

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

I-15/BRUNER AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0606-B-R OVATION LIMITED PARTNERSHIP:

ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an H-1 (Limited Resort and Apartment) Zone.

USE PERMIT for a multiple family residential development (senior housing).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** reduce parking lot landscaping; **3)** reduce throat depth; **4)** reduce setback for decorative fence; and **5)** increase wall height.

DESIGN REVIEW for a multiple family residential development on 12.2 acres in an H-1 (Limited Resort and Apartment) Zone.

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

RELATED INFORMATION:

APN:

191-05-801-013; 191-05-801-014; 191-05-801-015

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Increase building height to 70 feet where 50 feet is allowed for Phase 1 per Table 30.40-7 (a 40% increase).
- b. Increase building height to 59 feet where 50 feet is allowed for Phase 2 per Table 30.40-7 (a 14% increase).
2. Reduce parking lot landscaping (landscape finger islands and trees) where landscaping per Figure 30.64-14 is required.
3. Reduce throat depth to 126 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 16% reduction).
4. Allow a 6 foot high decorative fence along Ensworth Street which is not set back 6 feet for landscaping where required per Figure 30.64-10.
5. Increase wall height to 10 feet (4 feet of retaining wall and 6 feet of screen wall) where 9 feet (3 feet of retaining wall and 6 feet of screen wall) is the maximum allowed per Section 30.64.050 (an 11% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A; 12085 Ensworth Street; 12015 Ensworth Street
- Site Acreage: 12.2 (design review)/5 (zone change)
- Number of Units: 446 (both phases)
- Density (du/ac): 37
- Project Type: Multiple family residential
- Number of Stories: 4
- Building Height (feet): 70 (Phase 1)/59 (Phase 2)
- Open Space Required/Provided: 25,800/33,900 (Phase 1)/19,600/19,600 (Phase 2)
- Parking Required/Provided: 448/449 (Phase 1)/196/235 (Phase 2)

Site Plans & History

Phase 1 of this multiple family project was approved by ZC-21-0193 for the western 7.2 acre portion of the project and includes APNs 191-05-801-013 and 191-05-801-014. The Board of County Commissioners approved this application at their June 16, 2021 hearing. The approval of ZC-21-0193 allowed for a conforming zone change to H-1 and the development of a 258 unit multiple family development on the approved site adjacent to this application.

The zone change portion of this application represents Phase 2 of a multiple family residential development. The proposed project (Phase 2) is located on approximately 5 acres of the overall 12.2 acres of combined properties located at the northeast corner of I-15 and Bruner Avenue in Clark County, Nevada.

The plans for Phase 2 depict a proposed 4 story multiple family residential building with 196 units and includes common areas. The applicant is proposing a drive aisle that circulates around the site. The site complies 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.

The applicant is also proposing minor changes to the approved Phase 1 site plan; and therefore, the applicant has requested an amended design review as part of this application to have one overall plan for both phases. The minor changes are as follows for Phase 1 of the project (ZC-21-0193):

- The total number of units is decreasing from 258 to 250.
- The original design was for 1 building that was 70 feet tall and configured in a G shape. The redesign now shows 2 buildings. Building 1 is 5 stories and approximately 70 feet in height with a total of 137 units. Building 2 is 4 stories and approximately 59 feet in height with a total of 113 units for a total of 250 units.
- The entrance to the approved site (ZC-21-0193) will remain from the private drive connecting to Bruner Avenue but will be located over both APNs: 191-05-801-014 and 191-05-801-015. The relocation of the private drive will provide access to both parcels.

In addition to the minor changes for Phase 1 of the project, the applicant is seeking a waiver of development standards to increase the building height and a waiver to reduce the throat depth to 129 feet where 150 feet is required for Phase 2.

