURAL DENSITY)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: O (OFFICE)

N

22-0229-GPA1



General Plan
- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium Low
- Medium Low Attached
- Medium
- High

- Form-Based Code
- Neighborhood Mixed Use Center
- Transit Oriented Corridor -1
- Transit Oriented Corridor -2
- Transit Orented Development - 1
- Transit Orented Development - 2
- Planned Community Development
- Office
- Service Commercial
- General Commercial

- Tourist Commercial
- Light Industry / Research
- Traditional Neighborhood Development
- Parks/Recreation/Open Space
- Public Facilities
- Town Center
- Commercial (Downtown Land-Use)
- Mixed Use (Downtown Land-Use)

FROM DR TO O

- Subject Property
- Not City
- City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, May 18, 2022

22-0229-ZON1



Zoning

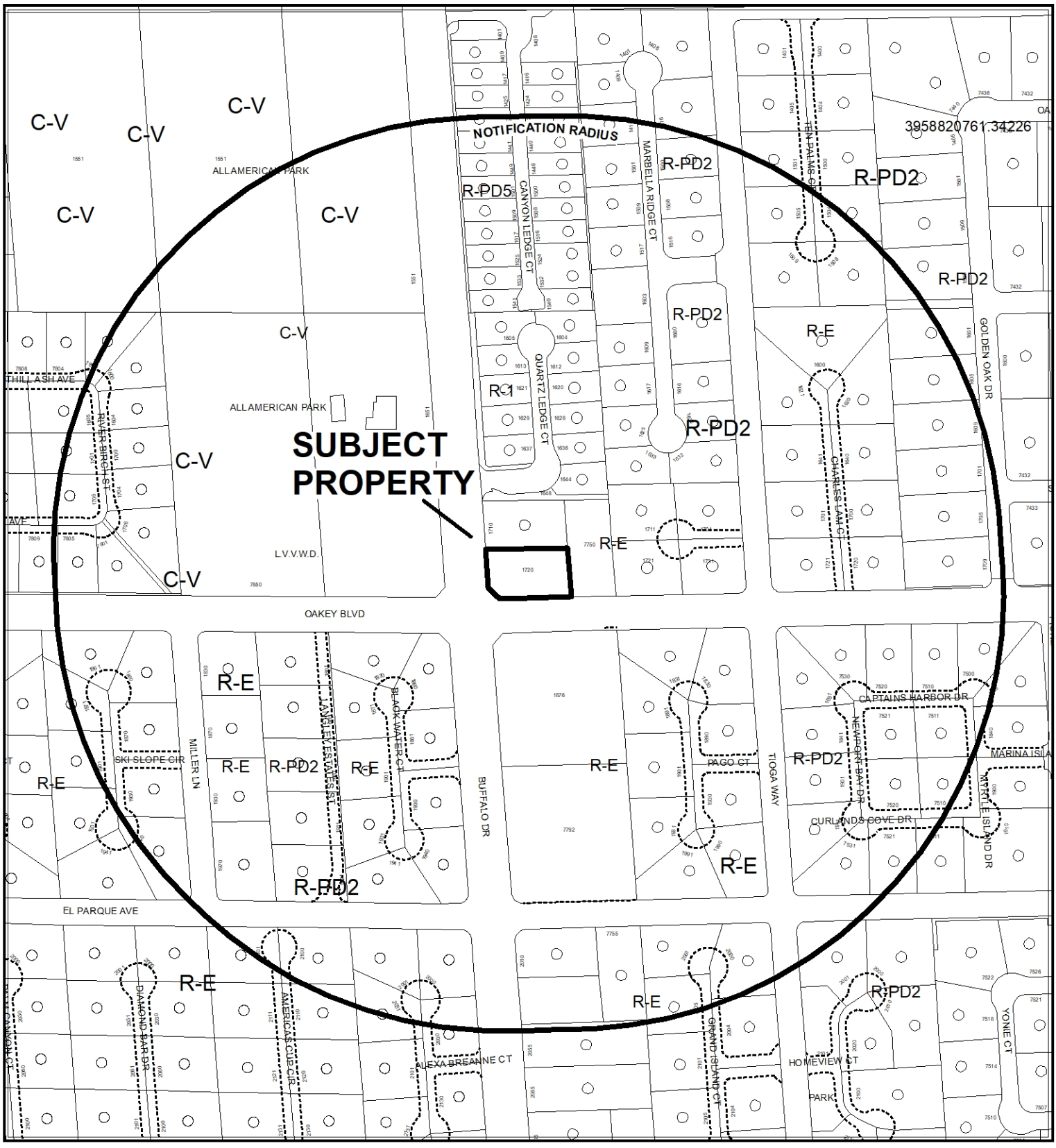
- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single Family Compact-Lot
- R-SL - Residential Small Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- T3-N - T3 Neighborhood
- T3-N-O - T3 Neigborhood Open
- T4-C - T4 Corridor
- T4-MS - T4 Main Street
- T4-N - T4 Neighborhood
- T5-N - T5 Neighborhood
- T5-M - T5 Maker
- T5-MS - T5 Main Street
- T5-C - T5 Corridor
- T6-UC - T6 Urban Core
- T6-UG - T6 Urban General
- T6-UG-L -T6 Urban General Limited
- P-R - Professional Offices and Parking
- P-O - Professional Office
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PB - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- [illegible] Development
- PD - Planned Development
- T-C - Town Center

FROM R-E TO P-O

- Subject Property
- Not City
- City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only. Geographic Information System Planning & Development Dept. 702-229-6301

Date: Wednesday, May 18, 2022



CASE: **22-0229**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: P-O (PROFESSIONAL OFFICE)



CASE: **22-0229**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: P-O (PROFESSIONAL OFFICE)

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: IZ DESIGN STUDIO - OWNER: DORIS H. LAUER TRUST

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0229-GPA1	Staff recommends DENIAL.	
22-0229-ZON1	Staff recommends DENIAL.	22-0229-GPA1
22-0229-VAR1	Staff recommends DENIAL, if approved subject to conditions:	22-0229-GPA1 22-0229-ZON1 22-0229-SDR1
22-0229-SDR1	Staff recommends DENIAL, if approved subject to conditions:	22-0229-GPA1 22-0229-ZON1 22-0229-VAR1

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 159 (by City Clerk)

PROTESTS 3

APPROVALS 0

CS

**** CONDITIONS ****

22-0229-VAR1 CONDITIONS

Planning

1. A Variance is hereby approved to allow a 48-foot residential adjacency setback where 87 feet is required and an eight-foot trash enclosure setback from a protected property line where 50 feet is required.

2. Approval of a General Plan Amendment (22-0229-GPA1) and Rezoning (22-0229-ZON1) and approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0229-SDR1) shall be required, if approved.

3. This approval shall be void two 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.

4. 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.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0229-SDR1 CONDITIONS

Planning

1. 36-inch box shade trees shall be planted.

2. Approval of a General Plan Amendment (22-0229-GPA1) and Rezoning (22-0229-ZON1) and approval of and conformance to the Conditions of Approval for Variance (22-0229-VAR1) shall be required, if approved.

3. This approval shall be void two 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.

4. All development shall be in conformance with the site plan date stamped 05/04/22, landscape plan and building elevations, date stamped 05/03/22, except as amended by conditions herein.

5. A Waiver from Title 19.08 is hereby approved, to allow no landscape buffer along a portion of the west property line where 15 feet is required.

6. A Waiver from Title 19.08 is hereby approved, to allow a six-foot wide landscape buffer along the north property line where eight feet is required.

7. An Exception from Title 19.08 is hereby approved, to allow five interior parking area trees where seven are required.

8. 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.

9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

10. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.

CS

11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

12. 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.

13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. The sidewalk adjacent to this site shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement needed to complete this requirement.

15. Landscape and maintain all unimproved right-of-way 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.

16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Site Development Plan Review request for a proposed 6,265 square-foot office building development on a 0.46-acre undeveloped parcel at 1700 South Buffalo Drive.

ISSUES

- A General Plan Amendment is requested from DR (Desert Rural Density Residential) to O (Office). Staff does not support the request.
- A Rezoning is requested from R-E (Residence Estates) to P-O (Professional Office). Staff does not support the request.
- The Office, Other than Listed use is permitted in the P-O (Professional Office) zoning district. It is not permitted in the existing zoning district of R-E (Residence Estates).
- A Variance is requested to allow a 48-foot residential adjacency setback where 87 feet is required and an eight-foot trash enclosure setback from a protected property line where 50 feet is required. Staff does not support the request.
- A Waiver is requested to allow no landscape buffer along a portion of the west property line. Staff does not support the request.
- A Waiver is requested to allow a six-foot landscape buffer width along the north property line where eight feet is required. Staff does not support the request.
- An Exception is requested to allow five interior parking area trees where seven are required. Staff does not support the request.

ANALYSIS

The subject 0.46-acre undeveloped site is currently zoned R-E (Residence Estates) with a DR (Desert Rural Density Residential) land use designation. It is subject to Title 19 development standards and abuts an undeveloped parcel to the east, a single-family dwelling to the north, a private country club to the south and a City park to the west. Surrounding properties are zoned C-V (Civic) to the west and R-E (Residence Estates) to the north, south and east. The applicant proposes to develop the subject site with a 6,265 square-foot office building development. Per Title 19, the Office, Other than Listed use is permitted in the proposed P-O (Professional Office) zoning district.

CS

General Plan Amendment

A General Plan Amendment is requested from DR (Desert Rural Density Residential) to O (Office). Per the City of Las Vegas 2050 Master Plan, the O (Office) land use designation is intended to allow small lot office conversions as a transition from residential and commercial uses and for large planned offices. It is compatible with the P-O (Professional Office) and O (Office) zoning districts. Staff finds the amendment request is not compatible and harmonious with the existing development in the surrounding area which predominantly consists of large, detached single-family residential lots.

Rezoning

A Rezoning is requested from R-E (Residence Estates) to P-O (Professional Office). Per Title 19, The P-O District is intended to allow for office uses in an area which is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices. These uses are characterized by a low volume of direct daily client and customer contact. To decrease the impact to adjacent residential uses, single family structures should be retained or new development in the P-O District should be constructed to maintain a residential character. The P-O District is consistent with the Office category of the General Plan.

Staff finds the Rezoning request is not compatible and harmonious with the existing development in the surrounding area which predominantly consists of large detached single-family residential lots. Per Title 19.08.050, if approved, all proposed development located in the P-O District shall conform to the following restrictions:

1. No products shall be stored, displayed or sold on the premises.
2. Except as otherwise provided in this Paragraph (2), no trucks, vans, or other commercial vehicles shall be stored or parked on the property overnight. No more than two vehicles that are used in connection with the operation of a business located on the site may be parked on the property overnight, but the permissible parking of such vehicles is subject to the following additional limitations and requirements:
    a. Each such vehicle must be a passenger vehicle in a mechanically operable condition with a maximum capacity of one ton. Vehicles or trailers designed or intended solely for commercial use, including without limitation tow trucks, box trucks, dump trucks, buses, taxis, limousines, food trucks or trailers, ice cream trucks or trailers, forklifts, backhoes, concrete mixers and mobile sign trucks or trailers are prohibited.
    b. An additional number of vehicles may be permitted by means of the approval of a Special Use Permit pursuant to LVMC 19.16.110.
    c. Vehicle storage is prohibited

3. No services shall be performed upon a client except those related to the service of the medical profession including dentists, opticians, optometrists, chiropractors, psychologists, et cetera.
4. Services shall not include the production nor repair of any goods except as an incidental use to the permitted service.
5. Instructional services at a physician's office must be provided with a pupil/ instructor ratio no greater than two to one; provided, however, that the Director may approve a higher pupil/instructor ratio upon a showing that sufficient off-street parking is available for the number of pupils anticipated. Equipment used for instructional purposes must be stored within the building.
6. Except in accordance with a Special Use Permit approving the establishment of a Mixed-Use use as defined by LVMC Chapter 19.18, there shall be no mixed residential and commercial use of any property and in the event there is an existing residential use on a property, no commercial use of the property shall be permitted until the residential use has permanently ceased.
7. No use or business activity shall remain open to the public for business between the hours of 9:00 p.m. through 7:00 a.m. All exterior lighting, except for security lighting, shall be turned off.

Site Development Plan Review

The submitted plans depict a two-story, 6,265 square-foot office building development. It has a maximum height of 28 feet and features a stucco façade in neutral tones. The west elevation depicts a pop out with wood paneling. The building is oriented to the northeast corner of Buffalo Drive and Oakey Boulevard. The parking requirements are met as a total of 21 parking spaces are provided where 21 are required, and the proposed planting materials adhere to the recommendations of the Southern Nevada Regional Plant List. A Waiver is requested to allow a zero-foot landscape buffer width along a portion of the west property line where 15 feet is required, and a six-foot landscape buffer width along the north property line where eight feet is required. Staff does not support these requests.

Per Title 19, all property to be developed for nonresidential or multifamily residential use that is located adjacent to property which is zoned R-E, shall conform to the residential adjacency standards. No building subject to the residential adjacency standards shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly into the property. For example, a 100-foot high building must be set back 300 feet from the property line of the protected property. In addition, trash receptacles are required to be located a minimum of 50 feet from any property line of a protected property. A Variance is requested to allow a 48-foot residential adjacency setback where 87 feet is required and an eight-foot trash enclosure setback from a protected property line where 50 feet is required. Staff does not support the Variance requests.

The Department of Public Works – Traffic Engineering Division has commented, "This project will add approximately 61 trips per day on Oakey Boulevard and Buffalo Drive. Currently, Oakey Boulevard is at about 29 percent of capacity and Buffalo Drive is at about 99 percent of capacity. With this project, these capacities are expected to remain unchanged. Based on Peak Hour use, this development will add about 7 vehicles in the peak hour, or about one every eight minutes."

The subject site is located within the 2050 Las Vegas Master Plan Charleston Area. This area includes the Charleston Boulevard corridor which is the City's major east-west link and commercial corridor between Downtown Las Vegas and its western suburbs. Comprised of both the City's earliest inner-ring suburbs and new suburban neighborhoods, this area has high potential for transit-oriented development and new place types along multiple corridors with the introduction of high capacity transit over the next thirty years. The future focus is for more intense, higher density transit-oriented development and developing new place and housing types at specific locations and strips. The subject site for the proposed office development does not align with the Master Plan. The subject site is also located within the Rural Preservation Overlay District (RP-O). The intention of the district is to ensure that the rural character of each rural preservation neighborhood is preserved.

Staff finds that the proposed development is not compatible nor harmonious with the existing development in the surrounding area, which predominantly consists of large, detached, single-family residential lots. This is evidenced by the associated Variance, Waiver and Exception requests. Furthermore, approval of the requested General Plan Amendment and Rezoning would create a spot zoning situation. Title 19 defines Spot Zoning as, "Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the General Plan. As such, staff recommends denial of all land use entitlement requests.

FINDINGS (22-0229-GPA1)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

   The proposed O (Office) designation is not compatible with the existing surrounding area which predominantly consists of large lot, detached, single-family dwellings.

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

The proposed O (Office) designation, if approved, would allow for Rezoning to a P-O (Professional Office) or O (Office) zoning district. These districts are not compatible with the existing zoning districts in the surrounding area, which predominantly consists of R-E (Residence Estates).

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

Adequate transportation and utility facilities are existing in the area that would accommodate the commercial uses allowed by the proposed O (Office) land use designation.

4. The proposed amendment conforms to other applicable adopted plans and policies.

The subject site is located within the 2050 Las Vegas Master Plan Charleston Area. This area includes the Charleston Boulevard corridor which is the City's major east-west link and commercial corridor between Downtown Las Vegas and its western suburbs. Comprised of both the City's earliest inner-ring suburbs and new suburban neighborhoods, this area has high potential for transit-oriented development and new place types along multiple corridors with the introduction of high capacity transit over the next thirty years. The future focus is for more intense, higher density transit-oriented development and developing new place and housing types at specific locations and strips. The subject site for the proposed office development does not align with the Master Plan. The subject site is also located within the Rural Preservation Overlay District (RP-O). An intention of the district is to ensure that the rural character of each rural preservation neighborhood is preserved.

FINDINGS (22-0229-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

   If the associated General Plan Amendment is approved, the proposed P-O (Professional Office) zoning district will conform to the General Plan.

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

   The proposed P-O (Professional Office) zoning district would allow land uses by right such as a Copy Center, Desktop Publishing and Offices (Medical, Dental, Other). Staff finds these land uses are not compatible with the existing rural residential land uses in the area.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

   Growth and development factors in the community indicate this area will remain low density, large-lot single-family residential in nature.

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

   The subject site is accessed from Oakey Boulevard, an 80-foot Collector Street and Buffalo Drive, a 100-foot Primary Arterial which are adequate in size to meet the needs of the proposed zoning district.

FINDINGS (22-0229-VAR1)

In accordance with the provisions of Title 19.16.140(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a development design that fails to adhere to Title 19 residential adjacency requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (22-0229-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed office development is not compatible with the large lot, single-family developments in the surrounding area.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

   The applicant has requested a Variance, Waiver and Exception in relation to the residential adjacency setback and landscaping of the proposed development, and is not consistent with Title 19.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   The subject site is accessed from Oakey Boulevard, an 80-foot Collector Street and Buffalo Drive, a 100-foot Primary Arterial which are adequate in size to meet the needs of the proposed development.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The proposed building façade is stucco in neutral tones which is appropriate for the area. The proposed landscape materials adhere to the recommendations of the Southern Nevada Regional Plant List.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

   The proposed building design is not compatible with the existing development in the surrounding area as evidenced by the associated Variance request to allow a reduced residential adjacency setback, and Waivers of the perimeter landscape buffer requirements.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   If approved, the proposed development will be subject to business license review, thereby protecting the public health, safety and general welfare.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
05/16/90	The City Council denied Rezoning (Z-0043-90) request from R-E (Residence Estates) to P-R (Professional Offices and Parking) at the subject site. The Planning Commission and Staff recommended denial.
05/19/21	Code Enforcement Case #CE21-02091 was opened regarding high grass and vegetation issues. The case was resolved on 10/06/21.

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
07/12/22	The Planning Commission (6-0 vote) recommends APPROVAL on the ollowing Land Use Entitlement project requests on 0.46 acres at 1720 South Buffalo Drive (APN 163-03-201-007), Ward 1 (Knudsen) • **22-0229-GPA1** - GENERAL PLAN AMENDMENT - FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: O (OFFICE) • **22-0229-ZON1** - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: P-O (PROFESSIONAL OFFICE) • **22-0229-VAR1** - VARIANCE - TO ALLOW A 48-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 87 FEET IS REQUIRED AND AN EIGHT-FOOT TRASH ENCLOSURE SETBACK FROM A PROTECTED PROPERTY LINE WHERE 50 FEET IS REQUIRED • **22-0229-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 6,265 SQUARE-FOOT OFFICE DEVELOPMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Most Recent Change of Ownership	
04/25/05	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no related building permits/business licenses of note.

Pre-Application Meeting	
04/19/22	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed office building development.

CS

Neighborhood Meeting	
06/23/22	Meeting Start Time: 5:30 pm Meeting End Time: 6:15pm Attendance: 5 Applicant Representatives 1 Planning Department Staff Member 2 Members of the Public The meeting was opened with the applicant giving an overview of the proposed development and why the subject site was chosen. The floor was then opened for comments/questions. Concerns: • Comment made there may have been confusion about meeting location as neighborhood meetings in the past have been held at the Sahara library • Concern stated that the property will eventually turn into a marijuana use • Comment made that there are several other unused existing office spaces available in the area • Comment made that there should be more revitalization of existing older buildings • Comment made that the lot should remain residential • Concern stated regarding increased traffic to the area
	• Concern stated regarding the parking area being utilized during closed business hours • Suggestion made to install gates/signage • Concern stated regarding future use of the building if the applicant decides to sell it • Concern stated regarding the proposed parking area lighting • Question posed about the expected number of employees utilizing the building (12 max per applicant) • Comment made regarding speaker sounds in the neighborhood • Concern made about crime/trash in the area • Concern made that there are already too many pot, sex and pay day locations in the area • Concern made that businesses don't care about the neighborhood • Question posed would any of the office space be leased out? (Yes, per applicant) The meeting ended with the applicant representative explaining the process going forward. The public members in attendance are opposed to the development.

CS

Field Check	
06/07/22	Staff conducted a routine field check and found an undeveloped lot with several political signs.

Details of Application Request	
Site Area	
Net Acres	0.46

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Country Club, Private	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	City Park	PR-OS (Park/Recreation/Open Space)	C-V (Civic)

Master and Neighborhood Plan Areas	***Compliance***
2050 Master Plan Charleston Area	N*
Special Area and Overlay Districts	***Compliance***
RP-O (Rural Preservation Overlay) District	N*
Other Plans or Special Requirements	***Compliance***
Trails	Y
Las Vegas Redevelopment Plan	Y
Interlocal Agreement	Y
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y

*The proposed office development does not align with the existing large lot, rural character of the surrounding are.

CS

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	20,037 SF	N/A
Min. Lot Width	60 Feet	90 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 5 Feet 15 Feet 15 Feet	 20 Feet 48 Feet 15 Feet 82 Feet	 Y Y Y Y
Max. Lot Coverage	50%	32%	Y
Max. Building Height	2 stories/35 Feet	2 stories/28 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	84 Feet	48 Feet	N*
Adjacent development matching setback	10 Feet	48 Feet	Y
Trash Enclosure	50 Feet	8 Feet	N*

*A Variance is requested to allowed residential adjacency setback areas.

Existing Zoning	*Permitted Density*	*Units Allowed*
R-E (Residence Estates)	1 unit per lot	1
Proposed Zoning	***Permitted Density***	***Units Allowed***
P-O (Professional Office)	N/A	N/A
Existing General Plan	***Permitted Density***	***Units Allowed***
DR (Desert Rural Density Residential)	2.5 du/acre	1
Proposed General Plan	***Permitted Density***	***Units Allowed***
O (Office)	N/A	N/A

CS

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	9 Trees	9 Trees	Y
• South	1 Tree / 20 Linear Feet	7 Trees	7 Trees	Y
• East	1 Tree / 20 Linear Feet	5 Trees	5 Trees	Y
• West	1 Tree / 20 Linear Feet	4 Trees	4 Trees	Y
TOTAL PERIMETER TREES		**25 Trees**	**25 Trees**	**Y**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	7 Trees	5 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		6 Feet	N**
• South	15 Feet		15 Feet	Y
• East	8 Feet		8 Feet	Y
• West	15 Feet		0-20 Feet	N**
Wall Height	6 to 8 Feet Adjacent to Residential		Not Indicated	Y***

*An Exception is requested to allow five interior parking area trees where seven are required.
**Waivers are requested to allow reduced landscape buffer widths along portions of the north and west property lines.
***This requirement will be met via condition of approval.

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Oakey Boulevard	Collector	Master Plan of Streets and Highways Map	80	Y
Buffalo Drive	Primary Arterial	Master Plan of Streets and Highways Map	100	Y

CS

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	ADA	Regular	ADA	
Office, Other than Listed	6,265 SF	1:300 SF	21				
TOTAL SPACES REQUIRED			21		21		Y
Regular and Handicap Spaces Required			20	1	20	1	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
Provide a 15-foot wide landscape buffer along the west property line.	To allow no landscape buffer along a portion of the west property line.	Denial
Provide an eight-foot wide landscape buffer along the north property line.	To allow a six-foot landscape buffer width along the north property line.	Denial

Exceptions		
Requirement	***Request***	***Staff Recommendation***
Provide seven interior parking area trees.	To allow five interior parking area trees.	Denial

CS

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) REZONING + SITE DEVELOPMENT PLAN REVIEW

Project Address (Location) 1720 S. BUFFALO DRIVE, LAS VEGAS, NV 89117

Project Name IZ DESIGN STUDIO NEW OFFICE BUILDING Proposed Use PROFESSIONAL OFFICE

Assessor's Parcel #(s) 163-03-201-007 Ward # _____

General Plan: Existing DR Proposed O Zoning: Existing (H-E) RESIDENCE ESTATES Proposed (P-O) PROFESSIONAL OFFICE

Additional Information _____

Property Owner DORIS H. LAUER TRUST Contact _____

Address _____ City _____ State ____ Zip _____

E-mail _____ Phone _____

Applicant IZ DESIGN STUDIO Contact I-FANG BROYLES

Address 7229 W. SAHARA AVE. SUITE 120 City LAS VEGAS State NV Zip 89117

E-mail IFANG@IZDESIGNSTUDIO.COM Phone (702) 441-0026

Representative _____ Contact _____

Address _____ City _____ State ____ Zip _____

E-mail _____ Phone _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ Partner(s) _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature Doris Hall Lauer Trust

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name DORIS H. Lauer Trust

Subscribed and sworn before me

This 25th day of April, 20 22

Notary Public in and for said County and State

ROHAM HAGHANI
Notary Public, State of Nevada
No. 20-[illegible]
My Appt. Exp. Oct 27, 2024

22-0229
05/03/2022



City Council - Page 1042

APN: 163-03-201-007

ADDRESS: 1720 S BUFFALO DRIVE
LAS VEGAS, NV 89117

JURISDICTION: CITY OF LAS VEGAS

ZONING: EXISTING - R-E RESIDENCE ESTATES
PROPOSED - P-O PROFESSIONAL OFFICE

APPROXIMATE SITE AREA: .46 ACRES
20,037 SQ. FT.

PROPOSED BUILDING AREA:
GROUND FLOOR: 3,296 SQ. FT.
SECOND FLOOR: 2,969 SQ. FT.
TOTAL: 6,265 SQ. FT.

SETBACKS: FRONT - 20'-0"
SIDE - 5'-0"
CORNER SIDE - 15'-0"
REAR - 15'-0"

HEIGHT: STORIES - 2 MAX
MAX HEIGHT - 35'-0"

LANDSCAPE: 25% LANDSCAPABLE AREA

PARKING:
OFFICE, OTHER: 1 SPACE/300 SQ. FT.

TOTAL SPACES REQUIRED: 21
TOTAL SPACES PROVIDED: 21
TOTAL ADA SPACES REQUIRED: 1
TOTAL ADA SPACES PROVIDED: 1

5/4/2022 11:45:05 AM

22-0229
05/04/2022

SP01

SITE PLAN

NEW OFFICE BUILDING

BUFFALO OAKEY

Orientation

Scale 1" = 20'-0"

Date: 04.06.2022

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TREES (24" box):

- WILLOW PITTOSPORUM *pittosporum phillyraeoides*
- PALO BREA *parkinsonia praecox*
- FRUITLESS OLIVE *olea europaea*
- MEXICAN EBONY *havardia mexicana*

SHRUBS (5 gallon):

- JUNIPER *Juniperus* sp
- ARABIAN LILAC *Vitex trifolia*
- AGAVE *agave*

PLANTING NOTES:

1) PLANTING MATERIALS SELECTED FROM THE SNWA WATER SMART LANDSCAPES PROGRAM PLANT LIST.

2) LANDSCAPING ADJACENT TO STREET. SHRUBS AND GROUNDCOVER SHALL BE PLANTED TO COVER MORE THAN 50% OF THE LANDSCAPED AREA.

