

12/18/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0604-B-R OVATION LIMITED PARTNERSHIP:

WAIVER OF DEVELOPMENT STANDARDS to reduce street landscaping.

DESIGN REVIEW for site and exterior modifications to a previously approved multi-family development (affordable housing/senior housing) on 5.0 acres in a CR (Commercial Resort) Zone.

Generally located on the north side of Bruner Avenue and the west side of Parvin Street (alignment) within Enterprise. MN/rg/kh (For possible action)

RELATED INFORMATION:

APN:

191-05-801-015

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce street landscaping area width along Bruner Avenue and Parvin Street to 10 feet where a minimum of 15 foot wide area, measured from the back of curb, consisting of 2 landscape strips, 5 feet on each side of a 5 foot wide sidewalk shall be provided per Section 30.04.010D.
- b. Reduce street landscaping materials along Bruner Avenue and Parvin Street where 1 large tree and 3 shrubs shall be provided for every 30 linear feet of street frontage per Section 30.04.01D.

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5
- Project Type: Multi-family development (affordable housing/senior housing)
- Number of Units: 194
- Density (units/ac): 38.8
- Number of Stories: 4
- Building Height (feet): 55
- Parking Required/Provided: 194/186
- Sustainability Required/Provided: 5/5

Site Plans & History

The plans depict a proposed 4 story multi-family residential building with 196 units at 38.8 dwelling units per acre that was approved by ZC-22-0606. The Board of County Commissioners approved this application on January 18, 2023. The applicant proposed a drive aisle that circulates around the site. The site complied with parking by providing 235 parking spaces where 196 parking spaces are required. Among the amenities included with this project are a social club, picnic and BBQ area, outdoor kitchen, business center, and workout areas.

This application is to modify the development within APN 191-05-801-015. Changes to the site include the removal of the garages located on the north and south sides of the proposed building. The north side of the building, the former site of the garages is being replaced by a standard parking lot with landscape islands and trash enclosures. Parking spaces are removed from the second and third courtyards of the building and have been redesigned for recreational uses in areas designated as common area.

A swimming pool located within the first courtyard and a pool equipment building has been added to the site, located along the south side of the property adjacent to Bruner Avenue. A fire pump house has been added within the third (east) courtyard. A crash gate has been added along the east property line along Parvin Street.

The multi-family development has been reduced from 196 units to 194 units. The provided parking for this development is 186 parking spaces. The proposed development requires 194 parking spaces where 186 parking spaces are provided. Per Section 30.04.04F, the minimum parking requirement may be reduced up to 25 percent for an affordable housing development. The multi-family development has been pre-certified as an affordable housing project by the Clark County Community Housing Office. The applicant is proposing a parking alternative for this development.

Landscaping

A 10 foot wide street landscape area is proposed along Parvin Street and Bruner Street consisting of a 5 foot wide detached sidewalk and a 5 foot wide landscape strip. Trees are provided between the curb and detached sidewalk along Parvin Street and Bruner Avenue, spaced at every 30 feet on center. The previously approved street landscaping along Parvin Street included an attached sidewalk. The sidewalk is adjacent to a combination wall and fence along both streets, and 4 foot of landscaping is located inside the fence/wall for Parvin Street and 5 foot along Bruner Avenue. Parking spaces are added along the north side of the proposed building replacing the previously approved garages. The plan depicts replacing the previously approved garages with standard parking spaces with landscape finger islands with trees. A 6 foot walkway is provided adjacent to the trash enclosures where a landscape island is required. The applicant is proposing alternative landscaping for the parking lot tree placement which requires 41 trees where 21 trees are provided. The proposed street trees are provided along Bruner Avenue and Parvin Street, the placement of such requires 46 trees where 22 trees are provided. However, the site exceeds the number of trees with 106 trees where 87 trees are required for parking lot and street trees.

Elevations

The elevations depict a 4 story building with off-set planes to reduce the visual mass of the building. The maximum height is 55 feet to the top of decorative roof elements on portions of the building. Exterior materials included painted stucco, metal railing, and glazing.

