

CITY OF NORTH LAS VEGAS PLANNING COMMISSION AND CITY COUNCIL RECOMMENDATIONS / COMMENTS

FROM: CLARK COUNTY DEPARTMENT OF AVIATION

APPLICATION: AMP-000014-2020, ZN-000023-2020, T-MAP-000016-2020

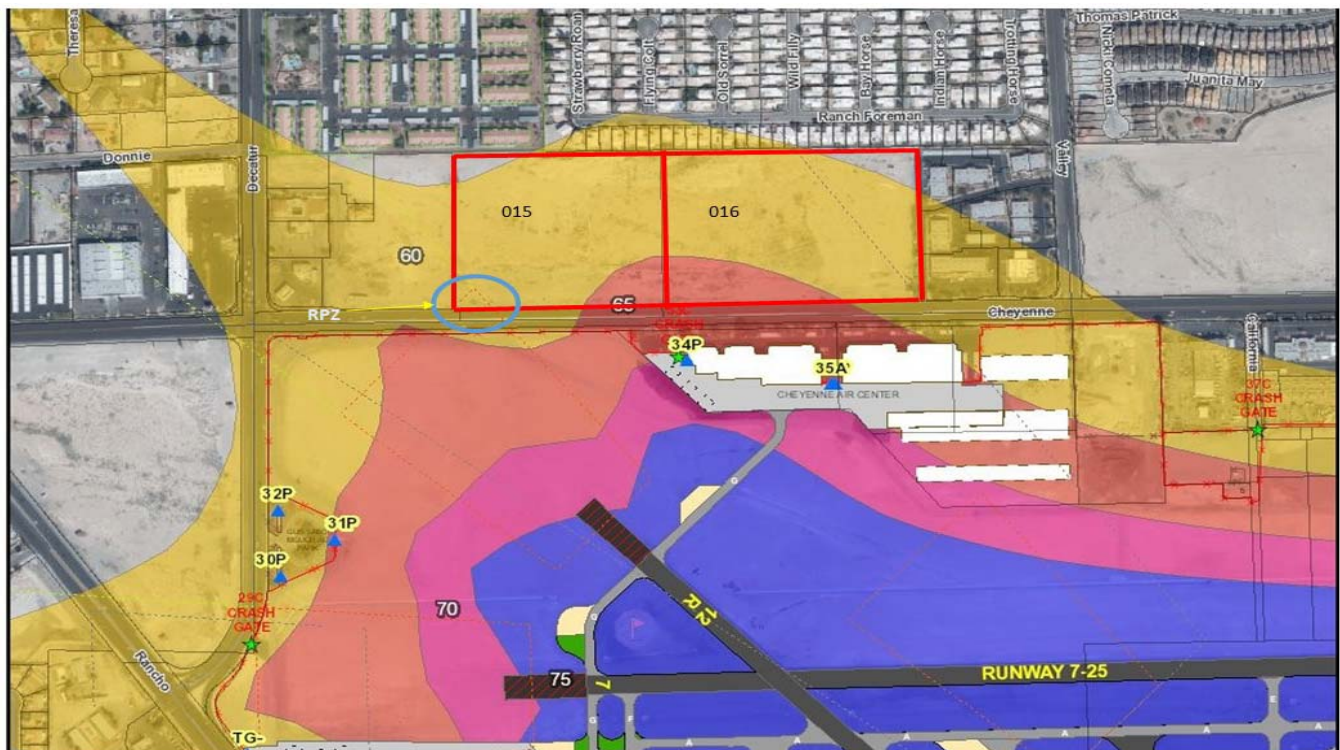
PROJECT: CHEYENNE & VALLEY, 144 SFU

LOCATION: 139-07-417-015, 016

MEETING DATE: JANUARY 13, 2021, PLANNING COMMISSION MEETING AND
FEBRUARY 3, 2021 CITY COUNCIL MEETING

COMMENTS:

The Clark County Department of Aviation (CCDOA) is extremely concerned about any proposed residential development at this location **and recommends denial of the application**. As depicted below, the proposed development (depicted by the red lines) lies within the official 65 and 60 decibel, A-weighted, day-night annual average noise levels (65 and 60 DNL) for the North Las Vegas Airport (VGT) and is subject to continuing aircraft noise and over-flights. The proposed project would increase the number of residential units exposed to a significant level of aircraft noise. In addition, a portion of this development lies within the VGT Runway Protection Zone (RPZ – circled, light blue). Only Airport and Agricultural Activity (Without Livestock) uses are permitted within an RPZ zone, per North Las Vegas Municipal Code – Table 17.16-10.



Official/Adopted Noise Contours for the North Las Vegas Airport



Close-up RPZ

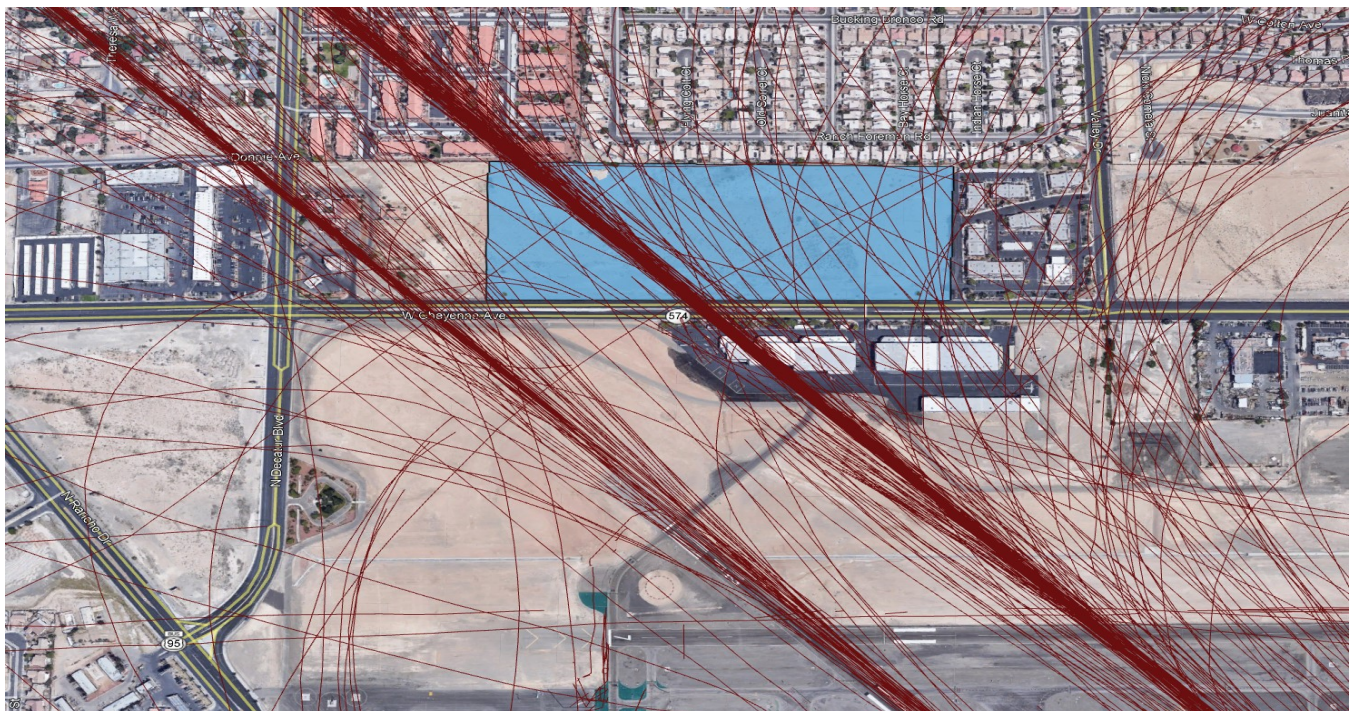
In June 2011, the City of North Las Vegas adopted the noise contours depicted above into Title 17. The 2011 update added the 60 DNL, while the 65 and higher DNLs remained unchanged from those adopted in October 1991. (It should be noted that the VGT noise contour map referenced by City of North Las Vegas staff, prior to the 2011 update, included this same 60 DNL.)

