The public may view the meeting live at the following link:

https://www.bcnv.org/191/City-Council-Meeting-Live-Stream-Video

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF ORDER; 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.

CALL TO ORDER

CONFIRMATION OF POSTING AND ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. EACH PERSON HAS UP TO FIVE MINUTES TO SPEAK ON A SPECIFIC AGENDA ITEM. IF AN AGENDA ITEM IS ALSO LISTED AS A PUBLIC HEARING, PERSONS MAY WAIT TO SPEAK UNTIL THAT PARTICULAR ITEM.

MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING WITHOUT BEING PHYSICALLY PRESENT BY ONE OF THE FOLLOWING METHODS:

- Written comments may be submitted via the Public Comment Form (https://www.bcnv.org/FormCenter/Contact-Forms-3/City-Council-Comment-Form-111)

- To comment during the meeting, members of the public may call (702) 589–9629 when the public comment period is opened.

AGENDA

1. For possible action: Approval of the Minutes of the April 20, 2022 regular meeting
2. For possible action: RPS Properties, LLC – Resolution No. 1211 – Diamond Ridge, BC No. 114 – North portion of Tract 6 (north of Northridge Drive, east of Arizona Street and Avenue M): A public hearing and recommendation to the City Council on a Tentative Map for a proposed 15-lot subdivision in the R1-10, Single-Family Residential Zone


4. Public Comment

Each person has up to five minutes to speak at the discretion of the Chair. Comments made during the Public Comment period of the agenda may be on any subject. All remarks shall be addressed to the Planning Commission as a whole, not to any individual member of the Planning Commission, of the audience, or of the City staff. No person, other than members of the Planning Commission and the person who has the floor, shall be permitted to enter into any discussion, either directly or through a member of the Planning Commission without the permission of the Chair or Presiding Officer. No action may be taken on a matter raised under this item.

All decisions for action items on this agenda are final by the Planning Commission, unless they are recommendations to the City Council, or appealed to the City Council. Appeals must be filed within seven (7) calendar days after the date of the decision in accordance with Chapter 11-34 of the Boulder City Code.

Supporting material is on file and available for public inspection at the City Clerk’s Office, 401 California Avenue, Boulder City, Nevada  89005 and the Boulder City website at www.bcnv.org, as per NRS 241. To request supporting material, please contact the City Clerk Tami McKay at (702) 293-9208 or cityclerk@bcnv.org.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the City Clerk by telephoning (702) 293-9208 at least seventy-two hours in advance of the meeting.

This notice and agenda has been posted on or before 9 a.m. on the third working day before the meeting at the following locations:

Boulder City Hall, 401 California Avenue
www.bcnv.org
https://notice.nv.gov/
Item 1 - Minutes

SUBJECT:
For possible action: Approval of the Minutes of the April 20, 2022 regular meeting

ADDITIONAL INFORMATION:

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minutes</td>
<td>Backup Material</td>
</tr>
<tr>
<td>blank page</td>
<td>Backup Material</td>
</tr>
</tbody>
</table>
CALL TO ORDER

The regular meeting of the Boulder City Planning Commission, County of Clark, State of Nevada, was called to order at 5:00 P.M., Wednesday, April 20, 2022, in the Council Chamber, City Hall, by Chairman Paul Matuska in due compliance with law, the Charter, and the Agency’s Rules of Procedure.

CONFIRMATION OF POSTING AND ROLL CALL

Members present: Chairman Paul Matuska, Members Ernest Biacsi, Beth Bonnar, Matt Di Teresa, Nate Lasoff, Thomas Marvin and Steve Rudd (via teleconference) (7)

Members absent: None (0)

Also present: Community Development Director Michael Mays, City Planner Susan Danielewicz and City Clerk Tami McKay

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Chairman Matuska opened the initial public comment period and indicated the number to call was 702-589-9629.

No comments were offered in person or by phone, and the public comment period was closed.

AGENDA

1. For possible action: Approval of the minutes of March 16, 2022, regular meeting

Motion: To approve the March 16, 2022, regular meeting minutes

Moved by: Member Biacsi Seconded by: Member Marvin

Vote:

AYE: Chairman Paul Matuska, Members Ernest Biacsi, Beth Bonnar, Matt Di Teresa, Nate Lasoff, Thomas Marvin, Steve Rudd (via teleconference) (7)

NAY: None (0)
Absent: None (0)

The motion was approved.

2. For possible action: CU-22-271 – Resolution No. 1209 – Allison Shafer – 1656 Boulder City Parkway: A public hearing on an application for a Conditional Use Permit in the CM, Commercial Manufacturing Zone to allow the boarding of dogs, pursuant to Section 11-13-4.E of the City Code

A staff report had been submitted by City Planner Susan Danielewicz and included in the April 20, 2022 Agenda Packet.

City Planner Danielewicz provided a brief overview noting the applicant received a previous approval on a different conditional use permit last year for a location on Wells Road, but the location fell through before the applicant could move in. She said the applicant would like to operate a proposed pet daycare and overnight boarding facility for dogs in the Boulder Dam Plaza shopping center. She stated the City Code lists canine and/or feline boarding places and kennels as a conditional use in this zone, with the condition that all exercise areas be on site. She noted the applicant’s information indicated there would be a play area indoors, as well as a 10-foot-deep area to the rear of the subject suite that would be used for outdoor play area.

In response to Member Biacsi, City Planner Danielewicz stated there was not a limit on the number of dogs per the zoning code.

Allison Shafer, applicant, stated her job was to make sure the dogs were playing safely. She said she would not allow more than 15 dogs per employee. She stated the business would average 25-30 dogs in their facility and would not exceed that number.

Member Biacsi stated the number of individual kennel spaces looked to be less than 30. He asked if the number of dogs would be limited to the number of kennels.

Ms. Shafer stated the pet daycare would be considered “open play” and the kennels would be for overnight boarding.

Chairman Matuska asked about their cleaning methods for the facility.

Ms. Shafer stated they would use a wet-dry shop vacuum to clean their painted and textured floors.

Chairman Matuska asked if they would be able to prevent seepage of liquid waste from going under the framed walls.

Ms. Shafer stated the building was separated by concrete walls and the walls had rubber baseboards. She said the employees will clean messes as they happen.

In response to Member Biacsi’s concern about dogs getting excited and relieving themselves, Ms. Shafer said the entrance would have textured floors and would include holding pens to allow the dogs time to adjust before entering the daycare. She said there
would be a small holding pen inside the front door, and a space where the dog and owner could check-in. She said there would be an additional holding pen in an area where leashes would be removed.

Member Biacsi asked how they would clean up outside if the dog relieved themselves outside of the building.

Adam Schafer, applicant, stated they would use NSF and kosher-certified products that were safe for humans and animals. He said the products were for indoor and outdoor use. He also noted the concrete would be sealed for easy clean-up.

