



Memorandum

Date: August 28, 2014

To: SOUTHERN NEVADA DISTRICT BOARD OF HEALTH

From: Jacquelyn Raiche-Curl, REHS, Environmental Health Supervisor *JRC*
Paul Klouse, REHS, Environmental Health Manager *PK*
Jacqueline Reszetar, Director of Environmental Health *JR*
Joseph P. Iser, MD, DrPH, MSc, Chief Health Officer *JPI*

Subject: Variance Request to Operate a Public Bathing Place not in Compliance with the Nevada Administrative Code NAC 444.210.1, NAC 444.210.3(a), and NAC 444.210.4. Greystone Nevada, LLC d/b/a Marvella, 4960 American Plum, Las Vegas, NV 89147. [Assessor's Parcel Number (APN) 163-30-115-027] For Health Permit: PR0107421; Jeremy Parness, Operator/Owner's Agent

I. BACKGROUND:

Marvella is petitioning for a variance as requested by Jeremy Parness, Owner's Representative of Marvella, to operate a public bathing place not in compliance with the Nevada Administrative Code NAC 444.210, which states in part: "Dressing facilities, shower facilities and drinking fountains conforming to the minimum requirements of this section must be provided for each public bathing or swimming facility..." NAC 444.210 3(a), which states in part: "...not more than 10 percent of bathers will have to travel more than 300 feet (91.4 meters) to sanitary facilities." And NAC 444.210.4 which states in part: "For distances greater than that provided...the following minimum sanitary facilities must be provided in the bath house: Mens - 1 water flush toilet, 1 lavatory, 1 shower; Womens - 1 water flush toilet, 1 lavatory, 1 shower." The Nevada Administration Code (NAC) does not recognize the distinction between a pool and/or splash pad. The NAC requires that a public restroom with shower facilities be constructed. This residential development does not have the ability to expand or increase the number of residences or users beyond the proposed three phases outlined in the subdivision plans.

II. DISCUSSION:

The petitioner requests a variance to eliminate the restrooms as required by regulation at this particular location. The petitioner states that the "... splash pad is located within a gated single family residential community consisting of 117 single family residences. Since the community is fully gated, and has restricted access, the general public will not be able to utilize this facility. The furthest residential unit is 1,047 feet east of the splash pad. Furthermore 90% of the

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community is within a reasonable walking distance of 850 feet. This is a splash pad and total submersion under water is not possible. The facility is also equipped with a master timer which restricts hours of operation to 9:30am through 7:00pm during the summer. Additional time restrictions are present. The three pieces of spray equipment are set on individual timers. These timers allow the individual pieces to operate for no more than a minute and then cycle to the off position. This greatly limits the amount of water used at each piece of play equipment. This requested variance is for a single and isolated case that will not adversely impact the general public or the residence of this community. We would therefore ask for your consideration in granting this variance for this particular location.”

The evidence presented by the petitioner to meet the minimum standard set forth in NAC 439.240 for the granting of a variance, to permit Marvella to deviate from NAC regulation 444.210.1 444.210.3a, and 444.210.4 accommodating a splash pad where 90% of the residents having to travel more than the required 300 feet to the nearest restroom, drinking fountain and shower facility is thus:

(a) There are circumstances or conditions which –

(1) Are unique to the applicant:

Construction of a restroom in this location would quickly become a target for vandals and vagrants. This in-turn will create an unwelcome situation for the existing residence. With these elements in mind safety would quickly become paramount to the adjacent homeowners. Cost would further become an issue with the necessity of a guard or other security measures to help ensure the safety of the homeowners. This in the end may have the unintended consequence of shuttering the splash pad. We would therefore request that required restroom be waived at this location only.

(2) Do not generally affect other persons subject to the regulations:

The splash pad is located within a gated single family residential community. The splash pad will NOT be open or available to the general public. The improvements in and around the facility are complete including roadways, curb, and sidewalk. This makes for easy and quick access to and from each residential unit within the subdivision to the splash pad.

(3) Make compliance with the regulation unduly burdensome:

The splash pad and its associated facilities are fully constructed and installed at this time. Bids for the construction of restrooms have come in excess of \$145,000. The high cost is due in large part to the construction of a facility to withstand any type of vandalism.

(4) Hardships caused and substantial property right abridged by complying with the regulation include.

Since this project does not have the ability to increase the number of users or homes, the ability to defer or spread the added cost for the ongoing maintenance, upkeep, and security of the restrooms does not exist. This in turn will result in a significant increase in the assessments paid by the residents.

