

02/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0829-4725 HOLDINGS, LLC:

WAIVER OF DEVELOPMENT STANDARDS for alternative building color palette within a Hillside Development.

DESIGN REVIEWS for the following: **1)** Hillside Development; **2)** increase building height; and **3)** a multiple family residential development on 3.8 acres in an R-4 (Multiple Family Residential District - High Density) Zone.

Generally located on the south side of Russell Road and the west side of Nellis Boulevard within Paradise. JG/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-29-803-007

WAIVER OF DEVELOPMENT STANDARDS:

Allow an alternative color palette for a proposed multiple family residential building within a Hillside Development where all exterior walls and roofs shall be colored to blend with the desert environment per Section 30.56.100.

DESIGN REVIEWS:

1. Preliminary grading plan for a Hillside Development where required per Section 30.56.100.
2. Increase the building height to 65 feet where 35 feet is the maximum height allowed per Table 30.40-3 (an 86% increase).
3. A multiple family residential development.

LAND USE PLAN:

WINCHESTER/PARADISE - PUBLIC USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4725 E. Russell Road
- Site Acreage: 3.8
- Project Type: Multiple family residential development
- Number of Units: 82
- Density: 21 du/ac where 25 du/ac is the maximum
- Number of Stories: 5
- Building Height (feet): 65

- Square Feet: 170,030
- Open Space Required/Provided: 8,200 / 87,925
- Parking Required/Provided: 129/133

Site Plan

The subject parcel is a unique shaped lot that was reclassified to R-4 zoning via ZC-0184-04. Access to the proposed multiple family residential development is via 1 existing shared private driveway on the southwest corner of the site adjacent to Russell Road. The private drive aisle runs west to east, in an upward direction towards the pad site that was graded prior to the applicant's purchase of the lot. The applicant is requesting a design review for a proposed multiple family residential development, with 82 units. No documentation was provided showing that early grading was properly permitted through the Clark County Building Department, however, since the site is within hillside development a design review is a part of this request. The applicant is proposing 1 building, centrally located on the subject parcel. The apartment building with the attached parking garage is set back 56 feet, 11 inches from the northwest property line; 128 feet from the north property line; 92 feet, 7 inches from the east property line and 29 feet from the south property line.

The applicant is proposing a 6 foot high wrought-iron fence along the north, northwest, and east side of the complex. Furthermore, there will be a 6 foot high CMU wall along the south property line. Amenities such as a gym, walking path, and swimming pool is also a part of the development.

Landscaping

The landscape plan depicts 24 inch box trees throughout the site and a 5 foot wide landscape strip along the south property line. 218 Purple Training Lantana will be planted along with 54 Desert Willow trees.

Elevations

The overall height of the building is 65 feet (5 stories) where a maximum of 35 feet is allowed per Code. The applicant is requesting a waiver of development standards to increase the building height to 65 feet. The exterior architectural details of the building include vertical and horizontal stucco popout accents, balcony areas for the tenants, and a yellow and blue color scheme. Varied rooflines are also provided to add a visual interest to the top of the building.

Floor Plan

The plan depicts a total of 82 units. There will be 23 studio units; 39, one bedroom units; and 20, two bedroom units. The plans depict that the overall area for the project is 170,030 square feet.

Applicant's Justification

The project was previously approved in March 2004, by the Board of County Commissioners under ZC-0184-04 subject to no resolution of intent. The parcel is currently zoned R-4 which allows for up to 25 units per acres. The applicant is requesting a design review and a waiver of development standard for a 5 story, 82 unit multiple family building located on Mesa Ride with the closest cross streets of Russell Road and Nellis Boulevard. Prior to 2003, the subject parcel along with the multi-family project, Now Citron Apartments, and Mesa Ridge Villages were