5/3/2022 4:24:28 PM

City Council - Page 1043

22-0229
05/03/2022

LP01

LANDSCAPE PLAN

NEW OFFICE BUILDING

BUFFALO OAKEY

Orientation

Scale 1" = 20'-0" Date: 04.06.2022

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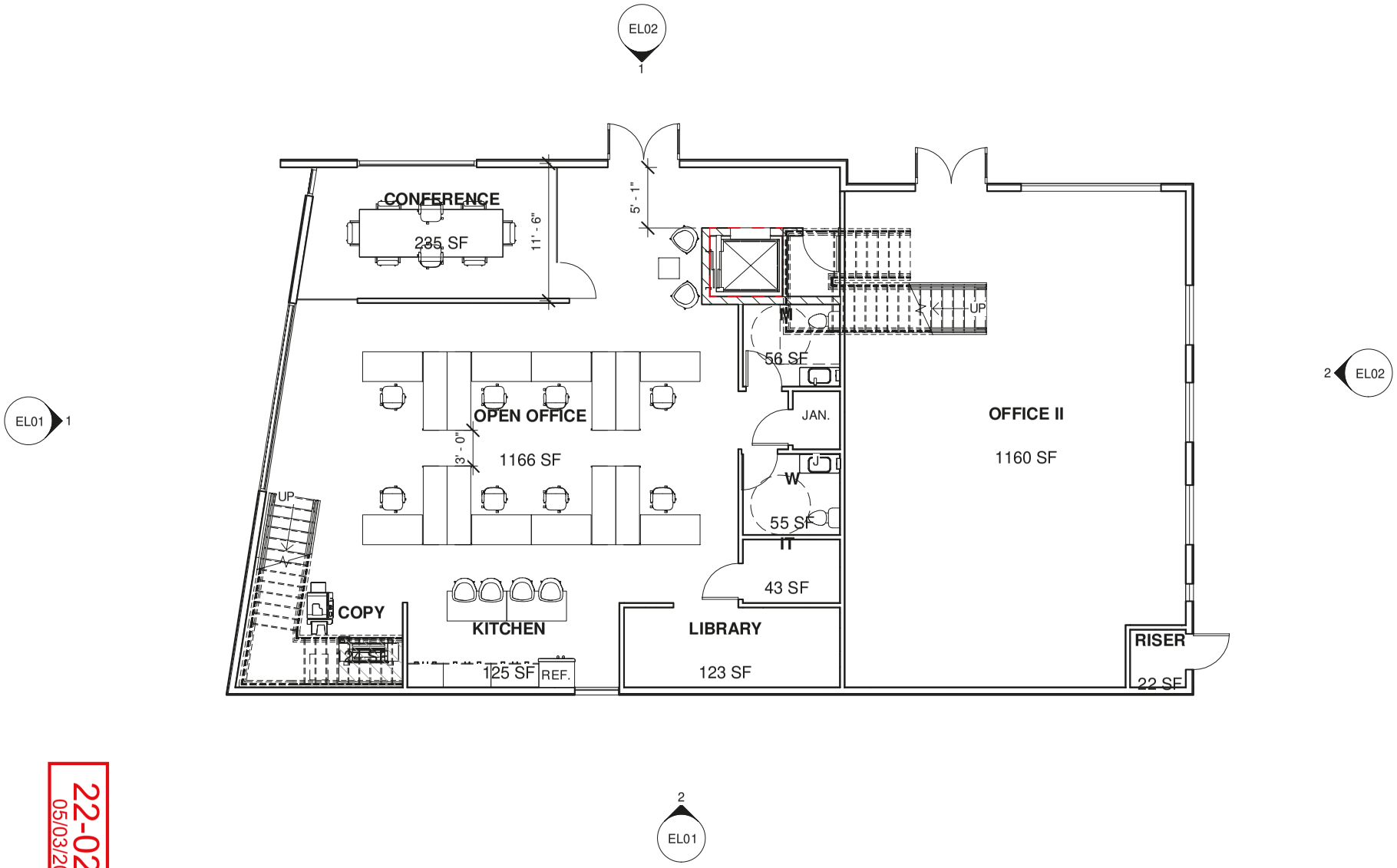

22-0229
05/03/2022

FP01

GROUND FLOOR PLAN

NEW OFFICE BUILDING

BUFFALO OAKEY

Orientation

Scale 1/8" = 1'-0"

Date: 04.06.2022

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City Council - Page 1045

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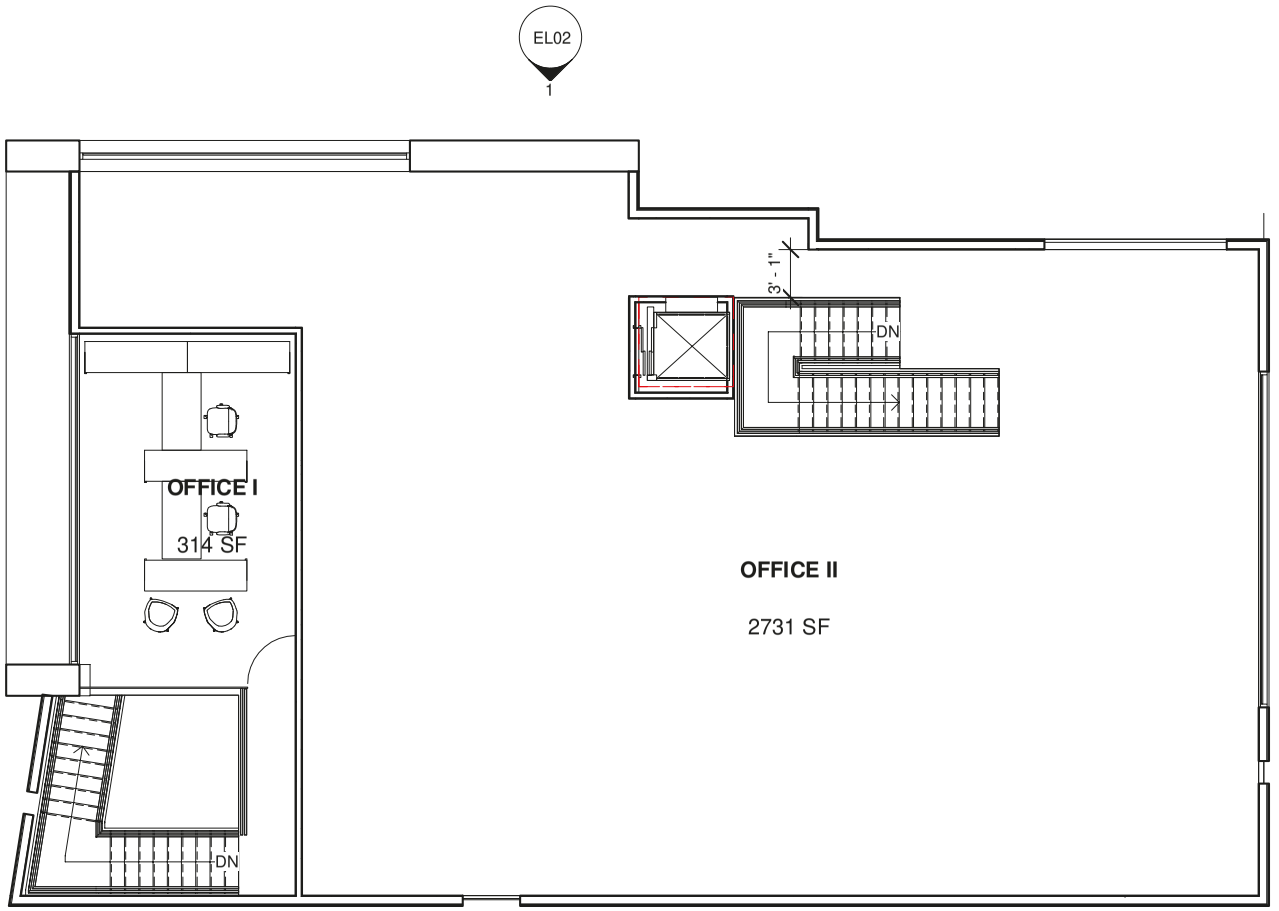

22-0229
05/03/2022

FP02

SECOND FLOOR PLAN

NEW OFFICE BUILDING

BUFFALO OAKEY

Orientation

Scale 1/8" = 1'-0"

Date: 04.06.2022

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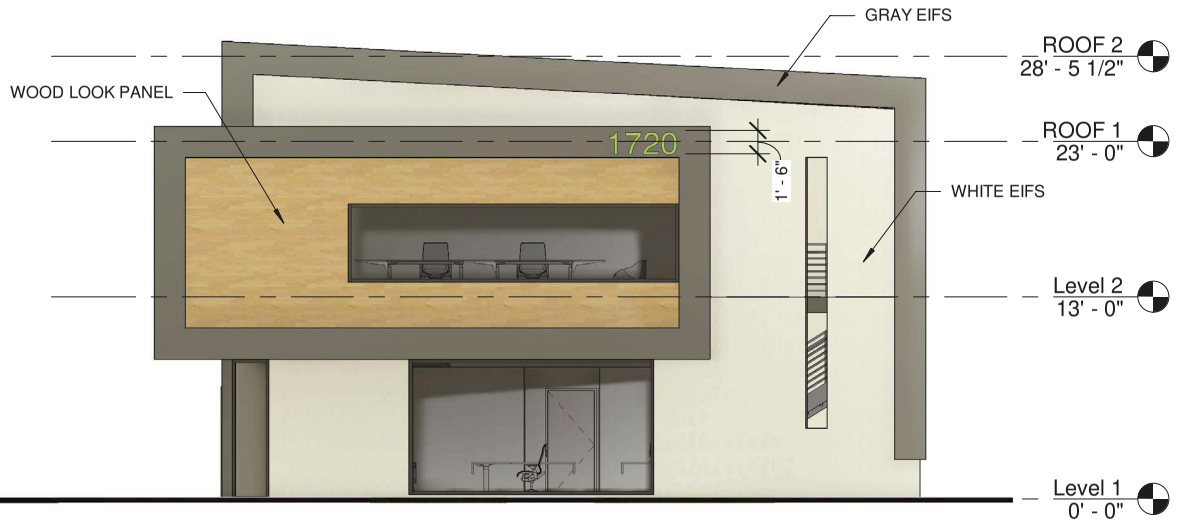
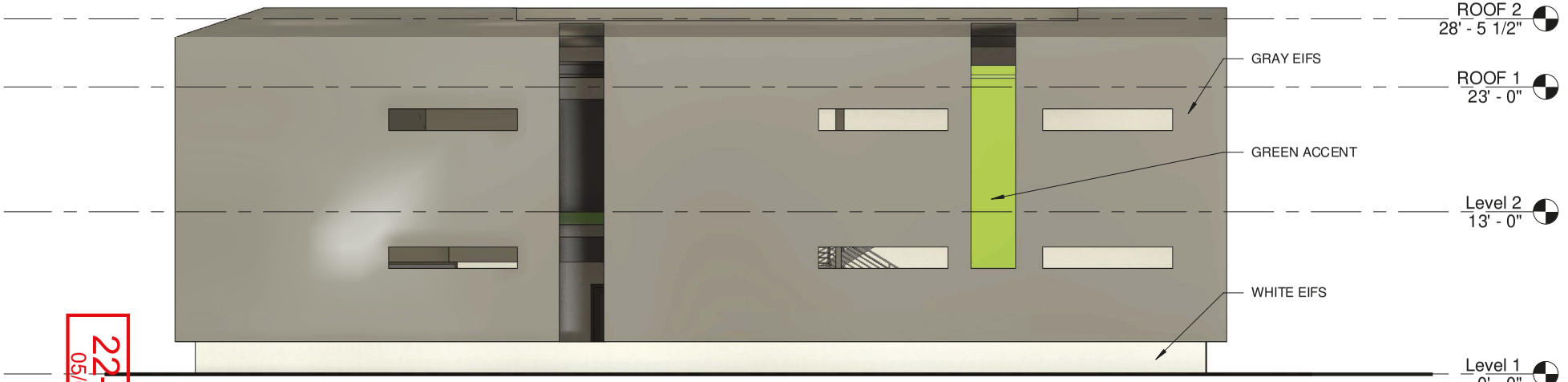


1 WEST ELEVATION
1/8" = 1'-0"



2 SOUTH ELEVATION
1/8" = 1'-0"

22-0229
05/03/2022

EL01

ELEVATIONS

NEW OFFICE BUILDING

BUFFALO OAKEY

Orientation

Scale 1/8" = 1'-0" Date: 04.06.2022

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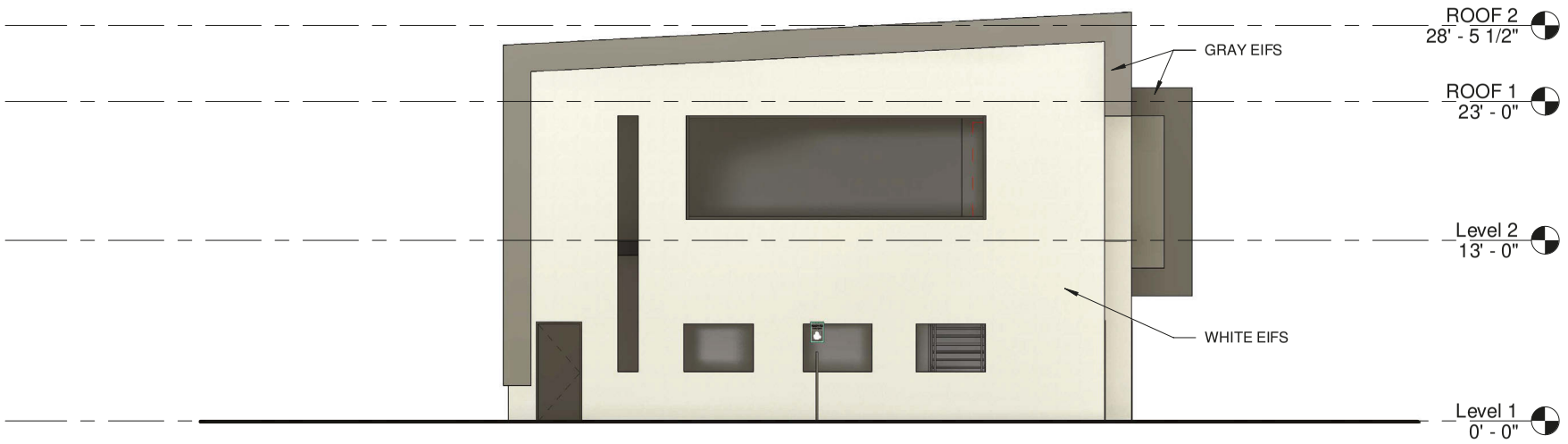

2 EAST ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"

22-0229
05/03/2022

EL02

ELEVATIONS

NEW OFFICE BUILDING

BUFFALO OAKEY

Orientation

Scale 1/8" = 1'-0" Date: 04.06.2022

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22-0229
05/03/2022

INCLUDED ON ELEVATIONS



22-0229-GPA1, 22-0229-ZON1, 22-0229-VAR1, AND 22-0229-SDR1 - APPLICANT: IZ DESIGN STUDIO - OWNER: DORIS H. LAUER TRUST
1720 SOUTH BUFFALO DRIVE

06/07/2022



22-0229-GPA1, 22-0229-ZON1, 22-0229-VAR1, AND 22-0229-SDR1 - APPLICANT: IZ DESIGN STUDIO - OWNER: DORIS H. LAUER TRUST
1720 SOUTH BUFFALO DRIVE

06/07/2022

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April 28, 2022

Re: 22-0229
Buffalo Oakey Office
1720 S Buffalo Dr.
Parcel # 163-03-201-007

Department of Planning
495 S Main St.
Las Vegas, NV 89101

Dear Mr. Stewart,

I am submitting for a General Plan Amendment, Rezone, Variance for Residential Adjacency Setback, and a Site Development Plan Review for a Professional Office building to be located at the northeast corner of the intersection of Buffalo and Oakey on parcel number 163-03-201-007.

The parcel has not been previously developed and is at the busy intersection of Buffalo Drive and Oakey Boulevard. To the south of our proposed development, across Oakey is the Real Racquet Academy Padel Club. To the west of our proposed development is the Las Vegas All American Park. There is an existing residence directly to the north and an undeveloped residential property directly to the east.

Due to the high-speed/high-volume traffic along Buffalo, we feel that a residential development would be undesirable, and we believe that our proposed use of Professional Office would create a low-traffic buffer for the existing neighborhood to the east of our parcel. Our intent is to develop this parcel as the permanent home for our architecture Firm, IZ design studio.

General Plan Amendment

The existing parcel is designated as DR – Desert Rural in the General Plan. We are requesting an amendment to O – Office. Our proposed development would be a lower intensity than the existing Padel Club across the street to the south and the existing park to the west. The development will also provide a good visual and acoustic buffer for neighboring properties to Buffalo and the outdoor activities to the west and south. As a professional office, all on site business activities would be contained within the building. Additionally, we feel the working hours, generally contained between the hours of 7am until 6pm, would work well with the residential adjacencies.

Rezone

The existing parcel is zoned R-E Residence Estates. We are requesting a rezone to P-O for professional office.

"The P-O District is intended to allow for office uses in an area which is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices." The quote is directly from the current Unified Development Code, 19.08.050. This zone and use is exactly what we are proposing and we are hoping to partner with the City and the Neighborhood to follow the letter and intent of the code.

22-0229
05/03/2022

7229 West Sahara Avenue – suite 120 – Las Vegas, Nevada 89117
Phone: (702)441-0026 Fax: (702)475-4755 www.izdesignstudio.com

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Variance

We are requesting a variance for the residential adjacency setback proximity slope requirements. Due to the narrow site, the proximity slope requirement would not allow for suitable development of the site and as such, we are requesting the variance.

Site Development Plan Review

We are requesting a Site Development Plan Review for the proposed development. We look forward to working with City Planning throughout this process.

We are excited about the opportunity to improve the area and build a new home for our growing business. We have been contributing citizens of Las Vegas since 2003 and have had IZ design studio since 2010. We have lived in the neighborhood, approximately ½ mile away from the site, since 2004. We look forward to meeting with the neighbors and continuing to be an integral member of this great neighborhood and city.

If you need any additional information or should have any questions regarding this submittal, please do not hesitate to contact me directly on my cell phone, (702) 327-1754.

Thank you for your consideration,

Sincerely,

Zach Broyles
Principal, IZ design studio

22-0229
05/03/2022

7229 West Sahara Avenue – suite 120 – Las Vegas, Nevada 89117
Phone: (702)441-0026 Fax: (702)475-4755 www.izdesignstudio.com

22-0229-SDR1
IZ Design Studio

NEC Oakey Boulevard and Buffalo Drive

Proposed 6.265 thousand square foot office building.

Traffic produced by proposed development:

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	6.265	9.74	**61**
AM Peak Hour			1.16	**7**
PM Peak Hour			1.15	**7**

Existing traffic on all nearby streets:

Oakey Boulevard

Average Daily Traffic (ADT)	7,467
PM Peak Hour	597
(heaviest 60 minutes)	

Buffalo Drive

Average Daily Traffic (ADT)	34,999
PM Peak Hour	2,800
(heaviest 60 minutes)	

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity
Oakey Boulevard	25,935
Buffalo Drive	35,490

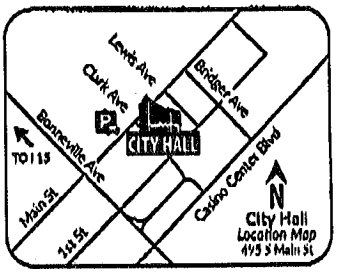
This project will add approximately 61 trips per day on Oakey Blvd. and Buffalo Dr. Currently, Oakey is at about 29 percent of capacity and Buffalo is at about 99 percent of capacity. With this project, these capacities are expected to remain unchanged.

Based on Peak Hour use, this development will add about 7 vehicles in the peak hour, or about one every eight minutes.

Note that this report assumes all traffic from this development uses all named streets.

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101
Return Service Requested
Official Notice of Public Hearing

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630



Scan or go to:
www.lasvegasnevada.gov/meetings

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Office Of The City Clerk at the above address or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0229 and 22-0229-GPA1 and 22-0229-ZON1 and 22-0229-VAR1 and 22-0229-SDR1

City Council Meeting of **08/17/2022**

22-0229
16303213002
HUNTINGTON DAVID
6859 S EASTERN AVE # 102
LAS VEGAS NV 89119-0003

89119$0003 C078

RECEIVED
CITY CLERK
2022 AUG -8 P 3:13

RECEIVED
CITY CLERK

2022 AUG 11 A 10:10

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101
Return Service Requested

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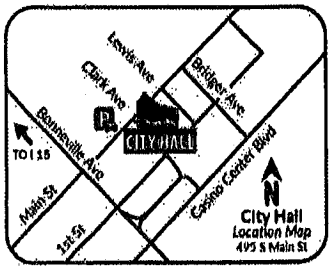
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0229 and 22-0229-GPA1 and 22-0229-ZON1 and 22-0229-VAR1 and 22-0229-SDR1

City Council Meeting of **08/17/2022**

22-0229
16303312005
SCOTT MICHAEL G & LORI L
7520 CAPTAINS HARBOR DR
LAS VEGAS NV 89117-2052

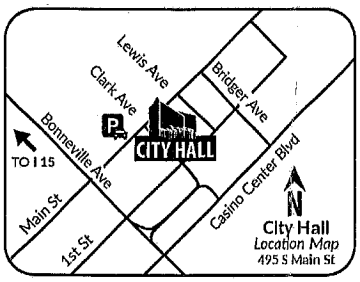
Submitted after final agenda
Items 37a-37d

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0229 and 22-0229-GPA1 and 22-0229-ZON1 and 22-0229-VAR1 and 22-0229-SDR1

City Council Meeting of **08/17/2022**

22-0229
16304702010
GABAY ELYAHU LIVING TRUST
GABAY ELYAHU TRS
1930 SKI SLOPE CIR
LAS VEGAS NV 89117

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

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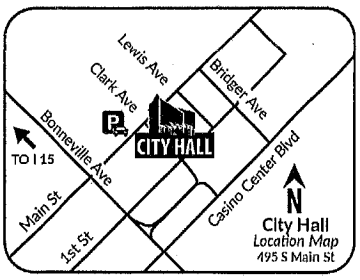

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0229 and 22-0229-GPA1 and 22-0229-ZON1 and 22-0229-VAR1 and 22-0229-SDR1

City Council Meeting of **08/17/2022**

22-0229
16303216018
MAPS TRUST
FOELS STEPHAN TRS
1449 CANYON LEDGE CT
LAS VEGAS NV 89117

Submitted after final agenda
Items 37a-37d

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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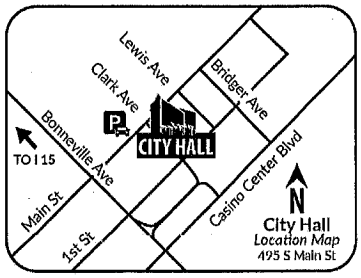

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0229 and 22-0229-GPA1 and 22-0229-ZON1 and 22-0229-VAR1 and 22-0229-SDR1

City Council Meeting of **08/17/2022**

22-0229
16304720005
DANIELS JOHN M
ROSE MICHELLE
1801 LANGLEY ESTATES ST
LAS VEGAS NV 89117

143 FROFMP1 89117

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

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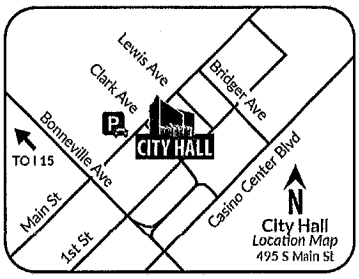

Scan or go to:
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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0229 and 22-0229-GPA1 and 22-0229-ZON1 and 22-0229-VAR1 and 22-0229-SDR1

City Council Meeting of **08/17/2022**

THE LOT IS NOT BIG ENOUGH FOR PROJECT. NOT ENOUGH PARKING. ENTRANCE AND EXIT ONLY ON BUFFALO STREET. THANK YOU!

22-0229
16303213003
MARTIN FAMILY TRUST
MARTIN ROBERT E & KAYE B TRS
1500 MARBELLA RIDGE CT
LAS VEGAS NV 89117-1488

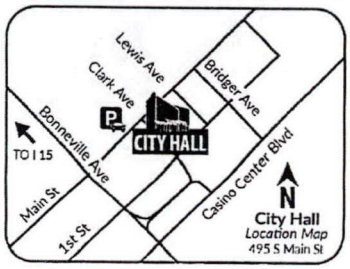
143 FROFMP1 89117

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing



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www.lasvegasnevada.gov/meetings

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Planning at the above address, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. To contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0229 and 22-0229-GPA1 and 22-0229-ZON1 and 22-0229-VAR1 and 22-0229-SDR1

Planning Commission Meeting of **07/12/2022**

143 DRDFNP1 89117

Insufficient space for office building. Appears that work has already begun on this parcel

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Dept of Planning
City of Las Vegas

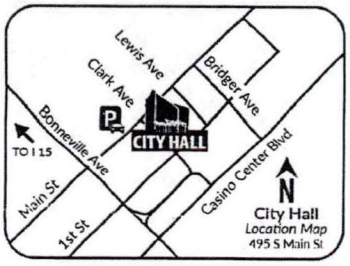
22-0229
16303217004
BROWN CHARLES & HAINES S LIV TR ETAL
BROWN CHARLES A TRS
1613 QUARTZ LEDGE CT
LAS VEGAS NV 89117

Submitted after final agenda

25a-d P

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



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www.lasvegasnevada.gov/meetings

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0229 and 22-0229-GPA1 and 22-0229-ZON1 and 22-0229-VAR1 and 22-0229-SDR1

Planning Commission Meeting of **07/12/2022**

143 DRDFNP1 89117

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JUL 07 2022
Dept of Planning
City of Las Vegas

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Las Vegas, NV
Permit No. 1630

22-0229
16303213003
MARTIN FAMILY TRUST
MARTIN ROBERT E & KAYE B TRS
1500 MARBELLA RIDGE CT
LAS VEGAS NV 89117-1488

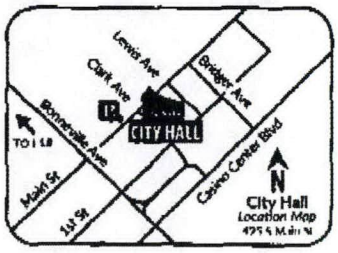
Building New House Behind Them. Someone will Build A Home There. NOT Big Enough Lot!

2 Sad P

City of Las Vegas, Department of Planning
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing



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JUL 12 2022

City of Las Vegas
Department of Planning

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0229 and 22-0229-GPA1 and 22-0229-ZON1 and 22-0229-VAR1 and 22-0229-SDR1

Planning Commission Meeting of **07/12/2022**

22-0229
16304702010
GABAY ESTHER
GABAY ELYAHU
2121 SHENLEY CT
LAS VEGAS NV 89117

143 DRDFHP1 89117

25a-d P

Nora Lares

From: Stacey Campbell
Sent: Monday, July 11, 2022 7:34 PM
To: Dorian Stonebarger; LuAnn D. Holmes
Cc: Nora Lares
Subject: Re: Case Number 22-0229-GPA1-, 22-0229-Zon1, 22-0229-Var1, 22-0229-SDR1

OK since it's her planning commission I'm copying in Nora

Sent from my T-Mobile 5G Device
Get Outlook for Android

From: Dorian Stonebarger <dstonebarger@lasvegasnevada.gov>
Sent: Monday, July 11, 2022 7:29:06 PM
To: Stacey Campbell <slcampbell@LasVegasNevada.GOV>; LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
Subject: Fwd: Case Number 22-0229-GPA1-, 22-0229-Zon1, 22-0229-Var1, 22-0229-SDR1

The below request was to share with all commissioners so I'm sharing to your office.

Dorian Stonebarger
Chief Policy Advisor | Ward 1
City Councilman Brian Knudsen

Please excuse or enjoy any typos
Sent from my iPhone

Begin forwarded message:

> **From:** Anna Williams <outlook_509FB2C62F8AC509@outlook.com>
> **Date:** July 11, 2022 at 5:31:55 PM PDT
> **To:** Ward 1 <Ward1@lasvegasnevada.gov>
> **Cc:** aweless@embarqmail.com
> **Subject: Case Number 22-0229-GPA1-, 22-0229-Zon1, 22-0229-Var1, 22-0229-SDR1**
>
> **CAUTION**: This email originated from an **External Source**. Please **use caution** before opening attachments clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials**
>
> I am submitting my opposition to the above proposals scheduled to be heard by the Planning Commission on Tuesday 7/12/2022.
> The proposal is not compatible and harmonious with existing development in the surrounding areas which predominately consists of large detached single family residential lots. If approved, it would create a spot zoning situation that would forever alter the neighborhood in a negative way. It does not further the General Plan.
> The associated Variance Waiver and Exception Requests place hardships of noise, odor from the trash enclosure, and too close a proximity to the adjacent homes. The one-way ingress and egress issues

25a-dP
Da 10 of 2

would also pose a problem for trash pick-up. This is a large building for a half-acre lot. If the owners decide to sub-lease or hire too many people, employees and or clients will be forced to park in the neighborhood and walk to the north entrance. If lighting in the parking lot or on the building are required, that would also adversely affect the neighborhood.

I respectfully request that you follow the recommendations made by the City's Staff to deny this proposed project. Please submit this letter to all the Planning Commissioners and City Council Members.

Thank you,

Anna and Anthony Williams
7451 O'Bannon Drive
Las Vegas, NV 89117
702-324-2811

Sent from Mail for Windows

25a-d
Pg 2 of 2

Nora Lares

From: Seth Floyd
Sent: Monday, July 11, 2022 1:18 PM
To: Jorina Garetto
Cc: Nora Lares; Emily Wetzstein; Peter Lowenstein
Subject: RE: Case Number 22-0229-GPA

Hi Jorina,

Thank you for the email. We will make sure this gets submitted with the item before Planning Commission tomorrow night. The meeting starts at 6 p.m. at City Hall (Council Chambers) if you or your neighbors would like to attend and speak in person.

Best,
-Seth

From: Jorina Garetto <jgaretto@cox.net>
Sent: Sunday, July 10, 2022 9:13 AM
To: Seth Floyd <sfloyd@LasVegasNevada.GOV>
Subject: Case Number 22-0229-GPA

CAUTION: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials.**

The proposals are Case Number 22-0229-GPA1-General Plan Amendment-From DR) Desert Rural Density Residential) to O Office and Case Number 22-022-ZON1- Rezoning from R-E (Residential Estates) to: P-O (Professional Office.

I am writing to you to let you know that I am opposed to the above rezoning request.

The main reason is that it does not fit the current neighborhood. The proposed office would be surrounded by homes. The club across from it is more like an outside park than a business. We have a church next to the club. There are churches in neighborhoods throughout the city and a church is not a business. Across from the proposed site is a park.

We do have the Social Security Building North of homes on the same block as the proposed site. Attached to the SS Building is office space that has been vacant for over a year. On the corner of Charleston and Tenaya is the vacant law office that has been vacated and unoccupied for years. We don't need another office space that could be left abandoned.

The main buildings surrounding this site are homes. There are half acre homes with higher density homes that face Buffalo. On the corner of Buffalo and Charleston there are apartment homes.

We worry that sometime in the future the proposed building could be rezoned for a less desirable use. We see it happening around us.

25a-dP
Pg 1 of 2

I have lived in the neighborhood for over 25 years. In all the years we have never seen a homeless encampment on this corner lot and suggested by the proposed builders. I feel that a business site that is closed in evenings and homeless could camp on the site protected the building at night.

Yes the lot has been vacant for years but the owner had the chance to sell when the high density homes were built on Buffalo.

I strongly feel that the prosed building cold find a more suitable site that is not in a neighborhood of homes. It would be the only office space surrounded by homes.

The City of Las Vegas has so many unused office spaces that this business could buy and revitalize and make our City a more beautiful place to live. It is unfortunate to see how much we use up and are and then abandoned it for something newer. As architects I would think this would be something that would make them proud to do.

Please do not approve this request. We love our neighborhood but we have seen so much negative change on Rainbow, Sahara and Charleston. We don't need this brought any closer to our homes.