(b) Granting the Variance –

(1) Will not be detrimental or pose a danger to public health and safety:

The request is for a stand-alone recreational splash pad. The splash pads filtration system is properly sized to accommodate this specific use. The splash pad is located within a private gated community that is not accessible to the general public. This splash pad and its associated facilities are fully constructed and there will not be any expansion of these facilities therefore this is a single issue variance. The furthest residential unit is 1047 feet east of the splash pad; more than 65% of the community is within a reasonable walking distance of 470 feet from the splash pad.

III. RECOMMENDATION:

Staff is of the opinion that the variance candidate does not meet the necessary criteria to grant a variance. NAC 439.240, paragraphs 1-2 set standards that must be met for the granting of a variance. A variance application must show conditions or circumstances that:

(1) Are unique to the applicant;

(2) Do not generally affect other persons subject to the regulation;

(3) Make compliance with the regulation unduly burdensome; and (4) Cause a hardship to and abridge a substantial property right of the applicant;

(b) Granting the variance:

(1) Is necessary to render substantial justice to the applicant and enable the applicant to preserve and enjoy his or her property right; and

(2) Will not be detrimental or pose a danger to public health and safety.

2. Whenever an applicant for a variance alleges that he or she suffers or will suffer economic hardship by complying with the regulation, the applicant must submit evidence demonstrating the costs of compliance with the regulation. The Board will consider the evidence and determine whether those costs are unreasonable.

The Applicant states:

“Construction of a restroom in this location would quickly become a target for vandals and vagrants. This in-turn will create an unwelcome situation for the existing residence. With these elements in mind safety would quickly become paramount to the adjacent homeowners. Cost would further become an issue with the necessity of a guard or other security measures to help ensure the safety of the homeowners. This in the end may have the unintended consequence of shuttering the splash pad.”

Staff response:

The applicant indicates that the splash pad is in a gated development which would eliminate non-residents from utilizing the splash pad. This same argument would apply to keeping out vandals and vagrants. The existence of restroom facilities across the Las Vegas Valley has not proven in and of itself to be a particularly strong attractant to vagrants in existing bathing facilities associated with other communities. NAC 439.240(a) (1) requires that the circumstances be unique to the applicant. This circumstance would apply equally to all such re-circulated splash pad developments throughout Clark County, and would therefore not be unique to the applicant.

The Applicant states:

“The splash pad is located within a gated single family residential community. The splash pad will NOT be open or available to the general public. The improvements in and around the facility are complete including roadways, curb, and sidewalk. This makes for easy and quick access to and from each residential unit within the subdivision to the splash pad.”

Staff Response:

NAC 439.240(a) (2) requires that there be circumstances or conditions which do not generally affect other persons subject to the regulation. Again, this circumstance would apply equally to all such re-circulated splash pad developments throughout Clark County, and would therefore affect all such developments currently in operation as well as those constructed in the future.

The Applicant states:

“The splash pad and its associated facilities are fully constructed and installed at this time. Bids for the construction of restrooms have come in excess of \$145,000. The high cost is due in large part to the construction of a facility to withstand any type of vandalism.”

Staff Response:

The cost of the addition of the required restroom facilities would have been mitigated if the applicant had submitted the development of the splash pad to the Health Authority prior to construction as required by Law (NRS 444.080 paragraph 2). Had such plans been submitted to the Health District prior to construction, the defect would have likely been detected and the applicant advised of the need for restrooms, thus reducing costs.

Staff Conclusion:

As there exist no conditions that could be applied in this circumstance that would mitigate the potential public health risks associated with the failure to comply with the NAC 444.210 requirement for restroom and shower installation at a public bathing facility, staff must recommend denial of this variance request. Such regulatory requirements exist to reduce the likelihood of excessive organic load being introduced to the body of water being treated. With a splash pad, which collects filters and disinfects a proportionally smaller volume of water over a larger surface area, the effect is further enhanced. Thus, the likelihood of proper filtration and disinfection is reduced.