Member Biacsi stated he was pleased to know they would be policing the outdoor clean-up.

Chairman Matuska noted this was the time and place scheduled to conduct a public hearing, noting the phone lines were open by calling (702)-589-9629.

No comments were offered in person or by phone, and the hearing was declared closed.

**Motion:** Approve Resolution No. 1209 for CU-22-271.

**Moved by:** Member Di Teresa  
**Seconded by:** Chairman Matuska

**Vote:**

**AYE:** Chairman Paul Matuska, Members Ernest Biacsi, Beth Bonnar, Matt Di Teresa, Nate Lasoff, Thomas Marvin, Steve Rudd (via teleconference) (7)

**NAY:** None (0)

**Absent:** None (0)

The motion was approved.

3. For possible action: **AM-22-357 – Resolution No. 1210 – City of Boulder City:** A public hearing and recommendation to the City Council on a proposed amendment to Section 11-25-6.A of the City Code regarding landscaping for multi-family uses

A staff report had been submitted by City Planner Susan Danielewicz and included in the April 20, 2022 Agenda Packet.

City Planner Danielewicz provided a brief overview noting an immediate need to modify landscape requirements for multi-family developments. She said the change allowed for an alternate standard to use landscaping which provided living plant coverage at maturity over at least 50% of the ground area. She said this standard matched the requirement of the Southern Nevada Water Authority’s (SNWA) landscape rebate program to remove grass. She said SNWA required plant coverage over at least 50% of the area when turf was removed. She also noted State law had recently changed which requires these types of developments to remove non-functional turf by 2027.
Member Biacsi asked why the change only applied to multi-family developments.

City Planner Danielewicz said the City Code landscape requirements did not apply to single-family developments.

Chairman Matuska restated the text amendment would allow flexibility for multi-family developments to meet the future requirements proposed by the State and to take advantage of SNWA rebates.

Chairman Matuska noted this was the time and place scheduled to conduct a public hearing, noting the phone lines were open by calling (702)-589-9629.

No comments were offered in person or by phone, and the hearing was declared closed.

**Motion:** Approve Resolution No. 1210, a recommendation on AM-22-357.

**Moved by:** Chairman Matuska  
**Seconded by:** Member Lasoff

**Vote:**

**AYE:** Chairman Paul Matuska, Members Ernest Biacsi, Beth Bonnar, Matt Di Teresa, Nate Lasoff, Thomas Marvin, Steve Rudd (via teleconference) (7)

**NAY:** None (0)

**Absent:** None (0)

The motion was approved.

4. **Monthly Progress Report on Development Allotments**

A staff report had been submitted by City Planner Susan Danielewicz and included in the April 20, 2022 Agenda Packet.

City Planner Danielewicz noted all permits have been issued for all lots in the Boulder Hills Estates subdivision.

5. **Public Comment**

Chairman Matuska opened the final public comment period and indicated the number to call was 702-589-9629.

No comments were offered in person or by phone, and the public comment period was closed.

Chairman Matuska adjourned the meeting at 5:33 p.m.
Item 2 - BC No. 114

SUBJECT:
For possible action: RPS Properties, LLC – Resolution No. 1211 – Diamond Ridge, BC No. 114 – North portion of Tract 6 (north of Northridge Drive, east of Arizona Street and Avenue M):
A public hearing and recommendation to the City Council on a Tentative Map for a proposed 15-lot subdivision in the R1-10, Single-Family Residential Zone

ADDITIONAL INFORMATION:

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item 2 report</td>
<td>Cover Memo</td>
</tr>
<tr>
<td>PC Reso 1211</td>
<td>Resolution Letter</td>
</tr>
<tr>
<td>Item 2 backup</td>
<td>Backup Material</td>
</tr>
<tr>
<td>blank page</td>
<td>Backup Material</td>
</tr>
</tbody>
</table>
TO: Planning Commission
FROM: Susan Danielewicz, City Planner
Community Development Department
DATE: May 12, 2022
SUBJECT: RPS Properties, LLC – Resolution No. 1211 – Diamond Ridge, BC No. 114 – North portion of Tract 6 (north of Northridge Drive, east of Arizona Street and Avenue M): A public hearing and recommendation to the City Council on a Tentative Map for a proposed 15-lot subdivision in the R1-10, Single-Family Residential Zone

Action Requested: That the Planning Commission conduct the required public hearing and consider adoption of Resolution No. 1211 (Attachment 1) for a recommendation on an application (Attachment 2) for a Tentative Map for BC Subdivision No. 114 as noted above. A location map is Attachment 3 and the Tentative Map is Attachment 4.

Overview:
- The proposed subdivision is for 15 lots in the R1-10, Single-Family Residential Zone.
- The applicant is requesting approval for two exceptions from the provisions of Chapter 11-39: 1) to have street grades in excess of 6%, and 2) to not match existing right-of-way widths for the new street extensions.

Applicant / Owner: RPS Properties, LLC (Randy Schams)

Location: Approximately 5.35 acres north of Northridge Drive, east of Arizona Street and Avenue M

Assessor’s Parcel No.: 186-04-802-003

Zoning: R1-10, Single-Family Residential

Update: This same subdivision was approved by the City for a tentative map in 2016 (as Diamond Ridge, BC No.111). As the developer did not pursue approval of the final map within four years of approval of the tentative map, per the provisions of NRS 278.360.1(b) that tentative map...
expired. The developer is now moving forward with the subdivision, now known as Diamond Ridge, BC Subdivision No. 114. The map is for the most part the same as the map reviewed in 2016; minor differences are noted below.

**Background Information:** This 5.35-acre property is vacant. Subdivision of land is a legal right when the new lots or units conform to the existing zoning on the property and the adopted regulations of the City, County and State. A tentative map gives the developer official approval to proceed with a final map, which is then recorded and allows for the sale of lots. The City’s growth control ordinance does not govern the subdivision of land; it governs the issuance of building permits for homes. A change from the 2016 proposal is that for this map the applicant’s engineer indicated “No model homes. Just for sale lots is the current plan.” Another change is that, per City direction, there will be no off-site grading on city-owned land.

**Comments:** The applicant has submitted a tentative map for a 15-lot residential subdivision in compliance with the applicable standards for the R1-10 zone (minimum lot size of at least 10,000 square feet). All of the lots are at or over the minimum size and width, and the density of this subdivision is 2.8 units per acre. The lots will be served by extensions of Arizona Street and Northridge Drive, with Northridge Drive stubbed to the vacant City land to the north. In accordance with code requirements, the developer will also improve the existing portion of Arizona Street leading into the new subdivision. The subdivision can be served by extension of existing utilities in the area, at the developer’s expense. There will be no common areas in the subdivision, and no CC&R’s or homeowners’ association. Prior information from Nevada Title Company indicated that there were no existing easements over the property.