Since the mid 1980's, **the Federal Aviation Administration (FAA) has recommended that no new residential development be constructed within the 65 DNL and higher.** Since 1998, the FAA will no longer provide funds to purchase or soundproof residential units constructed after such date, if located within an existing DNL. The FAA's airport-related land use compatibility guidelines are provided in Title 14 of the Code of Federal Regulations, *Federal Aviation Regulations, Part 150, Airport Noise Compatibility Planning*. The FAA's guidelines are consistent with broader guidelines developed by executive branch agencies of the Federal Government, including the United States Department of Defense, the Federal Highway Administration, the United States Environmental Protection Agency, Veteran's Affairs, and the United States Department of Housing and Urban Development. For more than two decades, the CCDOA has opposed many, if not all, land use applications around airports owned and operated by the CCDOA, which have asked for an increase in residential densities in the 60 DNL and higher.

As depicted in the following two graphics below, the subject property (depicted by the light blue shading) lies approximately 0.2 miles / 982 feet from the primary departure runways for VGT and routinely exposed to numerous overflights. These flight patterns have been used since the 1940s, and the subject parcels should remain a non-residential use.



Typical Traffic Patterns at the North Las Vegas Airport



Typical Traffic Patterns at the North Las Vegas Airport - Detail

Future demand for air travel is expected to increase significantly. Daily operations at VGT have increased by 38% over the last ten years (from 384 average operations per day in 2009 to 529 in 2019). Additionally, the Final Environmental Assessment for the Proposed Runway 12L-30R for VGT, completed in May 1997, forecast that 70% more operations (or more than 900 average operations per day) could be accommodated at VGT sometime in the future.

The CCDOA and the Federal Aviation Administration has invested millions of dollars to improve VGT. If the City decides that the existing and future aircraft noise and overflight impacts, and the non-residential, existing land use to the south (major airport), which does not complement a residential project, are insufficient to warrant denial of the Cheyenne and Valley, 144 single family unit application, then future residents of the development who issue noise complaints, will be informed that the developer, its applicants and representatives, and the City of North Las Vegas were notified of the expected impact caused by airport operations, and that the City of North Las Vegas opted to approve the project despite these facts.

If the project is approved, as required by Title 17.16.050(J), the following conditions must be imposed:

- For that portion located within the AEOD, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the CCDOA;
- For that portion located within the AEOD, applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of each signed document to the CCDOA;
- For that portion located within the AEOD, applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and the Air Terminal Environs Overlay District for VGT;
- For that portion located within the AEOD, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35' in height or 25 decibels into the building construction for the habitable space that is less than 35' in height;
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998, and funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.
- No structures permitted within the RPZ.

Federal Aviation Regulations (14 CFR, Part 77) and North Las Vegas Code (Section 17.16.050.K) requires 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. Additionally, the proposed development will also likely penetrate the Part 77 – Primary, Approach, Transition, Horizontal, Conical surface(s).

- **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.



TANEY ENGINEERING

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December 8, 2020
LGH-19-038

City of North Las Vegas
Planning and Zoning Department
2250 Las Vegas Blvd N.
North Las Vegas, NV 89030

REVISED
12/8/2020
AMP-14-2020

Re: Cheyenne & Valley: Letter of Intent
(APN: 139-07-417-015 & 139-07-417-016)

To Whom It May Concern:

Taney Engineering, on behalf of our client LGI Homes – Nevada, LLC, is respectfully submitting justification for a 144-lot residential subdivision located at the northeast corner of W. Cheyenne Ave. and N. Decatur Blvd., APNs: 139-07-417-015 and 139-07-417-016. The site is currently zoned PUD (Planned Unit Development) and we are requesting for the site to be rezoned to R-CL. The existing land use of the property is Mixed-Use Employment. We would like to request the land use be changed to Single-Family Medium. We understand this will require a General Plan Amendment.