Jorina Garetto
1500 Ten Palms Court
Las Vegas NV 89117
(702)556-1475

25a-d
Pg 2 of 2

7/11/22, 11:30 AM Objection to Office Building at the corner of Buffalo and Oakey - 22-0229-GPA1, 22-0229-ZON1, 22-0229-SDR1, 22-0229-VAR1

From: larryanspa@aol.com,
To: ward1@lasvegasnevada.gov,
Subject: Objection to Office Building at the corner of Buffalo and Oakey - 22-0229-GPA1, 22-0229-ZON1, 22-0229-SDR1, 22-0229-VAR1
Date: Thu, Jun 16, 2022 10:29 am

Dear Brian, Hope you and your family are well. We received today a notification from the City of Las Vegas Department of Planning for an office to be built at the corner of Buffalo and Oakey. The Ten Oaks Community (71 homes) objects to this development. The City defied the residents by building the Social Security Building on Buffalo. This is a residential area and only homes should be built on this property. The community is upset with the church and padel courts that were built on the opposite corner that was also zoned for housing. We are tired of fighting these battles and being "screwed" everytime! Please do everything you can to stop this application. Thanks, Larry Anspach, 1509 Golden Oak drive, Las Vegas, NV 89117.

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JUL 12 2022
City of Las Vegas
Department of Planning

25 a-d P

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
37a

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0229-GPA1 - GENERAL PLAN AMENDMENT - FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: O (OFFICE)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting	6	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
37b

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0229-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: P-O (PROFESSIONAL OFFICE)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting	6	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
37c

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0229-VAR1 - VARIANCE - TO ALLOW A 48-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 87 FEET IS REQUIRED AND AN EIGHT-FOOT TRASH ENCLOSURE SETBACK FROM A PROTECTED PROPERTY LINE WHERE 50 FEET IS REQUIRED

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting	6	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL, if approved, subject to conditions. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
37d

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0229-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 6,265 SQUARE-FOOT OFFICE DEVELOPMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting	6	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL, if approved, subject to conditions. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
38

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

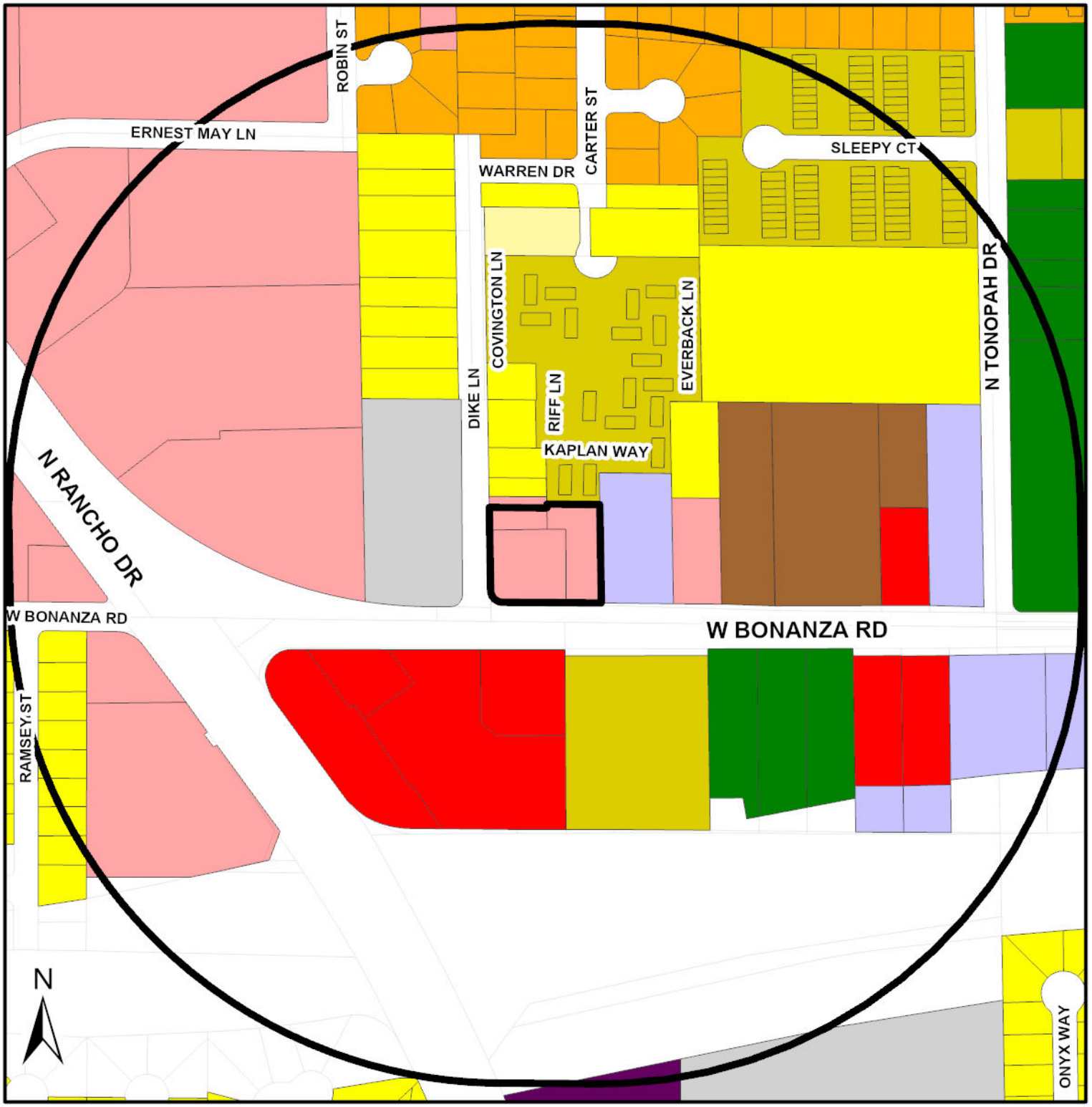
SUBJECT:
22-0272 - PUBLIC HEARING - APPLICANT/OWNER: PHENOMENAL TOWING, LLC - For possible action on the following Land Use Entitlement project requests on 1.12 acres located at the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-023, 024, and 025), Ward 5 (Crear). The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

BACKUP DOCUMENTATION:
1. Land Use Map - 22-0272-ZON1
2. Location and Aerial Maps
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Submitted after Final Agenda - Abeyance Request Letter by GCGARCIA and Protest Postcards

22-0272-ZON1



Zoning

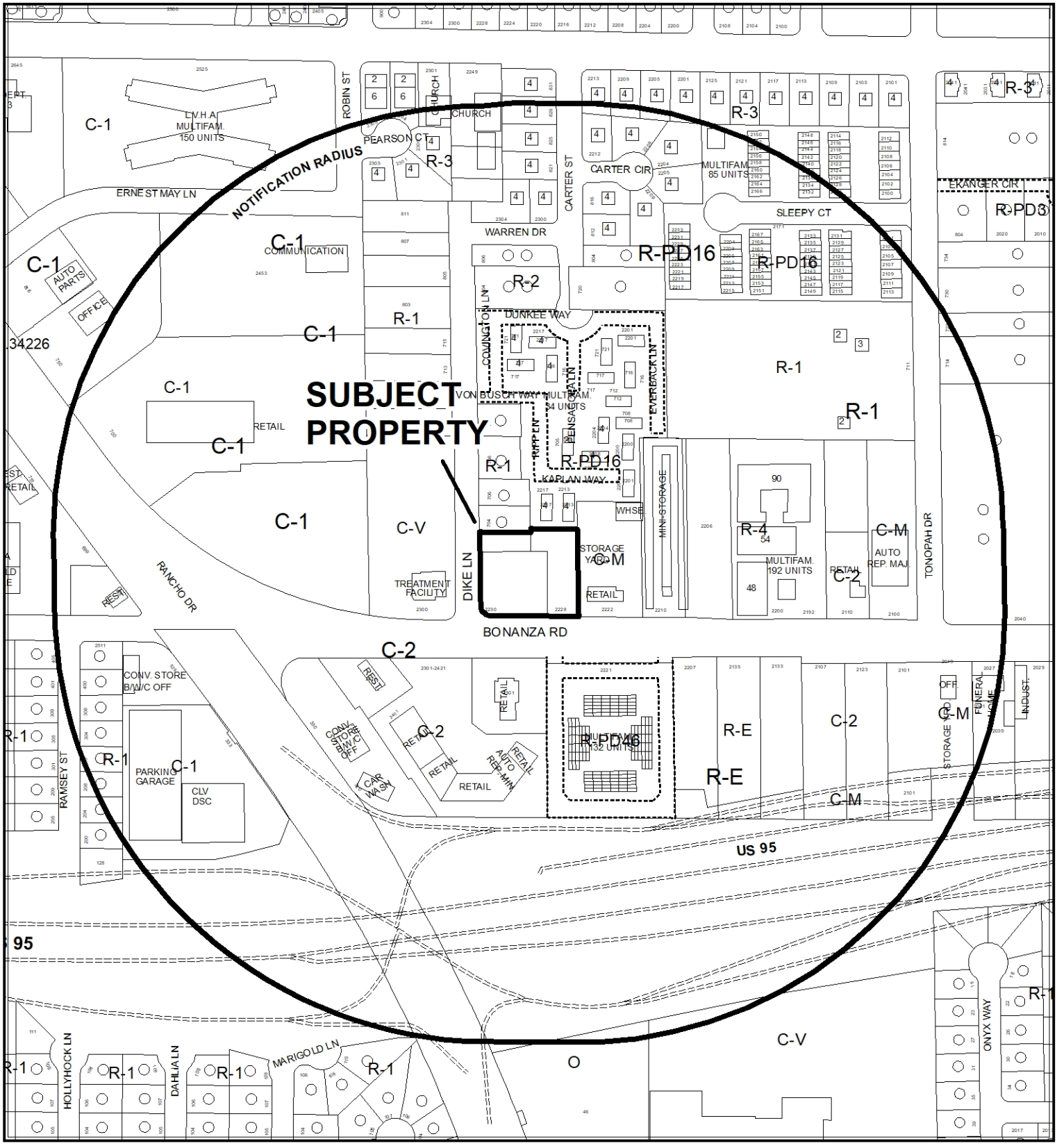
- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single Family Compact-Lot
- R-SL - Residential Small Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- T3-N - T3 Neighborhood
- T3-N-O - T3 Neigborhood Open
- T4-C - T4 Corridor
- T4-MS - T4 Main Street
- T4-N - T4 Neighborhood
- T5-N - T5 Neighborhood
- T5-M - T5 Maker
- T5-MS - T5 Main Street
- T5-C - T5 Corridor
- T6-UC - T6 Urban Core
- T6-UG - T6 Urban General
- T6-UG-L -T6 Urban General Limited
- P-R - Professional Offices and Parking
- P-O - Professional Office
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PB - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- [illegible] Development
- PD - Planned Development
- T-C - Town Center

FROM C-1 TO C-M

Subject Property
Not City
City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Thursday, June 2, 2022

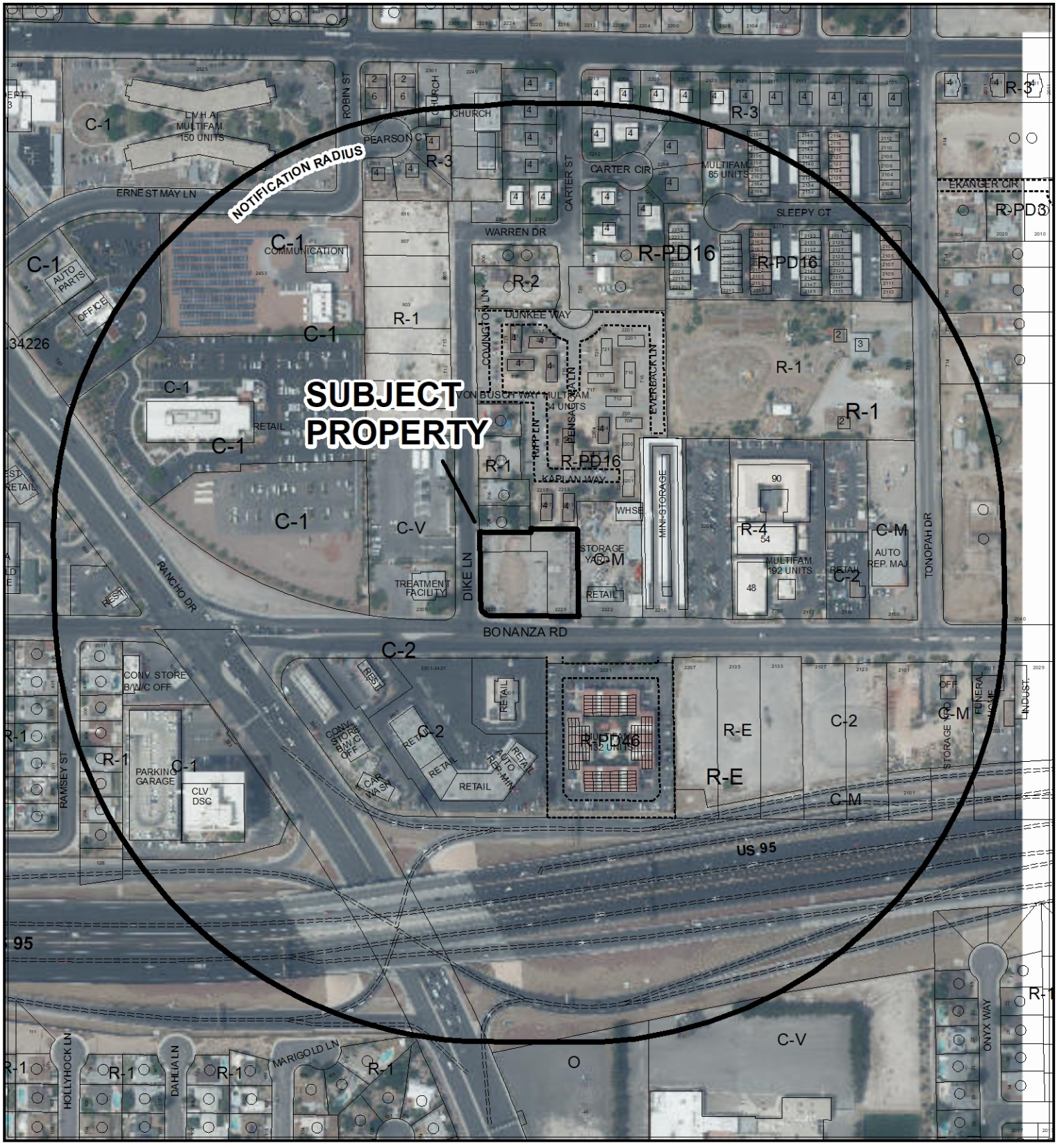


CASE: **22-0272**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)



CASE: **22-0272**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: PHENOMENAL TOWING, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0272-ZON1	Staff recommends APPROVAL.	
22-0272-SDR1	Staff recommends APPROVAL, subject to conditions:	22-0272-ZON1

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 303 (by City Clerk)

PROTESTS 0

APPROVALS 0

CG

** CONDITIONS **

22-0272-SDR1 CONDITIONS

Planning

1. Approval of Rezoning (22-0272-ZON1) shall be required, if approved.

2. This approval shall be void two 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 development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 05/19/22, except as amended by conditions herein.

4. A Waiver from Title 19.16.110 is hereby approved, to allow no perimeter landscape buffer on the east interior lot line where eight feet is required.

5. An Exception from 19.08.110 is hereby approved, to allow no parking lot landscape islands where five are required.

6. 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.

7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

9. 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.

10. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.

11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. The sidewalk adjacent to this site shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.36.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement needed to complete this requirement.

13. Landscape and maintain all unimproved right-of-way 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 adjacent public rights-of-way, if any, 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 within 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 applicant and any successors in interest to the property and assigns pursuant to the terms 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).

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Rezoning request from C-1 (Limited Commercial) to C-M (Commercial/Industrial) and a Site Development Plan Review request for a proposed 48,787 square-foot towing & impound yard development on 1.12 acres at the northeast corner of Bonanza Road and Dike Lane.

ISSUES

- A Rezoning is requested from C-1 (Limited Commercial) to C-M (Commercial/Industrial). Staff supports this request.
- A Waiver is requested to allow no landscape buffer along the east property line where five feet is required. Staff supports this request.
- An Exception is requested to allow no parking lot landscaping islands where five are required. Staff supports this request.

ANALYSIS

The subject 1.12-acre site is currently zoned as C-1 (Limited Commercial) with a TOD-2 (Transit Oriented Development – Low) Land Use Designation. The subject site is a combination of three parcels that is located on the northeast corner of Bonanza Road and Dike Lane. The subject site is surrounded by a storage yard zoned C-M (Commercial/Industrial) to the east, a residential development zoned R-PD16 (Residential Planned Development – 16 Units per Acre) and a commercial property zoned C-1 (Limited Commercial) to the north, a treatment facility zoned C-V (Civic) to the east, multifamily apartments zoned R-PD46 (Residential Planned Development – 46 Units per Acre) and a shopping center zoned C-2 (General Commercial) to the south. The applicant proposes to rezone the subject sites to C-M (Commercial/Industrial) and develop the sites with a towing & impound yard that will accommodate 24 parking spaces for trucks.

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Rezoning

The subject site is currently zoned C-1 (Limited Commercial) and the applicant is proposing to rezone the subject site from C-1 (Limited Commercial) to C-M (Commercial/Industrial) to allow a Towing & Impound Yard use. The Towing & Impound Yard use is permitted conditionally in the C-M (Commercial/Industrial) zoning district.

The Conditional Use Regulations for the Towing & Impound land use are:

1. All areas used for the parking and storage of operable vehicles shall be paved.

   The proposed Towing & Impound Yard will have all parking and storage of operable vehicles on a paved surface.

2. All stored, damaged, or wrecked vehicles, parts and equipment shall be effectively screened so not to be visible from adjoining properties or public rights-of-way.
   All stored, damaged, or wrecked vehicles, parts and equipment is shall be screened by new, eight-foot decorative screening walls adjacent to Bonanza Road and Dike Lane and screened from residential properties to the north and a storage yard to the east.

The proposed C-M (Commercial/Industrial) zoning district functions to provide a variety of compatible business, warehouse, wholesale, office and limited industrial uses. This district is intended to be located away from areas of low and medium density residential development. The C-M district is consistent with the TOD-2 (Transit Oriented Development – Low) Land Use Designation.

While there is a low to medium density residential parcel located to the north of the subject site, the character of this area of the city is primarily industrial in nature as the parcel to the east of the subject site is zoned C-M (Commercial/Industrial). There are multiple parcels in the surrounding area that also hold the C-M (Commercial/Industrial zoning designation which further contributes to the industrial character of this segment of the Bonanza corridor.

Staff finds that the proposed rezoning request would allow a land use that is compatible with neighboring land uses; therefore, staff recommends approval of the requested Rezoning.

Site Development Plan Review

The subject site is currently undeveloped and zoned C-1 (Limited Commercial) where it is subject to Title 19 development standards. If the rezoning were to be approved, the Towing and Impound Yard use would comprise of an approximately 48,787 square-foot parking lot with no structure on the subject site. Per the submitted Site Plan, date stamped 05/19/22, the proposed Towing and Impound Yard would provide 12 parking spaces for employees which includes one ADA van accessible parking space and 24 parking spaces for tow trucks. The proposed development per Title 19.18.030 (3)(b) satisfies parking requirements as parking spaces used exclusively for buses, trucks, other delivery vehicles, law enforcement vehicles, or other vehicular impound are not required to be counted in calculating the number of required handicapped parking spaces as the provided handicapped stall provides passenger loading zones that comply with Section 503 of the ADA Standards for Accessible Design.

A Towing and Impound Yard use is defined in Title 19.12 as: “A lot or building for the storage of damaged, wrecked or impounded motor vehicles for a limited period of time, usually having awaiting insurance adjustment, transport to a repair shop, or recovery by the owner or operator.”

As part of this development, the applicant will construct a decorative screen wall that will run along the property line adjacent to Bonanza Road and along the property line adjacent to Dike Lane. These walls, while providing contrasting material, will also provide adequate screening of the Tow Yard as the proposed screen walls will be eight feet tall. These new additions comply with the C-M (Commercial/Industrial) standards for perimeter walls. The applicant has also stated that the existing walls on the north and east are to remain which also provide adequate screening from the proposed development.

Landscape plans, date stamped, 05/19/22 depict landscape buffers adjacent to Bonanza Road, Dike Lane, and the north property line that meet Title 19 landscape buffer and planting requirements. However, the applicant has requested a Waiver to provide no landscape buffer along the entirety of the east property line. The submitted justification letter states that the Waiver request is a result of an encroachment by the east adjacent parcel. Staff supports this request.

The applicant has also requested an Exception to allow no parking lot landscaping where such is required. The applicant has stated that the proposed parking lot is not open to the public and used exclusively for tow trucks and stored vehicles. Staff finds the requested Exception will have minimal impact on surrounding development and will not detract from the proposed development meeting Title 19 development standards and therefore supports this request.

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Staff finds the requested Waiver and Exception will have minimal impact on surrounding development and satisfies the conditions for determination of approval. The proposed development is compatible with the adjacent and neighboring land use designations and zoning districts and meets the intent of the Las Vegas Redevelopment Plan – Area 1 by eliminating and preventing the spread of blight and deterioration in accordance with the Master Plan, the Redevelopment Plan and local codes and ordinances; therefore staff recommends approval of the requested Site Development Plan Review, subject to conditions.

FINDINGS (22-0272-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

   If approved, the proposed C-M zoning district would conform to the existing TOD-2 (Transit Oriented Development – Low) Land Use Designation.

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

   Land uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

   Rezoning to C-M (Commercial/Industrial) on the subject parcels would allow for development that is appropriate for this segment of the Bonanza Road corridor.

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

   The subject site is accessed from Bonanza Road, a 100-foot Primary Arterial and Dike Lane, a 56-foot Collector Road as classified by the Master Plan of Streets and Highways Map, Both are adequate in size to service the needs of the proposed zoning district.

FINDINGS (22-0272-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   While the proposed Towing & Impound Yard use is adjacent to low to medium density residential properties to the north, the proposed development is compatible with adjacent development and development in the area.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

   The proposed development is consistent with the TOD-2 General Plan Designation, Title 19 development standards, and other duly-adopted city plans, policies and standards.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   Site access is provided from Dike Lane, a 56-foot Collector Road and Bonanza Road, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. These streets are sufficient in size to accommodate the needs of the proposed use.

4. **Building and landscape materials are appropriate for the area and for the City;**

   No new buildings are proposed as part of the development. The primary tree species provided throughout the development will be 24-inch box “Willow Acacia” and existing “Mondale Pine” with 5-gallon “Red Yucca” and “Texas Ranger” shrubs, which are consistent with the Southern Nevada Regional Planting List.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

   The development of a blighted lot will create and orderly and aesthetically pleasing environment.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Development of the site will be subject to inspections, thereby protecting the health, safety and general welfare of the public.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
07/28/97	The City Council approved a request for a Rezoning (Z-0046-97) on property located at 706 Dike Lane, from R-1 (Single Family Residential) to R-2 (Medium-Low Density Residential). The Planning Commission and staff recommended approval.
07/06/99	The Board of Zoning Adjustment approved a request for a Variance (V-0051-99) on property located at 2230 West Bonanza Road to allow an existing 90-foot high freestanding ground sign where 40 feet is the maximum height allowed in conjunction with an existing restaurant.
10/05/05	The City Council approved a request to amend a portion of the Southeast Sector Plan of the General Plan (GPA-6273) from ML (Medium-Low Density Residential) to SC (Service Commercial) on 0.89 acres adjacent to the east side of Dike Road, approximately 150 feet north of Bonanza Road. The Planning Commission recommended approval, staff recommended denial.
	The City Council approved a request for Rezoning (ZON-6510) from R-1 (Single Family Residential) and R-1 (Single Family Residential) under Resolution of Intent to R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial).
	The City Council approved a request for a Variance (VAR-6506) to allow a zero-foot stepback ratio where a 1:1 stepback ratio is required along a collector or larger street for a 500-foot tall building in conjunction with a proposed mixed-use development.
	The City Council approved a request for a Special Use Permit (SUP-6504) for a proposed mixed-use development.
	The City Council approved a request for a Special Use Permit (SUP-8067) to allow a proposed 350-foot tall building where 140 feet is the maximum height allowed in the Airport Overlay zone.
	The City Council approved a request for a Petition to Vacate (VAC-7679) the east five feet of a portion of Dike Lane, north of Bonanza Road.

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Related Relevant City Actions by Planning, Fire, Bldg., etc.	
	The City Council approved a request for a Site Development Plan Review (SDR-6507) for a proposed mixed-use development including a 38-story tower containing 311 residential units, a 32-story tower containing 160 residential units and 40,000 square feet of commercial space and waivers for a zero-foot side yard setback where 10 feet is the minimum required, a zero-foot corner side yard setback where 15 feet is the minimum required, a 10-foot rear yard setback where 20 feet is the minimum required, 62 percent lot coverage where 50 feet is the maximum allowed, perimeter buffer landscaping and residential adjacency height and setback requirements.
03/23/06	The Planning Commission approved a request for a Site Development Plan Review (SDR-11707) for a proposed 12-story mixed-use development consisting of 300 residential units and 10,000 square feet of commercial space with waivers to allow a reduction of perimeter landscape requirements and to allow a ten-foot residential adjacency setback where 540 feet is the minimum setback required on 1.88 acres at 2228 and 2230 West Bonanza Road. Staff recommended denial.
04/19/06	The City Council approved a request for a Variance (VAR-11712) to allow 400 parking spaces where 493 parking spaces is the minimum number of parking spaces required for a proposed mixed-use development on 1.88 acres at 2228 and 2230 West Bonanza Road. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a request for a Variance (VAR-11714) to allow a 6.8-foot rear yard setback where 20 feet is the minimum required, to allow a 2.3-foot side yard setback where 10 feet is the minimum required, to allow a five-foot corner yard setback where 15 feet is the minimum required, to allow a maximum lot coverage of 83.6 percent where 50 percent is the maximum lot coverage allowed, and to allow a reduction of building step-back requirements for a proposed mixed-use development at 2228 and 2230 West Bonanza Road. Staff recommended approval.
05/17/06	The City Council approved a request to change the Future Land Use designation (GPA-9219) to Commercial, Mixed-Use, Industrial, or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission and staff recommended approval.

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Related Relevant City Actions by Planning, Fire, Bldg., etc.	
12/07/06	The Planning and Development Department administratively approved a request for an Extension of Time of a previously approved Vacation (VAC-7679) that allowed a vacation of right-of-way for the east five feet of a portion of Dike Lane north of Bonanza Road at 2228 and 2230 West Bonanza Road.
10/17/07	The City Council approved a request for an Extension of Time (EOT-24417) of a previously approved Rezoning (ZON-6510) from R-1 (Single Family Residential) and R-1 (Single Family Residential) under Resolution of Intent to R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) on 0.89 acres adjacent to the east side of Dike Road, approximately 150 feet north of Bonanza Road. Staff recommended approval.
	The City Council approved a request for an Extension of Time (EOT-24422) of a previously approved Variance (VAR-6506) to allow a zero-foot stepback ratio where a 1:1 stepback ratio is required along a collector or larger street for a 500-foot tall building in conjunction with a proposed mixed-use development at 2228 and 2230 West Bonanza Road. Staff recommended approval.
	The City Council approved a request for an Extension of Time (EOT-24419) of a previously approved Special Use Permit (SUP-6504) for a proposed mixed-use development at 2228 and 2230 West Bonanza Road. Staff recommended approval.
	The City Council approved a request for an Extension of Time (EOT-24420) of a previously approved Special Use Permit (SUP-8067) to allow a proposed 350-foot tall building where 140 feet is the maximum height allowed in the Airport Overlay zone at 2228 and 2230 West Bonanza Road. Staff recommended approval.
10/25/07	The Planning and Development Department administratively approved a request for an Extension of Time (EOT-24421) of a previously approved Vacation (VAC-7679) that allowed a vacation of right-of-way for the east five feet of a portion of Dike Lane north of Bonanza Road.
06/04/08	The City Council approved a request for an Extension of Time (EOT-27833) of a previously approved Variance (VAR-11714) to allow a 6.8-foot rear yard setback where 20 feet is the minimum required, to allow a 2.3-foot side yard setback where 10 feet is the minimum required, to allow a five-foot corner yard setback where 15 feet is the minimum required, to allow a maximum lot coverage of 83.6 percent where 50 percent is the maximum lot coverage allowed, and to allow a reduction of building step-back requirements for a proposed mixed-use development on 1.88 acres at 2228 and 2230 West Bonanza Road. Staff recommended approval.

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
	The City Council approved a request for an Extension of Time (EOT-27831) of a previously approved Site Development Plan Review (SDR-11707) for a proposed 12-story mixed-use development consisting of 300 residential units and 10,000 square feet of commercial space with waivers to allow a reduction of perimeter landscape requirements and to allow a ten-foot residential adjacency setback where 540 feet is the minimum setback required at 2228 and 2230 West Bonanza Road. Staff recommended approval.
05/06/09	The City Council approved a request for a Special Use Permit (SUP-33189) for a Supper Club in an existing 4,091 square-foot restaurant at 2230 West Bonanza Road. The Planning Commission and staff recommended approval.
12/02/09	The City Council approved a request for an Extension of Time (EOT-36360) of a previously approved Rezoning (ZON-6510) from R-1 (Single Family Residential) and R-1 (Single Family Residential) under Resolution of Intent to R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) on 0.89 acres adjacent to the east side of Dike Road, approximately 150 feet north of Bonanza Road. Staff recommended approval.
	The City Council approved a request for an Extension of Time (EOT-36365) of a previously approved Variance (VAR-11712) to allow 400 parking spaces where 493 parking spaces is the minimum number of parking spaces required for a proposed mixed-use development at 2228 and 2230 West Bonanza Road. Staff recommended approval.
	The City Council approved a request for an Extension of Time (EOT-36364) of a previously approved Variance (VAR-11714) to allow a 6.8-foot rear yard setback where 20 feet is the minimum required, to allow a 2.3-foot side yard setback where 10 feet is the minimum required, to allow a five-foot corner yard setback where 15 feet is the minimum required, to allow a maximum lot coverage of 83.6 percent where 50 percent is the maximum lot coverage allowed, and to allow a reduction of building step-back requirements for a proposed mixed-use development at 2228 and 2230 West Bonanza Road. Staff recommended approval.
	The City Council approved a request for an Extension of Time (EOT-36361) of a previously approved Special Use Permit (SUP-6504) for a proposed mixed-use development at 2228 and 2230 West Bonanza Road. Staff recommended approval.

