

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0008-KRLJ 3, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** of the following: 1) dedication of right-of-way; and 2) allow modified driveway design standards.

**DESIGN REVIEW** for a multi-family residential development on 11.21 acres in RM32 (Residential Multi-Family 32) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the northeast corner of Decatur Boulevard and Le Baron Avenue within Enterprise. JJ/rg/kh (For possible action)

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RELATED INFORMATION:

**APN:**

177-30-105-003; 177-30-106-001; 177-30-106-004 through 177-30-106-005

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Waive dedication of right-of-way (Ullom Drive alignment) where required per Section 30.04.08D.
2. Reduce the throat depth for a driveway along Le Baron Avenue to 128 feet where 150 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 15% reduction).

**LAND USE PLAN:**

ENTERPRISE - URBAN NEIGHBORHOOD (GREATER THAN 18 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 11.21
- Project Type: Multi-family development
- Number of Units: 248
- Density (du/ac): 22.12
- Number of Stories: 3 (dwellings)/ 1 (clubhouse)/ 1 (garage)
- Building Height (feet): 40 (dwellings)/ 27 (clubhouse)/ 13 (garage)
- Square Feet: 334,048
- Open Space Required/Provided (square feet): 24,800/32,163
- Parking Required/Provided: 412/439
- Sustainability Required/Provided: 5/5

### Site Plans

The plans depict a multi-family residential development consisting of 248 dwelling units distributed within 15, 2 and 3 story buildings and 6, single story garages located along the north property line. The site is 11.21 acres with a density of 22.12 dwelling units per acre. The buildings will provide 1, 2, and 3 bedroom units. The setbacks of the perimeter buildings are as follows: 21 feet to the south and east property lines and 22 feet to the west property line. Accessory structures (proposed garages) along the north property line are set back 5 feet. There will be 1 access point to the development from Le Baron Avenue to the south which serves as the main point of ingress and egress. Additionally, there are 2 access points to the development from Decatur Boulevard to the west however the southern access point is for emergency access only and the northern access point is egress only. Internal circulation within the project consists of 24 and 26 foot wide drive aisles. Parking will consist of garage, covered, and surface parking spaces for both residents and visitors, which are distributed throughout the development.

All parcels except, APN 177-30-106-001, are deed restricted by the Department of Aviation and the northern portion of the project site is located within the AE-60 Overlay, As a result, all multi-family buildings have been located outside of the boundary of the AE-60 overlay.

### Landscaping

The plans depict detached sidewalks along Decatur Boulevard and Le Baron Avenue, and two, 5 foot wide landscape strips have been provided on both sides of the sidewalk in compliance with code requirements. Parking lot landscaping also complies with Title30.

Open space and landscaping are equitably distributed throughout the development and consists of open space areas which include a swimming pool, cabana, and a clubhouse located on the central portion of this site.

### Elevations

The residential buildings are 1 to 3 story structures with maximum heights of 40 feet. All proposed buildings have pitched roofs with concrete tile roofing material and exterior walls with a combination of stucco finish and stone veneer. The upper floor units will have balconies on some building elevations. The plans depict enhanced architecture on each side of the buildings consisting of pop-outs, recesses, window fenestrations, varying roof heights, and other enhancements to break-up the vertical and horizontal surfaces of the buildings.

### Floor Plans

The plans show a mix of 1, 2 and 3 bedroom units consisting of 96, one bedroom units; 140, two bedroom units; and 12, three bedroom units. The residential units are between 774 square feet and 1,445 square feet in area. The maintenance area is located within the building identified as L1 located on the ground floor and has an open floor plan. The clubhouse is 10,145 square feet and consists of a leasing office, computer lab, conference room, lounge, yoga room, fitness area, and restrooms.

### Applicant's Justification

The applicant states dedication of the right-of-way for Ullom Drive is not necessary for the public's use or for utility or traffic purposes. If Ullom Drive continued north, it would intersect

with Silverado Ranch Boulevard less than 400 feet from the intersection with Decatur Boulevard. Being so close to the major signalized intersection, traffic would be limited to right turns only and Silverado Ranch Boulevard would operate better without at that location. In addition, there is no development east of the site due to the existing large detention basin. Lastly, the reduction of the throat depth requirement is to provide adequate space for future residences and guest to maneuver by mitigating queuing on Le Baron Avenue. Driveway access from Le Baron Avenue is 20 feet wide and will consist of 2 lanes. The second lane would allow drivers to bypass those who are stopped at the call box. The 2 gated entrances, coupled with additional space in the parking area south of the clubhouse, will promote traffic flow. A secondary exit located at the northwest corner of the site will allow drivers to access Decatur Boulevard.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
SC-1156-03	A street name change from Gomer Road to Silverado Ranch Boulevard, from Las Vegas Boulevard South to Wells Street to the east	Approved by PC	September 2003
MPC-1663-00	A neighborhood plan for a mixed-use major project comprehensive planned community and identification of related issues of concern to Clark County and affected property owners	Approved by BCC	January 2001