The open space requirement is 32,400 sf (225 sf per unit) with a total of 58,297 sf proposed. There will be 27,004-sf of open space for a group/organized play area located directly north of the subdivision entrance on Tonto St. Within this 128' wide amenity there will be pathways (attached sidewalks), resting benches, dog stations, 24" box trees, and ADA accessibility.

The approximate timeline of construction is as follows:

Construction commencement: approximately July, 2021
Construction completed: approximately July, 2022

We are hopeful that this letter clearly describes the project and the intent of the proposed development. If you have any questions or require any additional information please call 702-362-8844.

Respectfully,
TANEY ENGINEERING

Brian Myers, P.E.
Project Manager



ALTA/NSPS LAND TITLE SURVEY

DECATUR VILLAS
BOOK 589, PG. 07
OF PLATS
NOT A PART

SILVERWOOD RANCH UNIT 3
BOOK 100, PG. 13
OF PLATS
NOT A PART

SILVERWOOD RANCH UNIT 5B
BOOK 87, PG. 27
OF PLATS
NOT A PART

SILVERWOOD RANCH UNIT 5A
BOOK 80, PG. 39
OF PLATS
NOT A PART



LEGEND

- SUBJECT PARCEL LINE
- CENTERLINE
- ADJOINING PROPERTY LINE
- EASEMENT LINE
- CURB/CONCRETE
- EXISTING MASONRY WALL
- FOUND MONUMENT AS INDICATED HEREON
- O.R.
- SEWER/ELECTRICAL/MISC. MANHOLE
- WATER VALVE
- FIRE HYDRANT
- UTILITY BOX
- STREETLIGHT

December 1, 2020

LGI Homes – Nevada LLC

TF-40-2020 / Cheyenne & Valley Neighborhood Meeting Summary (11/30/20)

See summary below:

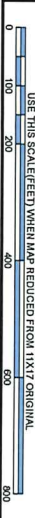
Bob Gronauer from Kaempfer Crowell held a neighborhood meeting on behalf of the Applicant at the Aliante Hotel on November 30th to present the project. One neighbor attended from the adjacent residential development attended the meeting. She had several questions relating to commercial and residential development. She expressed she would like to see single story home should the project move forward.

KAEMPFER

CROWELL

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Email: eolson@kcnvlaw.com

This map is for assessment use only and does NOT represent a survey.
No liability is assumed for the accuracy of the data delineated herein.
Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.
This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more detailed legal information.



