

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0935-INDIAN SPRINGS ESTATES MHP, LLC:

HOLDOVER ZONE CHANGE to reclassify a 6.8 acre portion of 24.1 acres from an R-T (Manufactured Home Residential) Zone to an R-3 (Multiple Family Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** alternative street landscaping; **2)** reduce height/setback ratio; **3)** reduce gate setbacks; **4)** eliminate full off-site improvements; and **5)** driveway geometrics.

DESIGN REVIEWS for the following: **1)** alternative parking lot landscaping; **2)** multiple family residential development; and **3)** finished grade.

Generally located on the north side of Boulder Lane and the east side of MacFarland Avenue within Indian Springs (description on file). RM/hw/syp (For possible action)

RELATED INFORMATION:

APN:

059-09-210-016; 059-09-212-008 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow 15 feet of street landscaping without a sidewalk where 15 feet of landscaping, including a 5 foot detached sidewalk, is required per Figure 30.64-17.
2. Reduce the height/setback ratio from the northern property line for a proposed multiple family residential building to 10 feet where 55.5 feet is required per Figure 30.56-10 (an 82% reduction).
3. Reduce the setback for an access gate from the street to 20 feet where 50 feet is required per Section 30.64.020 (a 60% reduction).
4. Waive off-site improvements (curbs, gutters, streetlights, sidewalks, and paving) where off-site improvements are required per Section 30.52.050.
5. Reduce driveway departure distance to 134 feet where 190 feet is the standard per Uniform Standard Drawing 222.1 (a 29% reduction).

DESIGN REVIEWS:

1. Allow alternative parking lot landscaping where parking lot landscaping is required per Figure 30.64-14.
2. Multiple family residential development.
3. Increase finished grade to 60 inches where a maximum 36 inches is the standard per Section 30.32.040 (a 67% increase).

LAND USE PLAN:

NORTHWEST COUNTY (INDIAN SPRINGS) - COMPACT NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 24.1 (overall)/6.8 (Multiple family)/17.3 (Remaining portion of manufactured home park)
- Number of Units: 123 (Multiple family)/138 (Manufactured home park)
- Density (du/ac): 18.0 (Multiple family)/8 (Manufactured home park)
- Project Type: Multiple family development
- Number of Stories: 2
- Building Height (feet): 24.5 (Residential buildings)/20 (clubhouse)/12 (Garages)/10 (Covered parking structures)
- Open Space Required/Provided: 24,800/30,688 (Multiple family)/48,300/67,921 (Manufactured home park)
- Parking Required/Provided: 219/219 (Multiple family)/304/304 (Manufactured home park)

Site Plan

The plans depict an existing legal non-conforming manufactured home park located on the north side of Boulder Lane and the east side of MacFarland Avenue. The plans show that the existing manufactured home park consists of 138 lots located on the northern 17.3 acres of the overall 24.1 acres, while the southern 6.8 acres is currently undeveloped land. The plans show that the proposed multiple family residential development will be located within the southern portion of the site with the applicant eventually subdividing the 2 developments. The proposed zone change will maintain the R-T zoning for the northern parcel where the manufactured home park is located, and the southern parcel where the multiple family residential development will be located, is proposed to be rezoned to the R-3 zone. No portion of the existing manufactured home park will be touched or redeveloped, and no residents have or will be displaced to develop the southern portion of the site.

The plans show the multiple family residential development will consist of a total of 16 buildings and a clubhouse for a total of 123 units and 1 model unit. The overall density of the multiple family residential development is shown to be 18 dwelling units per acre. The applicant indicates the model unit will not contain cooking facilities and will not be habitable, so will not count towards the overall density. The plans show the residential buildings will be situated in the central portion of the proposed southern parcel with 2 rows of 7 buildings each, and 1 row of 3 buildings running along MacFarland Avenue. The buildings are rectangular and “H”-shaped with varying orientations. The clubhouse is located in the northwest corner of the central block of buildings. The clubhouse and residential buildings are set back between 10 feet and 55 feet from the northern property line, with the residential buildings set back approximately 25 feet from MacFarland Avenue, 20 feet from Boulder Lane, and 108 feet from the eastern property line. The site also contains 5 garage buildings located along the northern and eastern edges of the site. These garage buildings are shown to be set back 5.5 feet from the northern property line and 15 feet from the eastern property line. All buildings are shown to be separated by 10 feet to 42 feet of space. Access to the site is provided by a gated 40 foot wide driveway along MacFarland Avenue and a 35 foot wide gated residents only driveway along Boulder Lane. The site also contains a large 24 foot wide

