

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0495-BECKETT TIMOTHY & MADELAINE ETAL & RCVI GROUP, INC.:

USE PERMIT for a proposed multi-family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce buffering and screening; **2)** increase retaining wall height; and **3)** modify residential adjacency standards.

DESIGN REVIEW for a proposed multi-family residential development on 3.83 acres in a CG (Commercial General) Zone.

Generally located east of Nellis Boulevard and north of Vegas Valley Drive within Sunrise Manor. TS/hw/cv (For possible action)

RELATED INFORMATION:

APN:

161-09-217-006

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Allow a 6 foot high existing non-decorative screen wall along the north property line to remain where an 8 foot high decorative screen wall is required per Section 30.04.02C.
 - b. Reduce the width of the landscape buffer along the northern property line to 10 feet where a minimum 15 foot wide landscape buffer is required per Section 30.04.02C (a 33% reduction).
 - c. Allow a single row of clustered trees along the eastern property line where a double row of trees is required per Section 30.04.02C.
2.
 - a. Increase the height of a retaining wall along the north property line to 5 feet where 3 feet is the maximum permitted per Section 30.04.03C (a 67% increase).
 - b. Increase the height of a retaining wall along the east property line to 5 feet where 3 feet is the maximum permitted per Section 30.04.03C (a 67% increase).
 - c. Increase the height of a retaining wall along the south property line to 5 feet where 3 feet is the maximum permitted per Section 30.04.03C (a 67% increase).
3.
 - a. Increase fill height along the north and east property lines to 5 feet where a maximum of 3 feet is allowed to be placed within 5 feet of a shared residential property line per Section 30.04.06F (a 67% increase).
 - b. Allow high activity areas (parking stalls) along the east property line to be adjacent to a residential use without buffering and screening where not permitted by Section 30.04.06G.

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.83
- Project Type: Proposed multi-family residential development (apartments)
- Number of Units: 120
- Density (du/ac): 31.33
- Number of Stories: 3
- Building Height (feet): 38
- Square Feet: 121,009
- Open Space Required/Provided: 33,367/34,450
- Parking Required/Provided: 148/148
- Sustainability Required/Provided: 5/7.5

Site Plans

The proposed project is being developed in the northern portion of a previously approved shopping center. The plans depict a 6 building, multi-family residential complex with a total area of 121,009 square feet situated east of Nellis Boulevard and approximately 440 feet north of Vegas Valley Drive. A total of 120 units, split between 30, one bedroom units and 60, two bedroom units, and 30, three bedroom units for an overall density of 31.33 units per acre. While the planned land use designation for the site is Corridor Mixed-Use, which permits 18 dwelling units per acre, the applicant is permitted to increase their density with a special use permit due to the proposed project being certified as an affordable housing project through the Clark County Community Housing Office.

The buildings on site consist of 5 residential buildings and 1 clubhouse building. The proposed buildings are generally located along the exterior of the parcel surrounding a central drive and parking area. There are 4 residential buildings located in the eastern half of the site with 2 buildings located along the northern property line and another 2 buildings are located along the southern property line with the main parking area located between the 2 sets of buildings. The southeastern building is set back 10.5 feet from the southern property line and 15 feet from the eastern property while the southwestern building is set back 13.5 feet from the south property line and 10 feet from the southwest property line. The 2 southern residential buildings are separated by 22 feet.

The northern set of buildings are both set back 12 feet from the north property line with the northeastern building set back 15.5 feet from the east property line with the 2 buildings separated by 25 feet. The fifth residential building is located in the western corner of the site along Nellis Boulevard. The building is set back 23 from Nellis Boulevard to the west and 10 feet from the southern property line. This building is set 120 feet to the west of the main set of residential buildings. Approximately 66.5 feet to the north of the northeast corner of the western residential building is a 3,600 square foot leasing office and clubhouse building with 648 square foot pool.

The site will be enclosed by an 8 foot tall screen wall along the south and east property lines with a 6 foot tall existing screen wall along the north property line. Additionally, a 6 foot wrought

iron fence along the western portion of the site running from the front face of the proposed clubhouse toward Nellis Boulevard and then running along Nellis Boulevard behind required landscaping will be used. Three trash enclosures are provided on the site with 1 located in between both sets of buildings in the eastern portion of the site and 1 enclosure at the northeast corner of the western residential building.

Access to the site will be provided by a 36 foot wide driveway along Nellis Boulevard in the northwest corner of the site. This driveway connects to a 48 foot wide driveway with access to the leasing office/clubhouse parking lot but also the main entry and exit gate. This gate has a call box located in a 4 foot median within the 48 foot wide drive aisle. The call box is set back 100 feet from Nellis Boulevard, while the gate is set back 142 feet from Nellis Boulevard. The gate provides access to a main 24 foot drive aisle that extends from in front of the western residential to east end of the northeastern building where it loops around to provide access to the southern set of residential buildings and reconnects with the main drive aisle just to the west of the main set of residential buildings.

