

COMMERCIAL &
MULTIPLE FAMILY DEVELOPMENT
(TITLE 30)

LAS VEGAS BLVD S/PEBBLE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0163-JAT PEBBLE, LLC & JAT PEBBLE 3, LLC:

ZONE CHANGE to reclassify 6.9 acres from an H-1 (Limited Resort and Apartment) Zone to a C-2 (General Commercial) Zone.

USE PERMITS for the following: **1)** High Impact Project; **2)** multiple family development; and **3)** reduce the separation from on-premises consumption of alcohol establishments to a residential use (multiple family).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** reduce the required number of loading spaces; **3)** eliminate cross access; **4)** alternative landscaping adjacent to a less intensive (multiple family) use; **5)** eliminate street landscaping; **6)** allow modified driveway design standards; and **7)** allow non-standard improvements within the right-of-way (Las Vegas Boulevard South).

DESIGN REVIEWS for the following: **1)** alternative parking lot landscaping; **2)** mini-warehouse; **3)** pharmacy; **4)** restaurants with drive-thru; **5)** multiple family development; and **6)** finished grade on 28.1 acres in a C-2 (General Commercial) Zone and an H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Las Vegas Boulevard South and the south side of Pebble Road within Enterprise (description on file). MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

177-20-501-004; 177-20-501-007; 177-20-501-008; 177-20-501-014 through 177-20-501-016; 177-20-501-024

USE PERMITS:

1. High Impact Project.
2. Multiple family development.
3. Reduce the separation between on-premises consumption of alcohol establishments and a residential use to 63 feet where a minimum separation of 200 feet is required per Table 30.44-1 (a 68.5% reduction).

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Increase building height (multiple family) to 69 feet where a maximum height of 50 feet is the standard per Table 30.40-3 (a 38% increase).

- b. Increase building height (mini-warehouse) to 53 feet where a maximum height of 50 feet is the standard per Table 30.40-4 (a 6% increase).
2. Reduce the required number of loading spaces to 2 spaces where a maximum of 5 spaces are required per Table 30.60-6 (a 60% increase).
3. Eliminate cross access where cross access shall be provided to non-residential land uses that are similar or complementary with consistent levels of intensity and similar parking per Table 30.56-2.
4. Allow alternative landscaping adjacent to a less intensive (multiple family) use where required per Table 30.64-2 and Figure 30.64-11.
5. Eliminate street landscaping including the detached sidewalk where required per Table 30.64-2 and Figure 30.64-17.
6. Reduce throat depth to 134 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 10.7% reduction).
7. Allow non-standard improvements (landscaping, detached sidewalk, pavers) within the right-of-way (Las Vegas Boulevard South) where not permitted per Chapter 30.52.

DESIGN REVIEWS:

1. Alternative parking lot landscaping including diamond-shaped landscape planters.
2. Mini-warehouse.
3. Pharmacy.
4. Restaurants with drive-thru.
5. Multiple family development.
6. Increase finished grade to 71 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 97.3% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 6.9 (commercial development)/21.2 (multiple family development)/28.1 (overall)
- Number of Units: 800
- Density (du/ac): 37.9
- Project Type: Commercial and multiple family development
- Number of Stories: 5 (multiple family)/4 (mini-warehouse)/1 (restaurants)/1 (pharmacy)
- Building Height (feet): 69 (multiple family)/53 (mini-warehouse)/25 (restaurants)/32 (pharmacy)/27 (entrance canopy/structure)
- Square Feet: 106,000 (mini-warehouse)/2,600 (restaurants A & B)/2,470 (restaurant C)/15,400 (pharmacy)
- Open Space Required/Provided (square feet): 80,000/201,635
- Parking Required/Provided: 1,596/1,633