under single ownership that ultimately divided the 17.0 acre parcel into 3 distinct projects. During the grading and construction of Citron Apartments and Mesa Ridge Village the subject parcel (3.83 acres) was created. The applicant will utilize the existing pad at the existing finish grade elevations and will not be make any additional cuts into the hillside area as part of this application. This project sits on top of a mesa, and no hillside sits higher than the building slab. As such, the building blends with the sky and not hillside or mountains. Additionally, this development is being developed with an aviation theme, thus the color palette matches both the blue sky behind the proposed building and overall project theme.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0184-04	Subject parcel for this application was reclassified (4 acres) from R-E and R-4 zoning to R-4 zoning for a multiple family residential site, use permits for a PUD, condominium/apartments, modify hillside/foothill developments with a design review – only use permits and design review expired. Hard zoned 4 acres to R-4 zoning	Approved by BCC	March 2004
UC-1292-03	21 four-plex buildings and one, 2 plex building in conjunction with a PUD development containing 86 units on the easternmost portion (east of Mesa Ridge Village)	Approved by PC	September 2003
WS-0037-03	168 unit apartment complex on the northern portion of a 17.5 acre site south of Russell Road, waivers to reduce parking, reduce back-up distance for garages to zero feet where 8 is required	Approved by PC	February 2003
TM-0534-02	86 single family residential development (townhomes)	Approved by PC	January 2003
UC-1827-02	Allowed a PUD for townhomes on a 7.3 acre portion of 15.0 acre site with a design review of 86 town homes and 2 common elements (east portion of the 15 acre site)	Approved by PC	January 2003
VS-1810-02	Vacated a portion of right-of-way being Nellis Boulevard – recorded	Approved by PC	January 2003
WS-0628-02	Increased building height, waived parking lot landscaping for a multiple family residential complex	Approved by PC	June 2002
ZC-1108-01	Reclassified 17.5 acres from C-2 to R-4 zoning for a senior housing complex	Approved by BCC	October 2001
ZC-0925-99 (ET-0293-01)	First extension of time of a zone change for a 19 acre site for C-2 zoning for a proposed office complex, shopping center, commercial pad sites, and mini warehouse complex - expired	Approved by BCC	September 2001

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0925-99 (WC-0064-01)	Waiver of conditions of a zone change requiring dedication of 50 feet for Nellis Boulevard and full off-sites	Approved by PC	June 2001
DR-0961-00	127,000 square foot shopping center on 19 acres - expired	Approved by PC	July 2000
TM-0324-99	Mesa Ridge Towne Center Commercial Subdivision (1 lot)	Approved by PC	January 2000
ZC-0925-99	Reclassified 19 acres from R-E and C-1 zoning to C-2 zoning for a 138,122 square foot office complex and shopping center with restaurant/retail building pad sites and a mini warehouse complex - expired	Approved by BCC	August 1999
ZC-2009-98	Reclassified 16.7 acres from R-E to C-1 zoning for a 155,000 square foot office complex, with a variance to reduce the setbacks from the section line - expired	Approved by BCC	February 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential
South	Public Use	P-F	SECTA High School
West	Urban Neighborhood (greater than 18 du/ac) & Public Use	RUD	Single family residential & Flood Channel

Related Applications

Application Number	Request
WC-23-400181 (ZC-0184-04)	A waiver of conditions of a zone change 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

Waiver 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.

Staff finds the color palette to be unobtrusive to the surrounding area. The building will be set back over 128 feet south of Russell Road and will be constructed on a mesa pad site. Staff can support this request since the proposed blue and yellow colors are accent colors only.

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 the Hillside Development restrictions is to provide for the reasonable, safe and aesthetic use of the steep and inconsistent topography of natural hillsides within unincorporated Clark County. Staff finds the preliminary grading plan complies with the development restrictions as the drawings indicate that slopes greater than 12% will not be disturbed by the proposed development. Although the site was graded without proper approvals, staff finds that the aerial photos show that the pad site is relatively flat. Therefore, staff recommends approval of the preliminary grading plan.

Design Review #2

Hillside development Code allows zoning district development standards to be modified with a design review. The applicant is requesting to increase the proposed building height to 65 feet where 35 feet is the maximum allowed per Code. The existing high school to the south that was also constructed on a mesa was approved with building heights at a maximum of 55 feet. Staff finds that the site was previously approved via ZC-0184-04 for a maximum building height of 97 feet with a 6 story apartment building that was never constructed. Today, the applicant is proposing a 5 story building with a maximum height of 65 feet. Staff finds that applicants request to be suitable and may be supported by staff since the proposed project is less intense in terms of scale and height than what was previously approved in 2004.

Design Review #3

Staff finds that the proposed project is compatible to the existing multiple family residences immediately located to the north and east. Since staff supports the waivers of development standards, staff can also support this request.

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

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- 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 design review is required as a public hearing for final grading plans; that approval of this application does not constitute or imply approval of any other County issued permit, license or approval; 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;
- Traffic study and compliance.

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 at landuse@lasairport.com 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

- 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 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; gates must be a minimum of 20 feet; and that fire/emergency access must comply with the Fire Code as amended.

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 #0466-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval of design reviews #1 and #3; denial of waiver of development standards and design review #2 (design review as a public hearing for color scheme and lighting).

APPROVALS:

PROTESTS:

APPLICANT: SIEGEL COMPANIES

CONTACT: GREG BORGEL, 4725 HOLDINGS, LLC, 3790 PARADISE ROAD, SUITE 250, LAS VEGAS, NV 89169