

01/18/22 PC AGENDA SHEET

MULTIPLE FAMILY DEVELOPMENT
(TITLE 30)

TWAIN AVE/CAMBRIDGE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0636-APEX LAS VEGAS, LLC:

HOLDOVER USE PERMIT for a multiple family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced parking; **2)** nonstandard landscaping; and **3)** alternative standards for perimeter fence.

DESIGN REVIEW for the conversion of a motel to a multiple family residential development on 5.2 acres in an H-1 (Limited Resort and Hotel) (AE-60) Zone.

Generally located on the south side of Twain Avenue and the west side of Cambridge Street within Paradise. TS/ja/jo (For possible action)

RELATED INFORMATION:

APN:

162-15-701-002; 162-15-701-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the required parking to 202 spaces where 339 spaces are required per Table 30.60-1 (a 40% reduction).
2.
 - a. Allow alternative landscaping along a collector street where a 15 foot landscape area is required with an existing attached sidewalk per Section 30.64.030(1)(4).
 - b. Allow alternative landscaping along a local street where landscaping per Figure 30.64-9 is required.
3.
 - a. Allow a decorative fence which is not setback for landscaping as required per Section 30.64.020.
 - b. Increase the maximum height of a fence to 6 feet 2 inches where 6 feet is the maximum allowed per Section 30.64.020 (a 3% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 905 and 955 E. Twain Avenue
- Site Acreage: 5.2
- Number of Units: 228
- Density (du/ac): 47.2

- Project Type: Multiple family residential
- Number of Stories: 2
- Building Height (feet): 22
- Parking Required/Provided: 339/202

History

The existing development was built in the mid 1970's. In 2008 a zone change (ZC-0804-08) was approved to reclassify the existing apartment complex from R-5 zoning to H-1 zoning to convert the existing apartment to a motel. In 2015 an application was submitted to revert the motel to a residential complex, however the application was withdrawn, leaving the development as a motel. Through the years it appears the complex was used as an apartment and motel, similar to long/short term lodging that has been included into Title 30 since the time of the previous approval. This request is to revert the site to a multiple family residential development. This is for permanent residency and does not allow for transient occupancy, meaning the units must be leased for a minimum of 31 days.

Since this is a developed site with no new construction, the existing conditions which were previously approved or permitted may continue without additional land use. For example, the parking stalls do not meet the required 18 foot length; however, a waiver to allow 16 feet was previously approved. To the contrary, a fence was installed after the latest land use approval which does not meet the standards; therefore, a waiver of development standards is required for the fencing.

When the use changes on a site, for example from a motel to an apartment complex, the regulations related to the use must meet Code. In this case, the parking requirement is per multiple family residential development. Since the on-site parking does not meet Code for multiple family developments, a waiver of development standards for parking is required.

Site Plans

The plans depict a complex consisting of 26 buildings and 228 units. The buildings are generally grouped into 2 complexes which are a mirror image of each group, having 13 buildings in each. There are courtyards within the buildings, with 1 pool in each grouping. Parking is located on the west and east property lines and in the center of the 2 groupings. The existing parking will remain, necessitating the waiver of development standards. 339 spaces are required for a multiple family complex and 202 spaces are provided. Trash enclosures are located along the southern property line. The plans show 4 driveways from Twain Avenue and 1 driveway from Cambridge Street. Two driveways on Twain Avenue, and the 1 on Cambridge Street are gated for emergency use only. The 2 central driveways along Twain Avenue do not have a gate.

Landscaping

Existing palm trees are shown in a landscape strip ranging from 8 feet to 16 feet wide along Twain Avenue, as well as along the southern property line. The plans depict additional shrubs to enhance the landscaping on Twain Avenue, however Code requires a 15 foot strip next to a collector street, and palm trees are no longer permitted along a street. Medium trees, spaced 30 feet apart (20 feet is the maximum per Code) and shrubs are provided along Cambridge Street, in an existing 8 foot wide landscape strip. Landscaping was removed at the northeast corner of the

site, as it was located within the right-of-way. A portion of the landscape strip to the east of the central driveway is shown to be converted to artificial turf.

A 6 foot 2 inch wrought iron fence is located just behind the sidewalk of Twain Avenue and Cambridge Street. The fence has not been previously approved; therefore, it is required to meet the current Code requirements, including being set back for landscaping and a maximum of 6 feet in height.

Elevations

The buildings are approximately 22 feet tall with a tile pitched roof. Existing exterior materials include stucco with stone veneer accents.

Floor Plans

The apartment complex consists of 1 bedroom and 2 bedroom units.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant states the multiple family residential development is consistent with the existing zoning and Master Plan, and with the surrounding development. The waiver of development standards for parking is justified by the history of limited parking demand on the property, as well as new bicycle parking, and the site is readily available to public transportation. Additional landscaping is provided to improve the existing situation.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0804-08	Reclassified from R-5 to H-1 zoning for a motel conversion	Approved by BCC	November 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Commercial Tourist	R-5	Multiple family residential
East	Public Facility	P-F	Park
West	Commercial Tourist	C-2	Shopping center

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permit

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 Comprehensive 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.

While the latest approved land use was approved for a motel, the site has operated as a multiple family use as well; similar to the current long/short term land use category within Title 30. At this time the applicant would like to provide a residential environment, without short term rentals. The multiple family use is less intense than a motel, and is consistent with the other multiple family uses in the surrounding area. Staff supports the request.

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. The waivers of development standards are required to allow the existing development to remain as is.

Waiver of Development Standards #1

The applicant has provided a parking calculation to indicate that the existing parking has been sufficient without reported problems. As the applicant stated, the site is in close proximity to public transportation and new bicycle racks have been provided to further reduce the demand on parking. Staff can support the request.

Waivers of Development Standards #2 & #3

Staff finds the existing fence will not provide a negative impact to the area. The fence is constructed with wrought iron, which is decorative per Title 30. With it being an open fence, the landscaping is still visible from the street. The landscape strip along Cambridge Street exceeds the required width along a local street and the applicant has enhanced the area with shrubs and medium trees. In addition, the applicant has enhanced the existing landscaping along Twain Avenue. Staff can support the request.

Design Review

Staff can support the design review with the improvements mentioned above. Recent photography shows storage containers located in the center of the site. The applicant indicates the containers will be removed. In addition, the area where the containers were located is shown on the plans as parking stalls; however, the stalls need to be striped prior to business license or building permit approval.

Department of Aviation

The property lies within the AE-60 (60 - 65 DNL) noise contour for McCarran 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 McCarran International 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Containers shall be removed prior to zoning approval of a business license or a building permit;
- Parking stalls shall be striped prior to zoning approval of a business license or issuance of a building permit;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a change of occupancy permit may be required by the Clark County Building Department, and if so, the change must be approved by the Building Department prior to zoning approval of the business license; 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 this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;

- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised 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.

Building Department - Fire Prevention

- 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 the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

PLANNING COMMISSION ACTION: December 21, 2021 – HELD – To 01/18/22 – per the applicant.

APPLICANT: APEX LAS VEGAS LLC

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