Site Plan

This request is for a conforming zone change to reclassify 6.9 acres of a 28.1 acre site from an H-1 zone to a C-2 zone to permit a commercial development consisting of a mini-warehouse, pharmacy, and 3 restaurants with drive-thru lanes, located on the east portion of the site. A use permit is requested to permit the multiple family development, consisting of 3 buildings, on the west portion of the site, consisting of 21.2 acres within the H-1 zoning district. The proposed mini-warehouse is located at the northeast portion of the site, with the pharmacy located 82 feet to the south of the building. Three restaurants (Pads A through C) with drive-thru lanes are located to the south of the pharmacy. Two of the 3 restaurants feature dual drive-thru lanes while the third features a single drive-thru lane. Pad C features an outside dining area located on the east side of the building. A use permit is also requested to reduce the separation requirement between the restaurant buildings and the multiple family development to the west for on-premises consumption of alcohol. Below is a table reflecting the commercial building setbacks from the north, south, east, and west (future) property lines of the site:

Building Setback from Property Lines (in feet)				
	Property Line			
Building:	North	East	South	West (future)
Mini-warehouse	20	38	730	55
Pharmacy	22	73	530	54
Pad A (restaurant)	560	50	73	63
Pad B (restaurant)	280	32	360	101
Pad C (restaurant)	440	66	196	84

All buildings within the commercial development are connected through north/south cross access drive aisles. A waiver of development standards is requested to eliminate the cross access between the proposed commercial development and the existing tavern, convenience store and gasoline station located to the northeast of the project site. A waiver is also requested to eliminate cross access to the undeveloped parcels to the south of the project site. A third waiver is requested to reduce the number of required loading spaces for the commercial development.

The second component of this request is for a proposed multiple family development, consisting of 3 buildings, located on the west portion of the site. The plans depict a multiple family development located on a 21.2 acre site consisting of 800 dwelling units with a density of 37.9 dwelling units per acre. Multiple family Building C is orientated in an east/west direction while Buildings A and B are located immediately to the south, separated by 2 rows of parking spaces and a vehicle drive aisle. Below is a table reflecting the multiple family building setbacks from the north, south, east (future), and west property lines of the site:

Building Setback from Property Lines (in feet)				
	Property Line			
Building:	North	East (future)	South	West
Building A	400 (from Pebble Road)	99	89	510
Building B	410	565	88	77
Building C	88	74	623	169

Five foot wide detached sidewalks are provided along Pebble Road and Las Vegas Boulevard South. The detached sidewalks connect to internal pedestrian walkways serving both the commercial and multiple family developments within the project site. Two points of gated pedestrian access are provided between the multiple family development and the commercial development to the east. Access to the project site is granted via 2 commercial driveways along Pebble Road and a single commercial driveway adjacent to Las Vegas Boulevard South. A waiver of development standards is required to reduce the throat depth for the commercial driveway along Las Vegas Boulevard South to 134 feet. An entry feature, located above the primary vehicle drive aisle to the site, is set back 117 feet from the east property line along Las Vegas Boulevard South. An “exit only” gate is located at the northeast corner of the mini-warehouse, adjacent to Pebble Road. A “crash gate/emergency exit only” is located at the southeast corner of the site, along Las Vegas Boulevard South. The commercial and multiple family development requires 1,596 parking spaces where 1,633 parking spaces are provided.

Landscaping

The plans depict a 40 foot wide landscape area, with a 5 foot wide detached sidewalk, along Las Vegas Boulevard South. The landscape area consists of 24 inch box trees, shrubs, and groundcover. The proposed landscaping and detached sidewalk are located within Las Vegas Boulevard South, requiring a waiver for non-standard improvements within the right-of-way. An additional waiver of development standards is necessary to eliminate street landscaping along Las Vegas Boulevard South as the required landscaping is being provided within the street, and not within the boundaries of the project site. A 15 foot wide landscape area, including a 5 foot wide detached sidewalk, is provided along Pebble Road. The street landscape area consists of trees, shrubs, and groundcover. In lieu of providing the required amount of landscape finger islands within the interior of the parking lot, the required trees have been distributed throughout the interior of the site. The development requires 166 trees within the interior of the parking lot where a combination of 195 medium and large trees have been equitably distributed throughout the site. The use of diamond-shaped landscape planters is also part of the alternative parking lot landscaping request. Although not required, perimeter landscaping has also been provided along the west and south perimeters of the multiple family and commercial development. The perimeter landscape area measures between 5 feet to 10 feet in width along the south and west property lines. The landscape area along the northwest property line measures 20 feet in width. The perimeter landscape areas consist of small, medium, and large trees with shrubs and groundcover.