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Related Relevant City Actions by Planning, Fire, Bldg., etc.	
	The City Council approved a request for an Extension of Time (EOT-36362) of a previously approved Special Use Permit (SUP-8067) to allow a proposed 350-foot tall building where 140 feet is the maximum height allowed in the airport overlay zone at 2228 and 2230 West Bonanza Road. Staff recommended approval.
	The City Council approved a request for an Extension of Time (EOT-36358) of a previously approved Site Development Plan Review (SDR-11707) for a proposed 12-story mixed-use development consisting of 300 residential units and 10,000 square feet of commercial space with waivers to allow a reduction of perimeter landscape requirements and to allow a ten-foot residential adjacency setback where 540 feet is the minimum setback required at 2228 and 2230 West Bonanza Road. Staff recommended approval.
12/21/11	The City Council approved a request for an Extension of Time (EOT-43422) of a previously approved Site Development Plan Review (SDR-11707) for a proposed 12-story mixed-use development consisting of 300 residential units and 10,000 square feet of commercial space with waivers to allow a reduction of perimeter landscape requirements and to allow a ten-foot residential adjacency setback where 540 feet is the minimum setback required at 2228 and 2230 West Bonanza Road. Staff recommended approval.
	The City Council approved a request for an Extension of Time (EOT-43423) of a previously approved Variance (VAR-11712) to allow 400 parking spaces where 493 parking spaces is the minimum number of parking spaces required for a proposed mixed-use development at 2228 and 2230 West Bonanza Road. Staff recommended approval.
	The City Council approved a request for an Extension of Time (EOT-43424) of a previously approved Special Use Permit (SUP-6504) for a proposed mixed-use development at 2228 and 2230 West Bonanza Road. Staff recommended approval.
	The City Council approved a request for an Extension of Time (EOT-43425) of a previously approved Variance (VAR-11714) to allow a 6.8-foot rear yard setback where 20 feet is the minimum required, to allow a 2.3-foot side yard setback where 10 feet is the minimum required, to allow a five-foot corner yard setback where 15 feet is the minimum required, to allow a maximum lot coverage of 83.6 percent where 50 percent is the maximum lot coverage allowed, and to allow a reduction of building step-back requirements for a proposed mixed-use development at 2228 and 2230 West Bonanza Road. Staff recommended approval.

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Related Relevant City Actions by Planning, Fire, Bldg., etc.	
	The City Council approved a request for an Extension of Time (EOT-43426) of a previously approved Special Use Permit (SUP-8067) to allow a proposed 350-foot tall building where 140 feet is the maximum height allowed in the airport overlay zone at 2228 and 2230 West Bonanza Road. Staff recommended approval.
04/17/13	The City Council approved a revocation (DIR-48463) of previously approved entitlements; Site Development Plan Review (SDR-11707), Special Use Permits (SUP-6504 and SUP-8067) and Variances (VAR-11712 and VAR-11714) at 2228 and 2230 West Bonanza Road. Staff recommended approval.
09/23/14	The Planning Commission is scheduled to hear a request for a Special Use Permit (SUP-55196) for a proposed 4,516 square-foot Medical Marijuana Dispensary use at 2230 West Bonanza Road.
07/12-22	The Planning Commission (6-0 vote) recommends APPROVAL on the following Land Use Entitlement project requests on 1.12 acres located at the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-023, 024, and 025), Ward 5 (Crear) • **22-0272-ZON1** - REZONING - FROM: C-1 (LIMITED COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) • **22-0272-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 48,787 SQUARE-FOOT TOWING AND IMPOUND YARD WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Most Recent Change of Ownership	
03/14/22	A deed was recorded for a change in ownership (APN 139-29-704-024)
03/14/22	A deed was recorded for a change in ownership (APN 139-29-704-023)
03/14/22	A deed was recorded for a change in ownership (APN 139-29-704-025)

Related Building Permits/Business Licenses	
c. 1967	Original construction for the existing structure at 2230 W. Bonanza Road.
05/21/98	A building permit (#98010772) was issued for a non-work certificate of occupancy for a restaurant at 2230 W. Bonanza Road. The permit expired on 03/25/00.
07/09/98	A building permit (#98014137) was issued for demolition at a restaurant at 2230 W. Bonanza Road. The permit expired on 03/25/00.

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Related Building Permits/Business Licenses	
12/11/98	A building permit (#98024166) was issued for an interior remodel for a restaurant at 2230 W. Bonanza Road. The permit was finalized on 10/20/99.
03/22/99	A building permit (#99005583) was issued for an interior remodel for a restaurant at 2230 W. Bonanza Road. The permit was finalized on 10/20/99

Pre-Application Meeting	
05/04/22	A pre-application meeting was held where submittal requirements and deadlines were discussed for a proposed Site Development Plan Review and Rezoning.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/01/22	Staff conducted a routine field check and found an undeveloped lot. Staff observed debris and graffiti on interior walls along the north property line.

Details of Application Request	
Site Area	
Net Acres	1.12

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	TOD-2 (Transit Oriented Development -Low)	C-1 (Limited Commercial)
North	Undeveloped	MXU (Mixed Use)	C-1 (Limited Commercial)
	Multifamily Apartments	ML (Medium Low)	R-PD16 (Residential Planned Development – 16 Units Per Acre)

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Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
South	Shopping Center	TOD-2 (Transit Oriented Development –Low)	C-2 (General Commercial)
	Multifamily Apartments		R-PD46 (Residential Planned Development – 46 Units Per Acre)
East	Storage Yard	TOD-2 (Transit Oriented Development -Low)	C-M (Commercial/Industrial)
West	Treatment Facility	TOD-2 (Transit Oriented Development -Low)	C-V (Civic)

Master and Neighborhood Plan Areas	***Compliance***
Master Plan 2050 Area: West Las Vegas	Y
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District 140 Feet	Y
Other Plans or Special Requirements	***Compliance***
Trails (Bonanza Road)	Y
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.08.070, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	100 SF	48,787 SF	Y
Min. Lot Width	100 Feet	230 Feet	Y
Min. Setbacks			
• Front	10 Feet	N/A	N/A
• Side	10 Feet	N/A	N/A
• Corner	10 Feet	N/A	N/A
• Rear	20 Feet	N/A	N/A

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Standard	*Required/Allowed*	*Provided*	*Compliance*
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	N/A	N/A	NA
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	N/A	N/A
Mech. Equipment	Screened	N/A	N/A

Existing Zoning	*Permitted Density*	*Units Allowed*
C-1 (Limited Commercial)	N/A	N/A
Proposed Zoning	***Permitted Density***	***Units Allowed***
C-M (Commercial/Industrial)	N/A	N/A

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees: • North (Commercial Lot)	1 Tree / 30 Linear Feet	4 Trees	8 Trees	
• North	1 Tree / 20 Linear Feet	4 Trees	6 Trees	Y
• South	1 Tree / 20 Linear Feet	10 Trees	10 Trees	Y
• East	1 Tree / 30 Linear Feet	6 Trees	0 Trees	N*
• West	1 Tree / 20 Linear Feet	8 Trees	10 Trees	Y
TOTAL PERIMETER TREES		**32 Trees**	**33 Trees**	**Y**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	4 Trees	0 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width • North	8 Feet		8 Feet	Y
• South	15 Feet		15 Feet	Y
• East	8 Feet		0 Feet	N*
• West	15 Feet		15 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		8 Feet Adjacent to Residential	Y

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*A Waiver is requested to allow no landscape buffer on the entirety of the east interior lot line.

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Bonanza Road	Primary Arterial	Master Plan of Streets and Highways	100 Feet	Y
Dike Lane	Collector Street	Title 13	56 Feet	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Towing & Impound Yard	1.12 acres	1 Space for each employee, plus one space for each tow truck that is stationed at the facility	36				
TOTAL SPACES REQUIRED			36		36		Y*
Regular and Handicap Spaces Required			34	2	35	1	Y*

*Per Title 19.18.030 (3)(b), in the case of a parking lot accessed by the public, parking spaced used exclusively for buses, trucks, other delivery vehicles, law enforcement vehicles, or vehicular impound are not required to be counted in calculating the number of required handicapped parking spaces pursuant to Table 1 if and only if the lot is provided with a passenger loading zone complying with Section 503 of the ADA Standards for Accessible Design.

CG

Waivers		
Requirement	***Request***	***Staff Recommendation***
Provide eight-foot landscape buffers along interior lot lines	To allow zero-foot landscape buffers along the east interior lot line	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
To provide a parking lot landscape island with a 24-inch box trees for every six uncovered parking spaces.	To allow zero landscape islands	Approval

CG

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	22-0272
Meeting Date	05/19/2022
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Site Development Review

Project Address (Location) Bonanza & Dike

Project Name Phenomenal Towing **Proposed Use** Towing & Impound Yard Use

Assessor's Parcel #(s) 139-29-704-023, 024, & 025 **Ward #** 5

General Plan: Existing TOD-2 Proposed No Change **Zoning:** Existing C-1 Proposed C-M

Additional Information

Property Owner Phenomenal Investments, LLC Contact Nibras Admon

Address 1533 Tillman Falls Ave City Las Vegas State NV Zip 89106

E-mail hinbras@yahoo.com Phone

Applicant Phenomenal Investments LLC Contact Nibras Admon

Address 2039 W Bonanza City Las Vegas State NV Zip 89106

E-mail hinbras@yahoo.com Phone

Representative G.C. Garcia, Inc. Contact George Garcia

Address 1055 Whitney Ranch Dr., Suite 210 City Henderson State NV Zip 89014

E-mail acole@gcgarciainc.com Phone (702) 435-9909

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☑ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official **Partner(s)**

Partner(s)

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Nibras Admon

Subscribed and sworn before me

This 5 day of May, 20 22

Notary Public in and for said County and State

ANDREA COLE
Notary Public-State of Nevada
Appointment No. 05-97271-1
My Appointment Expires 05-23-2025

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	22-0272
Meeting Date	05/19/2022
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Rezoning

Project Address (Location) Bonanza & Dike

Project Name Phenomenal Towing **Proposed Use** Towing & Impound Yard Use

Assessor's Parcel #(s) 139-29-704-023, 024, & 025 **Ward #** 5

General Plan: Existing TOD-2 Proposed No Change **Zoning:** Existing C-1 Proposed C-M

Additional Information

Property Owner Phenomenal Investments, LLC Contact Nibras Admon
Address 1533 Tillman Falls Ave City Las Vegas State NV Zip 89106
E-mail hinbras@yahoo.com Phone

Applicant Phenomenal Investments LLC Contact Nibras Admon
Address 2039 W Bonanza City Las Vegas State NV Zip 89106
E-mail hinbras@yahoo.com Phone

Representative G.C. Garcia, Inc. Contact George Garcia
Address 1055 Whitney Ranch Dr., Suite 210 City Henderson State NV Zip 89014
E-mail acole@gcgarciainc.com Phone (702) 435-9909

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☑ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official **Partner(s)**

Partner(s)

• I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

• Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name N. Ibras Admon

Subscribed and sworn before me

This 5 day of May, 20 22

Notary Public in and for said County and State

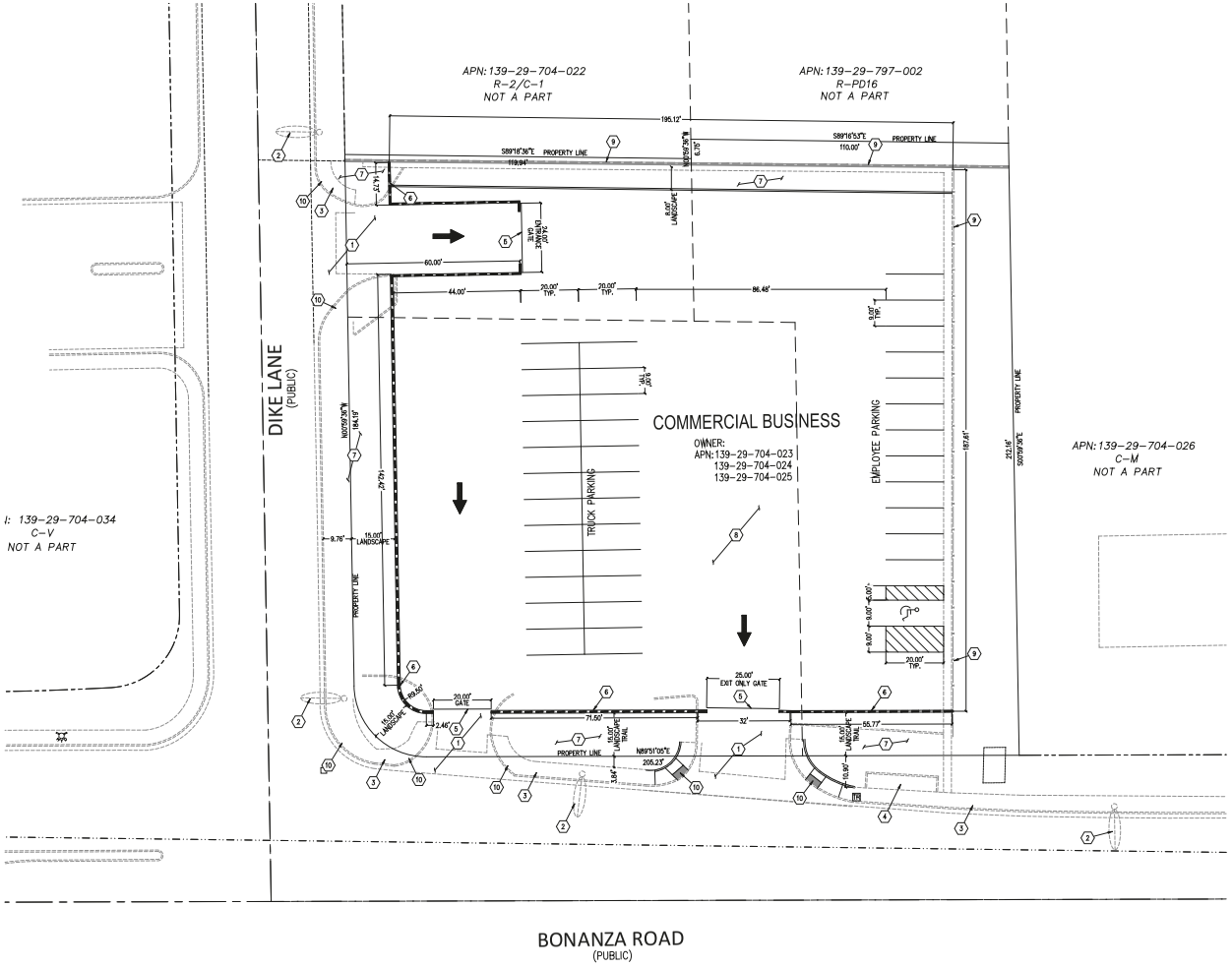
ANDREA COLE
Notary Public-State of Nevada
Appointment No. 05-97271-1
My Appointment Expires 05-23-2025

FAST
Call before you UnderGround
1-702-432-5300
FREEDOM AND SAFETY SYSTEM OF TRANSPORTATION

CALL BEFORE YOU DIG
AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY.
CALL 811
OR
1-800-642-2444

AVOID HITTING OVERHEAD POWER LINES. IT'S COSTLY.
CALL BEFORE YOU DO OVERHEAD
1-702-227-2929

PERMANANCE ENGINEERING ASSUMES NO RESPONSIBILITY FOR EXISTING UTILITY LOCATIONS AND ELEVATIONS. THE UTILITIES SHOWN ON THIS DRAWING HAVE BEEN PLOTTED FROM THE BEST AVAILABLE INFORMATION. IT IS, HOWEVER, THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION AND ELEVATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. CONTRACTOR TO FIELD VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO CONSTRUCTION. IF A CONFLICT EXISTS BETWEEN WHAT IS SHOWN ON THESE DRAWINGS AND WHAT EXISTS IN THE FIELD, THE CONTRACTOR IS TO NOTIFY THE ARCHITECT OR ENGINEER IMMEDIATELY.



NORTH

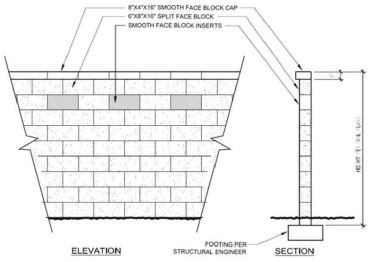
GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

22-0272
05/19/2022

CONSTRUCTION NOTES

1. EXISTING COMMERCIAL TYPE DRIVEWAY
2. EXISTING STREET LIGHT
3. EXISTING SIDEWALK
4. EXISTING BUS STOP
5. SLIDING GATE
6. 8 FT DECORATIVE CMU BLOCK WALL
7. LANDSCAPE
8. AC CONCRETE
9. EXISTING WALL PROTECT IN PLACE
10. UPGRADE ADA RAMPS TO PROWAG STANDARDS DESIGN WILL BE DONE ON OFFSITE PLANS



TYPICAL PERIMETER WALL SECTION

NOT TO SCALE

Parking Analysis:
Employees - 1 space/employee
Required: 1 x 12 = 12
Provided: 12 spaces
Tow Trucks - 1 space/truck
Required: 24 trucks
Provided: 24 truck spaces

NO.	REVISION	BY	DATE	APP.	DATE
6					
5					
4					
3					
2					
1					

2230 WEST BONANZA ROAD
SITE EXHIBIT
NEVADA
CLV
SHEET:
SITE PLAN

PER-A-MANCE ENGINEERING
4525 W. HACIENDA AVE. STE 1 LAS VEGAS, NV 89118
TEL: (702)569-9770 EMAIL: RAYF@PER4MANCELV.COM

DEVELOPER:
-

SEAL
PROFESSIONAL ENGINEER - STATE OF NEVADA
RAY F. FREDERICKSEN
Exp. 06/30/23
CIVIL
No. 17471
4/9/22

DESIGNED BY: RFF
DRAWN BY: RFF
CHECKED BY: RFF
SCALE: 1"=30'
PROJECT DATE: APRIL 9, 2022

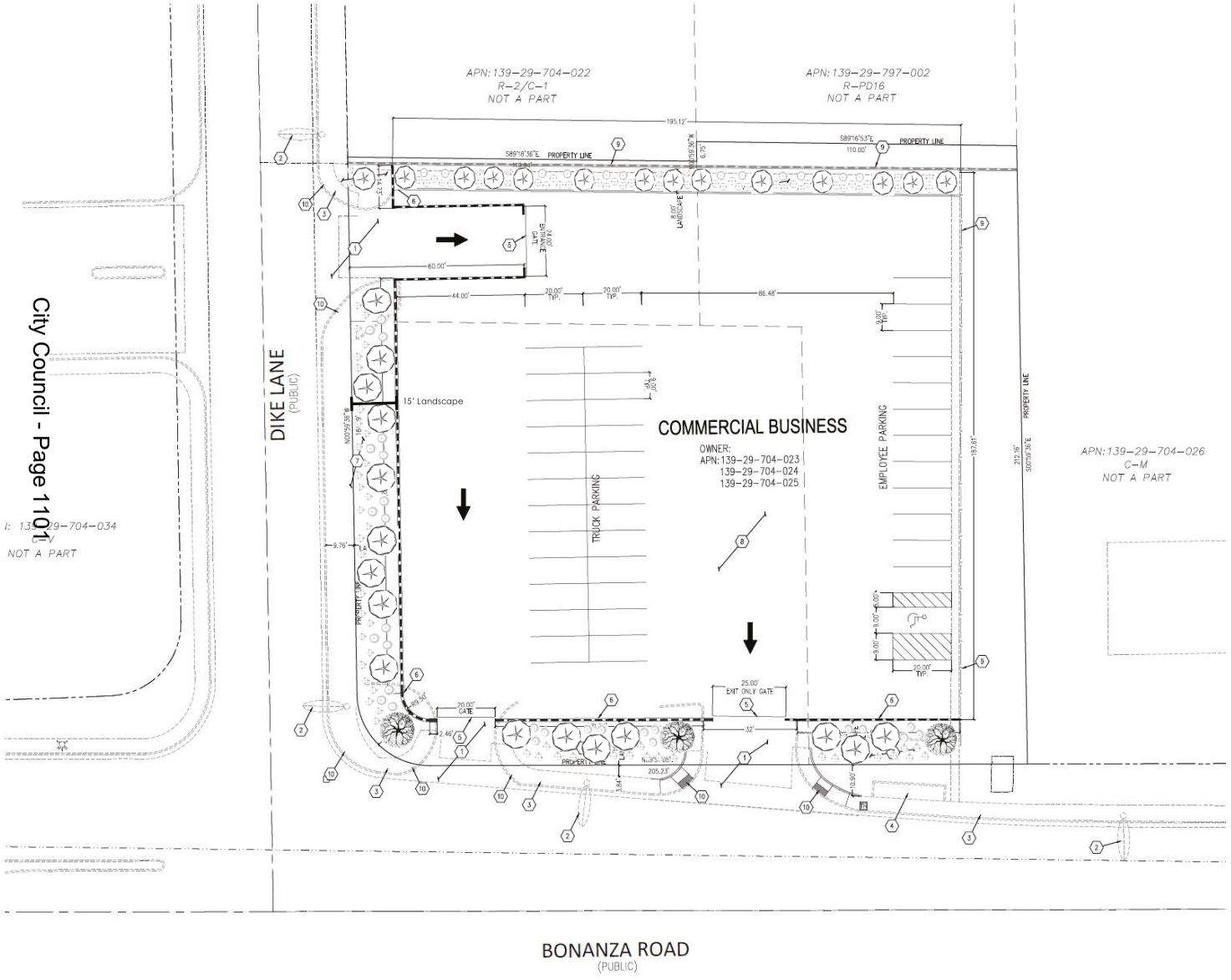
SHEET
SP
1 OF

CLV PROJ. #

D:\Permanance Eng Dropbox\2022 - Bonanza & Dike Tow Yard\MP\00-Site Exhibit.dwg Ray Frederickson Wed, 18 May 2022 - 3:40pm

Bonanza & Dike
Landscape Plan Exhibit

GCGARCIA
A Planning & Development Services Corporation
May 2022



= 5 Gal Shrub Total: 40
Texas Ranger
Leucophyllum Frutescens

= 5 Gal Shrub Total: 92
Red Yucca
Hesperaloe Parviflora

= Tree 24" Box Total: 30
Willow Acacia
Acacia Salicina

= Existing Tree To Remain
Mondale Pine Total: 3
Pinus eldarica

Note: Tree Spacing Typical 20' O.C.

CONSTRUCTION NOTES

1. EXISTING COMMERCIAL TYPE DRIVEWAY
2. EXISTING STREET LIGHT
3. EXISTING SIDEWALK
4. EXISTING BUS STOP
5. SLIDING GATE
6. 8 FT DECORATIVE CMU BLOCK WALL
7. LANDSCAPE
8. AC CONCRETE
9. EXISTING WALL PROTECT IN PLACE
10. UPGRADE ADA RAMPS TO PROWAG STANDARDS DESIGN WILL BE DONE ON OFFSITE PLANS

22-0272
05/19/2022

Color Materials Board

Is N/A

22-0272
05/19/2022

Bonanza & Dike
Existing Wall & Fence Exhibit

GCGARCIA
A Planning & Development Services Corporation

April 2022



Existing Block Wall - North

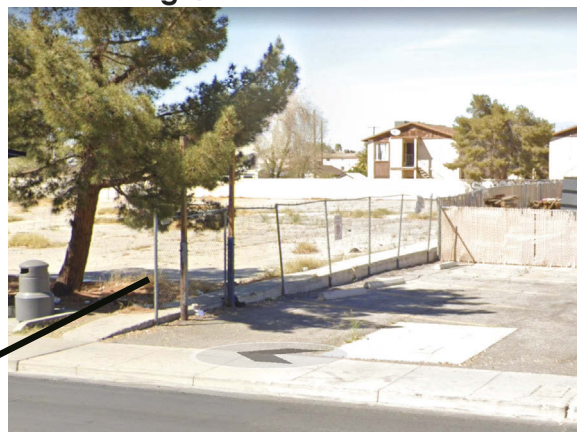


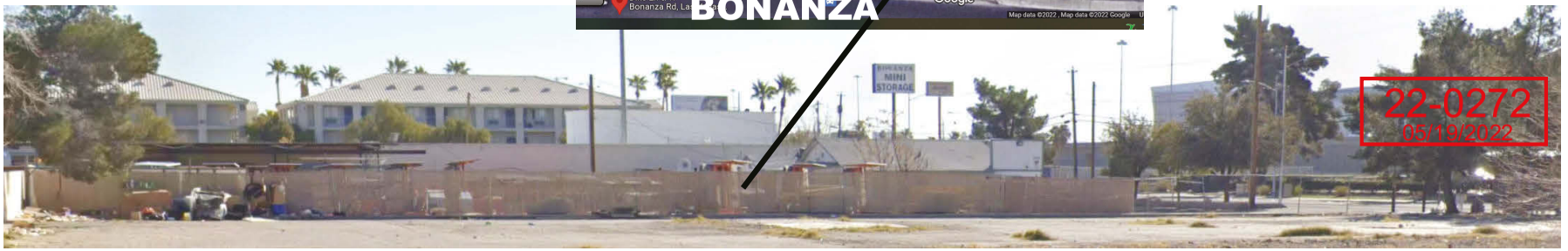


Existing Block Wall - North



Existing Chain Link Fence - East





Inst #: 20220314-0001978
Fees: $42.00
RPTT: $3238.50 Ex #:
03/14/2022 01:30:30 PM
Receipt #: 4922183
Requestor:
FNTG NCS Las Vegas
Recorded By: WDMN Pgs: 7
Debbie Conway
CLARK COUNTY RECORDER
Src: ERECORD
Ofc: ERECORD

APN: 139-29-704-023 139-29-704-025 139-29-704-024
Affix R.P.T.T. $3,238.50

RECORDING REQUESTED BY:
FIDELITY NATIONAL TITLE
WHEN RECORDED MAIL TO and
MAIL TAX STATEMENT TO:
PHENOMENAL INVESTMENTS LLC, A NEVADA LIMITED LIABILITY COMPANY
NIBRAS ADMON
1533 TILLMAN FALLS AVE
LAS VEGAS, NV 89106

ESCROW NO: 42049715-420-DM3

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That
Harry K. Ayvazian, a single man

in consideration of $10.00 and other valuable consideration, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to
Phenomenal Investments LLC, a Nevada limited liability company

all that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Subject to:
1. Taxes for the current fiscal year, paid current.
2. Conditions, covenants, restrictions, reservations, rights, rights of way and easements now of record, if any.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

22-0272
05/19/2022

Witness my/our hand(s) this 10 day of March, 2022

SELLER:

Harry K. Ayvazian HARRY K. AYVAZIAN

STATE OF ~~NEVADA~~ California
COUNTY OF ~~CLARK~~ Los Angeles } ss:

On this March 10, 2022
appeared before me, a Notary Public,
Harry K Ayvazian
personally known or proven to me to be the person(s) whose name(s) is/are subscribed to the above instrument, who acknowledged that he/she/they executed the instrument for the purposes therein contained.

Notary Public

GREGORY DAVIS
Notary Public - California
Los Angeles County
Commission # 2287883
My Comm. Expires May 21, 2023

My commission expires: May 21, 2023

NOTARY JURAT FOR GRANT, BARGAIN, SALE DEED
FOR ESCROW NO.: 42049715-420DM3

22-0272
05/19/2022

EXHIBIT A

PARCEL 1-A: (APN: 139-29-704-023)

THAT PORTION OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M;
THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE ¼), NORTH 88°27'00" WEST, 1051.00 FEET;
THENCE PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER (SE ¼), SOUTH 0°25'00" EAST, TO A POINT DISTANT NORTH 0°25'00" WEST 270.12 FEET FROM THE NORTH LINE OF CLARK AVENUE (NOW BONANZA ROAD) AS SAID AVENUE EXISTED ON DECEMBER 3, 1938, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 0°25'00" EAST, 118.37 FEET;
THENCE PARALLEL WITH THE NORTH LINE OF THE LAND DESCRIBED IN THE DEED TO WALTER PULSPHER, ET UX, RECORDED DECEMBER 3, 1938 IN BOOK 25 OF DEEDS, PAGE 61 AS DOCUMENT NO. 77568, OF OFFICIAL RECORDS OF SAID COUNTY, SOUTH 88°44'00" EAST, 120.00 FEET TO THE WEST LINE OF THE LAND DESCRIBED IN THE DEED TO VICTORIA J. MEYERS, ET UX, RECORDED DECEMBER 7, 1938 IN BOOK 25 OF DEEDS, PAGE 167 AS DOCUMENT NO. 77601, OF SAID RECORDS;
THENCE ALONG THE WEST LINE NORTH 0°25'00" WEST, 118.37 FEET;
THENCE NORTH 88°44'00" WEST, 120.00 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE NORTH 62 FEET THEREOF.

PARCEL 1-B:

AN UNDIVIDED 3/640 INTEREST IN AND TO THAT ARTESIAN WELL LOCATED IN THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M., SAID ARTESIAN WELL BEING KNOWN AS THE RUSSELL WELL, TOGETHER WITH A RIGHT OF WAY THROUGH EXISTING DITCHES AND PIPE LINES BETWEEN SAID LAND AND WELL.