JRC

Attachments:

- A. Nevada Secretary of State Corporation Information
- B. Variance Application Letter
- C. Variance Candidate Worksheet
- D. Assessor’s Parcel Information
- E. Assessor’s Map
- F. Public Notice
- G. Affidavit of Public Notice
- H. Photographs
- I. Park Plans

GREYSTONE NEVADA, LLC

| Business Entity Information | | | |
|-----------------------------|-----------------------------------|-----------------------|--------------|
| Status: | Active | File Date: | 3/24/1999 |
| Type: | Foreign Limited-Liability Company | Entity Number: | LLC1948-1999 |
| Qualifying State: | DE | List of Officers Due: | 3/31/2015 |
| Managed By: | Managers | Expiration Date: | 3/24/2499 |
| Foreign Name: | GREYSTONE NEVADA, LLC | | |
| NV Business ID: | NV19991020134 | Business License Exp: | 3/31/2015 |

| Additional Information | |
|------------------------|--|
| Central Index Key: | |

| Registered Agent Information | | | |
|------------------------------|---|--------------------|-------------------|
| Name: | THE CORPORATION TRUST COMPANY OF NEVADA | Address 1: | 311 S DIVISION ST |
| Address 2: | | City: | CARSON CITY |
| State: | NV | Zip Code: | 89703 |
| Phone: | | Fax: | |
| Mailing Address 1: | | Mailing Address 2: | |
| Mailing City: | | Mailing State: | NV |
| Mailing Zip Code: | | | |
| Agent Type: | Commercial Registered Agent - Corporation | | |
| Jurisdiction: | NEVADA | Status: | Active |

| Financial Information | | | |
|--|---|-----------------|------|
| No Par Share Count: | 0 | Capital Amount: | \$ 0 |
| No stock records found for this company | | | |

| Officers | | <input type="checkbox"/> Include Inactive Officers | |
|--|---------------|--|-----|
| Managing Member - LENNAR PACIFIC PROPERTIES MANAGEMENT, INC | | | |
| Address 1: | 25 ENTERPRISE | Address 2: | |
| City: | ALISO VIEJO | State: | CA |
| Zip Code: | 92656 | Country: | USA |
| Status: | Active | Email: | |

| Actions\Amendments | | | |
|-----------------------------------|--------------------------------------|-----------------|---|
| Action Type: | Application for Foreign Registration | | |
| Document Number: | LLC1948-1999-001 | # of Pages: | 3 |
| File Date: | 3/24/1999 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | LLC1948-1999-007 | # of Pages: | 1 |
| File Date: | 2/9/2000 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Registered Agent Change | | |

| | | | |
|--|------------------|-----------------|---|
| Document Number: | LLC1948-1999-003 | # of Pages: | 1 |
| File Date: | 2/15/2001 | Effective Date: | |
| CSC SERVICES OF NEVADA, INC. ROOM E | | | |
| 502 EAST JOHN STREET CARSON CITY NV 89706 EJF | | | |
| Action Type: | Annual List | | |
| Document Number: | LLC1948-1999-008 | # of Pages: | 1 |
| File Date: | 4/12/2001 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | LLC1948-1999-005 | # of Pages: | 1 |
| File Date: | 3/4/2002 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | LLC1948-1999-006 | # of Pages: | 1 |
| File Date: | 4/25/2002 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | LLC1948-1999-004 | # of Pages: | 1 |
| File Date: | 3/12/2003 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | LLC1948-1999-002 | # of Pages: | 1 |
| File Date: | 4/9/2004 | Effective Date: | |
| List of Officers for 2004 to 2005 | | | |
| Action Type: | Annual List | | |
| Document Number: | 20050088820-83 | # of Pages: | 1 |
| File Date: | 3/14/2005 | Effective Date: | |
| 05-06 | | | |
| Action Type: | Annual List | | |
| Document Number: | 20060204303-20 | # of Pages: | 1 |
| File Date: | 3/31/2006 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | 20070220269-50 | # of Pages: | 1 |
| File Date: | 3/30/2007 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | 20080166795-84 | # of Pages: | 1 |
| File Date: | 3/11/2008 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | 20090236893-82 | # of Pages: | 1 |
| File Date: | 3/11/2009 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | 20100056995-27 | # of Pages: | 1 |
| File Date: | 1/29/2010 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | 20110197346-74 | # of Pages: | 1 |
| File Date: | 3/17/2011 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |

| | | | |
|-----------------------------------|----------------|-----------------|---|
| Document Number: | 20120194092-60 | # of Pages: | 1 |
| File Date: | 3/20/2012 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: Annual List | | | |
| Document Number: | 20130207461-46 | # of Pages: | 1 |
| File Date: | 3/28/2013 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: Annual List | | | |
| Document Number: | 20140166870-35 | # of Pages: | 1 |
| File Date: | 3/5/2014 | Effective Date: | |
| (No notes for this action) | | | |

Attachment B: Variance Candidate Letter



LAS VEGAS OFFICE

TABITHA D. FIDDYMENT
tfiddymt@kcnvlaw.com
702.792.7051

July 11, 2014

Jacqueline Reszetar
SOUTHERN NEVADA HEALTH DISTRICT
AQUATIC HEALTH PROGRAM
P.O. BOX 3902
LAS VEGAS, NV 89127

Re: Variance Request Letter - Marvella Splash Pad Variance

Dear Ms. Reszetar:

This office represents Greystone Nevada, LLC, owner of a residential subdivision known as "Marvella" generally located on the southeast corner of Hualapai Way and Tropicana Ave. Please accept this letter as a request for a variance under Nevada Administrative Code 439.240.

