

01/18/23 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

SERENE AVE/LAS VEGAS BLVD S

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-22-400128 (ZC-1926-03)-PALM BEACH RESORT CONDOS:

WAIVERS OF CONDITIONS of a zone change requiring: **1)** development be limited to “For Sale” condominiums rather than apartments or commercial; and **2)** a 20 foot wide intense landscape buffer be provided along the west and south property lines in conjunction with a multiple family residential development on a 6.5 acre portion of 15.4 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Serene Avenue, 1,000 feet west of Las Vegas Boulevard South within Enterprise. MN/hw/syp (For possible action)

RELATED INFORMATION:

APN:

177-20-710-000 through 177-20-710-378

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2525 W. Serene Avenue
- Site Acreage: 6.5 (15.4 total gross acreage with original approval)
- Number of Units: 183 (756 total with original approval)
- Density (du/ac): 28.3 (49 total with original approval)
- Project Type: Multiple family residential
- Number of Stories: 4
- Building Height (feet): 50
- Square Feet: 289,021
- Open Space Required/Provided (square feet): 18,300/22,177
- Parking Required/Provided: 349/326

Plans, History, & Request

The existing site was originally rezoned from an R-T (Manufactured Home Residential) zone to the H-1 (Limited Resort and Apartment) zone in January of 2004 through ZC-1926-03 to allow the property to be used for future residential uses, as the property was in the process of being

purchased out of the public sector. At the time no plans were submitted, but a 756 residential condominium complex was proposed for the site through UC-0365-04 in April 2004. Only 378 units of the eastern portion of the condominium project were constructed.

The applicant is now requesting to construct a 183 unit multiple family residential (apartment) building on the uncompleted, vacant west side of the property through their companion application, UC-22-0650. In order to be able to construct the apartments on the site, the condition of ZC-1926-03 allowing only "For Sale" units will need to be waived. In addition, the applicant is proposing a 20 foot wide reducing to a 10 foot wide landscape buffer on the western property line and a 12 foot wide landscape buffer on the southern property line. These buffers comply with Figure 30.64-12 detailing intense landscape buffers, but not the condition approved by ZC-1926-03.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1926-03:

Current Planning

- Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning;
- Development limited to "For Sale" condominiums rather than apartments or commercial;
- Design review as a public hearing on final plans or tentative map submittal;
- 20 foot wide intense landscape buffer along the west and south property lines;
- Drainage and traffic studies maybe required with future development;
- Filing Federal Aviation Administration (FAA) Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, as the development will penetrate the 100:1 notification airspace; alternatively, the applicant may submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- All applicable standard conditions for this application type;
- Applicant is advised that other land use applications may be required for future development;
- This project is under Clark County imposed CC&Rs agreed to by all parties as part of a real estate transaction that transferred ownership out of the public sector; the CC&Rs are to be enforced by Clark County; and that no building permits will be released for the project prior to the Department of Aviation notifying Zoning Plan Check that the applicant has met all applicable conditions of the CC&Rs as they relate to the application.

Applicant's Justification

The applicant states that there is a strong demand for housing in the Las Vegas Valley and the allowance for apartments at this site would help meet this demand by providing housing for those who are not able to purchase "For Sale" units at this time. In addition, they state that while they are not providing the full 20 foot wide landscape buffers on both the western and southern property lines, they are still providing a landscaping buffer above what is required.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|----------------------------|---|-----------------|----------------|
| UC-0312-08 | Allowed a portion of an existing residential condominium complex to be converted to resort condominiums | Approved by PC | May 2008 |
| WS-1630-05 (WC-0216-07) | Waived a requirement for an 8 foot high wall on the south and west sides of the site | Approved by PC | August 2007 |
| WS-0799-07 | Allow a freestanding sign where not permitted | Approved by PC | August 2007 |
| WS-1630-05 | Reduced wall height, parking, and trash enclosure separation | Approved by PC | December 2005 |
| TM-0483-04 | 756 unit condominium complex | Approved by PC | September 2004 |
| UC-0365-04 | Allowed a 756 unit condominium complex | Approved by BCC | April 2004 |
| ZC-1926-03 | Reclassified the site from R-T to H-1 zoning for future development | Approved by BCC | January 2004 |
| DR-0735-97 | 279 space manufactured home park | Approved by PC | June 1997 |
| ZC-1550-96 | Reclassified the site from R-E and H-1 to T-C zoning for a manufactured home park | Approved by BCC | November 1996 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|--------------------------------------|------------------------|-----------------------------------|
| North | Entertainment Mixed-Use | H-1 & R-3 | Retail Center & Apartment Complex |
| South & West | Entertainment Mixed-Use | R-T | Manufactured Home Park |
| East | Entertainment Mixed-Use & Open Lands | H-1 | Undeveloped |

Related Applications

| Application Number | Request |
|---------------------------|---|
| UC-22-0650 | A use permit to allow a multiple family residential complex (apartments) with waivers 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

Waiver of Conditions #1

The area surrounding the subject site has several apartment complexes located nearby or across Las Vegas Boulevard South. These apartments are also mixed in with various condominium projects as well. The addition of the apartments in this area would aid in creating a good mix of housing types and incomes (single family manufactured home park and multiple family apartments and condominiums), which would advance the directive of Master Plan Policy 1.1.1. In addition, apartments would also not function much different than similar multiple family developments, like “For Sale” condominiums. For these reasons, staff can support this waiver.

Waiver of Conditions #2

Given the contexts of the area surrounding the subject site, the use of the landscape buffer would have been to buffer the surrounding manufactured home park from, at the time of the original approval, an unknown residential use. Now that a defined use has been determined and the manufactured home park would be buffered beyond just a landscape buffer at the property line by a private road and a drainage channel from the proposed use, a 20 foot landscape buffer seems excessive. While the width of the landscape strip is being reduced, staff could support the request if the proposed landscaping complies with the current Code’s most intense landscape buffer (Figure 30.64-12), in particular the number of trees. Since this is the case, staff can support this waiver of conditions.

Staff Recommendation

Approval.

Approval of the waivers of conditions request constitutes a finding by the Commission/Board that the conditions will no longer fulfill its intended purpose.

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

- Landscaping per Figure 30.64-12 shall be installed along the western and southern property line;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

Public Works - Development Review

- No comment.

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 initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0128-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: NEW ANGLE DEVELOPMENT

CONTACT: PARKER SIECK, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135