The multiple family development requires 80,000 square feet of open space where 201,635 square feet of open space has been provided. Open space areas are equitably distributed throughout Buildings A through C, consisting of a clubhouse, gym, pickleball court, sports court, fire pit, and pavilion, hammock, cabana, and pool areas.

A waiver of development standards is requested to allow alternative landscaping adjacent to a less intensive (multiple family) use. Code requires 1 large, 24 inch box Evergreen tree planted 20 feet on center within a 5.5 foot wide landscape area between the commercial and multiple family development. A landscape area measuring between 5 feet to 15 feet, along the future property line dividing the commercial and multiple family development, has been provided in

lieu of the Code standard. The landscape area between the uses consists of small, medium, and large trees planted 30 feet to 35 feet on center.

Elevations

The plans depict three, 5 story multiple family buildings ranging between 66 feet to 69 feet in height. The buildings consist of varying rooflines that include parapet walls to screen the rooftop mounted equipment. The exterior of the buildings consist of stucco, CMU block, painted decorative metal for accent purposes, and aluminum storefront window systems. The multiple family buildings will be painted with contrasting colors including varying shades of gray and white. A waiver of development standards is necessary to increase the height of the multiple family buildings up to 69 feet.

The mini-warehouse facility measures between 49 feet to 53 feet in height. The building consists of varying rooflines that include parapet walls to screen the rooftop mounted equipment. The exterior of the facility consists of stucco and an aluminum storefront window system. The mini-warehouse will be painted with contrasting colors consisting of blue, orange, gray, and off-white. A waiver of development standards is necessary to increase the height of the mini-warehouse facility up to 53 feet.

The pharmacy measures between 28 feet to 32 feet in height to the top of the parapet walls. A metal, drive-thru canopy measuring up to 23 feet in height is located along the west side of the building. The exterior of the building consists of stucco with an aluminum storefront window system. The pharmacy will be painted with neutral, earth tone colors.

Restaurants A through C measure between 20 feet to 26.5 feet in height. The buildings feature varying rooflines that include parapet walls to the screen rooftop mounted equipment. The exterior of the restaurants consist of stucco, an aluminum storefront window system, decorative metal trellises and canopies.

Floor Plans

The plans depict 3 multiple family buildings with the following unit counts: 1) Building A (273 units); 2) Building B (283 units); and 3) Building C (244 units). The multiple family buildings feature units with 1 to 2 bedrooms. Enclosed surface level parking is located on the first floor of each multiple family building. Building B also features a clubhouse including amenities such as a fitness center, club room, business center, covered patio and roof deck, and café. The leasing office, mail room, and pool equipment roof are also located on the first floor of the clubhouse.

The pharmacy consists of open shell space with an area measuring 15,400 square feet. Restaurants A and B each measure 2,600 square feet while restaurant C consists of 2,470 square feet. The mini-warehouse facility consists of 4 floors with a cumulative area of 106,000 square feet. Restaurant C includes an outside dining area measuring 1,200 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting a zone change from H-1 to C-2 for the commercial portion of the property. This request is due to the mini-storage facility which is not a permitted use within the H-1 zoning district. C-2 zoning is less intense than the existing H-1 designation. Therefore, a zone change to C-2 is conforming and; therefore, will not impact the surrounding area. Multiple family residential is ideal for the property and compatible with the surrounding uses and would provide additional housing options needed to address the high influx of new residents moving to the Las Vegas valley. The property is also located within a 5 minute drive to the Las Vegas Strip, providing housing opportunities for employees working on the Strip. The existing multiple family developments throughout the valley are either at or near full capacity. In order to keep up with the demand, additional projects such as this must be developed. Because the proposed multiple family portion of the project will include 800 units, the applicant is also requesting a special use permit for a High Impact Project. Along Las Vegas Boulevard South, high density projects of more than 500 units have been approved over the last several years. Higher density along the western side of Las Vegas Boulevard South is appropriate adjacent to the I-15 and other existing and future dense projects, so long as the lower density is kept on the eastern side of Las Vegas Boulevard South. Additionally, a special use permit is requested to reduce the separation between the on-premises consumption of alcohol for Pad A (69 feet), Pad B (105 feet) and Pad C (84 feet) and the multiple family residential development where 200 feet is required.