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use	PF (AE-60)	Flood control channel
South	Business Employment & Corridor Mixed-Use	RS20, R-2, & CG	Undeveloped & single-family residential development
East	Public Use	PF	Detention basin
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential development

The subject site is within the Public Facilities Needs and Assessment (PFNA) area.

### **Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-25-700001	A plan amendment to redesignate the site from Corridor Mixed-Use (CM) to Urban Neighborhood (UN) is a companion item on this agenda.
ZC-25-0005	A zone change from RS20 to RM32 is a companion item on this agenda
VS-25-0006	A vacation and abandonment for patent easements and portions of right-of-way 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.

#### 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.

Per the development code, multi-family development should have at least 1 main building entrance facing an adjacent street. The clubhouse building provides direct to and faces Le Baron Avenue. The pedestrian access is provided from the public sidewalk leading to building entrance of the clubhouse. Also per Code, buildings with multiple street frontages shall provide at least 1 building entrance along each street frontage. The buildings along Decatur Boulevard and Le Baron Avenue have fences along the perimeter and only the clubhouse has direct pedestrian access. Therefore, entrances to the other buildings are limited to the interior of the development through the main gates located along Le Baron Avenue.

Policy 6.2.1 encourages the design and intensity of new development to be compatible with established neighborhoods and uses in terms of its height, scale, and uses. The proposed development is compatible with the development located to the south along the northeast corner of Decatur Boulevard and Pyle Avenue. The multi-family residential development complies with the goals and policies within the Master Plan. Therefore, staff recommends approval.

### **Public Works - Development Review**

#### Waiver of Development Standards #1

Staff has no objection to the non-dedication of Ullom Drive as it is not necessary for access through this development between La Baron Avenue and Silverado Ranch Boulevard. Also, to the north of the site, there is a flood channel that will end the alignment in the middle of this site. Additionally, Decatur Boulevard is within close proximity and will serve as an alternative for Ullom Drive.

#### Waiver of Development Standards #2

Staff has no objection to the reduced throat depth for the commercial driveway on Le Baron Avenue. The applicant placed the gates farther into the site which will provide more room to exit the right-of-way which will reduce stacking within the right-of-way to avoid collisions.

**Department of Aviation**

The residential portion of 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.

APN's 177-30-106-004, 177-30-106-005 and 177-30-105-003 is subject to certain deed restrictions which prohibit uses incompatible with airport operations including those presented in this land use application from being developed. Applicant must contact the Clark County Department of Real Property Management to apply for a Deed Restriction Modification to amend existing deed restrictions which prohibit said use. Permits will not be issued and maps will not be recorded until all required fees associated with the amended deed restrictions, which would permit currently prohibited uses included in this application, have been paid and the new CC&Rs are recorded. If applicant fails to pay the required deed modification fees and record the new CC&Rs, then permits for uses prohibited by existing recorded deed restrictions must not be issued and mapping of uses prohibited by existing recorded deed restrictions must not be recorded.

**Staff Recommendation**

Approval. This item has been forwarded to the Board of County Commissioners for final action.

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.

**PLANNING COMMISSION ACTION:** February 18, 2025 – APPROVED – Vote: Unanimous

**Comprehensive Planning**

- 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 the lack of necessary public services in the area;
- 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;
- Full off-site improvements;

- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Decatur Boulevard, Cactus Ave to Silverado Ranch improvement project;
- 90 days to record said separate document for the Decatur Boulevard, Cactus Avenue to Silverado Ranch improvement project;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

**Department of Aviation**

- Compliance with most recent recorded airport-related deed restrictions for APN's 177-30-106-004, 177-30-106-005 and 177-30-105-003.
- 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](mailto: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.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0450-2023 to obtain your POC exhibit; and flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - denial.

**APPROVALS:** 3 cards

**PROTESTS:** 14 cards, 1 letter

**APPLICANT:** PICERNE DEVELOPMENT CORP

**CONTACT:** KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135