MAP LEGEND

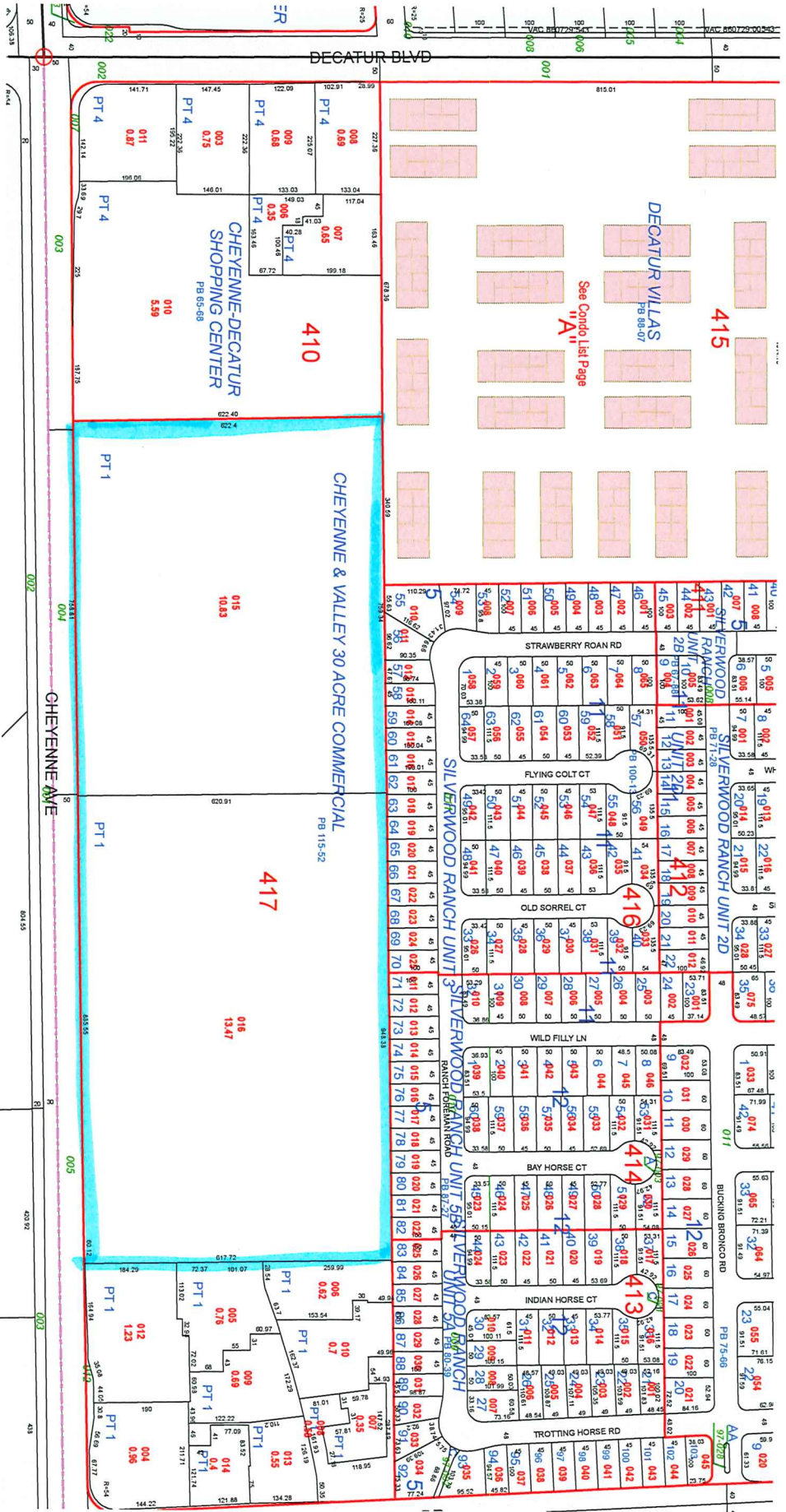
- PARCEL BOUNDARY
- SUB BOUNDARY
- PAID BOUNDARY
- ROAD EASEMENT
- MATCH / LEADER LINE
- HISTORIC LOT LINE
- HISTORIC SUB BOUNDARY
- HISTORIC PAID BOUNDARY
- CONDOMINIUM UNIT
- AIR SPACE PCL
- RIGHT OF WAY PCL
- SUB-SURFACE PCL
- 001 PARCEL NUMBER
- 100 PARCEL ACREAGE
- 202 PARCEL SUB/SEQ NUMBER
- PB 24-45 PLAT RECORDING NUMBER
- 5 BLOCK NUMBER
- 9 LOT NUMBER
- GLS GOV. LOT NUMBER

BOOK	T20S R61E
26 125	124 123
37 138	139 140
64 163	162 161

SEC	7
1	1
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3	3
4	4
5	5
6	6
7	7
8	8
9	9

