



**LAS VEGAS
CITY COUNCIL**

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BRIAN KNUDSEN
Mayor Pro Tem

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City Manager

OFFICE OF THE
CITY CLERK

LUANN D. HOLMES
CITY CLERK

CITY HALL

495 S. MAIN ST.
LAS VEGAS, NV 89101

702.229.6011 | VOICE
702.382.4803 | FAX
711 | TTY



cityoflasvegas | lasvegasnevada.gov

December 26, 2023

Beverly Salhanick
7445 Constantinople Avenue
Las Vegas, Nevada 89129

RE: Planning Commission Appeal Confirmation
23-0382-SDR1 and 23-0382-VAR1

Dear Ms. Salhanick:

The City of Las Vegas has received your request for appeal of the Planning Commission decision on December 12, 2023. The notification fee of \$1,000 (\$500 for 23-0382-SDR1 and \$500 for 23-0382-VAR1) for the appeal has been collected and the items are scheduled to be heard at the January 17, 2024 City Council Meeting. You will also receive a postcard confirming this date.

Please contact the City Clerk's office at 702-229-6311 or the Community Development Department at 702-229-6301 in the event you have any questions.

Sincerely,


LUANN D. HOLMES, MMC
City Clerk

/vch

cc: Community Development Department

Liz Duncan
City of Las Vegas
495 South Main Street
Las Vegas, Nevada 89101

Cassandra Dawes
SLA Land Architects
1700 West Horizon Ridge Parkway, Suite 203
Henderson, Nevada 89012

Beverly Sallhanick

*7445 Constantinople
Las Vegas, NV 89129*

RECEIVED

2023 DEC 26 PM 2:05

OFFICE OF THE CITY CLERK

December 21, 2023

City of Las Vegas
495 S. Main Street
Las Vegas, NV 89101

Re: Appeal of Planning Commission Decision of December 12,
2023; Item 23-0382-SDR1

To Whom It May Concern:

On December 12, 2023, the Planning Commission heard the application of the City of Las Vegas regarding the pickleball courts at Bunker Park. The Item number was 23-0382-SDR1. They resolved to Approve Items 22a and 22b subject to condition(s) and adding the following conditions as read for the record:

A. An administrative required review shall be performed six months after completion of the park expansion and operation commences of the pickle ball courts.

B. A sound study shall be performed prior to the issuance of a building permit.

C. No parking signs shall be installed along Constantinople Avenue adjacent to the park

As one of the residents most impacted by the proposed pickleball courts, I am appealing the decision in that it is not sufficiently specific and contains meaningless requirements.

First, conducting an administrative review after completion of the park ignores the problems. If the review is conducted after the park is completed, then there is no opportunity to correct any problems which may arise from the design of the park. Moreover, an administrative only review without the opportunity for public input precludes the planning commission from obtaining information which may be relevant to the review.

Second, the requirement of a sound study without criteria means a haphazard study can be conducted without regard to the actual results of the study. For example, if the study finds that the noise level created by the courts at average usage is

equivalent to the noise of a freeway, regardless of the impact of this level of noise on the health and quality of life of the local residents, the building permit would issue. However, if a criteria for the sound study is established, then the study becomes a valid measure instead of a perfunctory, uninformative, low threshold.

It is important to note that other jurisdictions have reviewed the issue of noise generated by pickleball courts. Articles discussing various determinations in other jurisdictions include:

- A. Falmouth, Massachusetts was enjoined from allowing the use of developed pickleball courts because of noise issues.

<https://whdh.com/news/judge-orders-falmouth-pickleball-courts-closed-after-neighbor-complaints/>

- B. Wellesley, Massachusetts has agreed to review the use of pickleball courts because of noise complaints.

<https://whdh.com/news/pickleball-prompts-debate-in-wellesley/>

- C. Centennial, Colorado has placed a moratorium on the development of new pickleball courts while it studies the noise impact.

<https://www.denverpost.com/2023/03/23/centennial-moratorium-pickleball-courts-noise/>

- D. A resident in Carlsbad, California has sued her HOA for the placement of pickleball courts within 60 feet of her home.

<https://www.kpbs.org/news/quality-of-life/2023/09/05/homeowners-are-increasingly-taking-legal-action-over-pickleball-noise>

- E. Articles discussing other litigation include:

Cutler, Amy, "Rise of pickleball pitting neighbor against neighbor, leading to lawsuits," Arizona's Family, Phoenix, Arizona.
February 13, 2023.