looping drive aisle that circles the central block and connects with the main driveway along MacFarland Avenue. Both sides of the looping drive aisle are gated by 3 sliding 6 foot tall wrought iron gates. There are 2 gates on the west side of the site where the drive aisle splits from the main driveway and 1 located by the driveway onto Boulder Lane. There are 219 parking spaces provided along the edges of the site and are at scattered intervals along the edges of the central block. Covered parking spaces are provided along the central block and along the northern portions of the site. Finally, the cross sections show that a maximum fill increase of 5 feet (60 inches) is required particularly in the central, northeast, and southeast portions of the site.

Landscaping

The plans show that landscaping is provided throughout the site along the perimeters and within the parking lot. Along the streets, a 15 foot wide landscape strip is provided behind the right-of-way line with no sidewalk provided. The street landscaping strip contains 10 Mexican Ebony (*Pithecellobium mexicanum*) trees along MacFarland Avenue and 32 Mexican Ebony trees along Boulder Lane spaced approximately 30 feet apart. Along the northern and eastern property lines, a buffer to a less intense use per Figure 30.64-11, has been provided as required. The buffer strip along the northern property line is 5.5 feet wide, while the strip along the eastern property line is 15 feet wide. Both buffer landscaping strips contain Shoestring Acacia (*Acacia stenophylla*) trees spaced 30 feet apart in front of a 6 foot decorative CMU block wall. Within the interior of the site, Rocky Mountain Juniper (*Juniperus scopulorum*) trees have been provided within 7 foot wide landscaping finger islands every 3 to 12 parking spaces and are well distributed around the residential buildings throughout the site. However, in some locations either no landscape finger island has been provided or the trees are separated from the parking areas by walkways, requiring a design review. Overall, the site contains several community and open recreational spaces particularly within the central block. There is 24,800 square feet of open space required where 30,688 square feet has been provided through dog parks, BBQ area, children's play area, pool area, and clubhouse. Finally, the plans show that a 6 foot high CMU block wall will be provided along the northern and eastern property lines and a 6 foot high wrought iron fence set back 15 feet for landscaping will be provided along the southern and western property lines.

Elevation

The elevations show that the residential buildings will have 3 different elevations with a similar design style. Two of the elevations will be 2 stories with a height of 24.5 feet tall with the third elevation being 1 story with a height of 15.5 feet tall. Each of the 2 story buildings will contain 8 units, with 10 of the buildings containing 2 bedroom units, and the other 5, 2 story buildings containing 1 bedroom units. The 1 story building will contain 4, 1 bedroom units. The exteriors of all residential buildings show that the buildings will have a flat roof and will be constructed of painted concrete plaster. The exteriors will primarily be white and silver with an alternating pattern. Grey painted metal paneling with accent window areas along the building are provided. In addition, grey painted metal fin awnings, balcony railings, and staircase areas will also be provided. The north and south portions of the building will contain the main access areas along with a significant amount of fenestration.

The clubhouse is shown to be a maximum of 20 feet tall up to a decorative chimney-like structure with most of the building only reaching 16 feet tall. The clubhouse will have a complementary flat roof. The exterior of the building is mostly silver painted concrete plaster with white plaster and

grey painted metal paneling. Access to the building is provided along the eastern and western sides of the building with a double door commercial door system. A wall of large windows can be found on each side of the doors that open out to a metal covered canopy area. Metal mailboxes are found along the western side of the building with the eastern side of the building containing additional ceramic tile accents.

The covered parking structures are shown to be 10 foot high metal structures. The garage buildings are shown to be 12 feet high with a slanted metal roof. The exterior of the garage buildings is silver painted concrete plaster on all sides with grey painted metal garage doors facing inward towards the development.