**Grades:** The tentative map includes a draft grading plan, shown on sheets 3 through 8. Although the City’s ordinance does not guarantee views, Section 11-39-7.U states that “the subdivision will retain all natural features, to a reasonable degree …” and that “the layout and design of the subdivision will not unreasonably impair scenic views”. In this case the subject parcel has existing hilly portions that are much higher than the surrounding lots. There will be a significant amount of cut and fill on the property so that the new homes will have positive drainage towards the new streets. A summary of grading as it relates to neighboring lots is Attachment 5.

More engineering detail will be submitted with the improvement plans when a final map is submitted later. Any further changes regarding grading and retaining walls will be reported to the Planning Commission and City Council with the review of the final map. A sheet is attached showing the changes in proposed pad grades and retaining wall heights as compared to the 2016 version (Attachment 6).

**Exception Requests:** Section 11-39-9 of the City Code provides that the City Council, upon recommendation of the Planning Commission, may permit variations from the requirements of Chapter 11-39 (Subdivisions) for a tentative map if determined to be warranted because of the size, shape, use, physical or other conditions of the property or type of subdivision. Two exception requests are summarized below.

**Exception Request 1 / Street grades:** Section 11-39-7.H states that “grades … shall be subject to the approval of the City Engineer…,” and subsection H.1 states that “… street grades in excess of 6% will be approved for only such distances as topographical
conditions will make a lesser grade impractical. However, no street grade will be in excess of 15% unless approved by the Planning Commission.” As for the 2016 proposal, for the new part of Arizona, the highest grade slope shown is shown as 10% and for the new part of Northridge Drive the highest grade slope shown is 8.43%. iv

The applicant’s engineer has provided a written justification (Attachment 7) for this request, based on the extreme topography of the property; his letter states that there are similar grades over 6% on the streets/alley in the immediate vicinity. The City Engineer reviewed the map and does not oppose this request for this property.

Exception Request 2 / Match r.o.w.: New street rights-of-way must conform to City requirements, which have changed over the decades. For several decades the City used a 60’ r.o.w. standard, which includes a 41’ wide road (37’ street plus 2’ curb/gutter each side), 5’ sidewalks each side, and 4’6” additional r.o.w. behind the sidewalk each side. Later the City transitioned to a 51’ r.o.w. standard, which includes the same 41’ wide road/curb/gutter and 5’ sidewalks on each side, but then just has a 4’6” easement area behind the sidewalks instead of additional r.o.w. (to be shown on the final map). In this area the existing Northridge and Arizona r.o.w. are 60’ in width, and the developer is requesting to use the City’s more recent standard of 51’. The developer’s engineer has provided a written justification for this request (Attachment 7), noting that the new street improvements will match the physical improvements (street, sidewalk) for Northridge Drive. For Arizona Street, the existing street width is narrower than for streets built in later years (although it still has a 60’ r.o.w.). To avoid creating problems with the grade for an existing driveway to 396 Arizona Street, the developer plans to leave the existing narrower section as is (outside of his development), and transition to the wider street within the new development. In other words, the existing portion of Arizona is a narrower street within a 60’ r.o.w., which will transition into a wider street within a 51’ r.o.w. Staff does not oppose this request. New sidewalks will connect with existing sidewalks on Northridge Drive, and will also be constructed and replaced on the existing portion of Arizona Street abutting the new subdivision.

The tentative map has been referred to other City departments for review and comment. Comments received have been corrected by the developer and engineer. The attached resolution contains a couple of standard conditions of approval to be satisfied with the later submittals of the final map.

**Requested Action:** That the Planning Commission hold the public hearing, deliberate and then make a motion to either recommend approval or denial of the request, using alternate draft motion language as follows:

RECOMMEND APPROVAL: “I move to approve Resolution No. 1211, which includes findings and conditions for a recommendation in favor of the Tentative Map for BC No. 114, including the requested exceptions.”

or

RECOMMEND DENIAL: “I move to recommend denial of the Tentative Map for BC No. 114, based on the finding(s) that ……”

*(If the Commission wishes to recommend denial of the request, appropriate findings of fact need to be provided.*) NOTE: A subdivision map cannot be denied when code requirements have been met. The only discretionary matters for this subdivision would be related to the two requested exceptions, or for the proposed grading.
The Planning Commission’s recommendation (for or against) will be forwarded to the City Council for consideration. (A recommendation cannot be appealed, as it is not a final action by the Commission.)

**Attachments:**
- Attachment 1: Resolution No. 1211
- Attachment 2: Application
- Attachment 3: Location Map
- Attachment 4: Tentative Map (11 sheets, including 2 hydrology sheets)
- Attachment 5: Grading summary
- Attachment 6: Tables showing changes in pad grades/wall heights
- Attachment 7: Letter from engineer (8-24-2021) regarding exception requests
- Attachment 8: Photos
- Attachment 9: Minutes of meetings for prior BC No. 111, tentative map:
  - Planning Commission, 2016-02-17
  - City Council, 2016-05-10

**Additional Attachments for Commissioners:**
- Tentative Map (9 sheets, 11” x 17”)

SD09400B.docx

---

i Arizona Street does not currently conform to City standards, as it was originally built during the federal period and currently only serves the purpose of providing access to a driveway and the alley behind the lots on Avenue M.

ii There are a few existing utility poles that appear to be jointly on the property line for this subdivision where it abuts the subdivision to the south. The City plans to remove electrical service off these poles and place it underground to serve the lots on La Plata Place. There are still other utilities on these poles, and notes on the tentative map state “Ex. power pole to be removed by developer once communication services have been removed.” The developer is responsible for contacting those utilities (ex.: phone, cable) to have them underground their services. A pole shown at the southeast corner of the project will be relocated to abutting city-owned land.

iii Note: An aspect of grading for the 2016 map was for the proposed sidewalk ramps at the intersection of Northridge and Arizona, regarding ADA (Americans with Disability Act) requirements. A condition of the tentative map approval was that this issue be resolved with the final map improvement plans, which are the detailed construction drawings for the subdivision. According to City Engineer Jim Keane, for this latest map the sidewalk ramps were individually designed to be ADA compliant. Due to the proposed street grades standard details for the ramps could not be used at most locations.

iv The 2016 map as reviewed by the Planning Commission had the highest street grade at 8.5%. Some map revisions were subsequently made to address other grading issues, and the version that was approved by the City Council had a maximum street grade of 10%. Note: As shown on grading sheets 3 and 4, there are multiple slopes along different portions of each street; a maximum street grade of 10% does not mean the entire street is at that grade.
PLANNING COMMISSION RESOLUTION NO. 1211

RESOLUTION OF THE PLANNING COMMISSION OF BOULDER CITY, NEVADA, TO RECOMMEND TO THE CITY COUNCIL A TENTATIVE MAP FOR DIAMOND RIDGE, BC NO. 114