Parking is mainly provided in the center of the complex in an east to west direction. Additionally, parking is provided to the west of the clubhouse building. The plans also show parking and drive aisles along the eastern portion of the site adjacent to the neighboring residential use. Nearly all parking stalls will be covered by shade structures that will be set back at least 10 feet from any building. Ultimately, a total of 148 parking stalls is required with 148 parking stalls being provided. The parking calculation was reached due to the reduction allowed for affordable housing and reaching extra sustainability points. A series of pedestrian walkways run in front of each building and connect each building to each other and to a main sidewalk that connects with the sidewalk along Nellis Boulevard.

The plans also show significant grading is required along the north, east, and south portions of the property. Along the northeast and southeast portions of the property, 3.5 foot tall retaining walls are required along with fill heights between 2.7 feet and 4 feet. Along the east portion of the site, a 4 foot tall retaining wall is required along with fill heights ranging between 2.8 and 3.5 feet. The applicant, however, is requesting a maximum height of 5 feet for both fill and retaining walls.

Landscaping

The landscaping plans show both street landscaping and parking lot landscaping have been provided. Along Nellis Boulevard, a 5 foot wide landscape strip along the street followed by a 5 foot detached sidewalk with a 7 foot wide landscape strip behind the sidewalk, is provided. Within these landscaping strips, a mix of Desert Museum Palo Verde (*Parkinsonia* x 'Desert Museum'), Holly Oak (*Quercus Ilex*), and Mesquite (*Prosopis* sp.) trees will be provided approximately every 30 feet on center with trees staggered on each side of the detached sidewalk. A total of 8 large trees are required along Nellis Boulevard with 8 large trees being provided.

Within the parking lot area, trees are provided with both terminal and internal landscaping finger islands every 3 to 7 spaces even when the spaces are covered by a shade structure. Additionally, trees are also provided within landscape strips in front of parking spaces. The trees provided

within these parking landscape areas include Fruitless Olive (*Olea Europaea*), African Sumac (*Rhus Lancea*), Green Chinese Elm (*Ulmus Parvifolia*), and Holly Oak trees. Within the parking lot, a total of 23 trees are required where 26 trees are being provided and are specifically dedicated as parking lot landscaping.

Additional landscaping is provided throughout the site particularly in front of the residential buildings. Various trees species have been provided surrounding the 3 southern residential buildings which help to add to the parking lot landscaping and serves as a buffer between the residential buildings and commercial areas to the south. Along the north property line, a landscape buffer has been provided consisting of a 10 foot to 15 foot wide landscape area with an existing 6 foot tall non-decorative screen wall. The landscape strip contains a mix of large and medium evergreen trees spaced every 10 feet and generally staggered across the landscape area. Along the east property line, a 15 foot wide landscape buffer area is provided with an 8 foot tall decorative screen wall, however, no landscaping will be provided due to an existing 15 foot wide easement along the east property line. Trees have been provided just outside the required landscape buffer with trees placed staggered every 15 feet to 60 feet. The landscape buffer and screen walls have not been provided per Title 30 requirements and require a waiver of development standards.

In terms of open space, a total of 33,367 square feet is required with 34,450 square feet provided within the site. The open spaces provided include a 2,650 square foot dog park located along Nellis Boulevard just to the north of the western residential building, a 3,590 square foot children's playground just to the east of the western residential building, and a 10,210 square foot clubhouse with swimming pool located to the west of the northwest residential building. The remaining 18,000 square feet of open space is contained within smaller pocket park type spaces that will include formal gardens and seating areas and are primarily located in interstitial spaces between buildings and other spaces in the eastern portion of the site.

Elevations

The elevations depict the 5 residential buildings as being 3 stories and up to 38 feet high multiple family residential structures. The plans show that the buildings' exterior materials are primarily stucco finished with foam bands and window treatments along with stucco parapets and a flat roof. The building contains several wall pop-outs and roofline elevations. The wall pop-outs and recesses are painted various colors such as clay, beige, and grey. The building is well fenestrated with Low-E panel windows of various sizes and shapes on all floors and all sides of the dwelling units. The north or south portions of the buildings contain the primary entrance, which is called out by 2 modern style doors located on the east and west sides of the buildings. The proposed leasing office/clubhouse building is shown to be 1 story and 17 feet tall with a similar architectural style and color palette as the primary residential buildings.

Floor Plans

The plans show there are a total of 120 units across 3 different floor plans with each plan corresponding to either 1, 2, or 3 bedrooms. All 4 residential buildings have a similar floor plan across all 3 floors within the building. The plans show each 1 bedroom plan will be 570 square feet, each 2 bedroom plan will be 795 square feet, and each 3 bedroom plan will be 1,122 square feet. All units will feature kitchen, dining room, bathroom, and bedroom facilities. Each floor

will contain 2, one bedroom units, 4, two bedroom units, and 2, three bedroom units with the 3 bedroom units located on the ends of the building with 1 and 2 bedroom units arranged between the two, 3 bedroom units.