Landscaping

A 6 foot wide area is located along the north property line of Phase 2 with fingers extending into the parking lot as shown on the plans. Trees are not provided along the western property line due to a 24 inch water line in this specific area. A 6 foot landscape strip is provided along Bruner Avenue with detached sidewalks. Internal to the site, parking lot landscaping consists of landscape fingers with a ratio that is less than 1 for every 6 parking spaces, which necessitates a waiver of development standards per Figure 30.64-14. The waiver for Phase 1 (ZC-21-0193) was approved; however, with the combination of both Phases, a new waiver must be approved for parking lot landscaping per Figure 30.64-14 for the entire project.

The previously approved application for Phase 1 includes a 6 foot wide landscape area that is located along the north property line with fingers extending into the parking lot. In addition, a 10 foot high wall (4 feet of retaining wall with a 6 foot screen wall) is located on the northern property line. Perimeter landscaping on other parts of the site include a 15 foot wide landscape area along the west property line adjacent to I-15, and a 6 foot wide landscape strip with a detached sidewalk and a 5 foot wide landscape strip along Bruner Avenue to the south. A 6 foot landscape strip is provided along Parvin Street; however, the decorative fence is located on the property line, rather than set back 6 feet from the property line, behind the landscaping as required by Code. Since this application is combining both phases, the increased wall height and decorative setback are included in this request.

Elevations

Phase 2 elevations depict a 4 story multiple family residential building with off-set surface planes to reduce the visual mass of the building. Maximum height is approximately 59 feet to the top of several decorative roof elements on portions of the building. Exterior materials include painted stucco, stone veneer, metal railing, glazing, and garage doors.

Phase 1 includes a 5 story multiple family residential building with off-set surface planes to reduce the visual mass of the building. Maximum height is approximately 70 feet to the top of several decorative roof elements on portions of the building; however, most of the building is approximately 61 feet tall to the top of the parapet walls along the roofline. Exterior materials include painted stucco, stone veneer, metal railing, glazing, and garage doors.

Floor Plans

Residential options for Phase 2 include 122 studio and 1 bedroom units, and 74 two bedroom units. Phase 1 includes 146 one bedroom and 104 two bedroom units. Other portions of the building will include leasing office, multiple purpose room, demonstration kitchen, and fitness center.

Signage

Signage is not a part of this request.

Applicant’s Justification

Residential portions of the building will include 127, one bedroom units and 131, two bedroom units. Other portions of the building will include leasing office, multiple purpose room, demonstration kitchen, and fitness center. The applicant states that a multiple family residential development is appropriate in the H-1 zone, and the proposed density of 40 dwelling units per acre is less than the 50 dwelling units per acre allowed in the H-1 zone. The applicant states that the proposed multiple family residential development complies with several urban specific policies in the Master Plan for multiple family residential developments regarding massing of buildings, amenities for residents, and drought-tolerant landscaping.

The applicant states that the proposed increase in building height will not have significant impacts to the surrounding area due to the close proximity to I-15, an intense corridor, and H-1 zoning category does support building height up to 100 feet. Per the applicant, the use permit is for an age restricted complex and this use makes the request for the multiple family development less intense than a standard multiple family development with less noise, traffic, and overall number of residents without children.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-21-0193	Reclassified 7.2 acres from H-2 & R-E to H-1 zoning; use permit for multiple family residential use; with waivers for landscaping, decorative fence, increase wall height, alternative driveway geometrics; and design review for multiple family residential & finished grade	Approved by BCC	June 2021
ZC-20-0053	Reclassified the site to R-5 zoning for a multiple family residential development	Withdrawn	May 2020
VS-20-0149	Vacated and abandoned easements and right-of-way	Withdrawn	May 2020
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	Existing Land Use
North	Entertainment Mixed-Use	R-4	Undeveloped
South	Entertainment Mixed-Use	H-1	Multiple family residential
East	Open Lands	R-4 & R-E	Undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Compact Neighborhood (up to 18 du/ac)	H-1 & R-3	Multiple family residential (Southern Highlands) & undeveloped

I-15 is located along the western boundary of the site. The subject site is located in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-22-0612	A request to vacate patent easements 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

Zone Change

The conforming zone boundary amendment is consistent with the proposed and existing residential development for this site per the Enterprise Land Use Plan. In addition, the adjacent property to the north is zoned R-4 to allow for multiple family residential use and the abutting property to the south across Bruner Avenue is developing with an approved multiple family development in the H-1 zone. As a result, staff finds that the zone boundary amendment is compatible with the surrounding zoning and developing projects.