WHEREAS, Randolph Schams, on behalf of RPS Properties, LLC, has submitted an application for a Tentative Map for Diamond Ridge, BC No. 114, a 15-lot residential subdivision in the R1-10, Single-Family Residential Zone for property north of Northridge Drive and east of Arizona Street and Avenue M (APN# 186-04-802-003); and

WHEREAS, On May 18, 2022 the Boulder City Planning Commission considered the proposed Tentative Map at its regularly scheduled public meeting; and

WHEREAS, Said Tentative Map appears to be in substantial compliance with the applicable requirements of Title 11 of the City Code and the Subdivision Act of the State of Nevada; and

WHEREAS, The Boulder City Planning Commission has been requested to consider two Exceptions pursuant to the provisions of Section 11-39-9 of the City Code;

NOW, THEREFORE, BE IT RESOLVED that the Boulder City Planning Commission does hereby recommend approval of the submitted Tentative Map for Diamond Ridge (BC No. 114) based on the findings:

1. That the Tentative Map substantially complies with the applicable provisions of Chapter 11-39 (Subdivisions) and the Subdivision Act of the State of Nevada.

2. That the Tentative Map for a 15-lot residential subdivision is compatible with the existing developments in the vicinity.

3. That the Tentative Map complies with applicable R1-10 zoning requirements.

4. That an Exception as per Section 11-39-9 of the City Code to have street grades in excess of 6%, up to 10%, is recommended for approval based on the criteria in Section 11-39-9.A (size, shape, use, physical or other conditions of the property or the type of subdivision).

5. That an Exception as per Section 11-39-9 of the City Code to allow the new streets with a 51’ r.o.w. is recommended for approval based on the criteria in Section 11-39-9.A (size, shape, use, physical or other conditions of the property or the type of subdivision).
BE IT FURTHER RESOLVED that the Boulder City Planning Commission does hereby recommend approval of the submitted Tentative Map for Diamond Ridge (BC No. 114) subject to the following conditions:

1. Improvement plans for development of the entire project will be prepared by the developer’s professional engineer and submitted with the Final Map.

2. The developer is required to submit a performance bond for the entire site improvements prior to recordation of the Final Map.

BE IT FURTHER RESOLVED that the appropriate officers of the City are hereby authorized and directed to take the necessary and appropriate action indicating the Planning Commission’s recommendation of approval.

DATED and APPROVED this 18th day of May, 2022.

Paul Matuska, Chairman

ATTEST: Tami J. McKay, City Clerk
**Boulder City, Nevada**
Community Development Department

**ZONING APPLICATION FORM for MAPS**

<table>
<thead>
<tr>
<th>CHECK ONE:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>□ PRELIMINARY MAP</td>
<td></td>
</tr>
<tr>
<td>□ TENTATIVE MAP</td>
<td></td>
</tr>
<tr>
<td>□ FINAL MAP</td>
<td></td>
</tr>
<tr>
<td>□ AMENDED MAP:</td>
<td>Tentative ■ Final ■</td>
</tr>
<tr>
<td>□ PARCEL MAP</td>
<td></td>
</tr>
<tr>
<td>□ PLANNED UNIT DEVELOPMENT</td>
<td></td>
</tr>
<tr>
<td>□ OTHER:</td>
<td>Reversionary ■ Vacation ■</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff Use Only</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>File No.受</td>
<td>BC No. 1144-TM</td>
</tr>
<tr>
<td>Acceptor</td>
<td>SD</td>
</tr>
<tr>
<td>Filing Date</td>
<td>05/10/2021</td>
</tr>
<tr>
<td>Hearing Date</td>
<td></td>
</tr>
<tr>
<td>Fee Paid</td>
<td>√ $ 55.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>APPLICANT</th>
<th>PROPERTY OWNER</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NAME</strong></td>
<td>RPS PROPERTIES, LLC.</td>
</tr>
<tr>
<td>PO BOX 60277</td>
<td></td>
</tr>
<tr>
<td>BOULDER CITY, NV 89006</td>
<td></td>
</tr>
<tr>
<td>702-682-8282</td>
<td></td>
</tr>
<tr>
<td>Check: Work ■ Cell X ■ Home □</td>
<td></td>
</tr>
<tr>
<td>EMAIL</td>
<td></td>
</tr>
</tbody>
</table>

| **MAILING ADDRESS**                | **MAILING ADDRESS**  |
| BOULDER CITY, NV 89006             | BOULDER CITY, NV 89006 |

| STREET ADDRESS or LEGAL DESCRIPTION: | APN 186-04-802-003 |

**APPLICATION**: Application must specify the nature of the request pursuant to the provisions of City Code, Title 11. Application is to permit the following:

The request is for a Tentative Map to develop 15 single family lots within the R1-10 (10,000 sq.ft. min) zoning district

Number of lots or units: 15

**AFFIDAVIT**: I do hereby solemnly swear or affirm that all statements contained in this application are true and correct to the best of my knowledge and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for refusal to approve this application.

**PRINT Applicant Name**

**SIGNATURE of Applicant**

State of **NEVADA**, County of **Clark**

**Subscribed and sworn to (or affirmed) before me on (date)**

4/21/2021

by [name(s) of person(s) making statement]

**Signature of notarial officer**

(Notary stamp)→

Original: Community Development / APP-ZONE / Revised 2019-01-10
FOR CITY USE ONLY

File No.: BC 114, TM

(date fees paid: 05/06/2021)

<table>
<thead>
<tr>
<th>PLANNING COMMISSION</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Notices Mailed:</td>
<td>05/05/2022</td>
<td></td>
</tr>
<tr>
<td>Date Property Posted:</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Date of Newspaper Notice:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Distance Requirement:</td>
<td>300’</td>
<td>Properties within distance: 40</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No. of notices sent: 35</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No. of mobile home parks (rental) included in mailing: 0</td>
</tr>
</tbody>
</table>

DATE / PLANNING COMMISSION ACTION (if applicable):

05/18/2022:

<table>
<thead>
<tr>
<th>ALLOTMENT COMMITTEE</th>
<th></th>
<th></th>
</tr>
</thead>
</table>

DATE / ALLOTMENT COMMITTEE ACTION (if applicable):

<table>
<thead>
<tr>
<th>CITY COUNCIL</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Notices Mailed:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date Property Posted:</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Date of Newspaper Notice:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Distance Requirement:</td>
<td></td>
<td>Properties within distance:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No. of notices sent:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No. of mobile home parks (rental) included in mailing:</td>
</tr>
</tbody>
</table>

DATE / CITY COUNCIL ACTION (if applicable):

Additional comments:
Grading summary for BC No. 114

Regarding abutting properties (referencing map sheets 3, 4 and 9; “new” lots are those in proposed BC No. 114):

- There are 6 new lots abutting 6 existing lots to the south; due to existing grades all of the new lots are higher in elevation than the existing lots. Reference Attachment 6 for proposed pad grades of new lots, and the changes as compared to the prior 2016 map. That sheet also shows the changes in proposed retaining wall heights abutting neighboring lots as compared to the 2016 version.