On June 9, 2014, this office submitted a variance worksheet along with the required back up material in support of its request for a variance to allow for a splash pad to be constructed WITHOUT the construction of a public restroom and shower facilities. We followed up with a revised request via email on July 2, 2014.

We appreciate your kind consideration of our request. Please let me know should you have any questions or need any further information.

Sincerely,

KAEMPFER CROWELL

Tabitha D. Fiddymt

TF/

LAS VEGAS OFFICE
8345 West Sunset Road
Suite 250
Las Vegas, NV 89113
Tel: 702.722.7000
Fax: 702.755.7181

RENO OFFICE
50 West Liberty Street
Suite 900
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

Attachment C: Variance Candidate Worksheet

**PUBLIC SWIMMING FACILITY OR FOOD ESTABLISHMENT
VARIANCE CANDIDATE WORKSHEET
(Follow Variance Procedure Worksheet Steps on Page 4)**

PART I

Name of Facility/Establishment: Marvella Splash Pad
Health Permit No.: _____ Date of Inquiry: 4-7-14
Name of Operator/Agent: Graystone
Address of Operator/Agent: 4960 American Plum, Las Vegas, NV 89147
Phone Nos. of Operator/Agent:
Office 702-736-9100 Cell 702-234-6924 Fax _____

If corporation, the name/title of person to sign Variance document:

Name: Jeremy Parness
Title: Authorized Agent

Name of Property Owner: Lennar
Address of Property Owner: 2480 Paseo Verde Pkwy. #100
Phone Nos. of Property Owner:
Office 702-736-9100 Cell 702-234-9824 Fax _____
Property Address: 4960 American Plum, Las Vegas, NV 89147

Assessor's Parcel Number (APN): 163-30-115-027

Describe location within larger facility (i.e., shopping mall, hotel/casino/resort, etc.):

The major cross streets are Tropicana Ave. and Hautapai Way, more precisely located within the subdivision at the intersections of American Plum Drive and Lady Apple Drive the single family residential subdivision is known as Marvella. The Splash pad is located behind the gates of a private residential community. The subject facilities are not accessible or available to the general public.

(Attach labeled map/site/floor plan with north arrow and engineering or architectural scale)

Describe Variance issue(s):

The current Clark County Health District code does not recognize the distinction between a pool and/or splash pad. The current code requires that a public restroom with shower facilities be constructed. The requested variance is to eliminate the required restroom, at this particular location. The splash pad is located within a gated single family residential community consisting of 117 single family residences. Since the community is fully gated and has restricted access the general public will not be able to utilize this facility. The furthest residential unit is 1047 feet east of the splash pad. Furthermore 90% of the community is within a reasonable walking distance of 650 feet. Since this facility is a splash pad total submersion under water is not possible. The facility is also equipped with a master timer which restricts hours of operation to 9:30 am and 7:00 pm during the summer. This time is further reduced by the three pieces of spray equipment are also set on individual timers. These timer's allow the individual pieces to operate for no more than a minute and then cycle to the off position. This greatly limits the amount of water used at each piece of play equipment. A contract has been established with Nevada Landscape for the ongoing care and maintenance of the splash pad. This variance is for a single and isolated case that will not adversely impact the general public or the residence of the this community. This project does not have the ability to expand or increase the number of residences or users. We would therefore ask for your consideration in granting this variance for this particular location.

PART II

Nevada Administrative Code 439.240 states in general that certain conditions or circumstances must be shown to exist in order for a Board of Health to approve a request for a Variance from adopted public health regulations. A variance application letter (as noted below in PART III) MUST specifically address each of the following issues:

1. There must be circumstances or conditions which are unique to the applicant, and do not generally affect other persons subject to the regulation. Please indicate how your request is unique to your situation and is, therefore, not likely to affect other persons subject to specific regulation:

The splash pad is located within a gated single family residential community. The splash pad will NOT be open or available to the general public. The improvements in and around the facility are complete including roadways, curb, and sidewalk. This makes for easy and quick access to and from each residential unit within the subdivision to the splash pad. Construction of a restroom in this location would quickly become a target for vandals and vagrants. This in-turn will create an unwelcome situation for the existing residence. With these elements in mind safety and security would quickly become paramount to the adjacent homeowners. Cost would further become an issue with the necessity of a guard or other security measures to help ensure the safety of the homeowners. This in the end may have the unintended consequence of shuttering of the splash pad. We would therefore request that required restroom be waived at this location only.