PARCEL 2: (APN: 139-29-704-024)

22-0272
05/19/2022

THAT PORTION OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE EAST QUARTER (E ¼) CORNER OF SECTION 29;
THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE ¼), NORTH 88°40'23" WEST, 1051.00 FEET;
THENCE PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER (SE ¼), SOUTH 0°37'08" EAST, 1194.61 FEET, MORE OR LESS, TO A POINT DISTANT NORTH 0°37'08" WEST, 160.12 FEET FROM THE NORTH LINE OF CLARK AVENUE (NOW BONANZA ROAD) AS SAID AVENUE EXISTED ON DECEMBER 3, 1938, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 0°37'08" EAST, 20.00 FEET TO THE NORTHWEST CORNER (NW) OF THAT PARCEL CONVEYED TO MARTHA BAINBRIDGE, A WIDOW AND NOW UNMARRIED, TO LUTHER E. RAGSDALE AND ETHEL RAGSDALE, RECORDED APRIL 30, 1963 AS DOCUMENT NO. 355564, CLARK COUNTY, NEVADA RECORDS;
THENCE CONTINUING SOUTH 0°37'08" EAST, A DISTANCE OF 132.98 FEET TO A POINT ON THE PRESENT RIGHT-OF-WAY LINE BONANZA ROAD AS DESCRIBED AND CONVEYED IN THE DEED TO SAID STATE OF NEVADA, RECORDED JULY 23, 1943 IN BOOK 33 OF DEEDS, PAGE 253 AS DOCUMENT NO. 168450 OFFICIAL RECORDS;
THENCE SOUTH 89°03'11" EAST ALONG SAID PRESENT RIGHT-OF-WAY OF BONANZA ROAD, 154.99 FEET;
THENCE NORTH 0°37'08" WEST, 152.64 FEET;
THENCE NORTH 88°55'33" WEST, 155.00 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL THAT PORTION CONVEYED TO THE CITY OF LAS VEGAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M.;
THENCE SOUTH 00°37'08" EAST, ALONG THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 4.86 FEET TO A POINT IN THE CENTERLINE OF BONANZA ROAD AS SAID CENTERLINE IS DEFINED IN THAT CERTAIN DEED TO THE STATE OF NEVADA RECORDED JULY 23, 1943 IN BOOK 33 OF DEEDS, PAGE 253 AS DOCUMENT NO. 168450, OFFICIAL RECORDS;
THENCE NORTH 89°47'18" WEST, ALONG SAID CENTERLINE OF BONANZA ROAD, A DISTANCE OF 1050.71 FEET TO A POINT IN THE SOUTHERLY PROLONGATION OF THE WEST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED RECORDED APRIL 30, 1963 AS DOCUMENT NO. 355358, OFFICIAL RECORDS;
THENCE NORTH 00°37'08" WEST, ALONG SAID WEST LINE, A DISTANCE OF 50.01 FEET TO A POINT IN A LINE THAT IS PARALLEL WITH AND DISTANT 50.00 FEET

22-0272
05/19/2022

NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE AFOREMENTIONED CENTERLINE OF BONANZA ROAD;
THENCE SOUTH 89°47'18" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 19.71 FEET TO A POINT;
THENCE FROM A TANGENT WHICH BEARS NORTH 89°47'18" WEST, NORTHWESTERLY ALONG A CURVE TO THE RIGHT, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 89°10'10" AN ARC DISTANCE OF 31.13 FEET TO THE POINT OF TANGENCY OF SAID CURVE WITH THE AFOREMENTIONED WEST LINE OF SAID PARCEL DESCRIBED IN DEED RECORDED AS DOCUMENT NO. 355358;
THENCE SOUTH 00°37'08" EAST, ALONG SAID WEST LINE, A DISTANCE OF 19.71 FEET TO THE TRUE POINT OF BEGINNING.

FURTHER EXCEPTING THAT PORTION CONVEYED TO THE CITY OF LAS VEGAS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M.;
THENCE SOUTH 00°37'08" EAST, ALONG THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 4.86 FEET TO A POINT IN THE CENTERLINE OF BONANZA ROAD AS SAID CENTERLINE IS DEFINED IN THAT CERTAIN DEED TO THE STATE OF NEVADA RECORDED JULY 23, 1943 IN BOOK 33 OF DEEDS, PAGE 253 AS DOCUMENT NO. 168450, OFFICIAL RECORDS;
THENCE NORTH 89°47'18" WEST, ALONG SAID CENTERLINE OF BONANZA ROAD, A DISTANCE OF 1050.71 FEET TO A POINT IN THE SOUTHERLY PROLONGATION OF THE WEST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED RECORDED APRIL 30, 1963 AS DOCUMENT NO. 355358, OFFICIAL RECORDS;
THENCE NORTH 00°37'08" WEST, ALONG SAID SOUTHERLY PROLONGATION AND ALONG SAID WEST LINE, A DISTANCE OF 48.49 FEET TO A POINT IN THE NORTHERLY RIGHT OF WAY LINE OF BONANZA ROAD AS SAID NORTHERLY RIGHT OF WAY LINE IS DESCRIBED IN SAID DEED TO THE STATE OF NEVADA RECORDED AS DOCUMENT NO. 168450, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00°37'08" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1.52 FEET TO A POINT IN A LINE THAT IS PARALLEL WITH AND DISTANT 50.00 FEET NORTHERLY MEASURED AT RIGHT ANGLES, FROM THE AFOREMENTIONED CENTERLINE OF BONANZA ROAD;
THENCE SOUTH 89°47'18" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 229.93 FEET TO A POINT IN THE EAST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED RECORDED JULY 16, 1949 IN BOOK 62 OF DEEDS, PAGE 284 AS DOCUMENT NO. 343411 OFFICIAL RECORDS;

22-0272
05/19/2022

THENCE SOUTH 00°37'08" EAST, ALONG SAID EAST LINE A DISTANCE OF 4.47 FEET TO A POINT IN THE AFOREMENTIONED NORTHERLY RIGHT OF WAY LINE OF BONANZA ROAD;
THENCE NORTH 89°03'11" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 229.99 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3: (APN: 139-29-704-025)

THAT PORTION OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH BOUNDARY OF THE SOUTHEAST QUARTER (SE ¼) OF SAID SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M., FROM WHICH THE QUARTER CORNER BETWEEN SECTION 28 AND 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, BEARS SOUTH 87°27'00" EAST 821.00 FEET;
THENCE SOUTH 0°25'00" EAST, AND PARALLEL TO THE EAST BOUNDARY OF SAID SECTION 29, TO A POINT ON THE NORTH BOUNDARY OF CLARK AVENUE (ORIGINAL ALIGNMENT 50.00 FEET WIDE) NOW KNOWN AS BONANZA ROAD, SAID POINT BEING FURTHER DESCRIBED AS THE SOUTHEAST (SE) CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY JOHN A. WILSON, ET UX, TO CHARLES E. CATT, ET UX, BY DEED RECORDED JUNE 28, 1950 AS DOCUMENT NO. 343411, OFFICIAL RECORDS, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 88°44'00" WEST, ALONG SAID NORTH LINE OF BONANZA ROAD, A DISTANCE OF 75.00 FEET TO A POINT;
THENCE NORTH 0°25'00" WEST, A DISTANCE OF 160.12 FEET TO THE NORTHEAST (NE) CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY LLOYD G. TUBBER TO FRANCHISE REALTY INTERSTATE CORPORATION BY DEED RECORDED JULY 6, 1967 AS DOCUMENT NO. 648248, OFFICIAL RECORDS;
THENCE NORTH 88°44'00" WEST, ALONG THE NORTH LINE OF THAT LAST MENTIONED CONVEYED PARCEL, A DISTANCE OF 35.00 FEET TO A POINT;
THENCE SOUTH 88°44'00" EAST, A DISTANCE OF 110.00 FEET TO THE NORTHEAST CORNER OF THE LAST MENTIONED CONVEYED PARCEL;
THENCE SOUTH 0°25'00" EAST, A DISTANCE OF 216.31 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

The above legal description was contained in that certain Grant Bargain, Sale Deed recorded November 18, 2014 as Instrument No. 20141118-00222 of Official Records.

22-0272
05/19/2022

STATE OF NEVADA
DECLARATION OF VALUE FORM

1. Assessor Parcel Number(s)
   a. 139-29-704-023
   b. 139-29-704-025
   c. 139-29-704-024
   d.

2. Type of Property:
   a. x Vacant Land b. ☐ Single Fam. Res.
   c. ☐ Condo/Twnhse d. ☐ 2-4 Plex
   e. ☐ Apt. Bldg f. ☐ Comm'l/Ind'l
   g. ☐ Agricultural h. ☐ Mobile Home
   i. Other

FOR RECORDERS OPTIONAL USE ONLY
Book _____ Page _____
Date of Recording: _____
Notes:

3. a. Total Value/Sales Price of Property: $ **635,000.00**
   b. Deed in Lieu of Foreclosure Only (value of property) $
   c. Transfer Tax Value $ **635,000.00**
   d. Real Property Transfer Tax Due: $ 3,238.50

4. **If Exemption Claimed**
   a. Transfer Tax Exemption, per NRS 375.090, Section
   b. Explain Reason for Exemption:

5. Partial Interest: Percentage being transferred: 100

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature _____ Capacity Grantor

Signature _____ Capacity Grantee

SELLER (GRANTOR) INFORMATION (REQUIRED)	BUYER (GRANTEE) INFORMATION (REQUIRED)
Print Name: Harry K. Ayvazian	Print Name: Phenomenal Investments LLC, a Nevada limited liability company
Address: 4640 Columbus Ave	Address: 1533 TILLMAN FALLS AVE
City: Sherman Oaks	City: LAS VEGAS
State: CA Zip: 91204	State: NV Zip 89106

COMPANY/PERSON REQUESTING RECORDING (Required if not Seller or Buyer)

Print Name: Fidelity National Title Group Escrow No.: 42049715-420-DM3
Address: 8363 W Sunset Road, Suite 100
City, State, Zip: Las Vegas, NV 89113

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED

22-0272
05/19/2022



22-0272-ZON1 AND 22-0272-SDR1 - APPLICANT/OWNER: PHENOMENAL TOWING, LLC
NORTHEAST CORNER OF BONANZA ROAD AND DIKE LANE

06/01/2022



22-0272-ZON1 AND 22-0272-SDR1 - APPLICANT/OWNER: PHENOMENAL TOWING, LLC
NORTHEAST CORNER OF BONANZA ROAD AND DIKE LANE

06/01/2022



22-0272-ZON1 AND 22-0272-SDR1 - APPLICANT/OWNER: PHENOMENAL TOWING, LLC
NORTHEAST CORNER OF BONANZA ROAD AND DIKE LANE

06/01/2022



22-0272-ZON1 AND 22-0272-SDR1 - APPLICANT/OWNER: PHENOMENAL TOWING, LLC
NORTHEAST CORNER OF BONANZA ROAD AND DIKE LANE

06/01/2022

GCGARCIA

May 19, 2022

Seth Floyd, Director
Planning and Development Department
City of Las Vegas
495 N Main St
Las Vegas, NV 89104

RE: Pre-Application Justification Letter: Rezoning, and Design Review
Bonanza Road & Dike Lane NEC (2228 & 2230 W. Bonanza Road)
APN#s: 139-29-704-023; -024; -025

Dear Mr. Floyd:

On behalf of our client, Phenomenal Towing, please accept this letter for a Rezoning (ZON), and Site Design Review (SDR) with waivers on a site at the northeast corner of Bonanza Road & Dike Lane to allow for a Towing & Impound Yard Use.

The project consists of three parcels on approximately 1.12+/- acres. Currently it has Transit Oriented Corridor -2 (TOD-2) land use and Limited Commercial (C-1) zoning. The site is currently a vacant lot but was previously utilized as a restaurant before being demolished.

The parcel to the west is zoned Civic (C-V) and is currently used as fleet parking for the City of Las Vegas; to the east of the site is zoned Commercial/Industrial (C-M); to the north properties are zoned Medium-Low Density Residential (R-2) and Residential Planned Development (R-PD16); and to the south properties are zoned General Commercial (C-2) and Residential Planned Development (R-PD46).

The site is also located in the Redevelopment Area 1 as amended in 1996 and the West Las Vegas Plan

Overview of the Project

Phenomenal Towing is currently located just east of the subject site and needs to expand. Phenomenal Towing provides roadside assistance to the public and has contracted with various service providers. The subject site will be utilized to as a yard for the tow trucks and to temporarily store vehicles before they are transferred to either a repair facility or a salvage yard. The site will be redeveloped to include a decorative screen wall, landscaping and provide the first full segment of the Bonanza Trail in this area. The site is adjacent to the City of Las Vegas Vehicle Yard and a traffic control signage business that utilizes full outside storage. Currently the traffic control business has encroached 20 feet onto the subject property. This encroachment is being addressed through private means and will not be part of the current request for the site plan review, however the change to the Zoning will bring the use of the 20 feet by the traffic control business into compliance. Once the outcome of the encroachment by the traffic control business is settled this area will be addressed in future applications. Also, the property to north has encroached 8 feet onto the subject site. A block wall located 8 feet south of the parcel line is currently existing. This encroach will also be addressed at a later date.

22-0272
05/19/2022

The subject site was previously utilized as a restaurant and had obtain entitlements for a Mixed-Use High Rise and a then a Marijuana Facility prior to the building being demolished as a nuisance. Although the current land use designation envisions a mixed-use project at this location, history has shown that even in the best of economic times this site is not suitable for such development. As previous owners have tried to develop the site to meet the vision of the City's General Plan, the site has fallen into great blight and now is vacant. Bonanza Road has transitioned over time as an industrial corridor. Those industrial business in the corridor have flourished and continue to expand while the residential and commercial uses continue their slow decay. The proposed change to the Zoning will address many of the goals of the Las Vegas Redevelopment Plan and West Las Vegas Plan including the following:

- Elimination of blight
- Encourage Infill Development
- Development of stagnant area
- Strengthening economic base of the Redevelopment Area by the installation of needed site improvements to stimulate commercial expansion, employment, and economic growth.

Rezoning: Request from Limited Commercial C-1) to Commercial/Industrial (C-M)

The request rezoning will allow for the redevelopment of the site and permit the Tow Yard Facility.

1. ***The proposal conforms to the General Plan.***

   This proposal will conform to the General Plan and will further the current trending land use in the area.

2. ***The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.***

   The site is adjacent to the City of Las Vegas Vehicle Yard and a traffic control signage business that utilizes full outside storage and is located along Bonanza Road which has become an industrial corridor. The proposed rezoning is compatible will both of these uses.

3. ***Growth and development factors in the community indicate the need for or appropriateness of the rezoning.***

   The Bonanza corridor has transitioned and expanded industrial uses on both the south and north side of the road. The site is vacant and blighted and needs a change in zoning to redevelop. As such this request is appropriate.

4. ***Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.***

   The site an infill and will serviced by existing infrastructure. In addition, this site will provide a segment of the Bonanza Trail.

SITE DEVELOPMENT REVIEW

The site plan depicts a Tow Yard with 12 employee spaces and 24 striped spaces for Tow Truck parking. No buildings are proposed for the site. Full access will occur from Bike Lane and exit only access on Bonanza. The gates will be open during the daytime.

22-0272
05/19/2022

This is not an impound or junk/storage yard. Cars picked up at night may sit over until the next morning when the car can be delivered to the repair shop,

The yard will be screened by a new decorative 8-foot block wall setback behind the perimeter landscape buffers will be installed. Existing walls along the north and east property lines will remain.

Landscape buffers of 15 feet are provided along Dike Lane and Bonanza Road. An 8-foot buffer is provided along the north property line. No landscaping is planned for the east property line and a Waiver will be needed due to an encroachment by the neighbor that has to be resolved. Another Waiver is requested to relocate the 6 required trees from the center tow truck parking area to the perimeter landscaping. Two trees are added to the north, west and south sides to account for the 6 trees.

SITE DEVELOPMENT REVIEW

The proposed design requires a Site Development Review for the new building. The project effectively meets the Code design criteria for these types of uses. The design of the building fits with the design of commercial on the corridor.

1. ***The proposed development is compatible with adjacent development and development in the area;***

   The proposed development standard is compatible with adjacent land development and development in the area. The abutting parcels to the east and west are utilized with similar vehicle storage uses. The residential properties to the north are buffered by a wall and landscaping.

2. ***The proposed development is consistent with the General Plan, this Title, the Commercial Design Standards for Parking, Landscape, Wall and Buffer Standards, Sign and other duly-adopted city plans, policies and standards***;

   The proposed development is consistent with the General Plan and other adopted city plans, policies and standards. This project will make the zoning more compatible due to the location near the intersection of two major arterials. A waiver of the landscape buffers and exceptions of parking lot landscaping are needed due to the irregular shape of the parcel.

3. ***Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.***

   The location of the requested use has access to Centennial Parkway, a major collector street, which is designed and suitable for the use.

4. ***Building and landscape materials are appropriate for the area and for the City and consistent and compatible with existing commercial;***

   The building and landscape materials are appropriate for the area and for the city and are consistent and compatible with the other existing commercial uses in the area.

5. ***Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area consistent and compatible with existing commercial along the corridor***;

   The building is harmonious and compatible with development in the area and is consistent and compatible with the existing commercial along the corridor.

6. ***Appropriate measures will be taken to secure and protect the public health, safety and general welfare through the design***.

   Appropriate measures will be taken to secure and protect the public health, safety and general welfare through the design.

22-0272
05/19/2022

WAIVERS

Per Title the following Waivers are hereby requested:

- **To allow no landscaping along the east property line where 8 ft is required per 19.08.090:**

  Justification: The eastern portion of the site abuts an industrial use that has encroached 20 feet onto the subject property. A landscape buffer is not needed to buffer the current industrial zoning and land use. In addition, the encroachment by the industrial use to the east also was granted a waiver for the landscaping. As such this request is warranted.

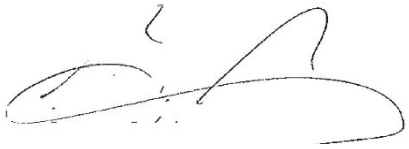
- **To allow an Alternative Landscaping in the Tow Truck Parking Lot 19.08.040.F(3):**

  Justification: The code requires parking lot landscaping. Given the parking is for tow trucks and not open to the public, the landscaping would be more effective and less disruptive by putting it outside the walls next to the sidewalks or where it is more visible

SUMMARY JUSTIFICATION

The expansion of Phenomenal Towing's business will bring much needed employment to the area and will redevelop a blighted underutilized property which has become an attractive nuisance requiring constant maintenance and security enforcement. We would appreciate your favorable consideration of this project. Should you have any questions or concerns regarding this request, please contact this office.

Sincerely,



George Garcia
Founder

22-0272
05/19/2022

GCGARCIA

RECEIVED
CITY CLERK

2022 AUG 16 P 4:28

August 16, 2022

Cedric Crear, Councilman Ward 5
Mayor Goodman & City Council
City of Las Vegas
495 S. Main Street
Las Vegas, NV 89101

RE: Bonanza & Dike (22-0272-SDR1, 22-0272-ZON1)

Dear Councilman Crear, Mayor Goodman and City Council Members:

On behalf of my client, Phenomenal Towing, I am submitting a request for an abeyance on the above listed applications from the August 17, 2022 City Council meeting to the meeting being held on September 21, 2002. This continuance will allow time to continue working with the Councilman's office on items raised.

We respectfully request your consideration in the above listed matter. Please advise us of your decision. If you have any questions please feel free to contact me at (702) 435-9909.

Sincerely,

George C. Garcia
Founder

GCG:amc

Submitted after final agenda
Items 38a-38b

GCGARCIA
A Planning & Development Services Corporation
1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-9457 E-Mail: ggarcia@gcgarciainc.com

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

PRSRT
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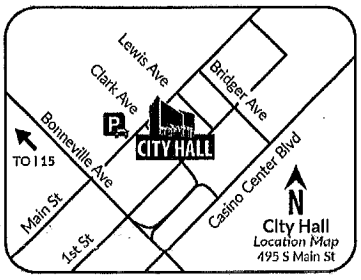
PAID
Las Vegas, NV
Permit No. 1630



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0272 and 22-0272-ZON1 and 22-0272-SDR1

City Council Meeting of **08/17/2022**

22-0272
13929813005
TWISTED WILLOW INVESTMENTS L L C
4780 W HARMON AVE # 4
LAS VEGAS NV 89103

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

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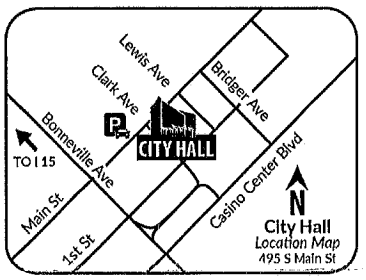

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0272 and 22-0272-ZON1 and 22-0272-SDR1

City Council Meeting of **08/17/2022**

22-0272
13929813002
2301 BONANZA L L C
4780 W HARMON # 4
LAS VEGAS NV 89103

Submitted after final agenda
Items 38a and 38b

City of Las Vegas, Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing

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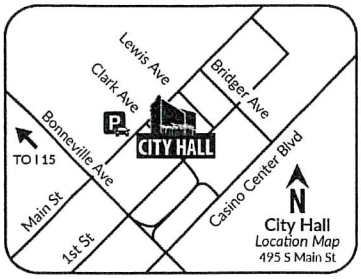
Las Vegas, NV
Permit No. 1630

2022 AUG 15 P 1:12



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

22-0272 and 22-0272-ZON1 and 22-0272-SDR1

City Council Meeting of **08/17/2022**

22-0272
13929811100
JOHO STEVE
PO BOX 271740
LAS VEGAS NV 89127

89 FRDFMP1 89127

Application Information

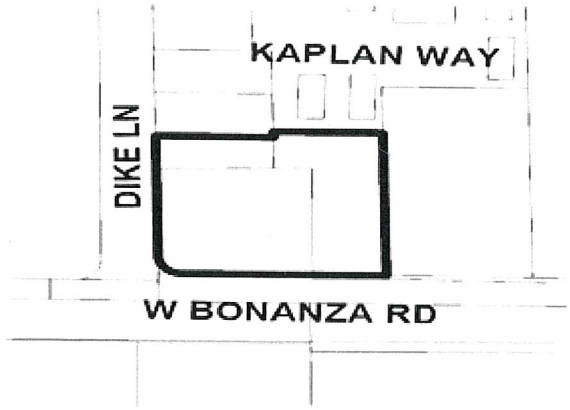
22-0272 - PUBLIC HEARING - APPLICANT/OWNER: PHENOMENAL TOWING, LLC - For possible action on the following Land Use Entitlement project requests on 1.12 acres located at the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-023, 024, and 025), Ward 5 (Crear). The Planning Commission (6-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.

22-0272-ZON1 - REZONING - FROM: C-1 (LIMITED COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL)

22-0272-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 48,787 SQUARE-FOOT TOWING AND IMPOUND YARD WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

NO, NO, NO. Please NO, will create more traffic issues when it is already too Busy!

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	08/17/2022
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Time:	9:30 a.m.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For more information, go to www.lasvegasnevada.gov/meetings or call (702) 229-6311 (TTY 7-1-1). Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
38a

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0272-ZON1 - REZONING - FROM: C-1 (LIMITED COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	3	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
38b

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0272-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 48,787 SQUARE-FOOT TOWING AND IMPOUND YARD WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	3	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
39

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Seth Floyd

SUBJECT:
22-0294-GPA1 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a Land Use Entitlement project request TO AMEND AND UPDATE PORTIONS OF THE CITY OF LAS VEGAS 2050 MASTER PLAN CONSISTENT WITH SECTION 11 OF ORDINANCE 6788, All Wards. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL

BACKUP DOCUMENTATION:
1. Staff Report
2. Supporting Documentation
3. Justification Letter
4. Exhibit A - City of Las Vegas 2050 Master Plan Amendment
5. 2050 Master Plan PowerPoint - 22-0294-GPA1
6. Submitted at Meeting - PowerPoint Presentation by Staff

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 17, 2022
DEPARTMENT: PLANNING
ITEM DESCRIPTION: AMENDMENT OF CITY OF LAS VEGAS 2050 MASTER PLAN

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
22-0294-GPA1	Staff recommends APPROVAL.	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED Newspaper Notification ONLY

PROTESTS 0

APPROVALS 0

MNV

**** STAFF REPORT ****

PROJECT DESCRIPTION

The City of Las Vegas is requesting a General Plan Amendment for the adoption of minor amendments to the City of Las Vegas 2050 Master Plan. This master plan serves as the City's comprehensive, long term general plan for the physical development of the City and was prepared pursuant to NRS 278.150. The 2050 Master Plan's amendments (Exhibit A) consist of several minor updates and clarifying information within Chapters 2 and 5, including elements covering land use, historic preservation, recreation and open space, and implementation. If adopted, the Master Plan would amend maps, tables, and General Plan / future land use descriptions for additional clarification and updated content.

ISSUES

- Section 11 of Ordinance 6788 allows for maintenance and implementation of the 2050 Master Plan from time to time to incorporate updates that have been properly approved.
- This amendment will update the City of Las Vegas 2050 Las Vegas Master Plan and provide additional clarification to land use descriptions and provide minor updates.

ANALYSIS

Background

On July 21, 2021, the City Council adopted the City of Las Vegas 2050 as the new long-range comprehensive master plan for the City of Las Vegas (Ordinance 6788). Several sections of the ordinance, as well as Chapter 5 – Implementation, direct planning staff to provide a general annual review and evaluation of the plan and make any necessary updates. Section 11 of the ordinance further specifies that "in connection with maintenance and implementation of the 2050 Master Plan, the Department of Planning is authorized from time to time to correct errors and incorporate updates that have been properly approved." Upon review for the first year since adoption of the 2050 Master Plan, Planning Department staff provide the following updates and amendments to the Master Plan for 2022, in addition to minor clerical corrections:

- Chapter 2 – I.B: Land Use Place Types:
  - Amend and update the City's general plan maps (including the matching map within the Executive Summary) to reflect all associated General Plan Amendments that were approved by the Planning Commission and City Council between July 21, 2021 to present.
  - Amends the chart reflecting general plan categories and compatible zoning districts will amend the following designations:
    - FBC: Form-Based Code: density range clarification to allow for variable densities.
    - TOD-1: density range amendment, allowing greater intensity/density to better match the stated transit oriented development goals of the 2050 master plan.
    - LI-R: Light Industrial and Research: "*X*" for C-PB zoning category to indicate it as a compatible zoning district within the LI-R designation.
    - TND: Traditional Neighborhood Development: "*X*" for T-D zoning category to indicate it as a compatible zoning district within the TND designation
- Chapter 2 – I.D: Historic Preservation: Amend and update content related to historic preservation and associated map and property table to show new additions of historic properties.
- Chapter 2 – III.D: Parks: Add a definition of "Regional Park."
- Chapter 5 – VI: Action Plan: Amend and update the land use description tables referenced from Chapter 2.I to provide staff and the public additional clarifications and descriptive language for following designations:
  - Regional Center: FBC
  - Mixed-Use Center: TOD-1
  - Low Density Residential: L, ML, MLA, PCD, TND
  - Medium Density Residential: M
  - High Density Residential: H
  - Commercial: GC, SC, O
  - Industrial: LI-R
  - Parks and Open Space: PR-OS
  - Public Facilities: PF
  - Rural Preservation: RNP, DR, R

  With the exception of the FBC and TOD-1 land uses, no other modifications to density ranges are included.

FINDINGS (22-0294-GPA1)

- The proposed City of Las Vegas 2050 Master Plan amendments (Exhibit A) are consistent with Section 11 of ordinance 6788; each amendment addresses the respective requirements of an element within NRS 278.160. Amendments to other plan components are minor in nature and generally within the scope of the ordinance and requirements for a general plan amendment; any other updates, clerical errors, or minor edits may be corrected.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
4/1/1992	The Las Vegas City Council adopted the City of Las Vegas General Plan
9/6/2000	The Las Vegas City Council adopted the Las Vegas Master Plan 2020 (Ordinance 2000-62)
Adoption of Master Plan 2020 Elements and Amendments	• **Community Design Element**: Ord 5997 (08/06/2008) • **Conservation Element**: Ord 5529 (PC: 8.22.02 / CC: 11.6.02); Rev: GPA-6287, 6.1.05; GPA-43977, 5.2.12 • **Economic Element**: Ord 6057 (9/2/2009) • **Historic Properties & Neighborhoods Preservation Plan Element**: Ord 5931 (09.05.2007); Rev: Ord 6104 (08.04.2010) • **Housing Element**: Ord 6246 (04.17.2013) • **Land Use & Rural Neighborhoods Preservation Element**: Ord (09.02.2009); Rev: Ord (06.20.2018) • **Parks Element**: Res 44-2000 (03.15.200); Rev: Ord 6290 (11.20.2013) • **Population Element**: Ord 6078 (02.17.2010) • **Public Facilities & Building Element**: Ord 6364 (11.19.2014) • **Safety & Seismic Safety Element**: Ord 6103 (08.04.2010) • **Trails Element**: Ord 6237 (2/20/2013) • **Transit Element**: Ord 5968 (2/20/2008) • **Transportation & Streets and Highway Element**: Ord 6038 (4/15/2009) • **Water Element**: GPA-6288 (6/1/2005)
8/11/2015	DIR-60107 – The Planning Commission received an annual report on the Las Vegas 2020 Master Plan

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
6/21/2017	R-32-2017 - The City Council adopted the City of Las Vegas Strategy for Community Resilience, Net-Zero Energy, and Sustainability, which directed staff to develop a "2050 Master Plan" incorporating community resilience goals
9/12/2017	DIR-71278 – The Planning Commission received an annual report on the Las Vegas 2020 Master Plan
3/12/2019	DIR-75783 – The Planning Commission received a report for discussion and possible action on the City of Las Vegas 2050 Master Plan
5/1/2019	The City Council received a report for discussion and possible action on the City of Las Vegas 2050 Master Plan
5/14/2019	DIR-76341 - The Planning Commission received a report for discussion and possible action on the City of Las Vegas 2050 Master Plan
3/10/2020	DIR-77790 - The Planning Commission received a report for discussion and possible action on the City of Las Vegas 2050 Master Plan
2/19/2020	The Las Vegas City Council received an update on the City of Las Vegas 2050 Master Plan with regards to the findings from public outreach, draft actions on planning concepts, and preliminary results
2/26/2020	The Las Vegas City Council held a Special Council meeting in which it received an update on the City of Las Vegas 2050 Master Plan on findings from public outreach, setting new strategic priorities, and revising current priorities
9/21/2020	The Planning Commission held a workshop that included a presentation and discussion regarding the draft of the City of Las Vegas 2050 Master Plan
11/10/2020	20-0266-DIR1 - The Planning Commission received a report for discussion and possible action to discuss adoption of the City of Las Vegas 2050 Master Plan.
7/21/2021	The Las Vegas City Council adopted the City of Las Vegas 2050 Master Plan (Ordinance 6788)
7/12/2022	The Planning Commission (6-0 vote) recommends APPROVAL on a Land Use Entitlement project request TO AMEND AND UPDATE PORTIONS OF THE CITY OF LAS VEGAS 2050 MASTER PLAN CONSISTENT WITH SECTION 11 OF ORDINANCE 6788, All Wards.