- Four of the new lots (11 – 14) are shown with a double retaining wall at the rear abutting existing lots to the south; heights of these retaining walls are shown between 4.6’ and 10’ for the lower walls (down from max 11.4’ previously) and between 6.7’ and 12.0’ for the upper walls (up from 2.7’ previously). Per the applicant’s engineer, the 6’ wide area between the double retaining walls will have rock for ground cover. (Note: the owners of the new lots will have the legal responsibility for maintenance of these areas, but for all practical purposes those areas will only be visible to and accessible from the lots to the rear along La Plata Place.)

- Two of the new lots (15 and 1) are shown with a single retaining wall at the rear/side of the lots abutting existing lots to the south:
  - For Lot 15 the rear retaining wall height will be between 3.3’ and 5.3’ (down from max 6’ previously).
  - For Lot 1 the side retaining wall height will be between 0’ and 4.6’ (same as before).

- For existing abutting lots on La Plata Place, a note on the map indicates that the existing masonry wall will be protected in place. (Reference photos, Attachment 8.)

- There will also be a double retaining wall along the west side of new lot 11 abutting the existing alley.
Comparing the 2016 version (BC 111) with the 2022 version (BC 114), for Tentative Map

Proposed pad elevations for each lot:

<table>
<thead>
<tr>
<th>Lot No.</th>
<th>Existing range of grades, approx.</th>
<th>Pad Grades per TM reviewed by CC 2016</th>
<th>Pad Grades per 4th TM 2022</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2520 – 2530</td>
<td>2520.2</td>
<td>2520.2</td>
<td>Same</td>
</tr>
<tr>
<td>2</td>
<td>2530 – 2545</td>
<td>2526.6</td>
<td>2526.6</td>
<td>Same</td>
</tr>
<tr>
<td>3</td>
<td>2545 – 2565</td>
<td>2531.9</td>
<td>2531.9</td>
<td>Same</td>
</tr>
<tr>
<td>4</td>
<td>2550 – 2570</td>
<td>2538.0</td>
<td>2538.0</td>
<td>Same</td>
</tr>
<tr>
<td>5</td>
<td>2540 – 2560</td>
<td>2538.7</td>
<td>2538.7</td>
<td>Same</td>
</tr>
<tr>
<td>6</td>
<td>2540 – 2560</td>
<td>2531.8</td>
<td>2531.8</td>
<td>Same</td>
</tr>
<tr>
<td>7</td>
<td>2555 – 2580</td>
<td>2539.9</td>
<td>2539.9</td>
<td>Same</td>
</tr>
<tr>
<td>8</td>
<td>2550 – 2590</td>
<td>2541.0</td>
<td>2541.0</td>
<td>Same</td>
</tr>
<tr>
<td>9</td>
<td>2540 – 2585</td>
<td>2537.4</td>
<td>2537.2</td>
<td>-0.2</td>
</tr>
<tr>
<td>10</td>
<td>2530 – 2555</td>
<td>2533.6</td>
<td>2533.6</td>
<td>Same</td>
</tr>
<tr>
<td>11</td>
<td>2520 – 2530</td>
<td>2535.3</td>
<td>2534.8</td>
<td>-0.5</td>
</tr>
<tr>
<td>12</td>
<td>2520 – 2535</td>
<td>2540.6</td>
<td>2540.6</td>
<td>Same</td>
</tr>
<tr>
<td>13</td>
<td>2525 – 2545</td>
<td>2541.0</td>
<td>2541.0</td>
<td>Same</td>
</tr>
<tr>
<td>14</td>
<td>2525 – 2545</td>
<td>2532.4</td>
<td>2536.2</td>
<td>+3.8</td>
</tr>
<tr>
<td>15</td>
<td>2525 – 2545</td>
<td>2529.7</td>
<td>2529.7</td>
<td>Same</td>
</tr>
</tbody>
</table>

Retaining walls for lots abutting La Plata Place and Northridge Drive to the south:

<table>
<thead>
<tr>
<th>Lot No.</th>
<th>Retaining walls per TM reviewed by CC 2016</th>
<th>Retaining walls per 4th TM 2022</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>4.6’, 0’</td>
<td>4.6’, 0’</td>
<td>Same</td>
</tr>
<tr>
<td>15</td>
<td>6’, 3.3’</td>
<td>5.3’, 3.3’, 3.3’</td>
<td>-0.7’, Same</td>
</tr>
</tbody>
</table>

Relative to Section 11-20-4.B.3 for max. 6’ single wall height facing public streets:
- Lot 15 now has a double retaining wall shown facing Northridge Drive, with the following heights per sheet 4: Lower: 3.3’, 2.7’, 4.7’ Upper: 4.7’, 4’, 4’, 0.7’
- Lot 6 now has a retaining wall shown facing Northridge/Arizona for the sidewalk ramp, with the following heights per sheet 4: 1.4’, 0.7’, 5’

Note: Proposed grades and retaining wall heights may change between the Tentative Map and the future submittal of the Improvement Plans in conjunction with the Final Map. This chart will be updated for any changes between these maps.
August 24, 2021

City of Boulder City
Community Development Department
401 California Avenue
Boulder City, NV 89005

Re: Diamond Ridge Waiver Request
(APN(s): 186-04-802-003)

Dear Mr. Mays,

Per4mance Engineering, LLC on behalf of the applicant, RPS Properties, LLC, respectfully submits this justification letter in support of the Waiver application for the subject development. We are currently requesting a waiver to two City Codes 1) Maximum Street Grade 6%, City Code 11-39-7 H; 2) The ROW continued north along Northridge Estates has been reduced from 60-ft south of the project to 51-ft within the project.

1) Street grades exceeding 6% require approval from the City Engineer
The following paragraph was presented as a comment from Public Works within our Tentative Map comments:

“Reference City Code 11-39-7 H, this requires street grades of no greater than 6% unless topographical conditions exist. Based on the fact that this subdivision is above adjacent properties and can be graded down, topographical restrictions are not relevant and therefore the 6% maximum grade for streets must be met. By meeting the maximum street grade requirements, the ADA ramps required at Arizona and Northridge should meet ADA standards”

The following is presented as justification for the waiver to allow interior subdivision streets in excess of 6%.

