

MULTIPLE FAMILY DEVELOPMENT
(TITLE 30)

UPDATE
FORT APACHE RD/OQUENDO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0409-PSI OQUENDO, LLC:

HOLDOVER ZONE CHANGE to reclassify 4.2 acres from a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone to an R-3 (Multiple Family Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** reduce driveway throat depth for a call box; and **3)** reduce driveway distance from an intersection.

DESIGN REVIEWS for the following: **1)** for a multiple family residential development; and **2)** finished grade.

Generally located on the west side of Fort Apache Road and the north side of Oquendo Road within Spring Valley (description on file). JJ/rk/syp (For possible action)

RELATED INFORMATION:

APN:

163-31-501-019

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 38 feet where a maximum of 35 feet is permitted per Table 30.40-3 (an 8% increase).
2. Reduce the driveway throat depth for a call box on Fort Apache Road to 82 feet where 100 feet is required per Uniform Standard Drawing 222.1 (an 18% reduction).
3. Reduce the departure distance from a driveway to a street intersection to 137 feet along Oquendo Road where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 28% reduction).

DESIGN REVIEWS:

1. A multiple family residential development.
2. Increase finished grade to 72 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 100% increase).

LAND USE PLAN:

SPRING VALLEY - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.2
- Number of Units: 60
- Density (du/ac): 14.2
- Project Type: Multiple family residential development
- Number of Stories: 3
- Building Height (feet): 38
- Open Space Required/Provided: 12,000/39,669
- Parking Required/Provided: 146/154

Site Plans

The plans depict a gated 60 unit, multiple family complex, distributed among 9, three story buildings. More specifically, the development is made up of 6 plex, and 8 plex buildings with 2 car garages (this will not be a townhome development). The multiple family buildings are designed with the front garages facing the street. The development will be served by 26 foot wide drive aisles with the main point of ingress/egress to the east from Fort Apache Road. There will also be an exit only gate to the south along Oquendo Road. The setbacks of the buildings are as follows: 20 feet to the west property line; 25 feet to the north property line; 25 feet to the east property line (Fort Apache Road); and 25 feet to the south property line (Oquendo Road). A network of common open spaces is located throughout the development, which will include on-site pedestrian paths, recreational pool area with BBQ, play structure, and a dog park. Parking will consist of garage parking for residents and designed surface off-street parking for visitors. Approximately 34 parking spaces are shown for the visitors and 120 parking spaces are provided for the residents. The plans also depict that the finished grade of the site will be increased up to 6 feet and is necessary to fill ravines within the site.

Landscaping

Street landscaping consists of a 20 foot wide area, which includes a 5 foot wide detached sidewalk along Fort Apache Road and Oquendo Road. A 15 foot wide landscape buffer (per Figure 30.64-12) is provided along the west property line adjacent to an R-3 compact lot single family development. Near the center of the site, the plan shows a recreational area with a pool, seating area and BBQ. Additionally, at the southwest corner of the development is a playground area and at the northwest corner is a dog park. The development requires 12,000 square feet of open space where 39,669 square feet of open space is provided. A 6 foot high decorative fence is proposed along the east and south property lines adjacent to the public street frontage.

Elevations

The proposed architecture for the project is a plex building design with 1 elevation. All buildings will have unified and consistent architecture. The building materials generally consist of stucco siding with pop-out elements and additional facade relief on select portions of the horizontal planes. Decorative window variations and brick accents are featured on all elevations, in

addition to wrought iron railings utilized for the patios and second story deck areas. The clubhouse will be 11 feet in height and will match the architecture of residential buildings.

Floor Plan

The square footage of the units will range between 1,531 square feet to 2,330 square feet. The first level is an enclosed garage with living space on the balance of the first level and on the second and third levels. The unit mix is as follows: 42, two bedroom units and 18, three bedroom units.