2. There must be circumstances or conditions which make compliance with the regulation unduly burdensome and cause a hardship to and abridge a substantial property right of the applicant, and the variance is necessary to render substantial justice to and preserve the property rights of the applicant. Please indicate in what manner compliance with the regulation would be burdensome or cause a hardship on your business or how the free use of your property may be affected (if economic factors are an issue, please include estimates regarding the costs that would be incurred by compliance):

The splash pad and its associated facilities and hardware are fully constructed and installed. Bids for the construction of the restroom have come in excess of \$145,000.00. The high cost is due in large part to the construction of the facility to withstand any type of vandalism. Since this project does not have the ability to increase the number of users or residence the ability to defer the or spread the added cost for the ongoing maintenance, upkeep, and security of the restrooms would not exist. This in-turn will result in a significant increase the assessments paid by the residence to the HOA management company.

3. Granting the variance will not be detrimental or pose a danger to public health and safety. Please provide evidence that the variance request, if approved, will not adversely affect the safe and sanitary operation of the applicant(s) pool, spa, or food establishment:

The subject variance is for a standalone recreational splash pad. The splash pad is located within a private gated community that is not accessible to the general public. This splash pad is and its facilities are fully constructed and there will not be any expansion of these facilities therefore this is a single issue variance. The splash pads filtration system is properly sized to accommodate this specific use. The furthest residential unit is 1047 feet east of the splash pad, more than 85% of the community is within a reasonable walking distance of 470 feet of the splash pad. No other uses are adversely impacted by this use or granting of the variance to the general public.

Attachment D: Assessor's Parcel Information

Clark County Real Property

Page 1 of 2

| GENERAL INFORMATION | |
|--|---|
| PARCEL NO. | 163-30-115-027 |
| OWNER AND MAILING ADDRESS | GREYSTONE NEVADA L L C 2490 PASEO VERDE PKWY #120 HENDERSON NV 89074-7121 |
| LOCATION ADDRESS CITY/UNINCORPORATED TOWN | SPRING VALLEY |
| ASSESSOR DESCRIPTION | MARVELLA PHASE 1 PLAT BOOK 144 PAGE 18 LOT F (COMMON AREA) |
| RECORDED DOCUMENT NO. | * 20110526:01931 |
| RECORDED DATE | May 26 2011 |
| VESTING | NS |
| COMMENTS | |

*Note: Only documents from September 15, 1999 through present are available for viewing.

| ASSESSMENT INFORMATION AND SUPPLEMENTAL VALUE | |
|--|---------|
| TAX DISTRICT | 417 |
| APPRAISAL YEAR | 2013 |
| FISCAL YEAR | 2014-15 |
| SUPPLEMENTAL IMPROVEMENT VALUE | 0 |
| SUPPLEMENTAL IMPROVEMENT ACCOUNT NUMBER | N/A |