Use Permit

A use permit is a discretionary land use application that is considered on a case-by-case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The site is surrounded by existing and proposed multiple family developments. In addition, Policy 1.1.4: encourages housing options that incorporate universal design and visitability principles to facilitate aging-in place, and accommodation of older residents and others with mobility limitations or disabilities, lifestyle choices, ages, and affordability levels. Therefore, multiple family housing is appropriate for this immediate area, and it is consistent with the Master Plan. However, as noted below, staff does not support waivers of development standards #1 and #2; therefore, staff cannot not support the use permit.

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.

Waiver of Development Standards #1a & #1b

The applicant is requesting to increase the overall building height to 70 feet where 50 feet is the maximum. Increasing the height to 70 feet will not negatively impact the site nor the adjacent neighborhood since the proposed increase is in conformance with other approved projects with increased height. There are existing facilities in the area with similar height requests that were

previously approved. In addition, the increase in height provides for additional architectural enhancements and a design element for roofline variation. However, staff cannot support this waiver request since staff does not support waiver of development standard #2.

Waiver of Development Standards #2

Parking lot trees provide many benefits including reducing the urban heat island effect, noise and glare, and water run-off. In addition, trees improve the comfort and aesthetics of a site. Although the applicant is reducing the required number of parking lot trees, trees are still provided throughout the parking lot. However, landscape islands are located more than 6 spaces apart in lieu of required parking lot landscaping in Figure 30.64-14 of the Code. The applicant has space and room to provide for such trees internally for every 6 spaces. The applicant has not stated whether these required trees will be planted elsewhere on the property nor provided an alternative landscape plan as provided by Figure 30.64-14 for landscape islands every 12 spaces and 8 foot wide landscape area. In addition, carports are located throughout the parking lot that will provide shading, which is one purpose of parking lot trees. However, staff feels this is a self-imposed hardship and cannot support this request in part because the application shows an excess of required parking where landscape islands can be installed throughout the site to minimize or eliminate the need for this waiver request.

Waiver of Development Standards #4

While it is preferred to have landscaping free of structures along the streetscape, staff can support the request for the decorative fence at the property line. Since the landscaping is still visible through the fence, it should not create the canyon effect sometimes caused by walls close to the street.

Waiver of Development Standards #5

Staff does not have a concern with the request for 1 additional foot to the retaining wall. There is a wash across the site necessitating the increased height for proper drainage flow. The wall should not have a negative impact to the surrounding area. However, since Public Works staff does not support the waiver for throat depth, staff does not support this request.

Design Review

Staff finds the proposed design is consistent with a multiple family residential development 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 phase, along with the previously approved plan for ZC-21-0193, provides for 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 Policy 1.3.1, Neighborhood Identity to encourage 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. However, staff does not support the waiver of development standards for parking lot landscaping; therefore, staff cannot support the design review as proposed.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection in the reduced throat depth for Bruner Avenue. Bruner Avenue should see minimal traffic as it ends west of the site.

Staff Recommendation

Approval of the zone change and waivers of development standards #3, #4, and #5; denial of the use permit, waivers of development standards #1 and #2, 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:

Current Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Expunge ZC-21-0193;
- 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 a 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 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 the waivers of development standards and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet to 60 feet for Parvin Street and associated spandrel.

Fire Prevention Bureau

- No comment.

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 #0136-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

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