

11/02/22 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT ERIE AVE/LAS VEGAS BLVD S
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0504-46.8 ACRE INVESTORS LLC:

USE PERMIT for a multiple family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** landscaping; and **2)** reduce setback.

DESIGN REVIEWS for the following: **1)** multiple family residential development; **2)** modify parking requirements; **3)** alternative parking lot landscaping; and **4)** finished grade on 19.5 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Erie Avenue, 575 feet west of Las Vegas Boulevard South within Enterprise. MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

177-32-701-004; 177-32-701-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow alternative landscaping and buffering along a freeway where landscaping is required per Figure 30.64-4.
2. Reduce the rear yard setback to 10 feet where a minimum setback of 20 feet is required per Table 30.40-3 (a 50% reduction).

DESIGN REVIEWS:

1. Multiple family residential development.
2. Modify the additional number of parking spaces required to 2 where 17 parking spaces are required for the enclosed parking garages per Table 30.60-1.
3. Alternative parking lot landscaping.
4. Increase finished grade to 120 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 233% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A

- Site Acreage: 19.5
- Number of Units: 422
- Density (du/ac): 21.7
- Project Type: Multiple family development
- Number of Stories: 1 to 3
- Building Height (feet): 26 to 41 (multiple family buildings)/27 (clubhouse building)/16 (garage buildings)/17 (outbuilding)
- Square Feet: 3,563 to 24,838 (multiple family buildings)/13,022 (clubhouse)/2,120 to 2,239 (garage and maintenance buildings)
- Open Space Required/Provided: 42,200/99,350
- Parking Required/Provided: 740/742*
 *Two additional parking spaces are provided where 17 additional parking spaces are required per the number of enclosed parking garages.

Site Plans

The plans depict a multiple family development located on a 19.5 acre site consisting of 422 dwelling units with a density of 21.7 dwelling units per acre. The proposal consists of 24 multiple family buildings, 5 garage buildings, and a clubhouse building. Seven multiple family buildings are located along the north portion of the site with a minimum building setback of 20 feet from Erie Avenue. Two multiple family buildings are located along the east portion of the site and are set back a minimum of 22 feet from the interior side property line. Seven multiple family buildings, 2 garage buildings, and a maintenance building are located along the south portion of the site with a setback of 10 feet from the rear property line. A waiver of development standards is required to reduce the rear yard setback for the aforementioned multiple family, garage, and maintenance buildings. Three garage buildings are located along the west portion of the property, and are set back a minimum of 75 feet from the interior side property line adjacent to the future I-15 frontage road. Nine multiple family buildings and the clubhouse building are centrally located within the subject property.

The proposed development requires 740 parking spaces where 742 parking spaces are provided. Additionally, since 82 parking spaces are enclosed within garages, an additional 17 parking spaces are required. However, these additional spaces may be modified and reduced with a design review.

The sole means of access to the site is granted via a single driveway with a security gate adjacent to Erie Avenue. A secondary “exit only” gate is located at the northwest corner of the development.

The increase in finished grade will predominantly occur at the northeast corner of the site in proximity to Building 22.

Landscaping

The plans depict a proposed 15 foot wide landscape area and pedestrian realm, including a 5 foot wide detached sidewalk, adjacent to Erie Avenue. The pedestrian realm may include decorative waste receptacles, benches, enhanced paving materials, and bicycle racks. The street landscape

area consists of 24 inch box large and medium trees, 15 gallon small trees, in addition to shrubs and groundcover.

In lieu of providing the required amount of landscape finger islands within the interior of the parking lot, the required trees have been distributed throughout the interior of the site. The development requires 124 trees within the interior of the parking lot where a combination of 140 medium and large trees have been equitably distributed throughout the site. Landscaping, consisting of 24 inch box trees, is intermittently dispersed between the parking garages.

The multiple family development requires 42,200 square feet of open space where 99,350 square feet of open space has been provided. The open space is centrally located within the project site, oriented in an east/west direction, consisting of horseshoe and pickle ball courts, swimming pool and deck area, dog park, clubhouse, barbecue pit, walking paths, and secondary open space areas.

A waiver of development standards is requested to allow alternative landscaping adjacent to the freeway, specifically I-15. Code requires a freeway buffer wall, in addition to one 24 inch box tree every 100 linear feet or 1 large 15 gallon tree every 50 linear feet within the interior side of the wall. The freeway buffer wall is set back approximately 75 feet from the west property line, adjacent to the freeway, to accommodate the future frontage road. The freeway wall is a combination of a 6 foot high painted stucco masonry wall integral with the rear elevation of the garage buildings, also painted stucco.

Elevations

The plans depict 2 story and 3 story multiple family buildings ranging between 26 feet to 41 feet high. The buildings consist of varying roof lines that include parapet walls and pitched, standing seam metal roofs. The exterior of the buildings consists of stucco, aluminum windows, standing seam metal canopies, and balconies. Garages are located immediately below the 2 story multiple family buildings. The clubhouse measures up to 27 feet in height and features varying roof lines including parapet walls and a pitched, standing seam metal roof. The exterior of the clubhouse consists of stucco, stone veneer, and an aluminum storefront window system. All buildings will be painted with neutral, earth tone colors. Rooftop mounted equipment will be screened by parapet walls from public view and the right-of-way.