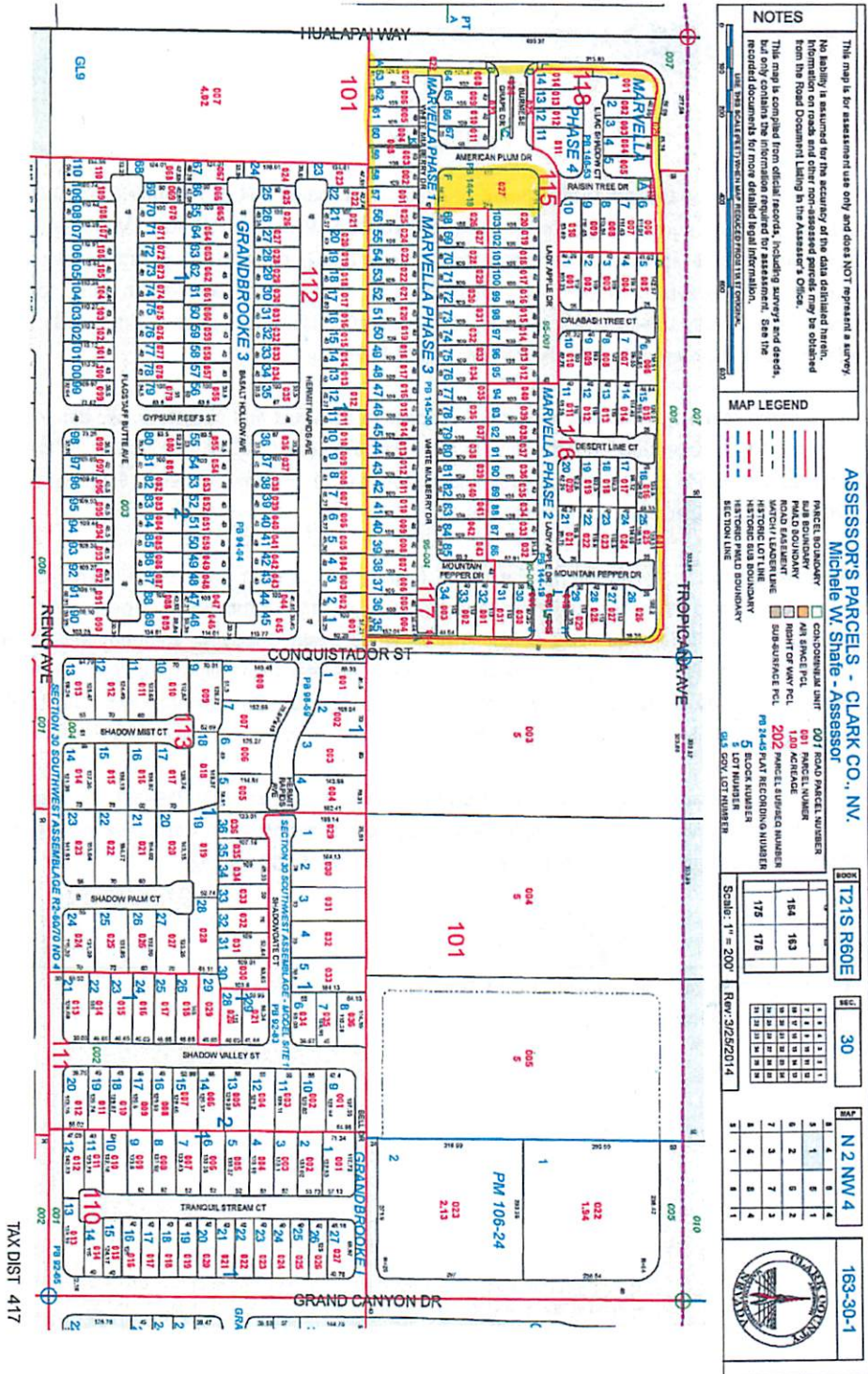
| REAL PROPERTY ASSESSED VALUE | | |
|--------------------------------|---------|---------|
| FISCAL YEAR | 2013-14 | 2014-15 |
| LAND | 0 | 0 |
| IMPROVEMENTS | 0 | 0 |
| PERSONAL PROPERTY | 0 | 0 |
| EXEMPT | 0 | 0 |
| GROSS ASSESSED (SUBTOTAL) | 0 | 0 |
| TAXABLE LAND+IMP (SUBTOTAL) | 0 | 0 |
| COMMON ELEMENT ALLOCATION ASSD | 0 | 0 |
| TOTAL ASSESSED VALUE | 0 | 0 |
| TOTAL TAXABLE VALUE | 0 | 0 |

| ESTIMATED LOT SIZE AND APPRAISAL INFORMATION | |
|--|--------------|
| ESTIMATED SIZE | 0.41 Acres |
| ORIGINAL CONST. YEAR | 0 |
| LAST SALE PRICE MONTH/YEAR | 0 |
| LAND USE | 000 - Vacant |
| DWELLING UNITS | 0 |

| PRIMARY RESIDENTIAL STRUCTURE |
|-------------------------------|
| |

| | | | | | |
|-------------------|---|-----------------|---|----------------------|----|
| 1ST FLOOR SQ. FT. | 0 | CARPORT SQ. FT. | 0 | ADDN/CONV | |
| 2ND FLOOR SQ. FT. | 0 | STORIES | | POOL | NO |
| BASEMENT SQ. FT. | 0 | BEDROOMS | 0 | SPA | NO |
| GARAGE SQ. FT. | 0 | BATHROOMS | 0 | TYPE OF CONSTRUCTION | |
| CASITA SQ. FT. | 0 | FIREPLACE | 0 | ROOF TYPE | |

Attachment E: Assessor's Map



Attachment F: Public Notice



PUBLIC NOTICE

The Southern Nevada Health District Board of Health will conduct a PUBLIC HEARING on **AUGUST 28, 2014** at 8:30 a.m. during its monthly meeting held at **330 S. VALLEY VIEW BOULEVARD, LAS VEGAS, NEVADA 89107** to approve or deny a variance request to operate a public bathing place not in compliance for Greystone Nevada, LLC, (dba) Marvella, located at 4960 American Plum, Las Vegas, Nevada 89147, APN 163-30-115-027. Note, if this application is not presented at the August 28, 2014 meeting, it will be presented at the September 25, 2014 meeting.