<https://www.azfamily.com/2023/02/13/rise-pickleball-pitting-neighbor-againstneighbor-leading-lawsuits/>

Arden, Amanda, "Lake Oswego shuts down city pickleball courts indefinitely due to noise complaints." KION 6 News, Portland, Oregon.

January 23, 2023.

<https://www.koin.com/local/lake-oswego-shuts-down-city-pickleball-courtsindefinitely-due-to-noise-complaints/>

Columbo, Mike, "Pickleball plan pits Kirkwood residents against neighboring country club." Fox 2 Now, Saint Louis, Missouri.

January 26, 2023.

<https://fox2now.com/news/contact-2/pickleball-plan-pits-kirkwood-residents-againstneighboring-country-club/>

Sheets, Connor, "Pickleball noise is fueling neighborhood drama from coast to coast." Los Angeles Times, Los Angeles, California.

March 3, 2022.

<https://www.latimes.com/california/story/2022-03-03/pickleball-noise-fuelingneighborhood-drama>

Adler, Erin, "Apple Valley neighbors in a pickle over pickleball noise." Star Tribune, Minneapolis, Minnesota.

March 27, 2019.

<http://www.startribune.com/apple-valleyneighbors-in-a-pickle-over-pickleball-noise/507726242/>

Bartel, Mario, "Pickleball banished from Port Moody court after neighbours complain of rising stress, anxiety." The Tri-City News, Coquitlam, British Columbia, Canada.

April 24, 2021.

<https://www.tricitynews.com/local-sports/these-games-are-loud-port-moodypickleball-neighbours-revolt-against-rising-stress-anxiety-3662369>

City of Lakewood, "Green Mountain Courts Closure." https://www.lakewoodtogether.org/pickleball/news_feed/green-mountain-courtsupdate

Higgins, Sean, "No vote on residential pickleball until city adopts new land management code." KPCW News, Park City, Utah.

January 27, 2022.

<https://www.kpcw.org/parkcity/2022-01-27/no-vote-on-residential-pickleball-until-city-adopts-new-landmanagement-code>

Maryniak, Paul, "Pickleball lights plan puts two HOAs at loggerheads." Ahwatukee Foothills News, Tempe, Arizona. November 29, 2017.

https://www.ahwatukee.com/news/article_9056a946-d48e-11e7-98388b69fb2d50b2.html

Bottemiller, Kitty, "Too loud! Pickleball noise upsets neighbors." Green Valley News, Green Valley, Arizona. August 28, 2013.

https://www.gvnews.com/news/local/too-loudpickleball-noise-upsets-neighbors/article_542c2aac-0f91-11e3-acdc-0019bb2963f4.html

Clay, Joanna, "Woman sues Newport Beach over pickleball noise at park near her home." Orange County Register, California.

April 7, 2016.

<https://www.ocregister.com/2016/04/07/woman-sues-newport-beach-over-pickleballnoise-at-park-near-her-home/>

Wheatley, Mike, "Noisy pickleball courts cause upset with homeowners." Realty Biz News.

March 15, 2022.

<https://realtybiznews.com/noisy-pickleball-courts-cause-upset-with-homeowners/98768719/>

Lazaruk, Susan, "Pickleballers face off with residents over noise in Metro Vancouver." Vancouver Sun, Toronto, Ontario, Canada.

February 2, 2022.

<https://vancouver.sun.com/news/local-news/pickleballers-face-off-with-residents-over-noise-in-metro-vancouver>

Shanes, Alexis, "Village in a pickle: How Ridgewood plans to tone down the pickleball court noise." northjersey.com, California.

January 16, 2020.

<https://www.northjersey.com/story/news/bergen/ridgewood/2020/01/16/ridgewood-nj-pickleball-noise-reduction-measures/4480463002/>

Monterey Herald Staff, "Pickleball noise controversy goes before city leaders Pacific Grove neighbors object to game at nearby tennis courts."The Mercury News, California.

September 19, 2019.

<https://www.mercurynews.com/2019/09/19/pickleball-noise-controversy-goes-before-city-leaders/>

Fraser, Patrick and Rodriguez, Ambar, "What to do about constant pickleball noise?" WSVN 7 News Miami, Miami, Florida.

March 27, 2019.

<https://wsvn.com/news/helpme-howard/what-to-do-about-constant-pickleball-noise/>

Sutphin, Daniel, "Nixing the noise: Sound fence construction underway at Gilchrist pickleball courts."Port Charlotte Sun, Charlotte Harbor, Florida. May 20, 2019.

https://www.yoursun.com/charlotte/news/nixing-the-noise-sound-fence-constructionunderway-at-gilchrist-pickleball/article_79a764de-7b1c-11e9-b4d4-6bcaa919f3f3.html

Corrigan, James, "York residents complain noise from pickleball club is hurting quality of life."WMTW News 8, Portland, Maine.