Floor Plan

The floor plans show that there will be 1 and 2 bedroom units throughout the development. Each floor of the residential buildings will contain a total of 4 units each. The plans show that the 1 bedroom units will be 745.5 square feet with a 55.5 square foot patio. The 1 bedroom units contain an open concept living room, dining area, and kitchen space along with washer/dryer closet, 1 bathroom, and 1 bedroom with a walk-in closet. The 2 bedroom units are shown to be 1,014 square feet with a 46 square foot patio. The 2 bedroom units contain an open concept living room, dining area, and kitchen space along with washer/dryer closet with each bedroom containing an ensuite bathroom and walk-in closet. The clubhouse is shown to be a total of 3,851 square feet containing the main 2,171 square foot enclosed building space, a 385 square foot covered entry, a 956 square foot covered patio, and a 339 square foot breezeway. The enclosed space includes 176 to 185 square foot office spaces, a 773 square foot leasing area, and a 610 square foot gym along with bathrooms and a storage area.

Applicant's Justification

The applicant states that the requested zone change to R-3 is to allow for a 123 unit multiple family development in an area and neighborhood where there is a high demand for housing and a significant shortage of housing as well. The zone change is conforming to the planned land use and there is similar zoning nearby. The applicant also states that the proposed residential development will be attractive and similar in architecture to nearby structures and has been landscaped beyond what is required by Title 30. The waiver to eliminate off-sites will provide an off-site environment similar to the surrounding neighborhood. The applicant further indicates that the proposed multiple family residential development will not impact the currently existing manufactured home park and will not remove any lots, displace any people from the park, nor cause any existing portion of the manufactured home park to be redeveloped.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	H-1	Gas station & convenience-store
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac), Edge Neighborhood, & Public Use	R-A, R-1, & P-F	Single family residential, place of worship, & undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Compact Neighborhood	R-1	Single family residential & manufactured home park

STANDARDS FOR APPROVAL:

The applicant shall demonstrate the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Zone Change

In addition to the standards for approval, the applicant must demonstrate the zoning district is compatible with the surrounding area. Staff finds that the site of the proposed development is within the Compact Neighborhood planned land use category, which allows for higher density single and multiple family developments. Within the surrounding area there are at least 3 other instances of R-3 zoning with another similarly zoned property within 875 feet of the site. In addition, the block that the site is located contains various medium density single family and manufactured home developments, which are already dissimilar to the large lot single family uses found in the rest of the Indian Springs area. Finally, staff finds that the proposed zone change complies with Policies 1.1.1 and 6.3.1 of the Master Plan, which both encourage an appropriate mix of housing types and densities within the unincorporated areas of Clark County. Staff finds that the R-3 zoning district at this location will allow for additional housing opportunities that will help mix the types of housing in the Indian Springs area and add additional density within a higher density area. For these reasons, staff can support this zone change.

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.

Waiver of Development Standards #1

Staff finds that the purpose of providing both sidewalks and landscaping is to provide a safe pedestrian environment within neighborhoods while providing landscaping which reduces possible heat island effects. The neighborhood in which the proposed multiple family residential is in is rural in nature and sidewalks have only been provided at scattered intervals in the area south of U.S. Highway 95. While newer commercial developments along U.S. Highway 95 have provided attached sidewalks, in particular the adjacent gas station to the north, newer residential developments have not always provided sidewalks, such as the adjacent single family residential

subdivisions to the east. In addition, the applicant has provided the necessary 15 feet of landscaping which does help to serve as an appropriate visual buffer for those across the street from the development, but also for those living on-site from the street. While staff will always support the installation of sidewalks, staff finds that the rural nature of the area is not conducive to the installation of sidewalks. Additionally, the installation of sidewalks at this location would mostly not serve the intended purpose, as the developments to the east, south, and west do not have sidewalks and no sidewalks have been provided to the north, except for the developments along U.S. Highway 95, which would still leave an 822 foot gap between that sidewalk and the proposed development. For these reasons, staff can support this waiver request.