The variance request is made to allow the Petitioner to construct and operate public bathing places which are not in accordance with the Nevada Administrative Code (NAC) 444 Public Bathing Places and Public Spas: NAC 444.212.2 General Requirements; NAC 444.214 Minimum Sanitary Plumbing Facilities; and NAC 444.290 Spectators and Non-bathers.

Interested persons may appear at the public hearing and present their views thereon. Written comments will also be considered by the Southern Nevada Health District Board of Health and must be forwarded to Alicia Mitchell REHS, Senior Environmental Health Specialist, Southern Nevada Health District, P.O. Box 3902, Las Vegas, Nevada 89127-3902, no later than August 10, 2014. The variance application request is available for review at the Southern Nevada Health District, Environmental Health Division, 330 S. Valley View Blvd, Las Vegas NV 89107.

If there are special viewing needs, please contact Bonnie Archie at (702) 759-0571 to schedule an appointment to review the permit application during normal business hours of 8:00 a.m. to 4:00 p.m. Copies of the documents may be requested during that time for \$1.00 per page.



Jacqueline L. Reszetar, Environmental Health Director
Southern Nevada Health District

14 Jul 14
Date

Attachment G: Affidavit of Public Notice

Affidavit of Publication

STATE OF NEVADA)
COUNTY OF CLARK) SS:

**SOUTHERN NEVADA HEALTH DIST
PO BOX 3902
LAS VEGAS NV 89127-3902**

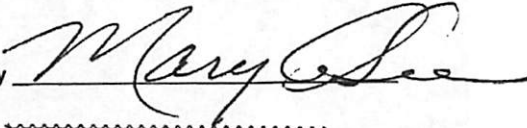
**Account # 22345
Ad Number 0000249178**

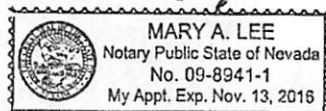
Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 07/18/2014 to 07/18/2014, on the following days:

07 / 18 / 14

15) 
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 18th day of July, 2014

Notary 




Southern Nevada Health District

PUBLIC NOTICE

The Southern Nevada Health District Board of Health will conduct a PUBLIC HEARING on AUGUST 28, 2014 at 8:30 a.m. during its monthly meeting held at 330 S. VALLEY VIEW BOULEVARD, LAS VEGAS, NEVADA 89107 to approve or deny a variance request to operate a public bathing place not in compliance for Greystone Nevada, LLC, (dba) Marvella, located at 4960 American Plum, Las Vegas, Nevada 89147, APN 163-3C-115-027. Note, if this application is not presented at the August 28, 2014 meeting, it will be presented at the September 25, 2014 meeting.

The variance request is made to allow the Petitioner to construct and operate public bathing places which are not in accordance with the Nevada Administrative Code (NAC) 444 Public Bathing Places and Public Spas; NAC 444.212.2 General Requirements; NAC 444.214 Minimum Sanitary Plumbing Facilities; and NAC 444.290 Spectators and Non-bathers.

Interested persons may appear at the public hearing and present their views thereon. Written comments will also be considered by the Southern Nevada Health District Board of Health and must be forwarded to Alicia Mitchell REHS, Senior Environmental Health Specialist, Southern Nevada Health District, P.O. Box 3902, Las Vegas, Nevada 89127-3902, no later than August 10, 2014. The variance application request is available for review at the Southern Nevada Health District, Environmental Health Division, 330 S. Valley View Blvd, Las Vegas NV 89107.

If there are special viewing needs, please contact Bunnie Archie at (702) 759-0571 to schedule an appointment to review the permit application during normal business hours of 8:00 a.m. to 4:00 p.m. Copies of the documents may be requested during that time for \$1.00 per page.