The Diamond Ridge site as it currently sits in its undisturbed condition has an elevation change from 2594-feet to 2517-feet. This equals a slope of 21.3-percent. A slope of 21.3-percent over a distance of 360-feet cannot be considered not relevant. If you look at the elevation change in Lot 8 alone it is approximately 24.1-percent (2594-ft to 2555-ft). If you are to look at the grades just within the Arizona Street future alignment there is a natural high point around Lot 14. The elevation change from this high point west to the intersection of Arizona Street and the subject property boundary is 28-feet or a percentage of 10.4-percent. So the terrain associated with this project cannot just be deemed irrelevant. This site poses substantial grade issues associated with development of this site. The grading task for this development will involve export of around 75,000 cubic yards of dirt at a substantial cost. Any lowering of the roads to meet 6-percent max slope would involve substantial additional export and substantial additional costs. The net result would become this project would be too expensive to develop. In addition, the offsite streets that we are proposing to tie into consist of grades in excess of 6-percent in their existing condition. Northridge Drive is 7.47-percent at the location we are proposing to extend the street. The existing Alley shows a slope of 7.02-percent. Arizona Street from Avenue M to its existing high point is right around 7.0-percent slope also. Based on the above facts and/or limitations the
developer is requesting the City Engineer to waive the maximum grade slope of 6-percent. To address ADA requirements. ADA requirements are currently only required in Public Rights-of-way. In single family detached subdivisions their maximum grade of 5-percent does not apply. It states that within single family detached subdivisions the sidewalk slopes follow the street grades of the subdivision.

2) **As an extension of the existing streets, right-of-way widths and improvement configuration for proposed streets match existing. Reference City Code 11-39-7 D & G.**

   **Streets:**
   The streets in subdivisions shall conform in width and alignment with that shown or indicated in the Comprehensive plan of Streets and Highways as adopted or as may be amended, or as shown on precise plans which have been adopted.

The following is presented as justification for the waiver to not match the proposed right-of-ways with the existing Arizona Street (60-ft ROW) and Northridge (60-ft ROW).

Arizona Street is transitioning from a local collector street to an internal single family detached home subdivision residential street that services 15 lots and terminates at Northridge Drive. We feel the 51-ft Public right-of-way is sufficient for the intent of this road in this area.

Northridge Drive extension – Northridge Drive is an existing 60-ft right-of-way south of the subject development. The cross section consists of the same pavement section, curb, gutter, and sidewalk as proposed in the 51-ft section within the subdivision. The only difference is 4.5-ft of landscaping within the right-of-way behind the sidewalk on each side of the street. We feel this additional 9-ft of right-of-way would create issues with site design if continued to the north through the Diamond Ridge subdivision. Due to the elevation changes in the subdivision it creates complications in designing Northridge as a 60-ft right-of-way. Also the odd shape of the subject property along the east boundary limits design options. For example, in order to carry a 60-ft ROW through the development the road would have to be shifted west to maintain the minimum lot depths for lots 1-4. In order to do this a minimum centerline radius of 300-feet must be used (per City Code). The net result of having to adjust the street and add the code required centerline radius would effectively eliminate two lots from the subdivision. So due to the constraints with terrain and design constraints we respectfully request a waiver to allow the interior streets to be at 51-ft right-of-way as opposed to 60-ft right-of-way.

If you have any questions, please contact our office.

Thank You,

Ray Fredericksen, P.E.
President
From Arizona Street looking NE (wall is at 396 Arizona)

From alley looking N
From alley looking S towards La Plata Place

From alley looking SE towards La Plata Place
BC 114 PHOTOS, May 2022
From Northridge looking W towards La Plata (rear of lots)
From Northridge looking N (515 Northridge on right)
EXCERPT OF MINUTES
PLANNING COMMISSION REGULAR MEETING
February 17, 2016
(Agenda previously posted in accordance with NRS 241.020.3(a))

Present: Chairman Jim Giannosa
Commissioner Cokie Booth
Commissioner Glen Leavitt
Commissioner Paul Matuska
Commissioner Randy Schams

Absent: Commissioner Fritz McDonald
Commissioner John Redlinger

Also present: City Planner Susan Danielewicz
City Engineer Jim Keane
Deputy City Clerk Tami McKay

PUBLIC COMMENT

Chairman Giannosa noted this was the public comment period for matters pertaining to items on the agenda.

Verne Stewart said he and his neighbors wondered if the developer of Diamond Ridge BC would be required to conduct pre- and post- inspections of neighboring homes to determine potential damage caused by the construction. He also asked that the development be limited to single-story homes only. He recommended the contractor hire an exterminator weekly for rodent control and to provide a cleaning service weekly to wash the windows and keep the exterior of the neighboring homes free from dust caused by the construction. He said he was concerned about potential asbestos, and although it’s not regulated by the State of Nevada, he would like to keep his home free from contamination. He asked that the developer use the same precautions that are being used for the construction of I-11.


Chairman Giannosa and Member Schams noted they would be abstaining from voting on this matter, due to their involvement with the project. Member Schams stepped down from the dais, being the applicant.
A staff report had been submitted by City Planner Danielewicz and included in the Agenda packet.

City Planner Danielewicz provided a detailed overview of the staff report noting the proposed subdivision is for 15 lots in the R1-10, Single-Family Residential Zone. She noted the applicant is requesting approval for two exceptions. The first exception is to have some of the street grades in excess of 6% and the second is to not match existing right-of-way widths for the new street extensions. She said all proposed lots meet lot size and width requirements. She said the neighbors are most likely to be concerned about draft grading which would mostly affect the lots on La Plata Place. She said retaining walls are planned to be constructed. She said for the existing overhead power lines serving the homes on the north side of La Plata Place, a note on the map indicates that the existing power poles will be either relocated or protected in place. A new 6’ utility easement would be provided for additional access to those poles. However, she said the City is considering moving the electric underground which could also affect the placement of the retaining walls, and this will be resolved with the Final Map. She said the Tentative Map gives a preliminary approval to the developer with respect to the subdivision layout. She noted the Planning Commission’s job was not to approve the Tentative Map rather to forward recommendations to the City Council. She said numerous changes are typically worked out between the Tentative Map and Final Map approval. She noted the Public Works Department indicated the street grade request would not be opposed, but ADA requirements would need to be resolved.

In response to neighbor Mr. Stewart’s comments (under opening public comment) regarding requiring the developer to provide cleaning and rodent and other services, City Planner Danielewicz noted the City could only enforce its own laws and could not require a developer to comply with neighbors’ requests.

In response to Member Booth, City Engineer Keane explained sewer and water mains that run parallel to the street are the City’s responsibility and the perpendicular branch to the house, including the meter, is the responsibility of the homeowner.

In response to a question by Member Leavitt regarding the new lots, City Engineer Keane stated fire hydrants, transformers and other utility equipment would be located in an easement behind the sidewalk, rather than within extra right-of-way behind the sidewalk.

City Planner Danielewicz noted the current subdivision ordinance is being reviewed because many of the requirements may be outdated and no longer applicable. She said many older subdivision maps have easements in areas where they are not really needed.

In response to Member Leavitt, City Engineer Keane stated electrical lines could be located underneath sidewalks or streets.