Neighborhood Meetings	
6/28/2022	A neighborhood meeting was held at City Hall at 495 S Main St in Training Room 1 to discuss the proposed General Plan Amendment. **Meeting attendance** • No attendees

Supplemental Material Page One
August 17, 2022 - City Council Meeting

****SUPPLEMENTAL MATERIAL****

- **Exhibit A –** City of Las Vegas 2050 Master Plan Amendment - (attached to backup materials – may be accessed at www.masterplan.vegas)

MNV

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use
Case #
Meeting Date
Total Fee
Received By/Date

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) General Plan Amendment

Project Address (Location) 495 S Main St, Las Vegas, NV 89101

Project Name 2050 Master Plan - 2022 Amendments **Proposed Use** N/A

Assessor's Parcel #(s) _____ **Ward #** All

General Plan: Existing N/A Proposed N/A **Zoning:** Existing N/A Proposed N/A

Additional Information Amends the 2050 Master Plan to update portions consistent with Section 11 of Ordinance 6788

Property Owner City of Las Vegas Contact Marco N. Velotta, AICP

Address 495 S Main St City Las Vegas State NV Zip 89101

E-mail mvelotta@lasvegasnevada.gov Phone 702.229.4173

Applicant _____ Contact _____

Address _____ City _____ State _____ Zip _____

E-mail _____ Phone _____

Representative _____ Contact _____

Address _____ City _____ State _____ Zip _____

E-mail _____ Phone _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes**
☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Marco Velotta

Subscribed and sworn before me

This 29 day of June, 20 22

_____

Notary Public in and for said County and State

Emily Wetzstein
Notary Public State of Nevada
Appointment No. 21-6655-01
My Appointment Expires 10-6-2025

220294
06/29/2022

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

June 10, 2022

Seth Floyd
Director of Community Development
495 S Main St
Las Vegas, NV 89101

RE: 22-0294-GPA1 - 2022 amendments of 2050 Master Plan

Dear Mr Floyd:

As you are aware, the City of Las Vegas, is beginning its evaluation of the implementation of the 2050 Master Plan one year after its adoption, pursuant to Ordinance 6788. As part of this process, we propose the 2022 amendments to the master plan to provide additional clarification on land use descriptions, update the General Plan map, historic preservation and parks tables, and other necessary minor corrections. We will be sharing these updates at the same time we report the progress of the plan to Planning Commission and City Council later in summer 2022.

If you have any questions or concerns, please don't hesitate to ask.

Thank you,

Marco N. Velotta, AICP - Project Manager, 2050 Master Plan
City of Las Vegas

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

22-0294
06/29/2022

EXHIBIT A

PROPOSED AMENDMENTS

22-0294-GPA1 proposes to amend the following maps, text, tables, and associated material:

- Any page: minor clerical corrections of typographical errors.

- Page vii / Page 2-16: The 2050 General Plan map will be amended to reflect all associated General Plan Amendments that were approved by the Planning Commission and City Council between July 21, 2021 to present.

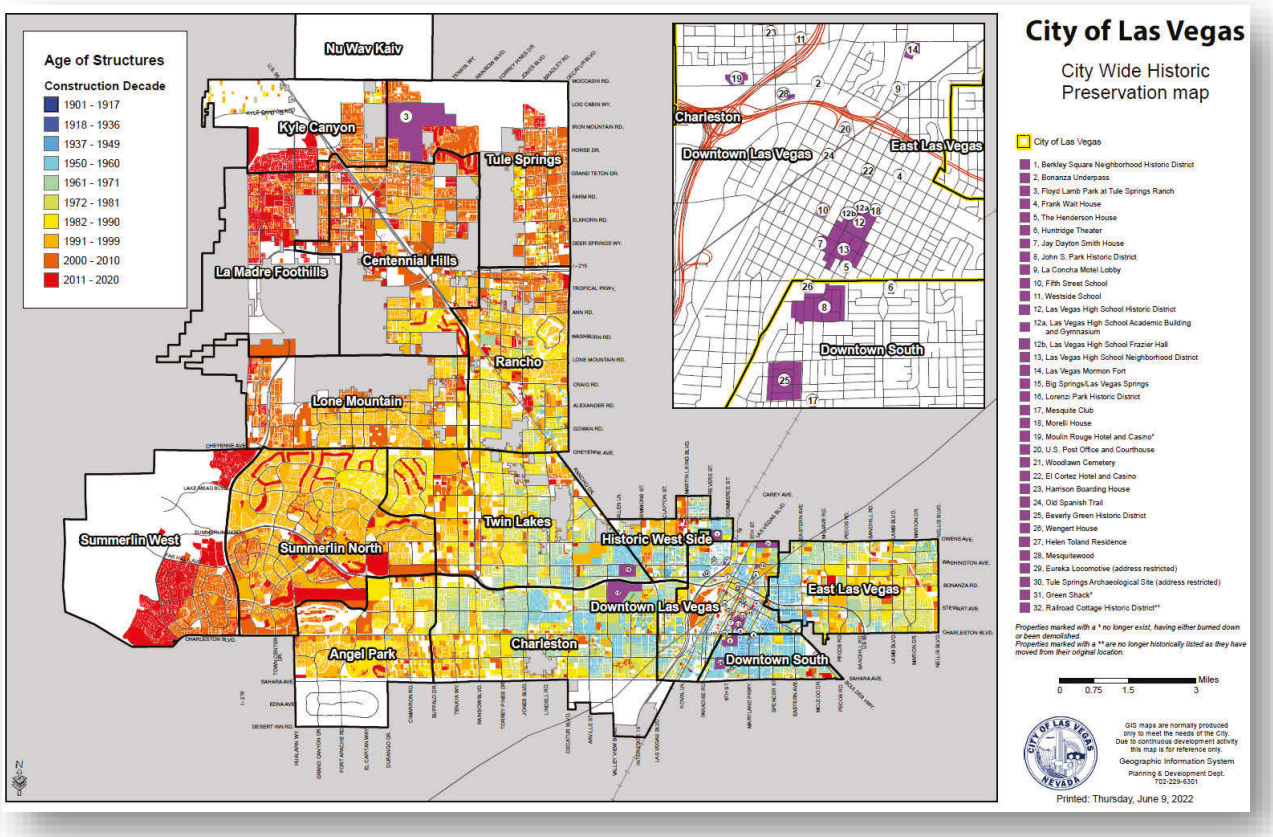
- Page 2-17 – 2-18: The chart reflecting general plan categories and compatible zoning districts will amend the following designations:
    - FBC- Form-Based Code: Diverse, human-scale, walkable mixed use built environment throughout Downtown (Variable *density- greater than 5.5 du/acre*- ~~5.5-50 du/acre~~)
    - TOD-1: Higher intensity, mixed-use TOD, suitable for LRT (*Variable density- greater than 15 du/acre*- ~~40 du/acre~~)
    - LI-R – Light Industrial and Research: "*X*" for C-PB zoning category (due to a clerical error, this category is permitted under C-PB in Title 19)
    - TND – Traditional Neighborhood Development: "*X*" for T-D zoning category (due to a clerical error, this category is permitted under T-D zoning)

- Page 2-56: Change text in fifth paragraph to read: Currently, there are *32* ~~25~~ buildings, sites, and districts in the City of Las Vegas that are designated on one or more of the historic registers.

- Page 2-58: "City Wide Historic Preservation Map" and "Historic Properties Within the City and Date of Designation" table will be amended with updated versions (attached and below)

22-0294
06/29/2022

Matter in *blue italics* is new; matter in red strikethrough (~~omitted material~~) is material to be omitted



	Historic Properties and Date of Designation				
Map Number	**Name**	**Location**	**Local**	**State**	**National**
1	*Berkley Square Neighborhood Historic District*	*Area bounded by Byrnes Ave; D Street; Leonard Ave; and G Street*	~~*9/21/2016*~~	-	*10/23/2009*
2	*Bonanza Underpass*	*200 W Bonanza Road*	-	-	*1/8/2004*
3	*Floyd Lamb Park at Tule Springs Ranch*	*9200 Tule Springs Road*	*1/9/2008*	-	*9/23/1981*
4	*Frank Wait House*	*901 E Ogden Ave*	*6/3/1994*	-	-
5	*Henderson House*	*704 S 9th Street*	*8/20/2006*	-	-
6	*Huntridge Theater*	*1208 E Charleston Blvd*	*9/1/2021*	*1/15/1999*	*7/22/1993*
7	*Jay Dayton Smith House*	*624 S 6th Street*	-	-	*2/20/1987*

22-0294
06/29/2022

Matter in *blue italics* is new; matter in red strikethrough (~~omitted material~~) is material to be omitted

8	*John S. Park Historic District*	*Area bounded by Charleston Blvd; Las Vegas Blvd; Franklin Ave; and S 9th Street*	*3/19/2003*	*-*	*5/16/2003*
9	*La Concha Motel Lobby*	*770 N Las Vegas Blvd*	*8/1/2007*	*7/19/2015*	*-*
10	*Fifth Street School (Las Vegas Grammar School)*	*401 S 4th Street*	*2/19/1992*	*3/4/1981*	*5/20/1988*
11	*Westside School*	*330 W Washington Ave*	*5/19/2010*	*3/4/1981*	*4/2/1979*
12	*Las Vegas High School Historic District*	*315 S 7th Street; 925 E Clark Ave*	*-*	*-*	*1/5/2022*
12a	*Las Vegas High School Academic Building and Gymnasium*	*315 S 7th Street*	*4/2/2003*	*-*	*9/24/1986*
12b	*Las Vegas High School Frazier Hall*	*315 S 7th Street*	*-*	*-*	*7/22/2021*
13	*Las Vegas High School Neighborhood District*	*Area bounded by E. Bridger; S 9th; E Gass; and S 6th Street*	*-*	*-*	*1/30/1991*
14	*Las Vegas Old Mormon Fort*	*500 E Washington Ave*	*-*	*3/4/1981*	*2/1/1972*
15	*Big Springs/Las Vegas Springs Archaeological Site (Springs Preserve)*	*309 S Valley View Blvd*	*-*	*3/4/1981*	*12/14/1978*
16	*Lorenzi Park Historic District*	*730 Twin Lakes Drive*	*5/20/2009*	*12/6/2013*	*-*
17	*Mesquite Club*	*702 E St Louis Ave*	*5/20/2009*	*-*	*-*
18	*Morelli House*	*861 S Bridger Ave*	*3/8/2007*	*10/1/2001*	*6/3/2012*
19	*Moulin Rouge Hotel and Casino**	*840 W Bonanza Road*	*6/17/1992*	*-*	*12/22/1992*
20	*U.S. Post Office and Courthouse*	*300 Stewart Ave*	*4/2/2003*	*5/15/2002*	*2/10/1983*
21	*Woodlawn Cemetery*	*1500 N Las Vegas Blvd*	*8/6/2008*	*-*	*11/21/2006*
22	*El Cortez Hotel and Casino*	*600 Fremont Street*	*-*	*-*	*2/13/2013*
23	*Harrison Boarding House*	*1001 F Street*	*8/20/2014*	*6/27/2014*	*5/3/2016*
	Old Spanish Trail	*From California border to*			*8/22/2021*

22-0294
06/29/2022

Matter in *blue italics* is new; matter in red strikethrough (~~omitted material~~) is material to be omitted

24		*Arizona across southern Nevada, through Las Vegas*	-	-	
25	*Beverly Green Historic District*	*Area bounded by E Saint Louis Ave; E Oakey Blvd; S. 6th Street; and Rexford Drive*	*9/21/2016*	-	-
26	*Wengert House*	*600 E Charleston Blvd*	*2/17/2016*	-	-
27	*Helen Toland Residence*	*1134 Comstock Drive*	*12/16/2020*	-	-
28	*Mesquitewood*	*418 W Mesquite Ave*	*5/18/2022*	-	-
29	*Eureka Locomotive*	*Address Restricted*	-	-	*1/12/1995*
30	*Tule Springs Archaeological Site*	*Address Restricted*	-	*3/4/1981*	*4/10/1979*
31	*Green Shack**	*2504 E Fremont*	-	-	*6/3/1994*
32	*Railroad Cottage Historic District***	*601-629 S Casino Center*	-	-	*12/22/1987*

Note
Properties marked with a *no longer exist, having either burned down or been demolished.
Properties marked with a ** are no longer historically listed as they have moved from their original location.

- Page 2-201: Adds a missing table for "Regional Park."
  - *Description/Character: A large park containing a diverse array of uses and facility types including playgrounds, sport courts and fields, dog parks, places of historic interest, preserved open space, or other unique and defining characteristics. They may be utilized for special events, large gatherings, games and tournaments, and other significant purposes. These facilities typically serve the entire community, including City residents and residents from the across the region.*
  - *Size: Typically greater than 50 acres*
  - *Amenities/Uses: Regionally significant park and recreational destinations that includes a diverse array of amenities, including but not limited to open space, sport fields, sport courts, and other uses found in neighborhood and community parks.*
  - *Applicable Place Types: Traditional Neighborhood, Subdivision Retrofit, New Subdivision, Rural Preservation*

22-0294
06/29/2022

- Pages 5-34 to 5-49: The pages containing the tables entitled “Land Use Descriptions – (Chapter 2 / I) – LVMC Title 19.00.030 – 19.00.050 will edit and amend only the descriptions of the land uses indicated:

Notation: **: PD zoning is permitted allowed in applicable special area.*

FBC - Form-Based Code

- Implements the vision of the 2045 Downtown Las Vegas Masterplan, serving as a primary regional center of the metro area.
- Diverse, human-scale, walkable mixed use built environments, accessible throughout Downtown Las Vegas.
- Intensity and design vary by Downtown districts, ranging from an intense casino center and entertainment district to civic and business uses to diverse residential neighborhoods.
- Targeted use types, including medical, gaming and tourist activities, entertainment, maker, live/work, and industrial; includes housing ranging from high density residential mixed-use development, to walkable urban neighborhoods.
- Zoning classified using transect zones, ranging between high intensity mixed -use to low intensity neighborhoods.
- Density: ~~Ranges from 5.5 - 50 dwelling units per acre.~~ *Variable density: Densities may* range from 5.5 to *unlimited* ~~50~~ dwelling units per acre.
- Applicable Special Areas: DTLV - See LVMC Title 19.09 - Form Based Code
- Compatible Zoning Districts: T6-UC, T6-UG, T5-C, T5-M, T5-MS, T5-N, T4-C, T4-MS, T4-N, T3-N

TOD-1 - Transit Oriented Development 1 - High

- Higher intensity, mixed use, transit oriented development, suitable for future light rail transit corridors.
- Located near hubs of areas of the city at major intersections of transit corridors.
- Incorporates shopping, services, dining, employment, residential and office uses (especially on upper floors), and civic uses.
- There is a walkable, multi-modal emphasis that re-establishes grid layout.
- Storefronts have direct sidewalk access and face the street.
- Pocket parks, squares, and neighborhood parks are incorporated into the development.
- Surface parking is substantially reduced.
- Density: ~~Up to 40 dwelling units per acre~~ *Greater than 15 dwelling units per acre*
- Applicable Special Areas:
- Compatible Zoning Districts: All existing zoning shall continue to be temporarily allowed, but will phase into another zoning category after action is taken by Planning Commission or City Council.

L – Low *Density Residential*

- *Generally permits* single family detached homes, manufactured homes on individual lots, *community gardens,* home occupations, and family child care.
- Density: Up to 5.5 dwelling units bet acre
- Applicable Special Areas: CE, GTV, IMR, LM
- Compatible Zoning Districts: U, R-E, R-D, R-1, R-SL, R-MH, PD*

22-0294
06/29/2022

ML – Medium Low *Density Residential*

- *Generally permits* single family detached homes, including compact lots and zero lot lines, mobile home parks and two-family dwellings*, and local supporting uses including parks, schools, or churches*.
- Density: Up to 8.5 dwelling units per acre
- Applicable Special Areas: CE, GCV, GTV, LM
- Compatible Zoning Districts: U, R-E, R-1, R-SL, R-CL, R-2, R-MH, PD*

MLA – Medium Low *Density Residential* - Attached

- *Generally permits* multi-family attached units including plexes, townhouses, condominiums, and low-density apartments; *appropriate for residential portions of a Village Center or Town Center, transitional uses, and local supporting uses including parks, schools, or churches*.
- Density: Up to 12.5 dwelling units per acre
- Applicable Special Areas: GTV, LM
- Compatible Zoning Districts: R-TH, R-2, R-MH, PD*

PCD – Planned Community Development

- *Generally permits* a mix of residential uses*, maintains an average overall density ranging from two to eight dwelling units per acre* depending upon compatibility with adjacent uses.
- Density: Up to 8 dwelling units per acre
- Applicable Special Areas:
- Compatible Zoning Districts: PD

TND – Traditional Neighborhood Development

- *Generally permits walkable* mixed-use neighborhood developments that allows for a balanced, integrated mix of housing, commercial, and civic uses *with multimodal, interconnected and accessible streets, retained natural features, and recreational elements.*
- Density: Variable
- Applicable Special Areas:
- Compatible Zoning Districts: R-E, R-1, R-2, R-3, R-4, O, C-1, C-2, *T-D*

M – Medium *Density Residential*

- *Generally permits* multi-family units such as plexes, townhouses, and *medium* ~~low~~-density apartments.
- Density: Up to 25.5 dwelling units per acre
- Applicable Special Areas:
- Compatible Zoning Districts: R-TH, R-2, R-3, PD*

22-0294
06/29/2022

H – High Density *Residential*

- *Generally permits* high-density multi-family development, including *plexes, townhouses,* large apartments, condominiums, and other *high-density* multi-family dwellings.
- Density: Greater than 25.5 dwelling units per acre
- Applicable Special Areas:
- Compatible Zoning Districts: R-TH, R-2, R-3, R-4

GC – General Commercial

- *Generally permits* higher intensity retail, service, wholesale, office, *mixed-use developments with a residential component or* other general business uses; *may include commercial activities with outdoor storage, noise, lighting or other characteristics not generally compatible with residential areas.*
- Applicable Special Areas:
- Compatible Zoning Districts: P-O, O, C-1, C-2

SC - Service Commercial

- *Generally permits low and medium* intensity retail, office, or other commercial uses serving local patrons, and do*es* not include intense commercial uses; *includes neighborhood shopping centers, public and semi-public uses, offices, or mixed-use developments with a residential component.*
- Applicable Special Areas:
- Compatible Zoning Districts: P-O, O, C-1

O – Office

- ~~Allows~~ *Generally permits* small lot office conversions as a transition from residential and commercial uses and ~~for~~ large planned offices; *includes medical offices, professional businesses and offices for civic or social organizations*.
- Applicable Special Areas:
- Compatible Zoning Districts: P-O, O

LI-R – Light Industrial and Research

- *Generally permits* medium to low intensity industrial activities, light assembly, processing, commercial, business parks, *research and development laboratories, warehousing and distribution, and other supporting and ancillary uses.*
- Applicable Special Areas:
- Compatible Zoning Districts: P-O, O, C-1, C-2, *C-PB,* C-M, M

PR-OS – Parks, Recreation, and Open Space

- *Generally permits* parks, recreational facilities, public and private golf courses, trails, *drainage and detention areas,* and open spaces.
- Applicable Special Areas: All
- Compatible Zoning Districts: C-V

22-0294
06/29/2022

Matter in *blue italics* is new; matter in red strikethrough (~~omitted material~~) is material to be omitted

PF – Public Facility

- *Generally permits* public and semi-public buildings and facilities, civic uses and spaces, *hospitals and medical facilities, wastewater treatment plants, libraries,* infrastructure, and utilities.
- Applicable Special Areas: CE, GTV, IMR, LM
- Compatible Zoning Districts: C-V, P-C, PD*

RNP – Rural Neighborhood Preservation

- *Generally permits* large lot, single family estates and ranches, typically in suburban areas designated for preservation *as established by interlocal agreements, and allowing for non-commercial agricultural use and husbandry*.
- Density: Up to 2 dwelling units per acre
- Applicable Special Areas:
- Compatible Zoning Districts: U, R-E, (RP-O Rural Preservation Overlay)

DR – Desert Rural *Density Residential*

- *Generally permits* large lot, single family estates, *and* ranches, typically in suburban or peripheral rural areas, allowing for *non-commercial* agricultural use *and husbandry*.
- Density: Up to 2.5 dwelling units per acre
- Applicable Special Areas: IMR
- Compatible Zoning Districts: U, R-E

R – Rural *Density Residential*

- *Generally permits* medium ~~large~~ lot, single family estates, *and* ranches, typically in suburban or peripheral rural areas, allowing for agricultural use.
- Density: Up to 3.6 dwelling units per acre
- Applicable Special Areas: IMR
- Compatible Zoning Districts: U, R-E, R-D, R-1

22-0294
06/29/2022



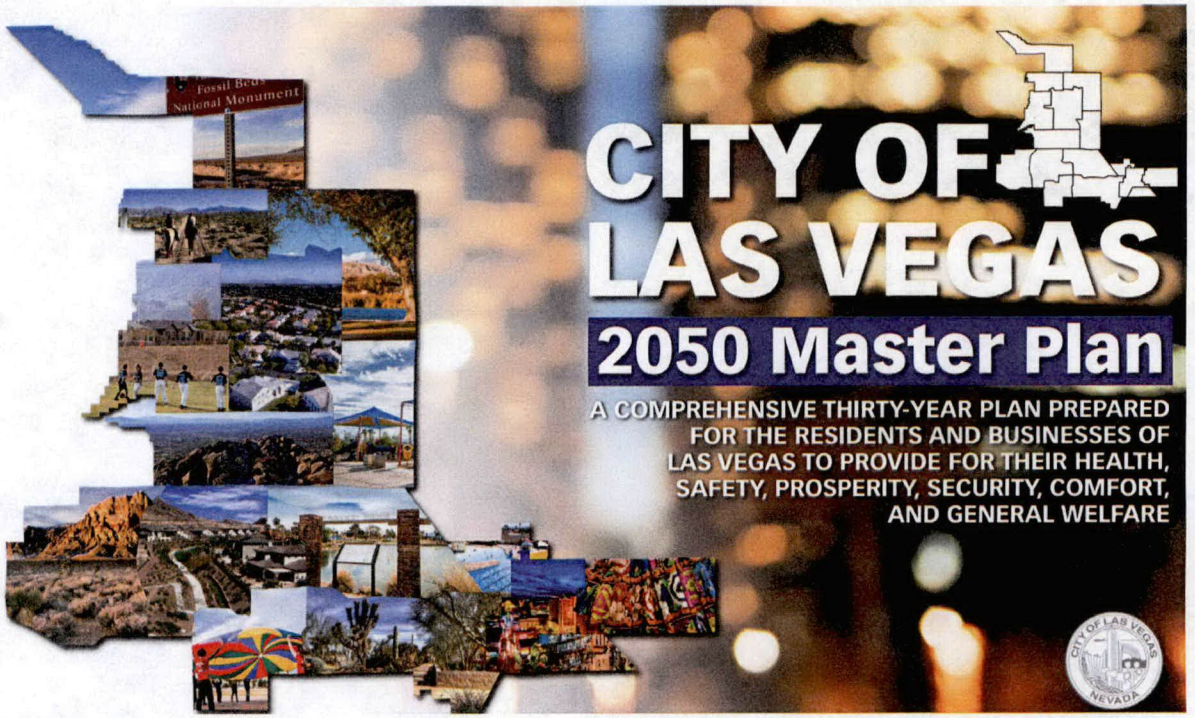
Submitted at Planning Commission

Date 7-12-22 Item 36

by Staff

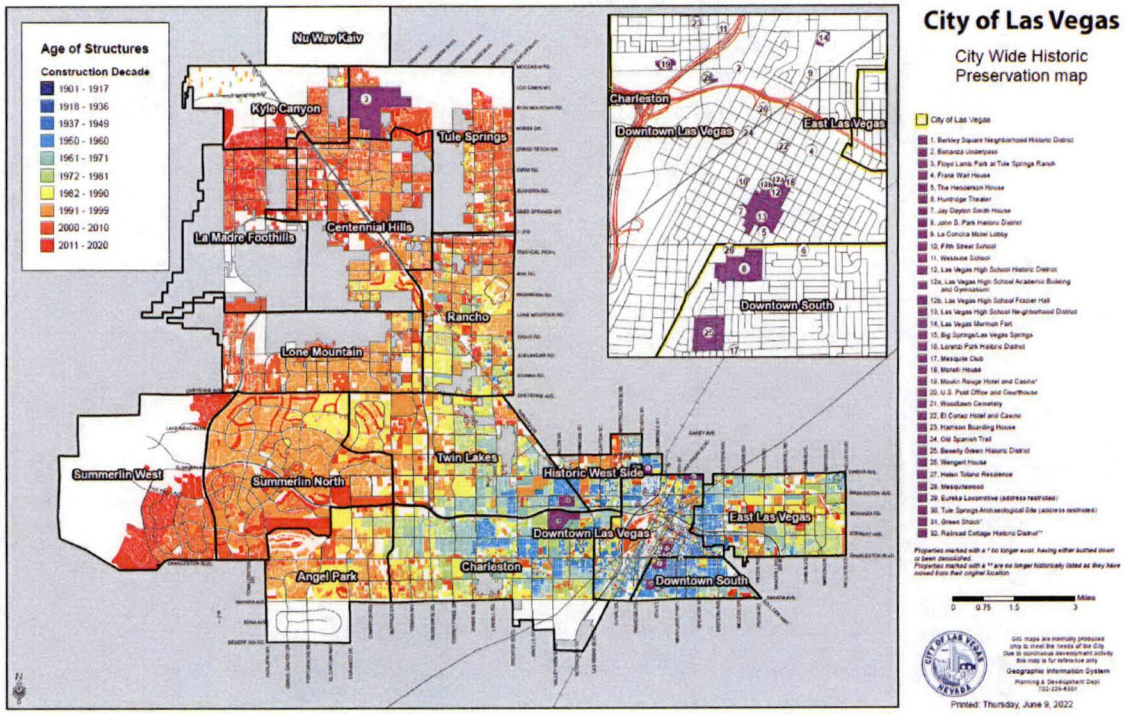
2050 MASTER PLAN

- Adopted:
  - —Planning Commission: April 12, 2021
  - —City Council: July 21, 2021
- Ordinance 6788 permits minor edits and corrections; other substantive amendments shall be approved and adopted by General Plan Amendment (GPA)



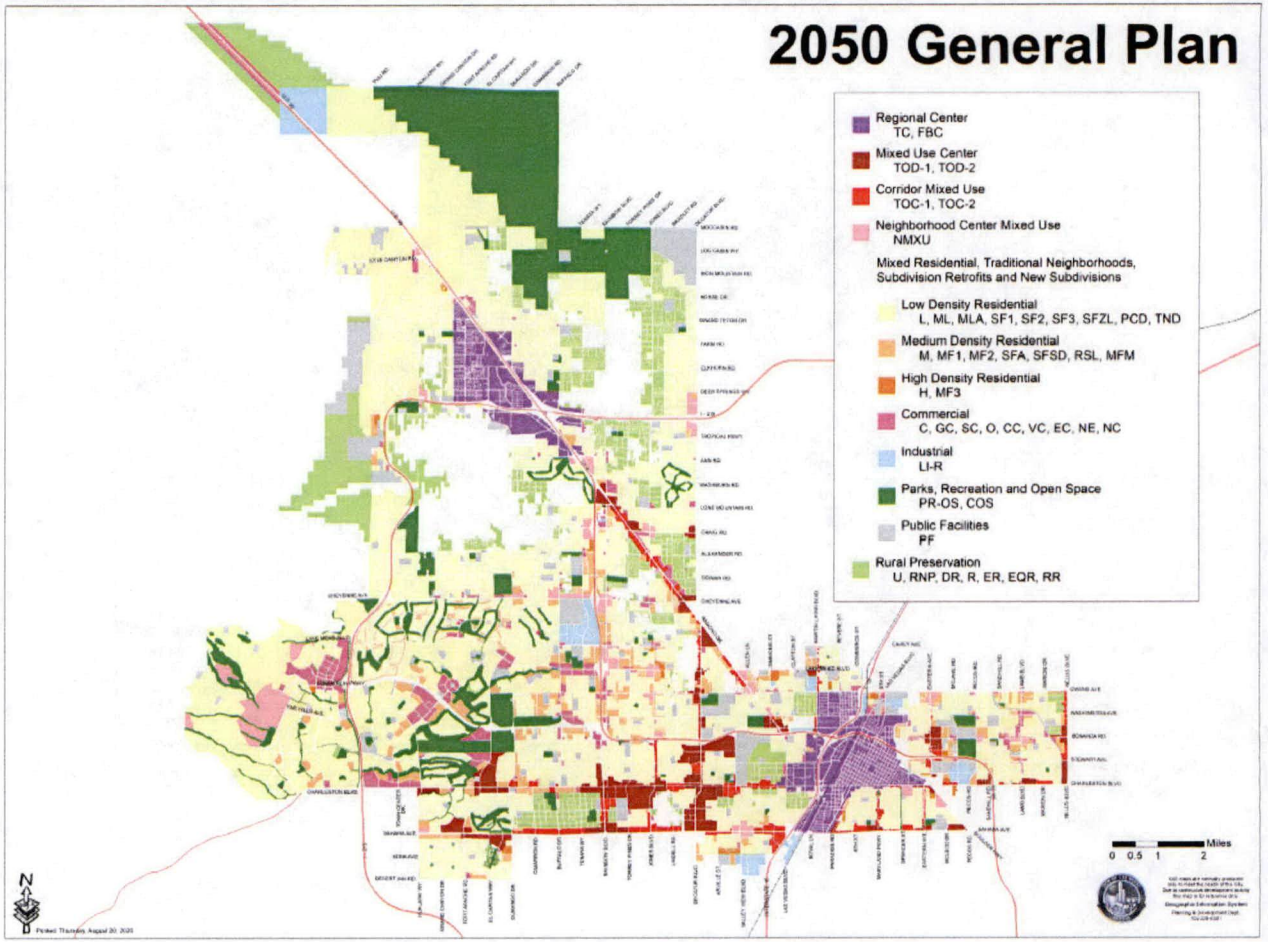
HISTORIC PRESERVATION MAP / TABLE

- Amends and updates content related to historic preservation and associated map and property table



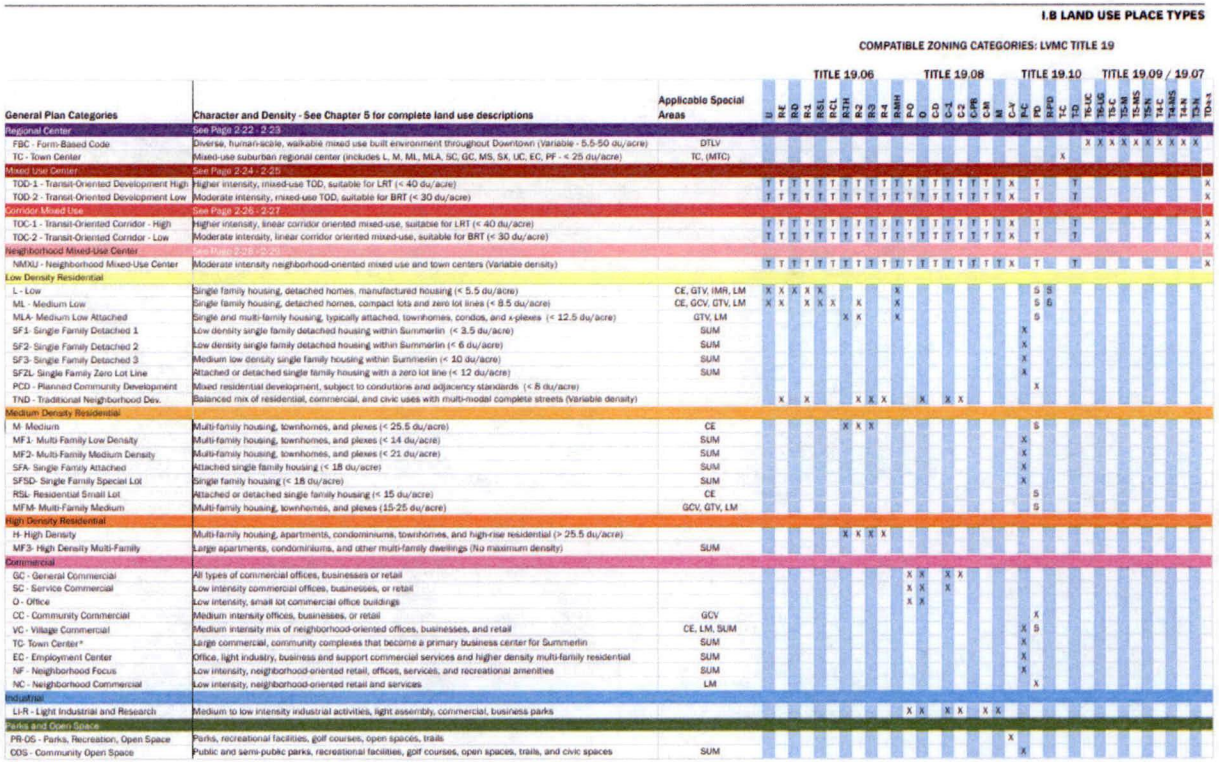
2050 GENERAL PLAN & FUTURE LAND USE

- Amends and updates general plan maps in Executive Summary and Chapter 2 to reflect all associated General Plan Amendments that were approved by the Planning Commission and City Council between July 21, 2021 to present.