This is a typical request for mixed-use developments and has been previously approved for several other locations throughout the Las Vegas Valley, including the Tuscan Highlands multiple family development on Starr Avenue and I-15 and the Lotus Apartments on Spring Mountain and Valley View. Residents of the multiple family development can enjoy dinner and drinks within walking distance of their homes, which is typically a selling point for mixed-use developments. The applicant is requesting a design review for alternative parking lot landscaping and to utilize diamond planters. The majority of the parking spaces are either internal or covered; therefore, not requiring shade from landscaping. Additionally, the perimeter of the project will be heavily landscaped, which will provide added shade for the outside parking spaces and visual relief for the project as a whole. To compensate for the parking lot landscape fingers, the applicant is providing significantly more landscaping and open space than what is required as shown on the open space plan included with the submittal. The proposed building height is less than the maximum height of 100 feet for commercial uses permitted under the H-1 zoning designation. Additionally, there are several buildings in the immediate area that are similar or higher in height. For example, the multiple family development directly to the west is also 1 level of podium parking and 4 levels of residential. The Cancun Resort less than a mile north of the property was approved at 364 feet. Therefore, the requested height increase is appropriate and compatible for the area, and will not negatively impact the surrounding uses. Based on the layout of the site, the applicant believes a reduced number of loading spaces is sufficient and will not create a negative impact to residents and guests. To compensate for the non-standard improvements within the right-of-way request, the applicant will enter into a License and Maintenance Agreement with the County. The reason for the street landscaping waiver is due to the fact that the required detached sidewalk, including the required street landscaping, will not be installed within the boundaries of the site along Las Vegas Boulevard South. However, the future landscape plans show the landscaping within the boundaries of the site. The applicant has provided a smaller landscape buffer between the commercial and multiple family uses. The

intent here is to keep the 2 portions of the project separate for safety purposes while still acting as a mixed-use project. The throat depth waiver is required based on the future right-of-way location of Las Vegas Boulevard South. The applicant has designed the site in such a way to allow for significant on-site queuing with a roundabout located in front of the call box and the entry gates significantly pushed back into the site past the call box. This layout is similar to previously approved multiple family projects within the County in which the throat depth reduction was approved. The applicant has been working with the property owner of the convenience store on an agreement for cross access. However, as of today's date, the convenience store property owner has not agreed to allow cross access. The applicant hopes to obtain approval prior to the commencement of construction.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-19-0027	Reclassified a 7.6 acre portion of the project site from R-3 to H-1 zoning for a multiple family residential development; multiple family residential development portion of this application - expired	Approved by BCC	April 2019
VC-0242-00	Allowed outside storage of automobiles	Denied by BCC	April 2000
UC-1244-95	Allowed an apartment complex in an H-1 zone on a portion of this site - expired	Approved by BCC	October 1995
ZC-1243-95	Reclassified a 2.5 acre portion of the site from R-E to R-3 zoning for an apartment	Approved by BCC	September 1995
ZC-1065-94	Reclassified a 15 acre portion of this site from R-E to R-3 zoning for an apartment complex	Approved by BCC	September 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	C-2 & H-1	Vehicle rental facility & automobile related uses
South	Entertainment Mixed-Use	H-1	Undeveloped
East	Entertainment Mixed-Use	C-2 & H-1	Tavern, convenience store, gasoline station, & multiple family residential
West	Entertainment Mixed-Use	C-2 & R-E	Multiple family condominiums with long/short term lodging & undeveloped

Related Applications

Application Number	Request
TM-23-500044	A 2 lot mixed-use commercial and residential tentative map consisting of 28.1 acres is a companion item on this agenda.