Applicant’s Justification

The applicant indicates the proposed density is approximately 14 dwelling units per acre. As such, the corresponding R-3 zoning is allowed in the land use category for Compact Neighborhood. Immediately to the west is an existing R-3 development and farther north are existing R-3 and R-4 developments on Russell Road. The applicant further states that the increase in building height is a minor request and appropriate for the following reasons: 1) each floor is approximately 9 feet in height; 2) parapets to hide mechanical units and; therefore, provide an enhanced architectural feature; and 3) the slight increase in height is not for residential use but rather an architectural enhancement.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1464-02	Reclassified this site to C-1 and C-2 zoning for a shopping center	Approved by BCC	January 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Commercial complex
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Corridor Mixed-Use	R-2	Single family residential
West	Compact Neighborhood (up to 18 du/ac)	R-3	Single family residential

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

Related Applications

Application Number	Request
VS-23-0410	A request to vacate patent easements and right-of-way on this site is a companion item of this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

This request is consistent and compatible with existing land uses in the area and the request conforms to most goals in the Master Plan. The zone change request conforms to the Spring Valley Land Use Plan which designates this site as Compact Neighborhood for densities up to 18 dwelling units per acre. The proposed project will have a density of 14.2 dwelling units per acre. The zone change request will provide an appropriate transition between the commercial development along Fort Apache Road and the compact single family residential development farther to the west. The request complies with Housing Policy 2 of the Master Plan to promote a mix of housing types that meet the diverse needs of the community. Therefore, staff can support this portion of the request; however, staff is concerned with the scale and intensity of the layout of the project adjacent to the existing development to the west.

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.

Waivers of Development Standards #1

Staff does not have an objection to the increased building height as it should have minimal impact on the surrounding land uses. The increased building height is necessary to hide mechanical units and is not for habitable area; however, since staff does not support design review #1, staff cannot support this request.

Design Review #1

Staff finds that the design of the multiple family complex complies with Urban Land Use Policy 43 which promotes projects that provide varied neighborhood design and/or innovative architecture that includes varied setbacks from residences, varied rooflines, and/or architectural enhancements on all sides. The design of the proposed development is effective for both pedestrian and vehicular safety and could be compatible with the surrounding residential and commercial development within the area. However, even though most of the elements of the design review of this project are compatible with the adjacent land use, the layout of the buildings does not comply with County goals which states that multiple family developments should be compatible with adjoining land uses through proper site planning and sensitivity to building placement. This development proposes all 8 plex buildings to be located along the west property line adjacent to single family homes which results in a project that will have building massing next to existing single family residences. Therefore, staff finds the applicant has not established that the proposed layout is appropriate to merit approval of the design review. Additionally, staff also recommends that the proposed multiple family buildings along the west property line be limited to 6 plexes and 35 feet in height which are adjacent to existing 2 story homes.

Public Works - Development Review

Waiver of Development Standards #2

Although the throat depth distance to the call box does not comply with the minimum standard, the applicant has placed the gates farther into the site, which will provide more room for vehicles to exit the right-of-way reducing stacking in the right-of-way to avoid collisions. Therefore, staff has no objection to this request.

Waiver of Development Standards #3

Staff has no objection to the reduction in the departure distance for the Oquendo Road commercial driveway. The driveway is exit only and has been placed as far west as the site will allow.

Design Review #2

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 of the zone change, waivers of development standards #2 and #3, and design review #2; denial of waiver of development standards #1 and design review #1.

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

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Up to 6 plex buildings along west property line;
- No buildings higher than 35 feet along western property line;
- 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 installation and use of cooling systems that consumptively use water will be prohibited; **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; and that the waivers of development standards and design reviews must commence within 2 years of approval date or they 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 25 feet to the back of curb for Oquendo Road.
- Applicant is advised 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; and that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

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 #0364-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - denial.

APPROVALS: 2 cards

PROTESTS: 14 cards, 7 letters

COUNTY COMMISSION ACTION: September 6, 2023 – HELD – To 09/20/23 – per the applicant.

APPLICANT: PARTING SEAS INVESTMENTS, LLC

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