

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-25-400037 (WS-23-0333)-UNCOMMONS LIVING BLDG 1, LLC:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: **1)** approach distance; **2)** throat depth; **3)** curb return; and **4)** driveway width.

DESIGN REVIEWS for the following: **1)** modifications to a previously approved High Impact Project and mixed-use project; and **2)** finished grade on an 8.4 acre portion of 32.5 acres in a U-V (Urban Village - Mixed-Use) Zone in the CMA Design Overlay District.

Generally located on the southeast corner of Durango Drive and the CC 215 within Spring Valley. MN/my/kh (For possible action)

RELATED INFORMATION:

APN:

176-04-211-002 through 176-04-211-007; 176-04-211-009 through 176-04-211-015; 176-04-301-003; 176-04-301-004; 176-04-301-014

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the approach distance along Gagnier Boulevard to 65 feet where 150 feet is required per Uniform Standard Drawings 222.1 (a 57% reduction).
 - b. Reduce the approach distance along Badura Avenue to 65 feet where 150 feet is required per Uniform Standard Drawings 222.1 (a 57% reduction).
2.
 - a. Reduce the throat depth along Gagnier Boulevard to 55 feet where 150 feet is required per Uniform Standard Drawings 222.1 (a 57% reduction).
 - b. Reduce the throat depth along Gagnier Boulevard to zero feet where 25 feet is required per Uniform Standard Drawings 222.1 (a 100% reduction).
 - c. Reduce the throat depth along Badura Avenue to zero feet where 25 feet is required per Uniform Standard Drawings 222.1 (a 100% reduction).
3. Reduce required standard curb return to 4 feet where 15 feet is required per Uniform Standard Drawings (a 73% reduction).
4. Reduce the driveway width to less than 32 feet lip to lip for pull-outs for Fire Department and other utilities per Uniform Standard Drawings 222.1.

DESIGN REVIEWS:

1. Revisions to portion of the residential element and commercial element (Phase II).
2. Increase finished grade to 48 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 33% increase).

LAND USE PLAN:

SPRING VALLEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 32.5 (entire site)/8.4 (Phase II)
- Number of Units: 807 (455 units for Phase II)
- Density (du/ac): 23
- Project Type: Modifications to High Impact/mixed-use project
- Number of Stories: Up to 5 stories
- Building Height (feet): Up to 75
- Square Feet: 588,600 (commercial)
- Open Space Required/Provided (square feet): 211,266/452,100
- Parking Required/Provided: 3,392/3,620

Overview

The approved mixed-use project is located on the southeast corner of the CC 215 Beltway/Roy Horn Way and Durango Drive on a total of 35.2 acres approved by action on ZC-19-0343. The previously approved plans depict a High Impact, mixed-use project consisting of office buildings, a movie theater, commercial buildings, residential buildings, and parking structures. The originally approved residential element consisted of 838 residential units at a density of 24 dwelling units per acre. The approved open space element for the entire project was a total of 452,100 square feet where 211,266 square feet is required.

In March 2020, a design review (DR-20-0098) was approved for modifications to the site for Phase II. The approved plans on file with DR-20-0098 depict 806 residential units at a density of 23 dwelling units per acre.

The Phase II portion of the project consists mainly of the residential element and a portion of the commercial elements located on the south side of Maule Avenue, the north side of Badura Avenue, and west side of Gagnier Boulevard. The Phase II revision was a redesign to combine 2 portions of the southern residential areas which were originally approved with a private drive between. The revision depicts a site with the private street eliminated to create 1 residential block/complex with a reduced commercial element.

The open space is distributed along the perimeter, center, and throughout the site, consisting of the required pedestrian realm, modified and alternate realms, courtyards, plazas, and open spaces. The approved site landscaping consists of pedestrian realms along the frontage of the street and private drives ranging in width from a minimum of 15 feet up to 30 feet. The previously approved modified pedestrian realm along portions of Roy Horn Way is up to 20 feet wide with an alternate pedestrian realm that traverses the site ranging from a minimum of 15 feet to 25 feet wide in some areas to create wider plazas, courtyards, open space, amenity area, and connect to trails.

A total of 3,713 parking spaces were provided where the shared use table allowed 3,135 parking spaces. The parking spaces are within various parking structures around the site. Parallel and

angled parking spaces are also provided along the drive aisles and private streets within the site. The residential elements and buildings are mainly located on the southern and western portions of the site. Phase I of the residential elements depicted buildings designed with the residential units wrapped around the parking structures. This allows the residential units which are the enhanced portions of the buildings to front the street frontages and more visible portions of the site. Portions of the residential element of Phase 1 are completed with other portions under construction.

