

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0218-RCIP, LLC SERIES X:**

**HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate accessory structure setbacks; **2)** reduce parking; **3)** eliminate buffering and screening standards; and **4)** reduce open space.

**DESIGN REVIEW** for a multi-family residential development on 1.04 acres in an RM32 (Residential Multi-Family 32) Zone.

Generally located on the west side of Nellis Boulevard, 350 feet north of Kell Lane within Sunrise Manor. TS/jud/ng (For possible action)

RELATED INFORMATION:

**APN:**

140-20-701-018

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Eliminate the side interior setback for an accessory structure (trash enclosure) to zero feet where 20 feet is required per Section 30.02.10 (a 100% reduction).
- b. Eliminate the rear setback for an accessory structure (trash enclosure) to zero feet where 5 feet is required per Section 30.02.10 (a 100% reduction).
2. Reduce parking to 49 parking spaces where 59 parking spaces are required per Section 30.04.04 (a 17% reduction).
3. a. Eliminate buffer landscaping where 15 feet of landscaping is required per Section 30.04.02 (a 100% reduction).
- b. Allow a 6 foot high non-decorative screen wall and a 6 foot high decorative metal fence where an 8 foot high decorative screen wall is required per Section 30.04.02.
4. Reduce the required open space area to 2,164 square feet where 3,000 square feet of open space is required per Section 30.02.10 (a 28% reduction).

**PROPOSED LAND USE PLAN:**

SUNRISE MANOR - URBAN NEIGHBORHOOD (GREATER THAN 18 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 1.04
- Project Type: Multi-family residential development
- Number of Units: 30

- Density (du/ac): 28.84
- Number of Stories: 3
- Building Height (feet): 40
- Square Feet: 693 (per multi-family unit)
- Open Space Required/Provided: 3,000/2,164
- Parking Required/Provided: 59/49
- Sustainability Required/Provided: 5/5

### Site Plans

The plans show a proposed 3 story, 20,790 square foot multi-family residential complex on 1.04 acres. The proposed setbacks are as follows: 89 feet to the east; 48 feet to the west; 46 feet to the north; and 46 feet to the south. Forty-nine parking spaces are provided along the north and south sides of the building, which are accessed via a 24 foot drive aisle wrapping around the building. The proposed residential development requires 59 on-site parking spaces where only 49 parking spaces are being provided. The location of the proposed trash enclosure is on the northwest corner of the site on the property lines. The building and parking are accessed through a 40 foot wide driveway located along Nellis Boulevard.

The plans also depict 2 open space areas with proposed benches and grills. One open space area is located on the west side of the building and proposed with 1,306 square feet and the other open space area is located on the east side of the building and proposed with 858 square foot area. The development requires a minimum open space of 3,000 square feet. The plans depict a proposed 6 foot high wrought iron fence on the north and east sides of the site. On the south side is an existing 6 foot high retaining/screening wall. On the west side of the site is a proposed 2.2 foot retaining wall with a 6 foot high CMU screen wall on top.

### Landscaping

The plans show street and parking lot landscaping. The street landscaping consists of 4 Shoestring Acacia trees planted in a landscape strip ranging from 15 feet to 35 feet in width along Nellis Boulevard and behind an existing attached sidewalk. Within the parking lot, 11 Chilean Mesquites are proposed along with a variety of shrubs planted on the landscape finger islands. All the required parking lot trees are also functioning as perimeter landscaping. No buffering and screening, which is required along the north and west sides of the site adjacent to the school parcel, is provided.

### Elevations

The proposed multi-family residential apartment complex is shown to be a maximum height of 40 feet. The exteriors of the buildings consist of light gray colored stucco with dark gray stucco pop-outs and railings along the exterior hallways. The exteriors also consist of several architectural articulations along the north and south facades. The east and west facades do not provide architectural enhancements as required. The elevations show that floors are connected with staircases located along the walkways.

### Floor Plans

The plans for the apartment complex show 30, two bedroom units on 3 floors. The units have a living space, a kitchen, a bathroom and 2 bedrooms in a 693 square foot area.