In response to Member Booth, Ray Fredericksen, Per4mance Consulting and Engineering, stated the street grades in Tuscany Retreat were around 12%, and Tamarisk Heights is 6-7% which is similar to the grading proposed for Diamond Ridge.
He said he was available to answer any engineering related questions, and he introduced consultant Suzanne Thomas, stating she was available to answer any ADA (Americans with Disabilities Act) related questions.

Member Booth asked how it was possible to comply with ADA requirements in a hilly terrain.

Mr. Fredericksen said when it is not technically feasible to comply with ADA requirements, they are followed to the greatest extent possible. He said making sidewalk ramps comply with ADA can create other grading problems elsewhere relative to other requirements.

Suzanne Thomas, ADA and Disability Consultant, provided a brief history about her experience. She said she had been reviewing plans since 1975 and there are many ways to ensure compliance. She said she provides technical assistance for Title II entities and organizations covered by Section 504 of the Rehabilitation Act, which was around long before ADA and is also still in effect. She noted a Bill to ensure the safety of all users of the transportation system had not been approved by Congress yet, but in the meantime the Federal Highway Administration uses the Public Rights-of-Way Accessibility Guideline (PROWAG) as their standard. She said she had reviewed the plans for the proposed project and there is not a good way to make it comply with ADA. She said although it would be difficult to comply with ADA, compliance is required within the scope of the project and the spirit of the law should be followed as closely as possible. She said ADA and Section 504 were not meant to flatten the world or prohibit development; the laws intentionally have gray areas to allow flexibility to deal with problems. She noted many of the neighboring cities follow the practices set by Boulder City and suggested the plans be sent to the Washington DC committee/access board for review and evaluation of developments within a hilly terrain.

In response to Member Booth, Ms. Thomas explained the slope requirements for sidewalk curb-cuts. She said unfortunately the slope requirements could be met, but it typically creates a new problem elsewhere.

In response to Member Booth, Ms. Thomas said if the Tentative Map were approved as is, the City would not be in jeopardy with ADA. She said the developer is working to meet the spirit of the law, and working with an access board could help; doing your homework protects you.

City Planner Danielewicz noted that ADA requirements did not have to be resolved at the Tentative Map phase.

Randy Schams, owner and developer of Diamond Ridge, said the homes would all be single-story and that he was working diligently to comply with ADA requirements.

Member Leavitt said he has worked with ADA for a long time and was concerned about not conforming to ADA standards because, in his work with the Regional Transportation Commission (RTC), it could jeopardize future federal funding. He said he didn’t have a
problem approving the Tentative Map, but said the City Council would be concerned about approving a Final Map that did not conform to ADA standards.

Ms. Thomas said she understood the concerns about the on-going issues many entities continue to face, and said she offers training to businesses and governments to help them understand ADA requirements. She said the laws are not vague, just gray, which gives you room to work out problems. She did not recommend simply following what other cities do because they don’t always do their homework.

Member Leavitt said he believed the ADA laws were unclear and left up to interpretation. He noted the RTC has an attorney on staff that specifically deals with ADA issues.

Member Booth commended the developer for designing the project with only an 8% maximum street grade given the size of the hill.

Vice-Chairman Leavitt noted this was the time and place scheduled to conduct a public hearing and asked for public input.

Larry Karr said he resided on Northridge Drive and was concerned about cracked foundations caused by the nearby construction and wondered if the proper geologic studies had been done.

Glenn Frank said he hadn’t seen a site plan for the project and expressed concern about loss of access to the desert near his home. He suggested public trails be considered. He said he was concerned about the noise created by the construction.

Steve Bennett said he was concerned about the proposed retaining walls because, from his experience, they fail from water damage after a certain number of years. He asked that the walls would be waterproofed and sealed.

City Planner Danielewicz noted the plans were always available online in the agenda packet and also in the Community Development Department. Mr. Fredericksen provided a display copy of the map.

There being no further comments offered, Vice Chairman Leavitt closed the public hearing.

Mr. Fredericksen said he would address a few of the concerns discussed by the neighbors. He said retaining wall standards had changed in recent years and they would be followed; Northridge Drive would still offer access to the desert; noise ordinances would be followed; and picks would be used for grading instead of blasting.

In response to Member Matuska, City Engineer Keane said the City’s bonding would not cover cracked foundations; he said the City required bonds for public improvements only.
Mr. Schams said he had built more than 6,000 homes in his career and none of his projects had resulted in a cracked foundation. He said he would do soils testing and do his best to keep the dust at a minimum, using water and capping it every night. He said he would be willing to meet with neighbors to discuss the possibility of pre- and post-home inspections, although this is an invasive process and many people don’t want to go through it for privacy reasons. He said most of the heavy grading would be approximately 200 feet away from the nearest neighbor; he said a fill dirt area would be constructed behind the existing homes.

Member Booth said she was one of the first homeowners to move into Tuscany Retreat and had experienced no wall or foundation problems during the construction of the remaining homes in that development, just some dust.

**Motion:** Approve Resolution No. 1134.

**Moved by:** Member Booth. **Seconded by:** Member Leavitt.

**Vote:**

**AYE:** Member Cokie Booth, Member Glen Leavitt, Member Paul Matuska, (3)

**NAY:** None (0)

**Absent:** Member Fritz McDonald and Member John Redlinger (2)

**Abstain:** Chairman Jim Giannosa and Member Randy Schams (2)

The motion was approved.
Boulder City and Boulder Solar II, LLC, to amend the amount of required removal and restoration security for the project.”

Moved by: Council member Walker

Bill No. 1790 will be considered at the May 24, 2016 regular City Council meeting.

C. Resolution No. 6480, a resolution of the City Council of Boulder City, Nevada, approving Amendment No. 08-1228F, a temporary partial assignment of Agreement No. 08-1228, from Copper Mountain Energy, LLC, to SunPower Corporation, Systems, for a supply of water to the Boulder Solar Power, LLC, and Boulder Solar II, LLC, renewable energy projects, said assignment to be effective from the date of Council approval to January 1, 2017.

City Attorney Olsen provided an overview of staff report stating Copper Mountain Energy, LLC had agreed to allow Boulder Solar Power to use part of its water allocation during construction. He said the water allocation will revert back to Copper Mountain Energy LLC no later than December 31, 2016. He said the temporary assignment of the allocation required City approval.

Mayor Woodbury opened the public comment period. No comments were offered and the public comment period was closed.

Motion: Approve Resolution No. 6480.

Moved by: Council member McCoy. Seconded by: Council member Shuman.

Vote:

AYE: Mayor Rod Woodbury, Council member Peggy Leavitt, Council member Duncan McCoy, Council member Rich Shuman, Council member Cam Walker (5)

NAY: None (0)

Absent: None (0)

The motion was approved.