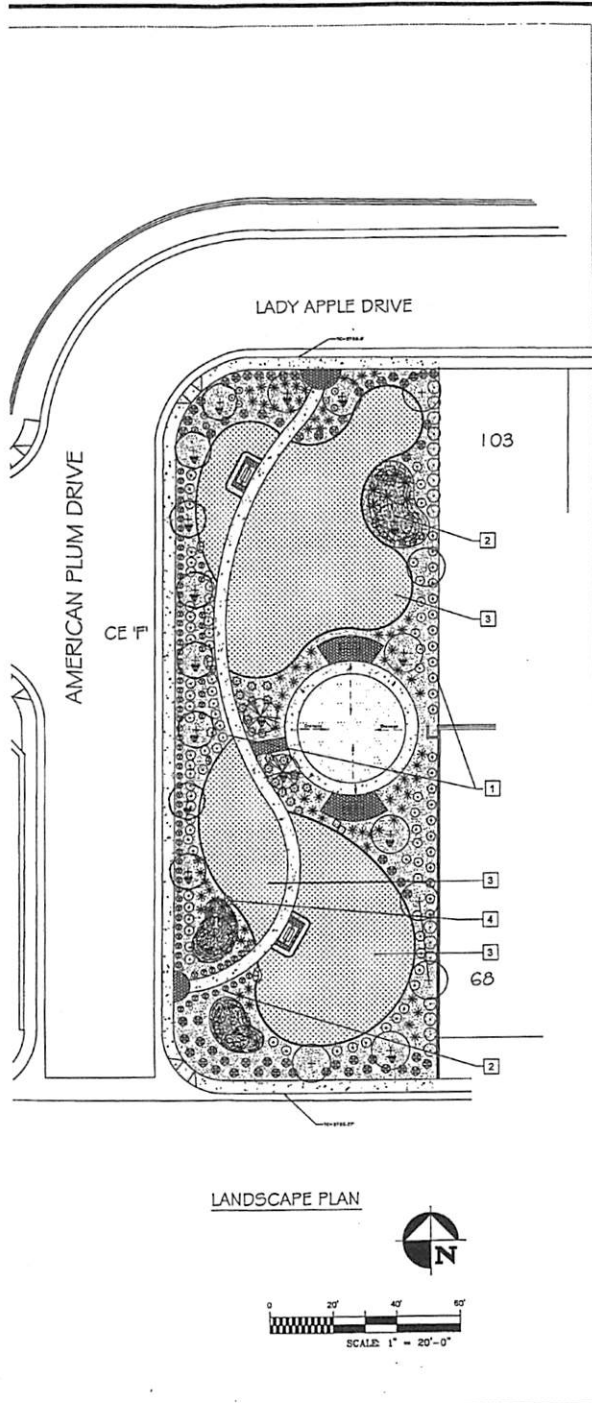
Jacqueline L. Reszetar
Environmental Health Director
Southern Nevada
Health District

PUB: July 18, 2014
LV Review-Journal

Attachment H: Photographs



Attachment I: Park Plan



PLANT SCHEDULE

| QTY | BOTANICAL NAME | COMMON NAME | CONT |
|-----|--------------------------------------|--------------------------|--------|
| 3 | Cercocarpus x hybrid "Desert Museum" | Desert Museum Palo Verde | 24"Pot |
| 5 | Chydalis trichostema "Pink Dawn" | Pink Dawn Chydalis | 24"Pot |
| 2 | Quercus virginiana | Southern Live Oak | 30"Pot |
| 10 | Rhus lancea | African Sumac Malt | 24"Pot |
| QTY | BOTANICAL NAME | COMMON NAME | CONT |
| 6 | Daylily wheeleri | Desert Spoon | 5 gal |
| 43 | Eucryphia japonica | Eucryphia Eucryphia | 5 gal |
| 75 | Hesperaloe parviflora | Red Yucca | 5 gal |
| 29 | Lantana speciosa "New Gold" | New Gold Lantana | 5 gal |
| 61 | Myrtus communis "Compacta" | Dwarf Myrtle | 5 gal |
| 23 | Nerium oleander "Dwarf Pink" | Dwarf Pink Oleander | 5 gal |
| 62 | Rosmarinus officinalis "Prostratus" | Trailing Rosemary | 5 gal |
| 17 | Salvia clevelandii | Cleveland Sage | 5 gal |
| 9 | Teucrium chamaedrys | Germander | 5 gal |
| 20 | Trachelospermum jasminoides | Star Jasmine | 5 gal |
| 16 | Xylocopa congesta | Shiny Xylocopa | 5 gal |

9-G-12: 25% reduction
 9-20-12: Realigned walk to avoid steps; respaced plants & mounds

NOTES

| | | |
|-------------|--|---------|
| 1 | 3/4" Vista Gold Rock (55 tons) | 6970 sf |
| 2 | Mound w/1"-3" Vista Gold Cobble (113 tons) | 625 sf |
| 3 | Fescue Turf | 7300 sf |
| 4 | Gold Boulders | 11 ea |
| 5 | No Item | |
| Well Lights | Vista 5242 (12V) | 10 ea |