Waiver of Development Standards #2

The purpose of the height-setback ratio is to assure that multiple family and nonresidential buildings do not create an unnecessary massing of buildings adjacent to single family uses and to protect the privacy of single family uses adjacent to multiple family and nonresidential uses. Staff finds that the proposed residential buildings subject to the height/setback ratio all are setback between 54.8 feet and 108 feet, which either meets the required setback or is a minimal reduction with the northern edge of the multiple family development containing a landscape buffer. While Building 1 does not meet the height/setback ratio, staff finds that the building is adjacent to the neighboring manufactured home park's open space area and would be significantly setback from the nearest manufactured home. In addition, staff finds that should additional landscaping be provided between Building 1 and the edge of the development, there should be no issues with future development should the manufactured home park be redeveloped. For these reasons, staff can support this waiver of development standards on the condition additional landscaping be provided between Building 1 and the northern property line.

Waiver of Development Standards #3

Staff finds that the provided residents' gate along Boulder Lane is appropriate for the site, as the site, as designed, would otherwise only have 1 entrance and exit onto the site, which can pose safety and traffic issues. Due to Boulder Lane being a major thoroughfare within the Indian Springs area and serving the larger single family residential development to the east, staff does have concerns that the gate at 20 feet from the street is not set back far enough to not cause queuing issues. While staff does prefer that there be a second access point to the site, staff can only support this waiver of development standards provided that the residents' gate be an exit only gate.

Design Reviews

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.

Design Review #1

The purpose of parking lot landscaping is to provide shade for nearby walkways, but to also reduce the effects of the heat island effect by shading asphalt that can produce radiant heat. Staff finds that both the interior and nearby perimeter landscaping has been provided above what is required per Title 30. The combination of the provided parking lot trees, those along the perimeter, those

within the central block, and the provided shade covers should provide a sufficient shade cover within the parking lot and for the nearby walkways that any reduction in actual landscape finger islands should cause little to no issues regarding heating of the site. For these reasons, staff can support this design review.

Design Review #2

Staff finds that the proposed multiple family residential development is architecturally attractive and similar to other developments within Clark County. The development is also similar in bulk and scale to the surrounding manufactured home park and single family development with its mix of 1 and 2 story buildings. The development contains a significant amount of perimeter landscaping, providing for appropriate buffers between the surrounding developments and the adjacent streets. Sufficient access has been provided and the design of the interior drives helps to create less conflicts within the interior of the site. The design of the site around a central block of buildings and open space helps to create a walkable and community-oriented design. The development will also help to alleviate an increasing demand for housing in the Indian Springs area due to the growth of the nearby Creech Air Force Base. In terms of the existing manufactured home park, staff finds that there are no impacts to the development as the land being taken for the multiple family development is not currently being utilized for any existing lots or homes and the site will still comply with the relevant regulations, including setbacks and density, when the land is subdivided. Staff finds that the development will comply with Policy 1.3.1, which encourages the integration of various housing and architectural styles within a neighborhood; Policy 1.4.4, which encourages the development of in-fill and underutilized lands; and Goal 5.3, which encourages compatible development within the areas around military bases that also helps to support the staff at those bases, as well. For these reasons, staff can support these design reviews.

Public Works - Development Review

Waiver of Development Standards #4

Staff has no objection to not installing full off-site improvements, as there are no off-sites in the area.

Waiver of Development Standards #5

Staff has no objection to the reduction in departure distance for the driveway on MacFarland Avenue. The application has placed the driveway as far north as the site will allow while keeping a safe distance to existing driveway to the north.

Design Review #3

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.

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

- Provide large Evergreen trees every 10 feet on center between the northern property line and the proposed Building 1;
- The gate along Boulder Lane shall be exit only;
- The model unit shall not be habitable nor modified to allow for cooking facilities;
- Design review for significant changes to the plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised within 2 years from the approval date the waivers of development standards and design reviews must commence or the application will expire unless extended with approval of an extension of time; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; 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;
- 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;
- Right-of-way dedication to include a spandrel at the northeast corner of Boulder Lane and MacFarland Avenue;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- 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.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features;
- Applicant to show fire hydrant locations on-site and within 750 feet.
- 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; that fire/emergency access must comply with the Fire Code as amended; 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 #0411-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Indian Springs - denial.

APPROVALS:

PROTESTS: 4 cards, 6 letters

COUNTY COMMISSION ACTION: March 20, 2024 – HELD – To 04/03/24 – per the applicant.

APPLICANT: DC PETERSEN PROFESSIONAL CONSULTANTS, LLC

CONTACT: DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BOULEVARD, SUITE 110, LAS VEGAS, NV 89118