8. For possible action: Matters pertaining to Diamond Ridge, BC No. 111, a proposed 15-lot subdivision in the R1-10, Single-Family Residential Zone on property north of Northridge Drive and east of Arizona Street and Avenue M:

A staff report had been submitted by City Planner Danielewicz and included in the May 10, 2016 City Council Agenda Packet.

Community Development Director Armantrout provided an overview of the staff report stating the proposed subdivision was for 15 lots with a minimum lot size of 10,000 square feet. He said the Planning Commission had unanimously recommended...
approval including both exception requests. He provided an explanation of the two requested exceptions; a street grade in excess of 6%, and a 51’ r.o.w. versus the 60’ r.o.w. as designed on Northridge Drive. He said the r.o.w. reduction occurred on the back side of the sidewalk. He noted staff was not opposed to either exception. He stated the developer had also made a request to grade city land to make a smooth transition off of Northridge Drive.

In response to a question by Council member McCoy, Community Development Director Armantrout stated the award of allotments would be a subsequent process.

In response to questions by Council member Walker, Community Development Director Armantrout stated there would be barricades and signage at end of Northridge. He said the only concern expressed so far had been raised at the Planning Commission regarding opposition to 2-story homes.

In response to a question by Council member McCoy, Community Development Director Armantrout stated the intersection grades had to meet ADA requirements.

Developer Randy Schams provided an explanation regarding the reason for grading on city property stating it would help any future development blend in since the site grade would need to be raised to match the adjacent road.

A. Public hearing on a Tentative Map

Mayor Woodbury noted it was the time and place scheduled to conduct the public hearing on the Tentative Map.

No comments were offered and the public hearing was declared closed.

B. Consideration of Resolution No. 6481, a resolution of the City Council of Boulder City, Nevada approving a Tentative Map

**Motion:** Approve Resolution No. 6481.

**Moved by:** Council member Walker. **Seconded by:** Council member McCoy.

**Vote:**

**AYE:** Mayor Rod Woodbury, Council member Peggy Leavitt, Council member Duncan McCoy, Council member Rich Shuman, Council member Cam Walker (5)

**NAY:** None (0)

**Absent:** None (0)

The motion was approved.
Item 3 - Monthly Allotment Report

SUBJECT:
Monthly Progress Report on Development Allotments

ADDITIONAL INFORMATION:

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item 3 report</td>
<td>Cover Memo</td>
</tr>
</tbody>
</table>
TO: Planning Commission

FROM: Susan Danielewicz, City Planner, Community Development Department

DATE: May 12, 2022

SUBJECT: Monthly Progress Report on Development Allotments

As per the current Controlled Growth Management Plan, Section 11-41-13: “The Planning Commission shall review, on a monthly basis, a report...on each proposed development having an allotment award... Allotments awarded will be automatically rescinded if the building permit for the proposed development expires, or if no building permit is applied for and issued within one (1) year of the award of the allotments.”

As per a determination by previous City Attorney Andrews, projects for which no building permit for a property has been obtained within one year of the award are subject to expiration. If there are multiple buildings on the same property, and at least one permit has been obtained, then the remaining allotments will not automatically expire. (Condominiums are multiple units on a single property; townhomes are individual units on individual properties.)

CY = Construction Year (July 1 through June 30) CO = Certificate of Occupancy

**ALLOTMENTS FOR DEVELOPERS** (for residential units unless noted otherwise):

**AFDA-21-195 – MICHAEL GIROUX – 1409 DENVER STREET**
Council approved 1 allotment for CY 21-22 on 11/09/2021; permit issued 03/02/2022; no further progress to report.

**AFDA-21-194, (TRUSTS), 687 / 691 / 695 / 699 FLORENCE DRIVE, BC NO. 71**

**AFDA-19-192, GINGERWOOD MOBILE HOME PARK, 1300 GINGERWOOD ST**
Council approved 7 allotments for CY 19-20 on 10/22/2019 (site plan later revised to 6 spaces); work progresses for the excavation and other permits approved through Public Works. Expiration date: none for the individual homes as long as work on the current permit progresses (multiple units on a single property).
AFDA-17-188, BOULDER HILLS ESTATES - BC NO. 113, ADAMS & BRISTLECONE
127 lots total for Units 1, 2 and 3
Allotment status: 127 permits issued to date; 114 CO’s issued to date
CY 16-17, 30 allotments awarded, 7 allotments expired 4/24/2019, 23 permits issued
CY 17-18, 30 allotments awarded, 30 allotments expired 4/24/2019, 0 permits issued
CY 18-19, 30 allotments awarded, 0 allotments expired 30 permits issued
  *The above 30 allotments awarded count as replacement allotments for those expired*
CY 19-20, 30 allotments awarded, 8 allotments expired 1/14/2021, 22 permits issued
  *7 of the above allotments awarded count as replacement allotments for those expired*
CY 20-21, 30 allotments awarded, 0 allotments expired 30 permits issued
  *8 of the above allotments awarded count as replacement allotments for those expired*
CY 21-22, 22 allotments awarded by CC 09/14/2021 22 permits issued
  *8 reservations remain available if needed (in case any issued permits expire)*
CO’s issued previously: 110. New Certificates of Occupancy issued for 4 homes:
  1507 Great Sands – 04/19/2022
  1511 Great Sands – 04/26/2022
  1523 Great Sands – 04/28/2022
  1429 Cattail Falls – 04/26/2022
  *Work progresses on 13 homes:*
  Bryce Canyon: 1518, 1532
  Carlsbad: 1505, 1509, 1510, 1513, 1514, 1517, 1518, 1521, 1522
  Cattail Falls: 1433, 1437

AFDA-90-63, BOULDER LANDING - BC NO. 65, LAKE MOUNTAIN DRIVE
(30 allotments: CY 90-91; 29 CO's previously issued)
Expiration date for issuance of permits: None (condominiums).

**ALLOTMENTS FOR OWNER-BUILDERS:** The effective date for the most recent adoption of Chapter 11-41, Controlled Growth Management Plan, is 11/05/1996. As per the new Sections 11-41-14 and 11-41-15 of the City Code, building permits for owner-builders who are building on lots created after the effective date of this code (11/05/1996) are counted towards the total number of available allotments that Construction Year. Such owner-builders are exempt from the allotment process, so long as each owner-builder does not request more than one owner-builder permit on applicable lots during a three-year period.

To date there have been only three residential subdivisions recorded after 11/05/1996 where there could be permits obtained by owner-builders: BC No. 86 - Lake Mead View Estates No. 3, BC No. 88 - Arctic Desert View Estates (built out), and BC No. 96 - Alpine Estates. Otherwise, the only other applicable sites are parcels created after 11/05/1996 which are not within subdivisions.

**New Owner-Builders Allotments, permits issued during CY 2021-22:**
None this past month.

SD09364K.docx