Related Applications

Application Number	Request
VS-23-0164	A vacation and abandonment of right-of-way 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

Comprehensive Planning

Zone Change

The C-2 zoning district is established to accommodate a full range of commercial uses, or mixed commercial and residential uses, in a manner that can be located to serve the needs of the entire community, yet be buffered from having adverse impacts on any adjacent residential neighborhoods. The conforming zone change request is within the range of intensity allowed by the Master Plan. The proposed C-2 zoning will permit commercial uses serving the proposed multiple family development to the west, in addition to the existing residential development within the immediate area. Staff finds the proposed zoning is consistent and compatible with the existing and approved land uses in the area; therefore, staff recommends approval.

Use Permits

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.

Use Permit #1

The use permit for a High Impact Project, to establish a multiple family development at a density of 37.9 units per acre, in conjunction with a commercial development, complies with the goals and policies within the Master Plan. For example, the goal of Policy 6.2.1 is to ensure the design and intensity of a new development is compatible with established neighborhoods and uses in terms of height, scale, and overall mix of uses. In addition, Policy 3.6.2 encourages compact, mixed-use, and transit oriented development, or any combination thereof, in locations that will lessen reliance on automobiles as the primary means of access to necessary services and encourage reduction in vehicle miles traveled. In this development, residents will be able to walk to the restaurant and retail uses, which will reduce automobile dependency. Lastly, the density is appropriate at this location since the site is surrounded by multiple family developments, commercial developments, and undeveloped parcels with a planned land use of Entertainment Mixed-Use. Therefore, staff recommends approval.

Use Permit #2

Multiple family residential developments require the approval of a use permit in the H-1 zoning district to permit the use and demonstrate the development is appropriate for the given location. The proposed development complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels

and abilities. The project also complies with Policy 1.3.2 that encourages a mix of housing options, both product types and unit sizes, within larger neighborhoods and multiple family developments. Per the Master Plan, multiple family residential uses are encouraged as a supporting use in the Entertainment Mixed-Use category to support the expansion of housing options within close proximity of services, amenities, and jobs. The proposed use complies with several goals and policies of the Master Plan; therefore, staff recommends approval.

Use Permit #3

While staff is typically concerned with a significant reduction in separation between on-premises consumption of alcohol establishments to residential uses, the actual distance between the alcohol use and the nearest residential building varies between 147 feet to 197 feet. Furthermore, a 6 foot high block wall will be constructed between the future property line dividing the restaurants and the multiple family development. The proposed use is consistent with the commercial and multiple family development and should not negatively impact the surrounding area. Therefore, staff recommends approval.

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 #1

The increased building height is necessary to accommodate the varying rooflines and architectural intrusions, in addition to screening the mechanical units with parapet walls. The screening for the mechanical units provides an additional architectural enhancement to the buildings. Furthermore, the multiple family buildings immediately to the west of the project site were approved at a height of 63 feet. Therefore, staff recommends approval.

Staff has no objection to the increase in building height for the mini-warehouse facility. The request to increase height is minor in nature and is for only a small portion of the parapet wall measuring 43 feet in length. The increase in building height provides further roofline variation, in addition to screening rooftop mounted equipment. Therefore, staff recommends approval.

Waiver of Development Standards #2

Loading spaces are located immediately to the northwest of the pharmacy and to the west of restaurant Pad Site B. Eliminating the required loading spaces should have minimal to no impact on the internal operations of the commercial development. Therefore, staff recommends approval.

Waiver of Development Standards #3

The intent of providing cross access is to promote public safety, efficient on-site vehicular circulation, shared parking with adjacent properties, and to minimize curb cuts along streets. Staff typically does not support requests to waive cross access to adjacent properties with similar

land uses and parking requirements. However, staff does not object to this request for the following reasons: 1) The adjacent parcel to the east of the mini-warehouse facility consists of a convenience store with a gasoline station and a tavern with a sufficient number of parking spaces; 2) north/south cross access is provided throughout the entirety of the commercial development along the east portion of the site; and 3) it is impossible to determine if the future land use of the adjacent parcels to the south will consist of similar or consistent levels of intensity and similar parking. Therefore, staff recommends approval of this request.