Floor Plans

The plans depict a total of 422 units consisting of 12 studio, 203 one bedroom, 183 two bedroom, and 24 three bedroom units. The floor plans depict a clubhouse area measuring 13,022 square feet in area featuring a gym, leasing offices, restroom facilities, foyer, and miscellaneous rooms available to the residents of the development.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates a multiple family development is appropriate for the following reasons: (1) there are existing multiple family developments in the area and (2) the property is in between

Las Vegas Boulevard South and the 1-15. Multiple terminating landscape finger islands do not have trees; however, 140 trees are proposed within the interior of the parking lot where 124 trees are required. Based on the number of multiple family units and required visitor spaces, 740 parking spaces are required. However, since 82 parking spaces are enclosed within garages, an additional 17 spaces are necessary which may be modified by a design review. A total of 742 parking spaces are provided throughout the interior of the site. An increase to finished grade is requested as the project site has approximately 11 feet of fall across the property. To fill in the existing natural drainage channels and balance the property's earthworks for flood protection, fill as deep as 10 feet will be required. Therefore, the applicant is requesting an increase in finished grade up to a maximum of 10 feet (120 inches). The applicant is providing the freeway buffer wall, but not along the property line. Instead it is located on the east side of a 60 foot roadway easement which is intended to be a future frontage road. The freeway wall is a combination of a 6 foot painted stucco masonry wall integral with the rear elevation of garage buildings. According to the applicant, the rear yard setback reduction is justified as the area within the reduction in setback is limited to 1 story and 2 story buildings with small footprints (1,782 square feet to 2,398 square feet).

Prior Land Use Requests

Application Number	Request	Action	Date
VS-18-0862	Vacated and abandoned patent easements	Approved by PC	July 2019
ZC-0806-05	Reclassified a 2.5 acre portion of the project site to H-1 zoning for future development	Approved by BCC	July 2005
ADR-0158-04	Off-premises sign	Approved by ZA	February 2004
ZC-0674-01	Reclassified a portion of the project site to H-1 zoning for a future resort hotel	Approved by BCC	November 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Undeveloped
South	Entertainment Mixed-Use	H-1	Multiple family residential
East	Entertainment Mixed-Use	C-2	Shopping center
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	P-F & R-3	I-15

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-22-0506	A request to vacate and abandon patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Multiple family residential developments require the approval of a use permit in the H-1 zoning district to permit the use and demonstrate the development is appropriate for the given location. The proposed development complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. The project also complies with Policy 1.3.2 that encourages a mix of housing options, both product types and unit sizes, within larger neighborhoods and multiple family developments. Per the Master Plan, multiple family residential uses are encouraged as a supporting use in the Entertainment Mixed-Use category to support the expansion of housing options within close proximity of services, amenities, and jobs. The proposed use complies with several goals and policies of the Master Plan; therefore, staff recommends approval.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #2

Multiple family developments within the H-1 zoning district are subject to the development standards, including the setbacks, established for the R-5 zoning district. The H-1 zoning district permits a 10 foot rear yard setback; however, a rear yard setback of 20 feet is required for the R-5 zone. The rear yard for the multiple family development is located along the south property line of the subject property, adjacent to an existing multiple family development. The garage and multiple family buildings located along the south property line range between 17 feet to 27 feet in height. Staff finds the setback reduction should have minimal to no impact on the adjacent multiple family development; therefore, recommends approval.

Design Review #1

Staff finds the proposed multiple family residential development complies with several goals and policies within the Master Plan. Policy 6.2.1 encourages the design and intensity of new development to be compatible with established neighborhoods and uses in terms of its height, scale, and overall mix of uses. The proposed development is consistent and compatible with the

multiple family development to the south and the previously approved commercial development to the east. Policy 6.2.2 encourages the use of sustainable site design and development practices in new construction projects. The landscape plan for the site has been designed to incorporate multiple species of recommended trees, shrubs, and groundcover from the SNWA Regional Plant List. Furthermore, the buildings include off-set surface planes, an aesthetically pleasing color palette, and parapet walls along the roofline at various heights; therefore, staff can support the design review request.

Design Review #2 and Waiver of Development Standards #1

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands, is appropriate for the multiple family development. The site requires 124 trees for the interior parking lot area where the site has been designed to include an additional 16 trees (140 trees overall) that will be distributed throughout the interior of the development. Staff finds the proposed landscaping will reduce the “heat island” effect and improve the aesthetics of the project site and the surrounding area. Staff has no objection to the location of the freeway buffer wall and alternative landscaping along the west property line adjacent to the freeway. The configuration of the buffer wall and landscaping, as depicted on the site plan, should not have a negative impact on the development or the surrounding properties. Therefore, staff recommends approval of these requests.

Design Review #3

Staff has no objection to eliminating the additional 17 unenclosed parking spaces required for the proposed 80 enclosed parking spaces. Eliminating the unenclosed parking spaces should not have an adverse or negative impact on the multiple family development. The proposed quantity of parking spaces are adequate to serve both the residents and guests of the development; therefore, staff recommends approval.

Public Works - Development Review

Design Review #4

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

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:

Current Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Erie Avenue and associated spandrel;
- Grant a 60 foot wide roadway easement for the frontage road on the west side of the site.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Fire Prevention Bureau

- 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.

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 #0049-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval (design review as a public hearing for lighting and signage; enclosed parking spaces to be used for parking only).

APPROVALS:

PROTESTS:

APPLICANT: WOLFF ENTERPRISES III, LLC

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