Site Plan

This request is for Phase II which primarily consists of a residential element and a portion of the commercial element. The revision depicted a site with the private street eliminated to create one, 8.35 acre (net) block. This residential block is between Maule Avenue to the north, Badura Avenue to the south, Gagnier Boulevard to the east, and Butler Street to the west. Internal private streets with on-street parking create a grid network connecting the project with the surrounding public rights-of-way. Four office buildings are located along Roy Horn Way adjacent to the northern portion of the site. Commercial buildings with a market hall and parking structures provide a centralized gathering space within the overall complex.

The commercial element provided is 2,659 square feet and is located on the northwestern portion of the block. A 1,861 square foot leasing office with amenity areas for the buildings within this block includes a fitness center, co-working spaces, lounge, pet spa, and bicycle storage. Parking for the overall project was recalculated using the shared use parking schedule and indicates that a maximum of 3,392 parking spaces are required where 3,620 parking spaces are provided.

With all 4 levels of the apartment buildings combined, the total area is approximately 459,426 gross square feet. The entire project with the combined square footage of the apartment buildings and the parking garage is 837,673 gross square feet. The northwest corner of the building will include approximately 2,659 gross square feet of commercial space at the ground floor level. Additionally, there will be a ground floor leasing office of approximately 1,861 square feet, and various amenity spaces for residents use including a fitness center, working space, sky lounge, pet spa, bicycle storage, and other similar types of amenities.

The approved plans depict a contiguous residential complex consisting of 7 apartment buildings with firewalls separating the buildings and 1 parking structure on the southeastern portion of the complex. A total of 455 residential units are proposed divided into the 7 buildings. The buildings are configured to create an exterior courtyard along Maule Avenue and 3 separate interior courtyards connect the buildings with ground level breezeways.

This revision added a residential unit to the latest approved plan, for a total of 807, which keeps the overall density at 23 dwelling units per acre.

Landscaping

The approved plans depict a 20 foot to 41 foot wide pedestrian realm around the residential block which exceeds Code requirement. Other revisions include pedestrian pathways that connect the pedestrian realm to the open space and plaza areas within the complex. The open space element

provided for this complex is 169,736 square feet which is a portion of the overall open space provided for the project.

Elevations

The approved plans depict 4 story buildings ranging in height from 47 feet to the top of the parapets and up to 59 feet, 4 inches to the top of the stair wells and elevator shafts. The parking structure is 4 stories and up to approximately 35 feet in height and designed with each level corresponding to the floor levels of the apartment building. The building materials for the apartments include wood frames with low slope roofing and parapets around the perimeter with painted stucco finishes in white and grey with accents, off-sets, and recesses to enhance the facades especially along the street frontages and pedestrian realms. The parking structure consists of precast concrete panels with metal stairs.

Floor Plans

The approved plans depict a selection of floor plans and include various configurations, including 50 studio apartment units, 216, one bedroom units, 185, two bedroom units, and 4, three bedroom units. Each will have a variety of design elements based on interior design palette for each building. The size of the apartment units ranges from 543 square feet to 698 square feet for studios, from 783 square feet for 1 bedroom, up to 1,400 square feet for the 2 bedroom, and up to 1,561 square feet for the 3 bedroom units.

Previous Conditions of Approval

Listed below are the approved conditions for WS-23-0333:

Comprehensive Planning

- 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;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Maule Avenue/Badura Avenue improvement project;
- Coordinate with Public Works - Development Review on the final design of the loading area driveways;
- Coordinate with Public Works - Development Review on prohibiting public access to the NVE access driveways.

- 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.

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 that fire/emergency access must comply with the Fire Code as amended; and to show on-site fire lane, turning radius, and turnarounds.

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 #0118-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

Per the applicant's justification letter, Phase II has not commenced due to delays based on financing. The applicant is requesting a 3 year extension to commence and complete the project. This request is necessary to securing financing, secure tenants, and partners for this portion of the project. Currently, the project is partially completed with only 3 parcels being undeveloped. Per the applicant, 61% of the project is completed.

