

04/08/26 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-26-400009 (WS-23-0829)-4725 HOLDINGS, LLC:

WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for alternative building color palette within a Hillside Development.

DESIGN REVIEWS for the following: **1)** Hillside Development; **2)** increase building height; and **3)** a multi-family residential development on 3.83 acres in an RM32 (Residential Multi-Family 32) Zone.

Generally located south of Russell Road and west of Nellis Boulevard (alignment) within Paradise. JG/rr/kh (For possible action)

RELATED INFORMATION:

APN:

161-29-803-007

WAIVER OF DEVELOPMENT STANDARDS:

Allow an alternative color palette for a proposed multiple family residential building within a Hillside Development where all exterior walls and roofs shall be colored to blend with the desert environment per Section 30.56.100.

DESIGN REVIEWS:

1. Preliminary grading plan for a Hillside Development where required per Section 30.56.100.
2. Increase the building height to 65 feet where 35 feet is the maximum height allowed per Table 30.40-3 (an 86% increase).
3. A multiple family residential development.

LAND USE PLAN:

WINCHESTER/PARADISE - PUBLIC USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4725 E. Russell Road
- Site Acreage: 3.83
- Project Type: Multi-family residential development
- Number of Units: 82
- Density (du/ac): 21
- Number of Stories: 5
- Building Height (feet): 65

- Square Feet: 170,030
- Open Space Required/Provided: 8,200 / 87,925
- Parking Required/Provided: 129/133

Site Plan

The approved plans depict the subject parcel as a unique shaped lot that was reclassified to R-4 (currently RM32) zoning via ZC-0184-04. Access to the proposed multi-family residential development is via 1 existing shared private driveway on the southwest corner of the site adjacent to Russell Road. The private drive aisle runs west to east, in an upward direction towards the pad site that was graded prior to the applicant's purchase of the lot. The applicant requested a design review for a proposed multi-family residential development, with 82 units. No documentation was provided showing that early grading was properly permitted through the Building Department, however, since the site is within Hillside Development a design review was a part of the original request. The applicant proposed 1 building, centrally located on the subject parcel. The apartment building with the attached parking garage is set back 56 feet, 11 inches from the northwest property line; 128 feet from the north property line; 92 feet, 7 inches from the east property line and 29 feet from the south property line.

The applicant proposed a 6 foot high wrought-iron fence along the north, northwest, and east side of the complex. Furthermore, a 6 foot high CMU wall along the south property line was proposed. Amenities such as a gym, walking path, and swimming pool were also a part of the development.

Landscaping

The approved plans depict 24 inch box trees throughout the site and a 5 foot wide landscape strip along the south property line. There will be 218 Purple Training Lantana planted along with 54 Desert Willow trees.

Elevations

The approved plans depict the buildings with an overall height of 65 feet (5 stories) where a maximum of 35 feet was allowed under the previous code. A waiver of development standards to increase the building height to 65 feet was approved with the original request. The exterior architectural details of the building include vertical and horizontal stucco popout accents, balcony areas for the tenants, and a yellow and blue color scheme. Varied rooflines are also provided to add a visual interest to the top of the building.

Floor Plans

The approved plans depict a total of 82 units. There will be 23 studio units; 39, one bedroom units; and 20, two bedroom units. The approved plans depict that the overall area for the project is 170,030 square feet.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for WS-23-0829:

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a design review is required as a public hearing for final grading plans; that approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; 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 that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions; gates must be a minimum of 20 feet; and that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0466-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant is seeking an extension of time to commence construction on a previously approved project on the subject site. The applicant intends to proceed within the density granted

by the previously approved zone change, ZC-0184-04, and in conformance with conditions imposed on that application, and as amended by WC-23-400181.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|--|-----------------|----------------|
| WS-23-0829 | Waiver of development standards and design reviews for an 82-unit 5-story multi-family residential development on 3.83 acres | Approved by BCC | February 2024 |
| WC-23-400181 (ZC-0184-04) | Waiver of conditions of a zone change regarding requirements to stabilize a slope | Approved by BCC | February 2024 |
| ZC-0184-04 | Zone change from R-E and R-4 zoning to R-4 zoning and use permit and design review for a multi-family residential PUD, use permits and design review - expired | Approved by BCC | March 2004 |
| UC-1292-03 | Use permit for 21 four-plex buildings and one, 2 plex building in conjunction with a multi-family PUD development | Approved by PC | September 2003 |
| WS-0037-03 | Waivers of development Standards for 168 unit apartment complex | Approved by PC | February 2003 |
| TM-0534-02 | Tentative map for a 86 single-family residential development (townhomes) | Approved by PC | January 2003 |
| UC-1827-02 | Use permit and design review for a PUD for townhomes (east portion of the 15 acre site) | Approved by PC | January 2003 |
| VS-1810-02 | Vacated a portion of right-of-way being Nellis Boulevard - recorded | Approved by PC | January 2003 |
| WS-0628-02 | Waiver of development standards for a multi-family residential complex | Approved by PC | June 2002 |
| ZC-1108-01 | Zone change from C-2 to R-4 zoning for a senior housing complex | Approved by BCC | October 2001 |
| ZC-0925-99 (ET-0293-01) | First extension of time of a Zone Change from R-E and C-1 zoning to C-2 zoning for an office complex and shopping center - expired | Approved by BCC | September 2001 |
| ZC-0925-99 (WC-0064-01) | Waiver of conditions of a zone change requiring dedication of 50 feet for Nellis Boulevard and full off-sites | Approved by PC | June 2001 |
| DR-0961-00 | Design review for a 127,000 square foot shopping center on 19 acres - expired | Approved by PC | July 2000 |
| TM-0324-99 | Tentative map for Mesa Ridge Towne Center Commercial Subdivision (1 lot) | Approved by PC | January 2000 |
| ZC-0925-99 | Zone change from R-E and C-1 zoning to C-2 zoning for an office complex and shopping center - expired | Approved by BCC | August 1999 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|---------------|
| ZC-2009-98 | Zone change from R-E to C-1 zoning for an office complex - expired | Approved by BCC | February 1999 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|--------------|---|---------------------------|---|
| North & East | Urban Neighborhood (greater than 18 du/ac) | RM32 | Multi-family residential |
| South | Public Use | PF | SECTA High School |
| West | Urban Neighborhood (greater than 18 du/ac) & Public Use | RS5.2 | Single-family residential & Flood Channel |

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that no substantial changes have occurred on the subject site or on surrounding properties, or any change in the laws, regulations, or policies affecting the subject property that would warrant the denial of the first extension of time request. Since this is the first extension of time, staff can support this request. However, due to a new Code adopted on January 1, 2024, this may be the last extension of time that staff can support if significant progress has not been made towards commencing the project.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until February 7, 2028 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of the application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTEST:

APPLICANT: THE SIEGEL GROUP

CONTACT: THE SIEGEL GROUP, 3790 PARADISE ROAD, SUITE 250, LAS VEGAS, NV
89169