COMPATIBLE ZONING TABLE

- Amends the chart reflecting general plan categories and compatible zoning districts will amend the following designations:
  - —FBC: Form-Based Code
  - —TOD-1
  - —LI-R: Light Industrial and Research: "*X*" for C-PB zoning category
  - —TND: Traditional Neighborhood Development: "*X*" for T-D zoning category



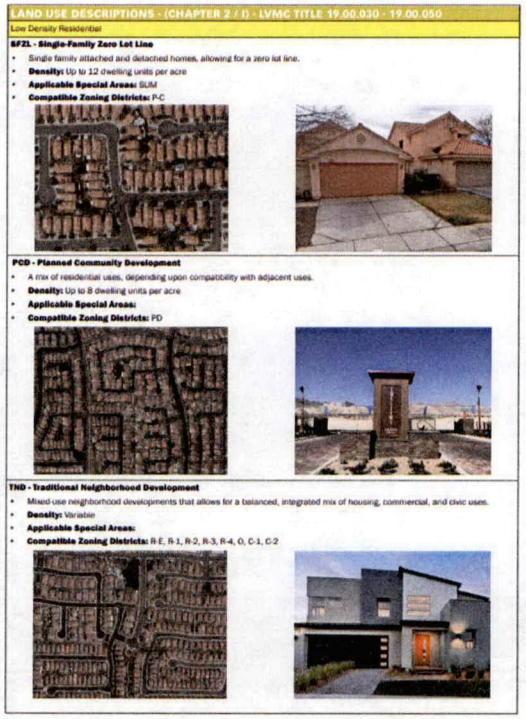
I.B LAND USE PLACE TYPES

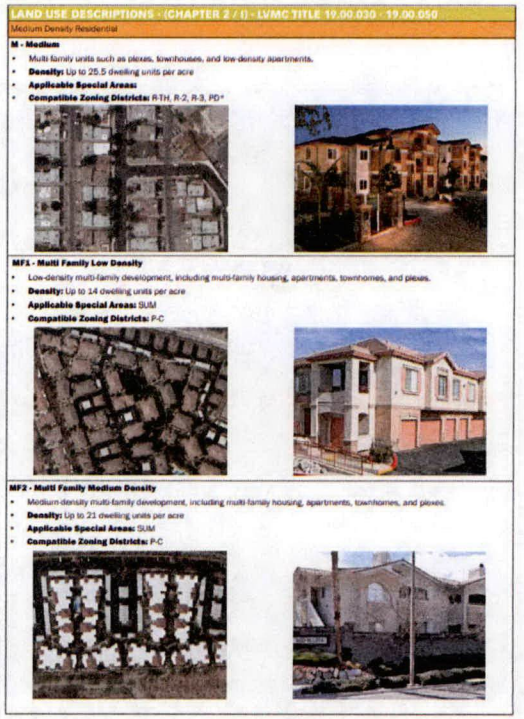
COMPATIBLE ZONING CATEGORIES: LVMC TITLE 19

General Plan Categories	Character and Density - See Chapter 5 for complete land use descriptions	Applicable Special Areas	U	RE	RO	R-1	RSL	RCL	R3-H	R-2	R-3	R-MH	P-O	O	C-D	C-1	C-2	C-PB	C-M	M	C-V	P-C	PD	RPD	T-C	T-D	TC-UC	TS-C	TS-N1	TS-MS	TSN	T4-C	T4-MS	T4-N	T3-N	TD4-1
			TITLE 19.06										TITLE 19.08									TITLE 19.10					TITLE 19.09 / 19.07									
Regional Center	See Page 2.22 - 2.23																										X	X	X	X	X	X	X	X	X
FBC - Form-Based Code	Diverse, human-scale, walkable mixed use built environment throughout Downtown (Variable - 5.5-50 du/acre)	DTLV																																	
TC - Town Center	Mixed-use suburban regional center (includes L, M, ML, MLA, SC, GC, MS, SX, UC, EC, PF - < 25 du/acre)	TC, (MTC)																							X										
Mixed Use Center	See Page 2.24 - 2.25																																		
TOD-1 - Transit-Oriented Development High	Higher intensity, mixed-use TOD, suitable for LRT (< 40 du/acre)		T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	X		T		T										X
TOD-2 - Transit-Oriented Development Low	Moderate intensity, mixed-use TOD, suitable for BRT (< 30 du/acre)		T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	X		T		T										X
Corridor Mixed Use	See Page 2.26 - 2.27																																		
TOC-1 - Transit-Oriented Corridor - High	Higher intensity, linear corridor oriented mixed-use, suitable for LRT (< 40 du/acre)		T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	X		T		T										X
TOC-2 - Transit-Oriented Corridor - Low	Moderate intensity, linear corridor oriented mixed-use, suitable for BRT (< 30 du/acre)		T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	X		T		T										X
Neighborhood Mixed-Use Center	See Page 2.28 - 2.29																																		
NMXU - Neighborhood Mixed-Use Center	Moderate intensity neighborhood-oriented mixed use and town centers (Variable density)		T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	X		T		T										X
Low Density Residential																																			
L - Low	Single family housing, detached homes, manufactured housing (< 5.5 du/acre)	CE, GTV, IMR, LM	X	X	X	X	X					X										S	S												
ML - Medium Low	Single family housing, detached homes, compact lots and zero lot lines (< 8.5 du/acre)	CE, GCV, GTV, LM	X	X		X	X	X		X		X										S	S												
MLA- Medium Low Attached	Single and multi-family housing, typically attached, townhomes, condos, and x-plexes (< 12.5 du/acre)	GTV, LM						X	X			X										S													
SF1- Single Family Detached 1	Low density single family detached housing within Summerlin (< 3.5 du/acre)	SUM																			X														
SF2- Single Family Detached 2	Low density single family detached housing within Summerlin (< 6 du/acre)	SUM																			X														
SF3- Single Family Detached 3	Medium low density single family housing within Summerlin (< 10 du/acre)	SUM																			X														
SFZL- Single Family Zero Lot Line	Attached or detached single family housing with a zero lot line (< 12 du/acre)	SUM																			X														
PCD - Planned Community Development	Mixed residential development, subject to conditions and adjacency standards (< 8 du/acre)																							X											
TND - Traditional Neighborhood Dev.	Balanced mix of residential, commercial, and civic uses with multi-modal complete streets (Variable density)			X		X			X	X	X		X		X	X																			
Medium Density Residential																																			
M- Medium	Multi-family housing, townhomes, and plexes (< 25.5 du/acre)	CE							X	X	X												S												
MF1- Multi-Family Low Density	Multi-family housing, townhomes, and plexes (< 14 du/acre)	SUM																			X														
MF2- Multi-Family Medium Density	Multi-family housing, townhomes, and plexes (< 21 du/acre)	SUM																			X														
SFA- Single Family Attached	Attached single family housing (< 18 du/acre)	SUM																			X														
SFSD- Single Family Special Lot	Single family housing (< 18 du/acre)	SUM																			X														
RSL- Residential Small Lot	Attached or detached single family housing (< 15 du/acre)	CE																					S												
MFM- Multi-Family Medium	Multi-family housing, townhomes, and plexes (15-25 du/acre)	GCV, GTV, LM																					S												
High Density Residential																																			
H- High Density	Multi-family housing, apartments, condominiums, townhomes, and high-rise residential (> 25.5 du/acre)								X	X	X	X																							
MF3- High Density Multi-Family	Large apartments, condominiums, and other multi-family dwellings (No maximum density)	SUM																																	
Commercial																																			
GC - General Commercial	All types of commercial offices, businesses or retail												X	X		X	X																		
SC - Service Commercial	Low intensity commercial offices, businesses, or retail												X	X		X																			
O - Office	Low intensity, small lot commercial office buildings												X	X																					
CC - Community Commercial	Medium intensity offices, businesses, or retail	GCV																					X												
VC - Village Commercial	Medium intensity mix of neighborhood-oriented offices, businesses, and retail	CE, LM, SUM																				X	S												
TC- Town Center*	Large commercial, community complexes that become a primary business center for Summerlin	SUM																				X													
EC - Employment Center	Office, light industry, business and support commercial services and higher density multi-family residential	SUM																				X													
NF - Neighborhood Focus	Low intensity, neighborhood-oriented retail, offices, services, and recreational amenities	SUM																				X													
NC - Neighborhood Commercial	Low intensity, neighborhood-oriented retail and services	LM																								X									
Industrial																																			
LI-R - Light Industrial and Research	Medium to low intensity industrial activities, light assembly, commercial, business parks												X	X		X	X		X	X															
Parks and Open Space																																			
PR-OS - Parks, Recreation, Open Space	Parks, recreational facilities, golf courses, open spaces, trails																				X														
COS - Community Open Space	Public and semi-public parks, recreational facilities, golf courses, open spaces, trails, and civic spaces	SUM																			X														

LAND USE DESCRIPTION TABLE

- Amends Chapter 5 land use description tables and updates content related to each description for following uses:
  - —Regional Center: FBC
  - —Mixed-Use Center: TOD-1
  - —Low Density Residential: L, ML, MLA, PCD, TND
  - —Medium Density Residential: M
  - —High Density Residential: H
  - —Commercial: GC, SC, O
  - —Industrial: LI-R
  - —Parks and Open Space: PR-OS
  - —Public Facilities: PF
  - —Rural Preservation: RNP, DR, R



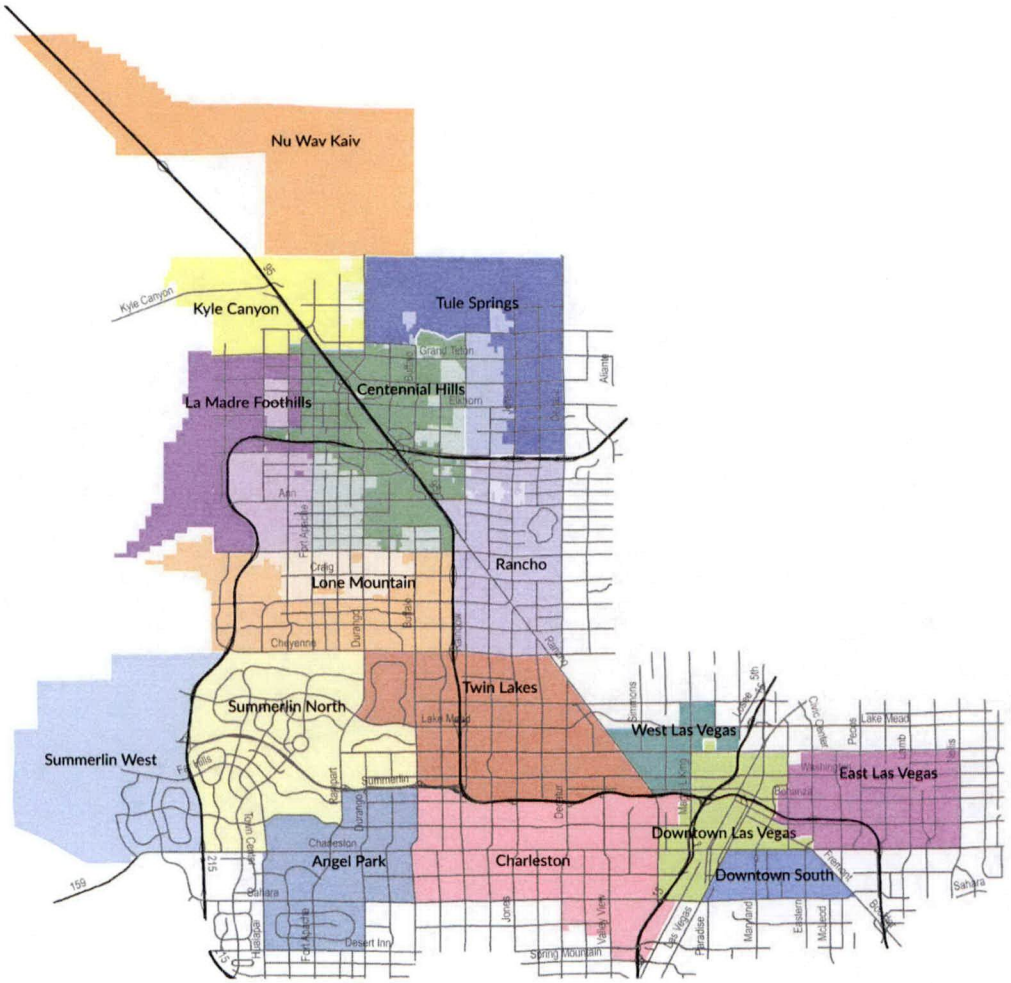


NEXT STEPS

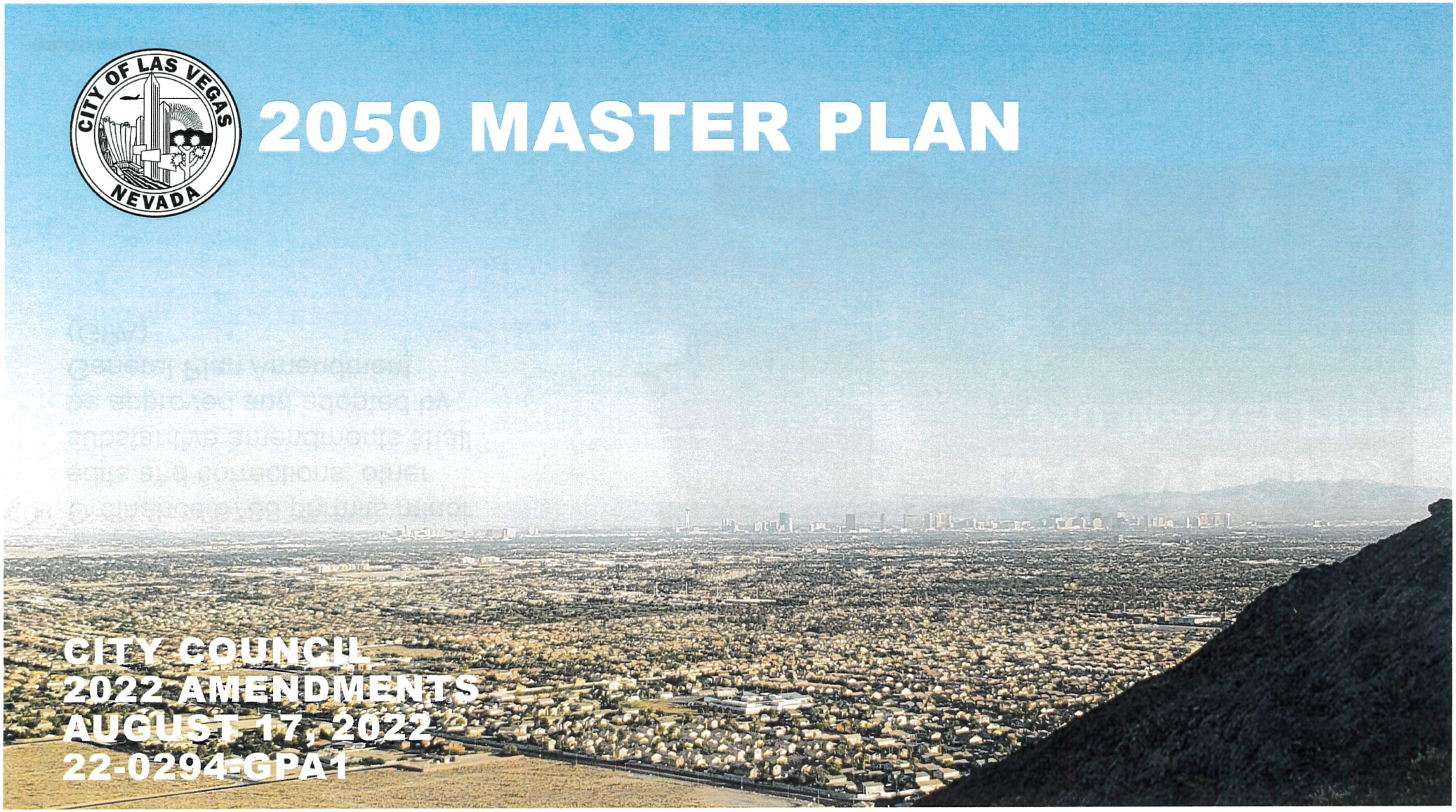
- August 17, 2022 – City Council

- Directors item: updates and evaluation of progress on the 2050 Master Plan (upcoming Planning Commission / City Council meetings)

- Other items of interest:
  - East Las Vegas special area plan
    - www.lasvegasnevada.gov/ourfuture
  - Special area plans for:
    - La Madre Foothills
    - Rancho
    - Charleston / Downtown South



2050 MASTER PLAN

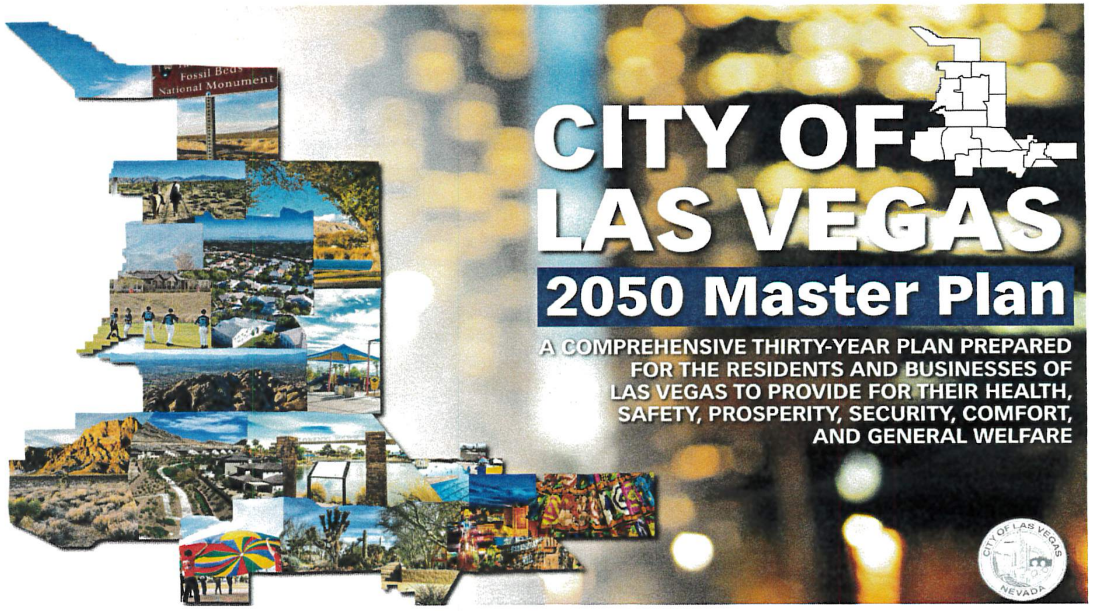


CITY COUNCIL
2022 AMENDMENTS
AUGUST 17, 2022
22-0294-GPA1

Submitted at City Council
Date 8/17/22 Item 39
By: Staff

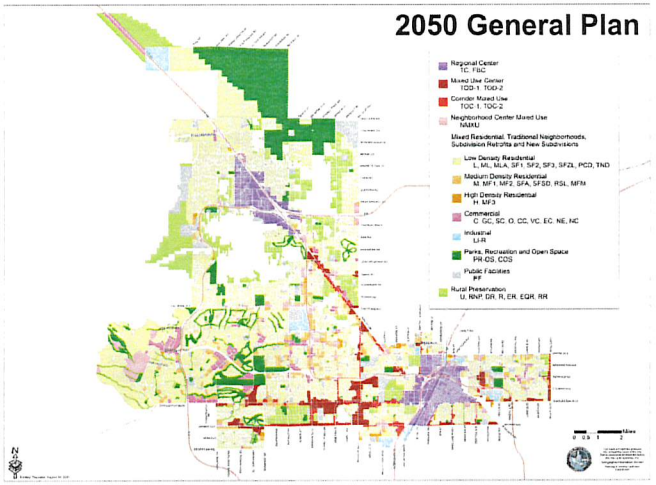
2050 MASTER PLAN

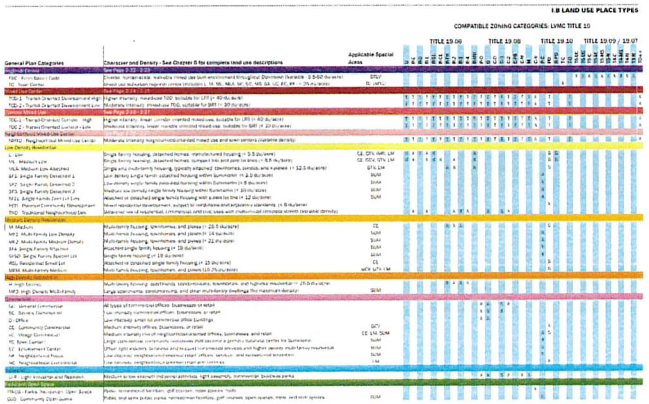
- Adopted:
  - —Planning Commission: April 12, 2021
  - —City Council: July 21, 2021
- Ordinance 6788 permits minor edits and corrections; other substantive amendments shall be approved and adopted by General Plan Amendment (GPA)

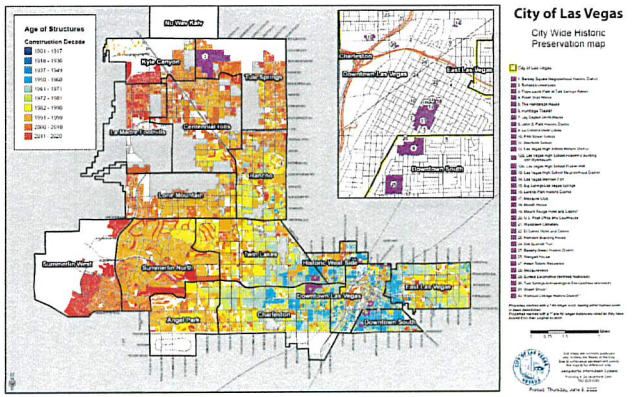


MAP & TABLE UPDATES

- Amends and updates general plan maps reflect amendments approved by Planning Commission and City Council between July 21, 2021 to present.
- Amends and updates content related to historic preservation and associated map and property table.
- Amends the chart reflecting general plan categories and compatible zoning districts.