Applicant’s Justification

The site is adjacent to an existing multi-family immediately to the north as well as multi-family developments on the west side of Nellis Boulevard and south of the site, so this location is suitable for multi-family development. Additional fill and retaining wall height is needed because of the existing topography of the site, which slopes slightly from the northwest to the southeast, and the need to level the site. The reduced height of the screening and buffering wall is due to the existing wall along the north property line and the desire to not build an unnecessary redundant wall adjacent a similar multi-family development. Finally, parking adjacent to the residential areas to the east is justified as there is only a few spaces and the shape of the property limits the locations where parking can be sited.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0032-08	Shopping center with check cashing facility - expired	Approved by PC	February 2008
WS-1774-00	Supermarket with reduced landscaping buffer - expired	Approved by PC	January 2001
ZC-0294-00	Reclassified the subject site from C-2 to R-4 zoning for a senior housing apartment complex - expired	Approved by BCC	May 2000
TM-0248-97	1 commercial subdivision	Approved by PC	November 1997
DR-0554-97	5,479 square foot combined restaurant and convenience store	Approved by PC	May 1997
WT-1636-95	Waived off-site improvement in conjunction with a mixed-use parcel map	Approved by BCC	December 1995
ZC-293-86	Reclassified the subject site from C-C to C-2 zoning for a shopping center	Approved by BCC	January 1987

*Additional land use applications have been previously approved on this site.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	RM32	Multi-family residential development
South	Corridor Mixed-Use	CG	U.S. Post Office, vehicle wash, restaurants, & gas station
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential development
West	Corridor Mixed-Use	CG	Shopping center development

Related Applications

Application Number	Request
VS-25-0494	A vacation and abandonment of a portion of right-of-way (Nellis Boulevard) is a companion 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

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff finds that the location of the proposed multi-family residential development along the Nellis Boulevard corridor is surrounded by many similar or more intense uses. There are several multi-family developments, both to the north and west of the subject site, and an existing retail center is located to the west and south of the site. As a result, staff finds the proposed multi-family residential development will be compatible with the adjacent development due to the trend of the neighborhood toward such developments. In addition, staff finds given the adjacent multi-family residential and commercial developments and the location of the site adjacent to Nellis Boulevard, the proposed development should not impart any additional impacts compared to the surrounding developments and will place the development along major transportation lines. In addition, the affordable nature of the project should help to create a mixed-income neighborhood with access to a variety of local retail and services. Finally, staff finds the proposed development complies with Master Plan Policies 1.1.2, 1.2.1, 1.2.6, 1.3.2, and 1.4.4 which encourage the expansion of affordable housing units within infill properties that are within areas with redevelopment pressure and along high frequency transportation routes. For these reasons, staff can support this request.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waivers of Development Standards #1 & #3b

The purpose reviewing waivers for screening and buffering and residential adjacency is to assure the reduction, or the elimination of these standards, are being properly mitigated and will not negatively impact the surrounding area, particularly those residential uses of a lower intensity. In this case, the area surrounding the subject site is a mix of various uses such as single- and multi-family residential and commercial developments. As a result, the use of screening buffers for the adjacent properties to the north may not be needed as the property is multi-family residential development with a similar density. The property to the east, however, is a medium density single-family residential development whose backyards are adjacent to the proposed property. Staff finds there should be at least some additional landscaping provided along this areas to maintain the privacy for the existing homes and to prevent cars parking along this area from disturbing those neighbors. While the applicant has provided landscaping along this area it is not sufficient to buffer the use. While staff can appreciate the limitations along this portion of the property, staff finds the required screening and landscape buffer should be provided along this property line even if provided outside the easement area. For these reasons, staff cannot support these requests.

Waivers of Development Standards #2 & #3a

The purpose of reviewing increased retaining wall and fill height is to assure that there are no negative impacts on the surrounding properties from such an increase. Staff finds the requested retaining walls and fill increase are the result of necessary modifications to the site due to the drainage needs of the proposed development and the topography of the site. Overall, staff finds the increase in retaining wall and fill height to be minimal given the characteristics of the area and the surrounding uses. Therefore, can support these requests.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Overall, staff finds the proposed multi-family residential developments will provide new affordable housing opportunities for vulnerable populations in the area and is generally compatible with the uses in the surrounding area. There is sufficient parking provided on the site as demonstrated by the parking demand study. The site is near several high-capacity bus transit routes located on Nellis Boulevard. Staff finds the landscaping will provide needed shade in an area with high heat island impacts and the site is well furnished with a significant amount of open space. Finally, staff finds the design of the buildings and the site is modern, agreeable, and compatible with the surrounding area. Staff, however, finds the design of the screening and landscape buffer to not be sufficient to protect privacy and reduce possible disturbances particularly along the east property line. As a result, staff cannot support this request.

Staff Recommendation

Approval of the use permit and waivers of development standards #2 and #3a; denial of the waivers of development standards #1 and #3b and the design review.

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:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- 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 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;
- Full off-site improvements;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; 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; and that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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 #0187-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Sunrise Manor - approval (to work with neighbors regarding existing wall on the eastside).

APPROVALS:

PROTESTS:

APPLICANT: CHELSEA INVESTMENT CORPORATION

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE #650, LAS VEGAS, NV 89135