### Applicant's Justification

The applicant states the proposed development is a cohesive fit for the area. There is an abundance of transit options, grocery stores, fast food restaurants, schools, and churches within close walking distance. The plans provided depict a building with colors that will stand out in the area. There is not enough space on the site to accommodate the required accessory structure's setback and the fire lane, hence the request to eliminate the side and rear setback. The applicant further states that several residents will be low income, reducing the number of vehicles on property. Also, the applicant provided a map depicting 4 bus stops within walking distance of the site.

In addition, the applicant states that the proposed elimination of screening and buffering along the north and west sides of the site is necessary since there is not enough space. The wrought iron fence with the overhanging trees on the parking lot islands on the north side will face a private driveway (school).

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
NZC-0079-14	Reclassified the site from R-3 to C-1 zoning for a restaurant - expired	Approved by BCC	April 2014
NZC-0543-08	Reclassified the site from R-3 to C-1 zoning for a retail center - expired	Approved by BCC	August 2008
WS-0930-06	Reduced the front setback and open space requirements for a single-family residential subdivision - expired	Approved by BCC	September 2006
TM-0288-06	14 lot single family residential subdivision - expired	Approved by BCC	September 2006
ZC-0864-05	Reclassified the site from R-E and R-2 zoning to R-3 zoning for a single-family residential subdivision	Approved by BCC	March 2006

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North & West	Public Use	PF	Monaco Middle School
South	Compact Neighborhood (up to 18 du/ac)	RM32	Multi-family residential
East	Corridor Mixed-Use	CG	Undeveloped

### **Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-24-0217	A zone change to reclassify the site from RM18 to RM32 is a companion item on this agenda.

## Related Applications

Application Number	Request
PA-24-700008	A plan amendment to redesignate the existing land use category from Compact Neighborhood (CN) to Urban Neighborhood (UN) is a companion item on this agenda.

### 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

##### 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.

##### Waivers of Development Standards #1 through #3

The purpose of providing sufficient building setbacks is to prevent the massing of buildings along property lines, particularly where there are more intense uses next to less intense uses, and to encourage a safe built environment. Staff finds that the setback elimination for the accessory structure (trash enclosure) on the northwest corner of the site would not have a detrimental effect on the adjacent property. The property to the northwest is an existing middle school and no buildings are near the proposed location of the trash enclosure. Additionally, staff finds the request to reduce the required parking acceptable since there are several bus stops within walking distance to the site. The parking lot landscaping is adequate between the proposed development and the developed properties to the north and south. Although staff does not object to these requests, since staff is recommending denial of the waiver for open space and the design review, staff cannot support these requests.

##### Waiver of Development Standards #4

The applicant did not provide any justification for the request to reduce the required open space. Additionally, staff finds that 1 tree in each open space area would not provide shading opportunities within the open space to help reduce and prevent radiant heating. The proposed areas are approximately one third smaller than the Code requirement and the applicant is not providing any other type of amenities within the development. 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 that the proposed use is suitable for the site. The proposed development complies with Policy 1.1.1 of the Master Plan, which supports the revitalization of older neighborhoods through targeted in-fill development and the diversification of housing types. However, the proposed site and building design lack design standards that foster high-quality development. The proposed design depicts 2 sided architecture rather than the 4 sided architecture required by Code. More specifically, the building façade presents a blank wall facing Nellis Boulevard. Additionally, the proposed open space areas are smaller than required by Code and lack of shading opportunities. Likewise, the plans only depict 1 on-site pedestrian walkway on the southeast side of the parking lot, thus providing a lack of connectivity between the parking areas and the units. Therefore, staff cannot support the design review.

### **Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on **August 21, 2024 at 9:00 a.m.**, unless otherwise announced.

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:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- 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**

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

#### **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 #0229-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Sunrise Manor - denial.

**APPROVALS:** 1 card

**PROTESTS:**

**PLANNING COMMISSION ACTION:** July 2, 2024 – HELD – To 07/16/24 – per the applicant.

**APPLICANT:** RCIP, LLC SERIES X

**CONTACT:** TAYLOR CONSULTING GROUP, INC., 8414 W. FARM ROAD #180, LAS VEGAS, NV 89131