Prior Land Use Requests

Application Number	Request	Action	Date
SC-24-0261	Street name change for Gagnier Boulevard to Signature Boulevard	Approved by BCC	November 2024
DR-23-0802	Design review for recreational facility	Approved by BCC	February 2024
WC-23-400174 (ZC-19-0343)	Waivers of conditions for the operating hours to specials events	Approved by BCC	February 2024
WS-23-0718	Waiver of standards and design review to alter approved sign package	Approved by BCC	December 2023
WS-23-0604	Use permit to reduce pedestrian realm	Approved by BCC	November 2023
WS-23-0333	Waiver of standards to revise UnCommons Phase II	Approved by BCC	August 2023
ET-22-400041 (DR-20-0098)	First extension of time for outdoor theater and revisions to a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400040 (WS-20-0099)	First extension of time for a temporary parking lot for a high impact mixed-use project	Approved by BCC	May 2022
ET-22-400039 (ZC-19-0343)	First extension of time request for a High Impact mixed-use project	Approved by BCC	May 2022
DR-22-0011	Finished grade	Approved by BCC	April 2022

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0507	Waived setbacks, signage, and non-standard improvements in right-of-way, with design reviews for building modifications and a comprehensive signage package for a high impact mixed-use project	Approved by BCC	January 2021
WS-20-0099	Temporary parking lots in conjunction with the previously approved High Impact, mixed-use project	Approved by ZA	March 2020
DR-20-0098	Outdoor theater and modifications to previously approved High Impact Project and mixed-use	Approved by ZA	March 2020
TM-20-500013	Mixed-use project consisting of 4 commercial lots on 43.4 acres	Approved by ZA	March 2020
ZC-19-0343	Reclassified the site to U-V zoning for a High Impact mixed-use project	Approved by BCC	June 2019
VS-19-0253	Vacated and abandoned patent easements and a portion of right-of-way being Pamalyn Avenue	Approved by BCC	May 2019
VS-0794-16	Vacated and abandoned patent easements and a portion of right-of-way being Butler Street	Approved by BCC	April 2017
UC-1202-02	Off-premises sign	Denied by BCC	February 2003
UC-1199-02	Off-premises sign	Denied by BCC	February 2003
VS-1518-02	Vacated and abandoned a portion of the Durango Flood Channel	Approved by PC	December 2002
ZC-1415-02	Reclassified a 12.2 acre portion of the site to C-2 zoning for future development	Approved by BCC	November 2002
ZC-1107-02	Reclassified a 2 acre portion of the site to C-2 zoning for an office building	Approved by BCC	September 2002
ZC-1065-02	Reclassified a 2.5 acre portion of the site to C-2 zoning for a restaurant	Approved by BCC	September 2002

Surrounding Land Use*

	Planned Land Use Category	Zoning District	Existing Land Use
North**	Corridor Mixed-Use	RS20 & CG	Undeveloped & office buildings
South	Urban Neighborhood (greater than 18 du/ac) & Business Employment	IP, RM32, & CG	Undeveloped, retail plaza, & multi-family residential
East	Business Employment & Urban Neighborhood (greater than 18 du/ac)	CG, RM50, & CP	Undeveloped & office building
West	Entertainment Mixed-Use	H-1	Durango Station

*Portions of the subject site and surrounding area are in the Public Facilities Needs Assessment (PFNA) area.

**The CC 215 is located directly north of the site.

Related Applications

Application Number	Request
ET-25-400044 (UC-23-0604)	Extension of time for modifications to the pedestrian realm is a related item on this agenda.
ET-25-400043 (ZC-19-0343)	Extension of time for a high impact mixed-use project is a related item on this agenda.
ET-25-400042 (WS-23-0718)	Extension of time for signage is a related item on this agenda.
ET-25-400041 (DR-20-0098)	Second extension of time for an outdoor theater and modifications to a mixed-use project is a related item on this agenda.
ET-25-400038 (WS-20-0099)	Extension of time for temporary parking lots is a related item on this agenda.

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.

This request is related to the previously approved multi-family development with a commercial component just south of Maule Avenue in addition to the outdoor theater on the west side of the development and a previously approved office building on the northeast corner of the site. Staff finds that building permit (BD23-36579) is still an active permit in the system and is related to the multi-family development block south of Maule Avenue. Records also show the following active permits related to the multi-family residential development: BD24-09517, BD24-33417, PW-23-18732-B01, PW23-18732, and PW20-13383-B01. Staff supports this request since the applicant has shown progress towards completing the project.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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 December 6, 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; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Badura Avenue/Maule Avenue improvement project;
- 90 days to record said separate document for the Badura Avenue/Maule Avenue improvement project;
- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTEST:

APPLICANT: KELLY LAWSON

CONTACT: LEBENE AIDAM-OHENE, BROWN, BROWN, & PREMSRIRUT, 520 S. FOURTH STREET, LAS VEGAS, NV 89101