MAP	S 2 SW 4
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9	9

139-07-4

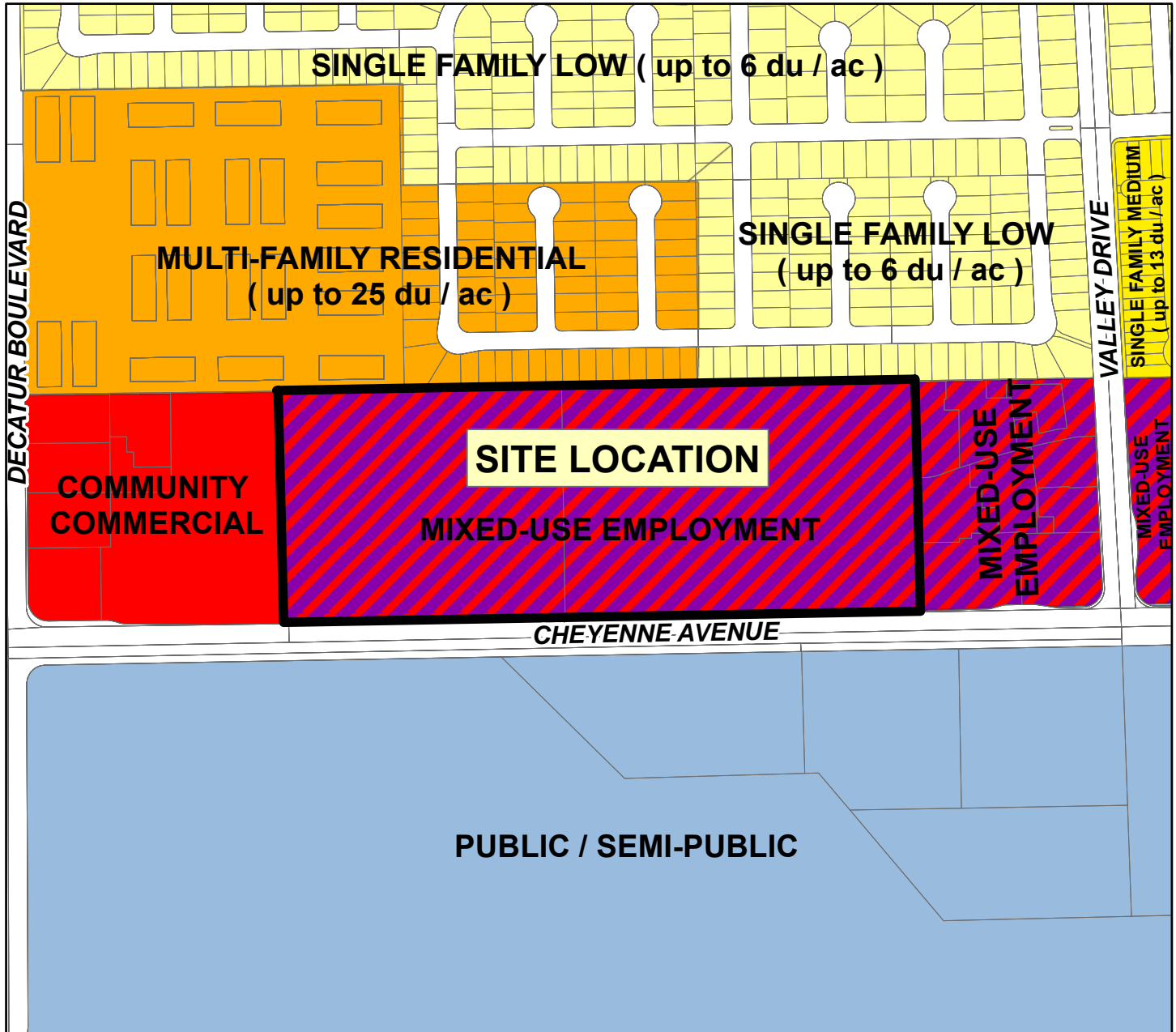


TAX DIST 250



THE CITY OF NORTH LAS VEGAS

Comprehensive Plan Map



Applicant: LGI Homes - Nevada, LLC.
Application Type: Comprehensive Plan Amendment
Request: Change from Mixed-Use Employment to Single-Family Medium
Project Info: North of Cheyenne Avenue, approximately 500 feet west of Valley Drive
Case Number: AMP-14-2020

12/8/2020