Waiver of Development Standards #4

In lieu of the required landscaping adjacent to a less intensive use, consisting of 1 large, 24 inch box Evergreen tree planted 20 feet on center within a 5.5 foot wide landscape area, an alternative landscape configuration is proposed along the future west property line of the commercial development. The proposed landscape area measures between 5 feet in width, at the northwest corner of the site, to 15 feet in width at the southwest corner of the development. However, when the landscape areas between the future east and west property lines of the multiple family and commercial developments are combined, the width of the landscape area measures between 5 feet to 25 feet in width. A combination of small, medium, and large trees, planted between 30 feet to 35 feet on center, are proposed within the landscape area. Staff finds the proposed landscaping provides an alternative that meets the intent of Code, but also provides a design that enhances and improves the aesthetics of the project site; therefore, staff recommends approval of this request.

Waiver of Development Standards #5

Staff can support the request to eliminate the required street landscaping as required along Las Vegas Boulevard South. The applicant has provided a landscape area measuring 40 feet in width within the right-of-way of Las Vegas Boulevard South, consisting of 24 inch box trees, shrubs, and groundcover. However, since the landscaping is located within the public right-of-way, and not within the boundaries of the project site, the waiver to eliminate landscaping is required. Approximately 15 feet to 23 feet of landscaping is located between the commercial buildings and the eastern property line, located along Las Vegas Boulevard South. In the event additional right-of-way is needed in the future, the required street landscaping and detached sidewalk can be constructed within the boundaries of the project site; therefore, staff recommends approval.

Design Review #1

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees and landscape finger islands, is appropriate for the commercial and multiple family development. The site requires 166 trees for the interior parking lot area where the site has been designed to include an additional 29 trees (195 trees overall) that will be distributed throughout the interior of the development. Staff finds the proposed landscaping will reduce the “heat island” effect and improve the aesthetics of the project site and the surrounding area. Therefore, staff recommends approval of this request.

Design Reviews #2 through #4

The design of the proposed restaurant, pharmacy, and mini-warehouse buildings feature variations in building height contributing to breaking-up the mass of the commercial buildings. Staff finds the commercial buildings comply with the Master Plan, which encourages varying

building heights and breaking-up the mass of the buildings. The proposed landscaping also complies with the Master Plan, which encourages perimeter and interior parking lot trees for shade and visual relief. Height, color, and material variations have been incorporated into the design of the buildings, and the proposed development is compatible with the proposed multiple family residential use to the west and the surrounding land uses within the area. Furthermore, the project site is a cohesive and unified development with cross access between the commercial pad sites and pedestrian access between the commercial and multiple family development. Therefore, staff recommends approval.

Design Review #5

Staff finds the proposed multiple family residential development complies with several goals and policies within the Master Plan. Policy 6.2.1 encourages the design and intensity of new developments to be compatible with established neighborhoods and uses in terms of its height, scale, and overall mix of uses. The proposed development is consistent and compatible with the multiple family development to the south and the previously approved commercial development to the east. Policy 6.2.2 encourages the use of sustainable site design and development practices in new construction projects. The landscape plan for the site has been designed to incorporate multiple species of recommended trees, shrubs, and groundcover from the Southern Nevada Water Authority Regional Plant List. Furthermore, the buildings include off-set surface planes, an aesthetically pleasing color palette, and parapet walls along the roofline at various heights; therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #6

Staff can support the reduction of throat depth from the future right-of-way of Las Vegas Boulevard South. The applicant provided additional landscape buffers adjacent to both entrances into the site. The buffers improve the visibility of traffic trying to access the site, allowing vehicles to safely exit the right-of-way.

Waiver of Development Standards #7

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #7 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Design Review #6

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to

continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

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

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; the installation and use of cooling systems that consumptively use water will be prohibited; 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 use permits, waivers of development standards, and design reviews must commence within 4 years of approval date or they 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back of curb for Pebble Road and Las Vegas Boulevard South per the approved Record of Survey;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- 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; and that the installation of detached sidewalks will require dedication to back of curb and the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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 completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0443-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval (design review as a public hearing for lighting and signage; and provide cross access to the lots to the south if compatible commercial uses are constructed).

APPROVALS:

PROTESTS:

APPLICANT: JAT LAND DEVELOPMENT, LLC

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