Floor Plans

Residential options for this development include 126, 1 bedroom and 68, 2 bedroom units for a total of 194 units. Other portions of the building will include a leasing office, multiple purpose room, fitness center, great room, maintenance room, mail center, food pantry, laundry room, lounge, salon, library, computer room, wellness center, and media room.

Applicant's Justification

The applicant states that the Board of County Commissioners approved ZC-22-0606 for a zone change to CR (formerly H-1) along with design review and special use permits for a 196 unit senior housing development. The approval also included a waiver of development standards. The applicant is requesting to amend the previous approved designs. The design still incorporates all the approved waivers. The minor changes include the following: 1) a slight decrease in the number of units from 196 to 194; 2) removal of the garage units from the apartment building; 3) changes to the elevations; 4) minor changes to the landscaping due to the removal of the garages, and; 5) a parking alternative. Both senior and affordable housing are permitted in the CR zoning district. Waivers of the development standards are requested for the following: 1) to allow a reduced street landscaping along Bruner Avenue and Parvin Street; and 2) to allow a reduced street tree along Bruner and Parvin Street. These waivers are due to the proposed walls located behind the sidewalk.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-22-0606	Reclassified 5 acres from R-E to H-1 zoning, use permit for multi-family residential use, with waivers for increased building height, reduced parking lot landscaping, alternative driveway geometrics, increased wall height; and design review for a multi-family residential development	Approved by BCC	January 2023
VS-22-0612	Vacated and abandoned patent easements	Approved by BCC	January 2023
UC-1132-94	Allowed two, 40 foot high, 672 square foot off-premises signs on the site	Approved by PC	September 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	RM32	Undeveloped
South	Entertainment Mixed-Use	CR	Multi-family dwelling
East	Open Lands	RS20	Undeveloped
West	Entertainment Mixed-Use	CR	Undeveloped

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

Related Applications

Application Number	Request
ET-24-400131 (ZC-22-0606)	An extension of time for a use permit for multi-family residential use, waivers for increased building height, reduced parking lot landscaping, alternative driveway geometrics, increased wall height, and design review for a multi-family residential development is a related item scheduled for the January 8, 2025 Board of County Commissioners meeting.

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

Waiver 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 uses 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.

Street landscaping is necessary to buffer uses from streets. The decorative fence and/or wall can be relocated to meet the street landscape width. The proposed wall/fence encroaches into the 15 foot wide street landscape area; therefore, is a self-imposed hardship. The wall/fence can be relocated outside of the 15 foot wide landscape street area. Therefore, staff cannot support this request.

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.

Staff finds the proposed design is consistent with the multi-family development standards with regards to appropriate buffers, setbacks, drought-tolerant landscaping, building height and materials, along with on-site and off-site circulation patterns. The proposed setbacks exceed the minimum requirements, and the proposed on-site circulation is appropriate for the development. This proposed modification continue to provide amenities to residents, including usable open space and BBQ pits, multiple purpose room, demonstration kitchen, and fitness rooms. In addition, this project in part complies with Master Plan Policy 1.3.1, which encourages the

integration of varied housing models, architectural styles, streetscapes, signage, common landscaped areas, and other character defining features that contribute to a distinct neighborhood identity. Staff does not object to the proposed multi-family development. However, since staff is not supporting the waiver of development standards to reduce the landscaping, staff cannot support the design review request.

Staff Recommendation

Denial.

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:

- 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 approval of a Certificate of Compliance, and payment of the tree fee-in-lieu is required for any required trees waived.
- 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

- Comply with approved drainage study PW24-15762;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Bruner Avenue, between 25 feet and 50 feet for Parvin Street, and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

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 #0438-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: JANET GOYER

CONTACT: JANET GOYER, OVATION CONTRACTING, INC., 10650 W. CHARLESTON BOULEVARD, SUITE 150, LAS VEGAS, NV 89135