November 16, 2021.

<https://www.wmtw.com/article/york-residents-complain-noise-from-pickleball-club-ishurting-quality-of-life/38271921>

The plethora of litigation from not only across the country, but also from Canada provides a significant reason why this project should be deemed fatally flawed.

Third, while I agree with the requirement of posting No Parking signs based on promises previously made, the signs will be ignored as long as there is a gate on the east end of the complex. An example of this is the No Parking signs on Prairie Falcon adjacent to the post office on N. Tenaya. After 5 pm, people going to the sports businesses on the north side of the street park on the street despite the No Parking signs. At the initial neighborhood meeting, a representative of one of the pickleball associations stated that over 1000 people show up for tournaments at Sunset Park. No Parking signs will be meaningless with crowds

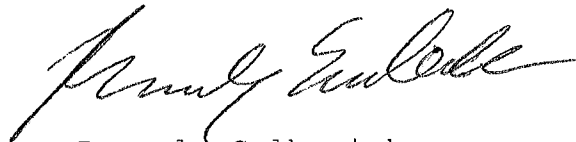
City of Las Vegas
December 21, 2023
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of that size.

There are three additional issues which were not addressed by the Planning Commission although raised by residents. First, the lack of a solid wall between the pickleball courts and the church will lead to disruptions of the regular services held at the church. Second, no response was provided to the concern that the placement of bathrooms and other water uses may be deemed by the State Engineer to be too close to the community well that services our properties. If it is too close, and that is subject to the State Engineer's discretion, we can be forced to go off our well and onto the water district's system. The cost of this could be in excess of \$100,000 per home. This significant financial impact has not been addressed. Third, a request for a drainage study, particularly given that the significant rain in September caused damage to the dirt between the end of the paved portion of Constantinople and the perimeter track of the detention basin.

While I appreciate the additional requirements, they are too vague to be enforceable or to have a meaningful impact on the burdens placed on the neighborhood. To reiterate a position I have stated on the record before, I oppose this proposed development and believe the City acted in an arbitrary and capricious manner without regard to the immediate neighbors' well being and quality of life.

Sincerely,

A handwritten signature in black ink, appearing to read "Beverly Salhanick", written in a cursive style.

Beverly Salhanick

BJS/me



CITY OF LAS VEGAS
DEPARTMENT OF CITY CLERK

Operator ID: SMAYS

Transaction: 396969

Reference #:

Today's Date: 12/26/2023 2:09:10 PM

Posting Date: 12/26/2023

Account Description	Account Number	Amount Due
GENERAL FUND.Meeting Management.Miscellaneous Fees.Meeting Services	100000.04401.270100.C21000.000.000	\$ 1,000.00
Total Amount Due		\$ 1,000.00

Method of Payment	Number	Authorization	Amount Paid
Visa/MC/ATM	1484	60029	\$ 1,000.00
Tendered			\$ 1,000.00
Change			\$.00

Customer Information:

Beverly Salhanick
7445 Constantinople
Las Vegas, NV 89129

Comments:

Appeal of PC Item: 23-0382 SDR-1 & 23-0382 VAR-1

December 26, 2023

INTER-OFFICE MEMORANDUM

TO: DEPARTMENT OF COMMUNITY DEVELOPMENT	FROM: CITY CLERK
SUBJECT: APPEAL OR CITY COUNCIL REVIEW INFORMATION ON PLANNING COMMISSION ACTIONS	COPIES TO:

This is to certify that the following action relative to the Planning Commission decision on the application of:

FILE NO.: 23-0382 [VAR1 and SDR1]

APPLICANT: APPLICANT: CITY OF LAS VEGAS - OWNER: UNITED STATES
OF AMERICA AND CITY OF LAS VEGAS

WARD: Ward 4 (Allen-Palenske)

Appeal by applicant or any other aggrieved person:

Yes

No

Review requested by City Council:

Yes

No

December 26, 2023

DATE

V. Chauzy-Holman
DEPUTY CITY CLERK

DEPARTMENT OF COMMUNITY DEVELOPMENT INFORMATION:

Date of Planning Commission Action

December 12, 2023

Last day for filing an appeal by applicant
or any other aggrieved person. (Appeal
period is 10 days after the date of the
PC decision).

December 26, 2023

Last day for a review being requested by
the City Council. (Review period is 10
days after the date of the PC decision.)

December 26, 2023

set date: 1/3/2024
cc date: 1/17/2024