LAND USE DESCRIPTION TABLE

- Amends land use description tables and updates content related to each description for following uses:
  - —Regional Center: FBC
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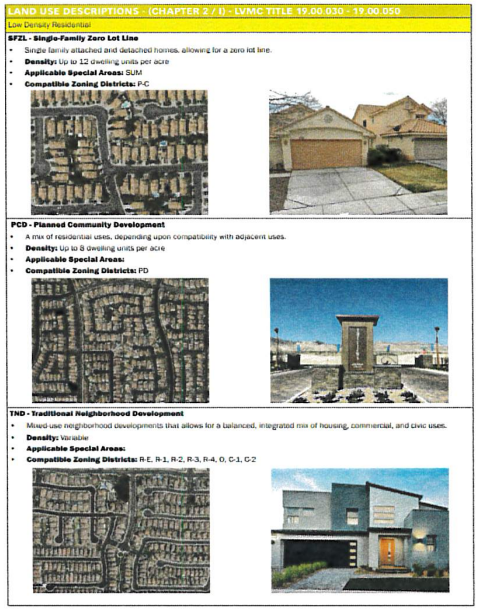
  - —High Density Residential: H
  - —Commercial: GC, SC, O
  - —Industrial: LI-R
  - —Parks and Open Space: PR-OS
  - —Public Facilities: PF
  - —Rural Preservation: RNP, DR, R


LAND USE DESCRIPTIONS - (CHAPTER 2 / I) - LVMC TITLE 19.00.030 - 19.00.050

Low Density Residential

SFZL - Single-Family Zero Lot Line

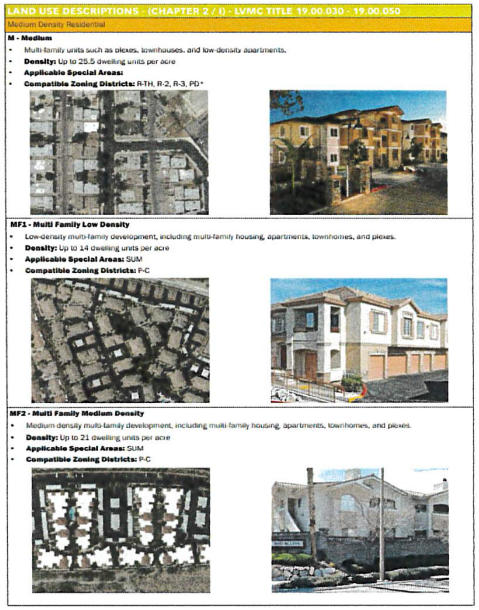
- Single family attached and detached homes, allowing for a zero lot line.
- **Density:** Up to 12 dwelling units per acre
- **Applicable Special Areas:** SUM
- **Compatible Zoning Districts:** P-C

PCD - Planned Community Development

- A mix of residential uses, depending upon compatibility with adjacent uses.
- **Density:** Up to 8 dwelling units per acre
- **Applicable Special Areas:**
- **Compatible Zoning Districts:** PD

TND - Traditional Neighborhood Development

- Mixed-use neighborhood developments that allows for a balanced, integrated mix of housing, commercial, and civic uses.
- **Density:** Variable
- **Applicable Special Areas:**
- **Compatible Zoning Districts:** R-E, R-1, R-2, R-3, R-4, O, C-1, C-2


LAND USE DESCRIPTIONS - (CHAPTER 2 / I) - LVMC TITLE 19.00.030 - 19.00.050

Medium Density Residential

M - Medium

- Multi-family units such as plexes, townhouses, and low-density apartments.
- **Density:** Up to 25.5 dwelling units per acre
- **Applicable Special Areas:**
- **Compatible Zoning Districts:** R-TH, R-2, R-3, PD*

MF1 - Multi Family Low Density

- Low-density multi-family development, including multi-family housing, apartments, townhomes, and plexes.
- **Density:** Up to 14 dwelling units per acre
- **Applicable Special Areas:** SUM
- **Compatible Zoning Districts:** P-C

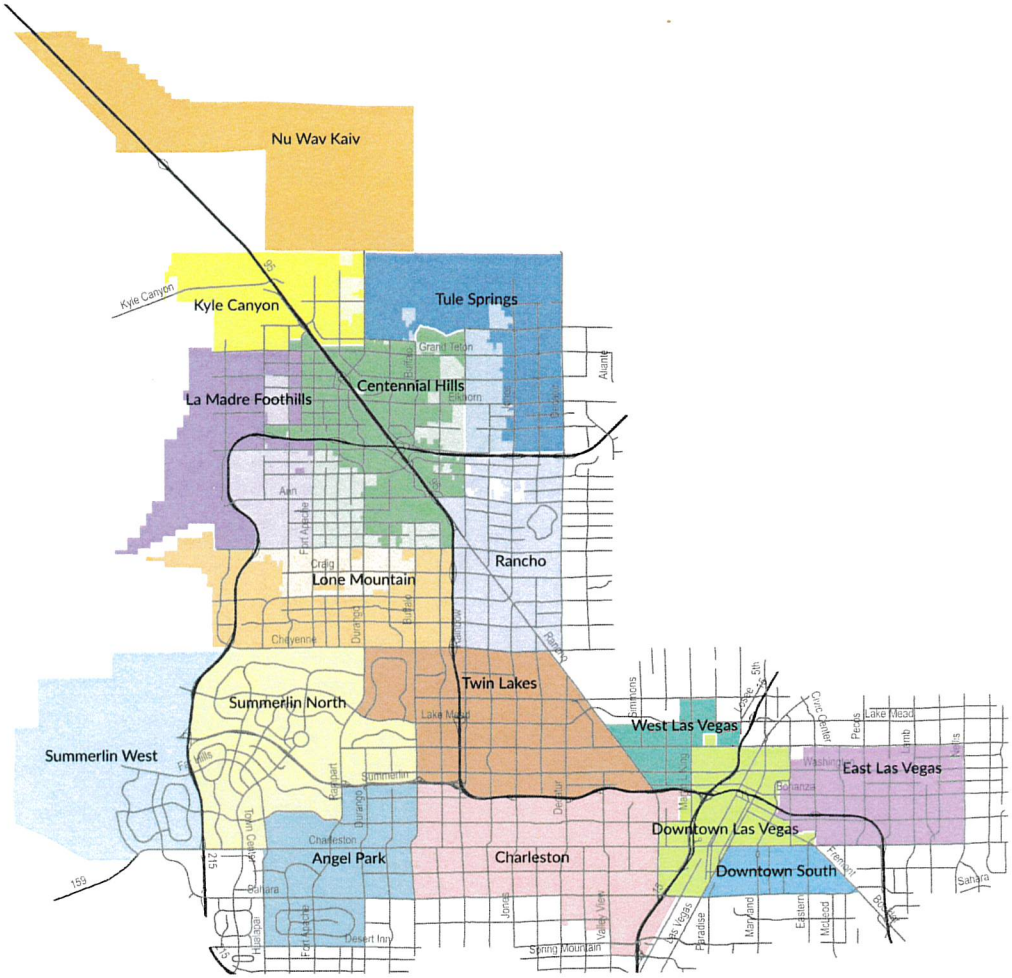
MF2 - Multi Family Medium Density

- Medium-density multi-family development, including multi-family housing, apartments, townhomes, and plexes.
- **Density:** Up to 21 dwelling units per acre
- **Applicable Special Areas:** SUM
- **Compatible Zoning Districts:** P-C

NEXT STEPS

- Directors item: updates and evaluation of progress on the 2050 Master Plan (upcoming Planning Commission / City Council meetings)

- Other items of interest:
  - —East Las Vegas special area plan
    - www.lasvegasnevada.gov/ourfuture
  - —Special area plans for:
    - La Madre Foothills
    - Rancho
    - Charleston / Downtown South



AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
40

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Set date on any appeals filed or required public hearings from the City Planning Commission Meetings and Dangerous Building or Nuisance/Litter Abatements.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
41

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the City Council. No subject may be acted upon by the City Council unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

AGENDA SUMMARY PAGE

City Council
Meeting of: August 17, 2022

Agenda Item No.:
42

DEPARTMENT: City Manager **DISCUSSION**
DIRECTOR: Jorge Cervantes

SUBJECT:
COUNCIL EMERGING ISSUES:

Discussion regarding potential items for future City Council agendas - All Wards

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
Comments made by Council members during this portion of the agenda must refer solely to proposals for future agenda item topics to be brought before the Council for consideration and action at a later date. Any discussion must be limited to whether or not such proposed items shall be placed on a future agenda and no discussion regarding the substance of any such proposed topic shall occur. No action shall be taken.

RECOMMENDATION:
Direct staff accordingly.

BACKUP DOCUMENTATION:
None

AGENDA SUMMARY PAGE
City Council
Meeting of: August 17, 2022

Agenda Item No.:
43

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Council Member Recognition: Comments made by individual City Council Members during this portion of the agenda will not be acted upon by the City Council unless that subject is on the agenda and scheduled for action.

BACKUP DOCUMENTATION:
1. Submitted at Meeting - Flyers for Ward 5 Announcements, YNAPP, Computer Basics for Seniors, Free Strong Start Go!, Strong Start Academy Elementary School Accepting Applications, Safekey Registration, Ward 5 Newsletter, and Stay Connected by Councilman Crear; Flyers for Movie in the Park, Missing Juvenile Bulletins, Happy Retirement! Tim Szymanski, and Homeless Success Stories by Councilwoman Fiore; Flyers for August Brews with Brian, Success and Insights Event, and Office Contact Information by Councilman Knudsen; and Flyers for Ward 3 Announcements, Fire Station Open House Photo, Mayfair Neighborhood Cleanup and Meeting, Reception for Arts Exhibit at Historic 5th Street School, Mural Unraveling at Doug Selby, Downtown Clean Up with Life is Beautiful, and Stay in Touch by Councilwoman Diaz

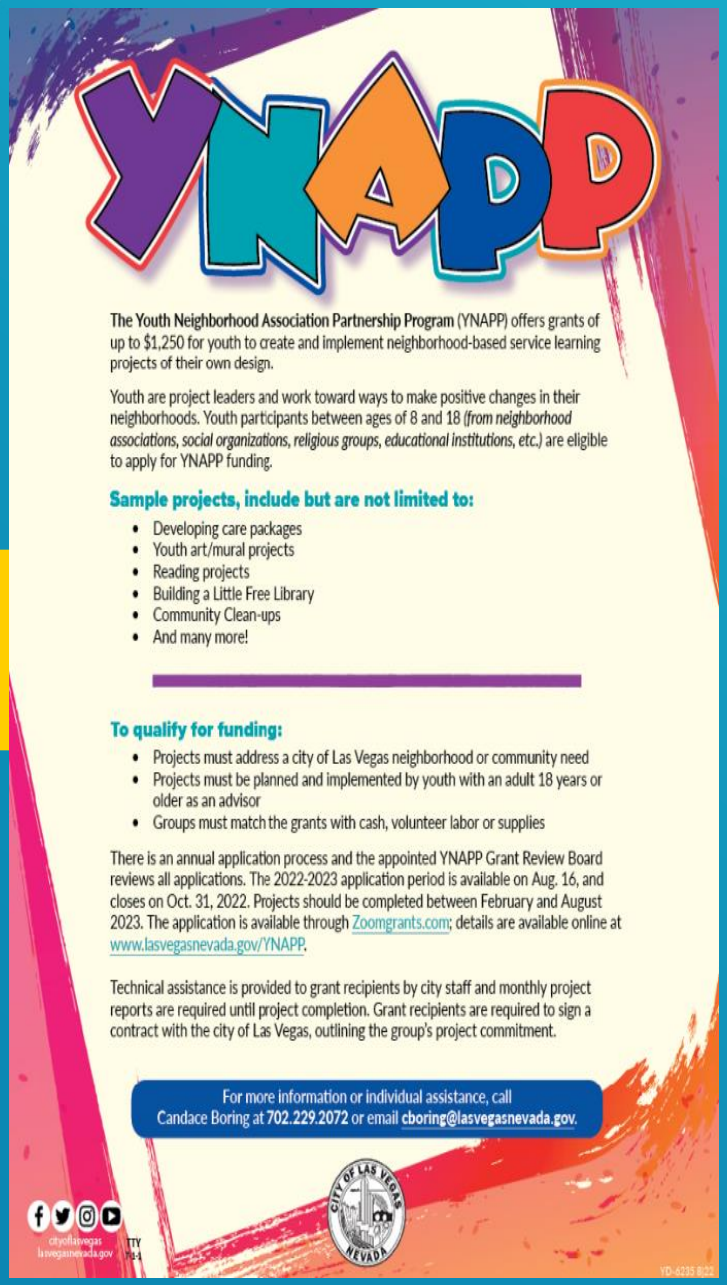


COUNCILMAN

CEDRIC CREAR
WARD 5

ccrear@lasvegasnevada.gov
702.229.5443

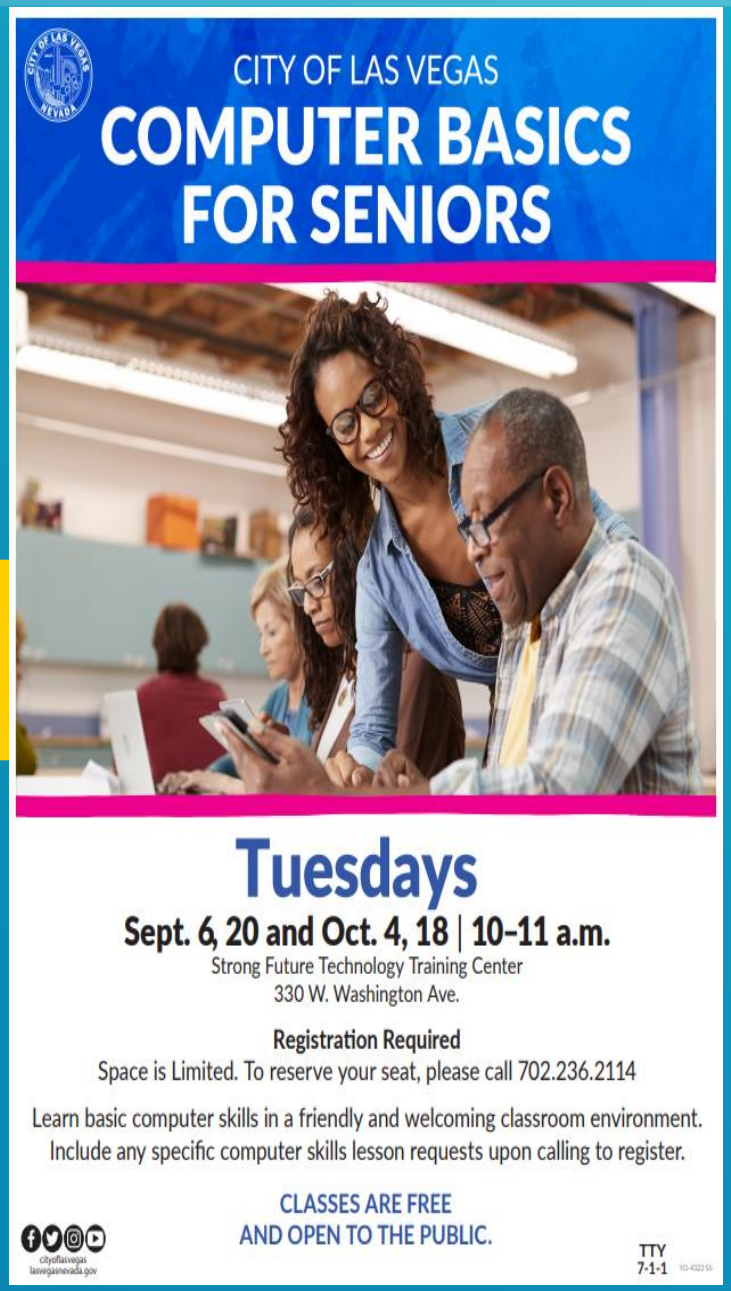
Submitted at Meeting
Date: 8/17/2022 Item: 42
Submitted by: Councilmembers



YNAPP

Youth Neighborhood Association Partnership Program

Youth making positive changes in their neighborhoods!



COMPUTER BASICS FOR SENIORS

Strong Future Technology Training Center

Tuesdays, Sept. 6 and 20
10-11 a.m.

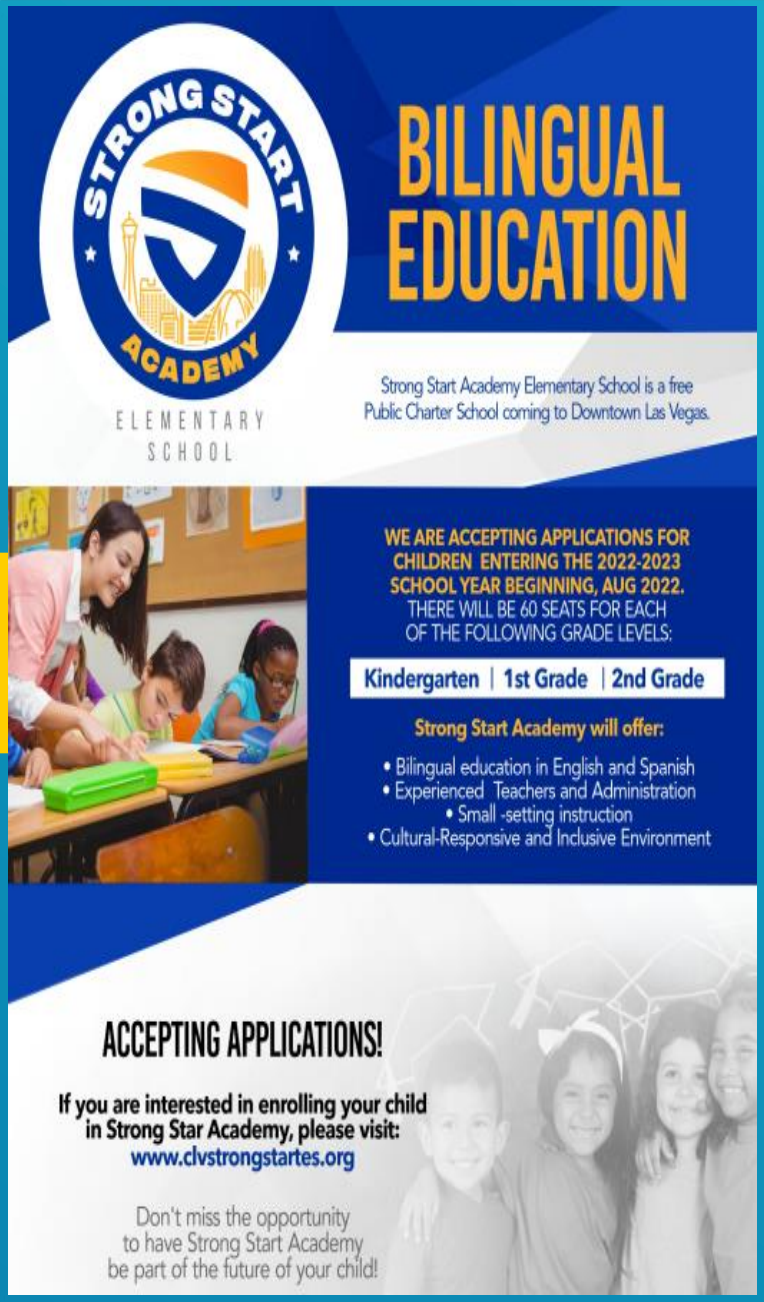


Free Strong Start Go!

Mobile Pre-K Program

FREE High Quality Early learning program

For more information:
Call 702-229-KIDS



STRONG START ACADEMY

ELEMENTARY SCHOOL

Accepting applications



SAFEKEY

Before and after school program beyond the bell

Registration is open

Visit: www.lasvegasnevada.gov/safekey

WARD 5 NEWSLETTER

Email

Tanya Jackson-Renter

tjackson@lasvegasnevada.gov

or call

Office: 702-229-5443



STAY CONNECTED

With Councilman Cedric Crear
On Social Media

Twitter:	@cedriccrear
Instagram:	Councilman Crear
Facebook:	Councilman Cedric Crear

The Las Vegas City Council and

WARD 6

invite you to a

FREE and open to the public!

MOVIE IN THE PARK



FRIDAY, SEPT. 2 • 7 P.M.

FREE popcorn & water while supplies last

Lawn seating: bring low chairs & blankets to be more comfortable

Food trucks will be onsite

Closed captioning for the deaf and hard of hearing

MOVIE BEGINS AT DUSK

CENTENNIAL HILLS PARK AMPHITHEATER

7101 N. Buffalo Drive at Deer Springs Way

For more information, call 702.229.5463

TTY 711

cityoflasvegas
lasvegasnevada.gov
#lvward6

W6-6194-08-22

MISSING JUVENILE

Sent: 2022-08-16 @ 11:18 Case: LLV220500044471 Author: ME/NCS

NIC #

Last Name ALDRIDGE

First Name JAKIYAH

Nickname

Alias

Age 16

Gender FEMALE

Height 5'5

Weight 130 LBS

Eyes BROWN

Hair BLACK/BRAIDED

Complexion

Race AFRICAN AMERICAN

BirthDate

Last Contact 05/11/2022



Marks

JAKIYAH ALDRIDGE was last seen on 05/11/2022 at approximately 1230 hours near the 1900 block of SEARLES AVE Las Vegas, Nevada (RANCHO HS)

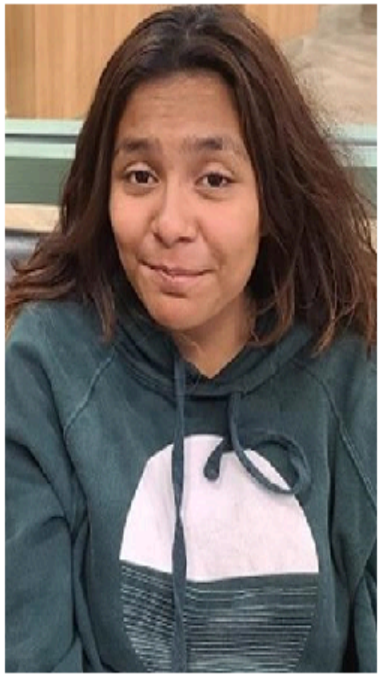
She was last seen wearing a black shirt with a pink design, pink hoodie with a Tupac image on back, blue jeans and white high top shoes.

All hospitals are asked to check their registries for the missing person and notify the police immediately. It should be noted that HIPAA permits disclosure upon request by law enforcement and is authorized pursuant to 45 C.F.R. section 164.512.

Las Vegas Metro Police (702) 828-3111
Nevada Child Seekers (702) 458-7009

MISSING JUVENILE

Sent: 2022-08-15 @ 11:42 Case: LLV 220600116943 Author: JH/NCS



NIC #	
Last Name	ROSALES
First Name	NATALIE
Nickname	
Alias	
Age	15
Gender	FEMALE
Height	5'6
Weight	115
Eyes	BROWN
Hair	BROWN
Complexion	
Race	HISPANIC
BirthDate	
Last Contact	06/30/2022
Marks	

CHILD WAS LAST SEEN IN THE AREA OF LAS VEGAS, NV

IT IS UNKNOWN WHAT THE CHILD WAS LAST SEEN WEARING

IF YOU HAVE ANY INFORMATION PLEASE CONTACT THE NUMBERS LISTED BELOW

Las Vegas Metro Police (702) 828-3111
Nevada Child Seekers (702) 458-7009

Happy Retirement!

Tim Szymanski

(CLV Fire PIO)




Homeless
Success
Stories

August Brews with Brian

Join us for our monthly Brews with Brian.

Saturday August 20, 9AM-10AM

@The Bagel Cafe

301 N Buffalo Drive, Las Vegas, NV 89145

Please RSVP to:

ward1@lasvegasnevada.gov!

Or call 702-229-2299



SUCCESSES & INSIGHTS

PRESENTED BY:

CITY OF LAS VEGAS NEVADA

DOWNTOWN VEGAS ALLIANCE

ENVISIONING THE FUTURE OF THE LAS VEGAS MEDICAL DISTRICT

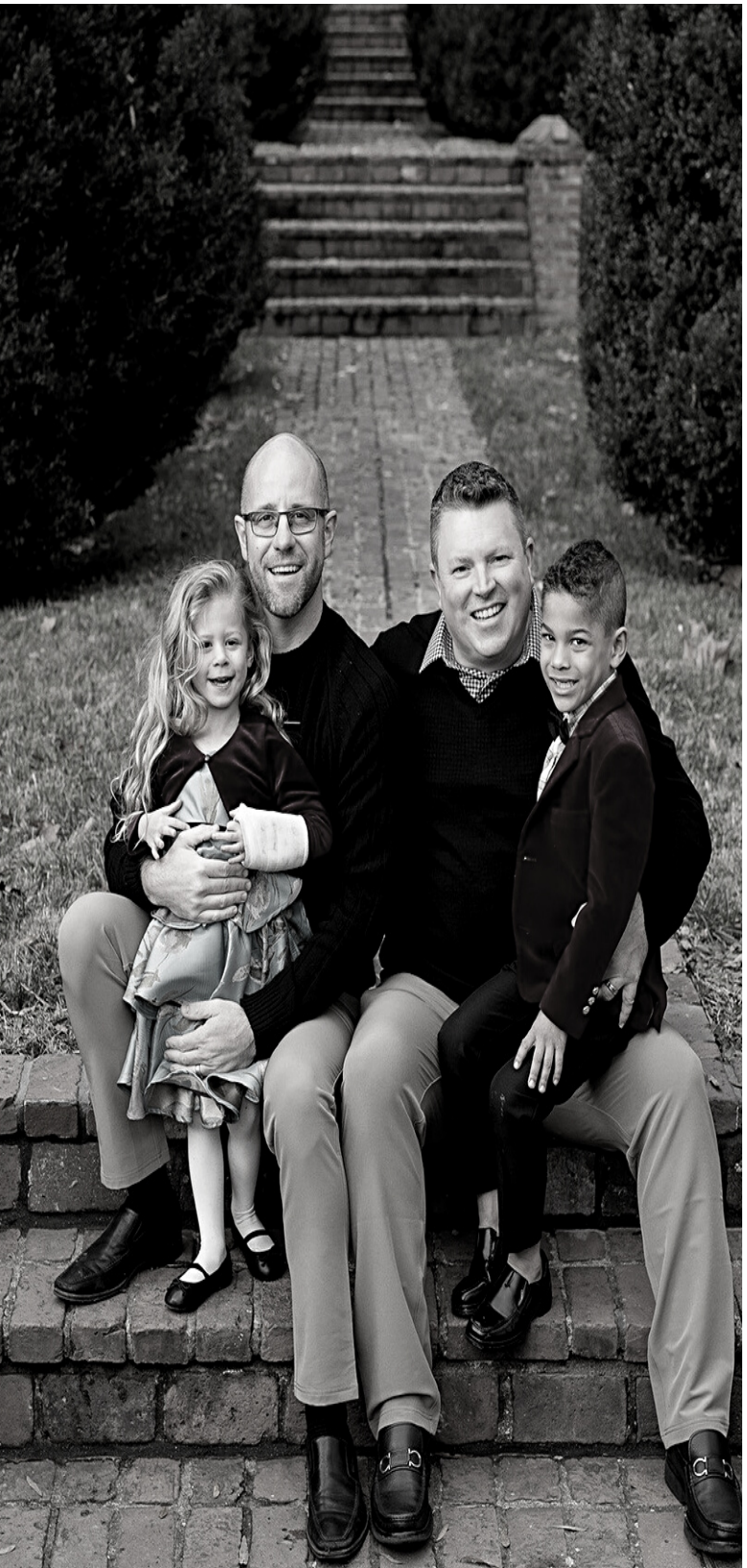
TUESDAY, AUGUST 23
3:30 PM - 5:00 PM
Happy Hour Immediately Following
CITY HALL - 495 S. Main Street



MODERATED BY:
COUNCILMAN
BRIAN KNUDSEN
CITY OF LAS VEGAS, WARD 1



Hear from stakeholders and city leaders about projects planned for the development of the Las Vegas Medical District and their vision for delivering unprecedented care and services for our community.



WARD 1

Councilman Brian Knudsen

Stay in touch with us for updates, resources, and more!

bknudsen@lasvegasnevada.gov

Call: 702-493-1547

Twitter: @BrianforLV | Facebook: facebook.com/BrianforLV

Brian Knudsen

COUNCILMAN • WARD 1



Councilwoman Olivia Díaz

WARD 3



WARD 3

Fire Station Open House





WARD 3

Mayfair Neighborhood Cleanup & Meeting









WARD 3

Reception for Art Exhibit at Historic 5th Street School







WARD 3

Mural Unraveling at Doug Selby





WARD 3

Downtown Clean Up With Life is Beautiful

LIFE IS BEAUTIFUL

CLEAN OUR COMMUNITY

Through a partnership with Caridad Gardens and the City of Las Vegas' "Keep Las Vegas Beautiful" initiative, Life is Beautiful is inviting community members to help clean the streets of Downtown Las Vegas on Saturday, August 20. The festival is looking for individuals that are passionate about community service and are willing to contribute their time and energy to both support those in need and ensure an over-the-top experience for Downtown residents and visitors alike. Join the Life is Beautiful clean-up crew, and make a lasting impact on Las Vegas.

Saturday, August 20th, 8am – 10am
Downtown Las Vegas

6th & Fremont Blvd down to 11th & Fremont.
6th & Ogden to 11th & Ogden
6th & Carson to 11th & Carson

Interested in volunteering?
lfe.is/clean-our-community

STAY IN TOUCH!

@oliviadiazlv

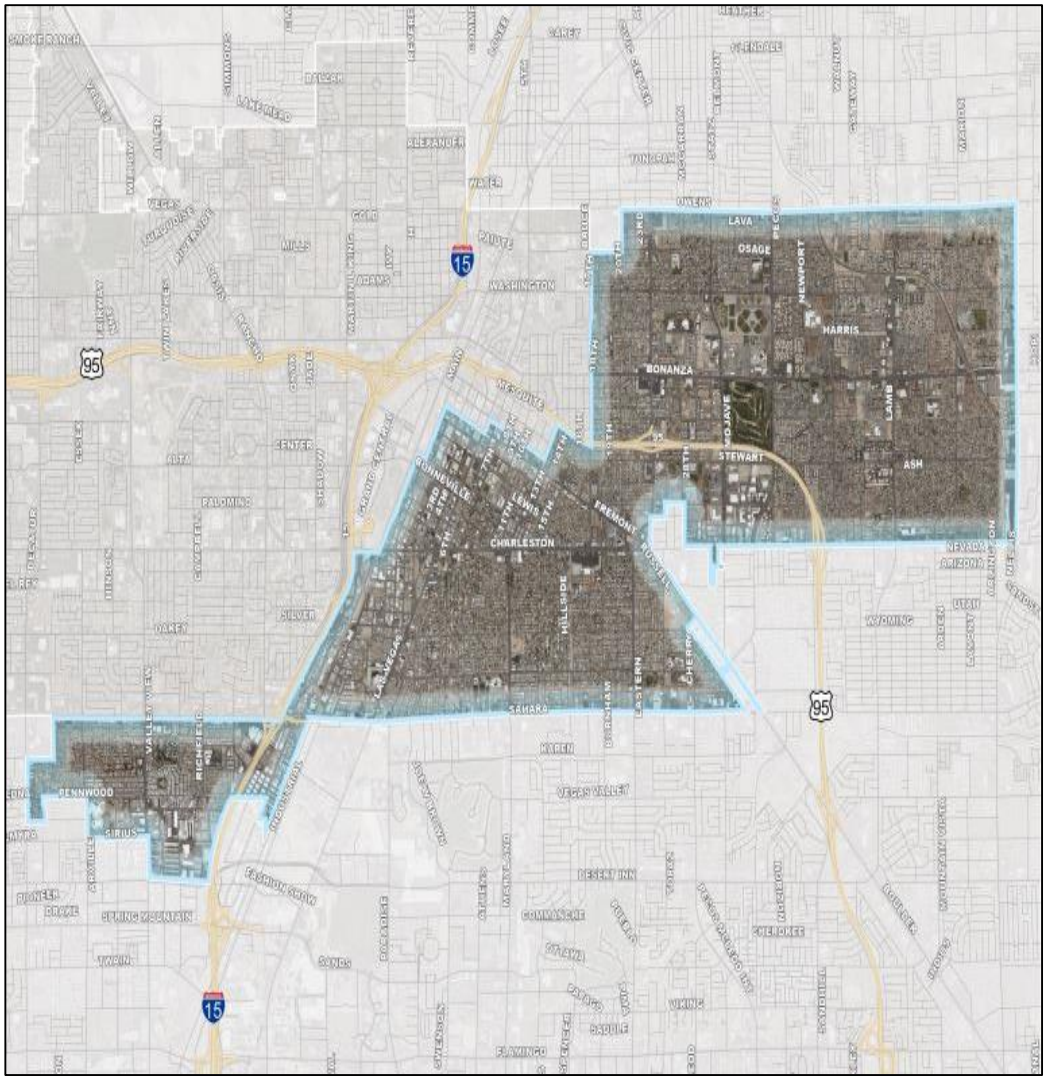
@oliviadiazlv

@oliviadiazlv

Subscribe to newsletter by texting "LV ward3" to 468-311

Office: (702) 229-2359

Email: ward3@lasvegasnevada.gov





Councilwoman Olivia Díaz
WARD 3







