

06/08/22 BCC AGENDA SHEET

MIXED-USE DEVELOPMENT
(TITLES 28 & 29)

CHARLESTON BLVD/TOWN CENTER DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0237-HUGHES HOWARD PROPERTIES, INC:

ZONE CHANGE to reclassify 289.8 acres in a C-2 (General Commercial) Zone and an R-5 (Apartment Residential District) Zone both within a P-C (Planned Community Overlay District) Zone to a C-2 (General Commercial) Zone and an R-5 (Apartment Residential District) Zone both within a P-C (Planned Community Overlay District) Zone in the Summerlin Master Planned Community.

USE PERMITS for the following: **1)** modified development standards; and **2)** allow outside commercial activities.

VARIANCE to allow single family attached (townhomes) in an R-5 zoning district.

WAIVER for modified street improvement standards.

Generally located on the south side of Charleston Boulevard and the west side of Town Center Drive within Summerlin South (description on file). JJ/jvm/ja (For possible action)

RELATED INFORMATION:

APN:

List on file.

LAND USE PLAN:

SUMMERLIN SOUTH - MAJOR PROJECT (RESIDENTIAL/COMMERCIAL)

History & Request

The majority of what is being requested within this application has already been approved through various requests in the past. The intent of this application is to consolidate all the previous approvals under one development plan with modified standards and to apply the modified standards to the entire area encompassed by Downtown Summerlin.

Zone Change:

The request for a zone change is to address the consolidation of three previous applications (ZC-1894-98, ZC-1020-07, and ZC-1431-06) which were approved pursuant to a Resolution of Intent. These 3 zone changes are recommended to be expunged upon approval of this application.

Modified Development Standards:

The Major Project application process in association with the P-C Overlay designation provides an opportunity for the use of creative design concepts to address community needs and provides

an opportunity for public review and input. The application includes a use permit for modified development standards. The modified development standards contain alternative standards and design guidelines such as setbacks, separations, height, open space, parking, wall standards, and street sections that propose certain modifications to Titles 28 and 29 in conjunction with the creation of a Planned Community (P-C) Overlay District.

The 3 major changes within the modified standards are how building height is measured, to increase the allowable height on parcels within Downtown Summerlin, and to modify the parking standards and propose an alternative method to calculate required parking.

Height Measurement: The current method in which overall height is measured, is as follows: “finished grade to correspond to a fixed elevation within each quadrant of the site. All buildings within that quadrant will be measured from that base elevation above sea level to the highest point of the structure.” The proposed method to measure height is as follows:

“From: A building’s median grade elevation, from finished grade of the sidewalk along the building’s longest street-facing elevation.

To: The top of highest roof above an occupiable space.

With the following exclusions:

1. Parapet walls may extend a maximum of 15 feet to zero feet above the highest roof.
2. Screen walls for mechanical equipment, elevator penthouses as well as allowable rooftop elements may extend 20 feet to zero feet above highest roof.
3. These items may extend up to 20 feet above the Top-of-Roof which includes roof access stairs, elevator overrides, solar panels, windmills, skylight monitors, mechanical equipment, and screening roofs.
4. Parapet walls acting as screen walls may extend 20 feet above the top of roof.”

Height Maximums: The current Development Standards (approved through UC-0651-05) include building height restrictions that limit the ability of the envisioned mix of uses, their location and density which is not coordinated with key building Code thresholds for height and area. The Plan envisions a more rationalized approach which sets building heights in relation to occupancy, use by Code and typical cost effective mixed-use developments. The proposed height changes would provide more flexibility for a diverse mix of uses and building forms while maintaining the current policy of lower buildings adjacent to existing surrounding neighborhoods. The changes to height are as follows:

- Revise the south and east perimeter height limit from 50 feet to 85 feet.
- Revise the middle height limit from 100 feet to 120 feet.
- Revise the maximum height limit from 198 feet to 240 feet.

Parking Standards and Calculation: The applicant proposes revised parking standards for various land uses, and the adoption of the Urban Land Institute (ULI) shared parking model for applicable projects in the Downtown.

Outside Activities: In addition, this request proposes to allow outside commercial activities in the C-2 and H-1 zones. This use was included with 2 previous applications (ZC-1431-06 and ZC-1020-07); however, the applicant is now desiring to have all previous approvals consolidated within this application.

Variance:

The variance request is to allow single family attached developments in the R-5 zoning district.

Waiver:

The waivers are requested to address various requirements within Title 28. Several of these requested modifications have been approved under different land use applications and are being requested again to cover Downtown Summerlin as a whole. The requested waivers include the following: allow on-street public and private street parking; allow the use of 37 foot public or private street sections for local high density residential streets; allow the use of 41 foot public or private street sections for local commercial streets; allow a 52 foot public street section for collector streets; allow street trees within parking lanes of minor collector public streets; allow 4 foot curb extensions at intersections; allow 20 foot curb return radii at intersections; allow 2 perpendicular sidewalk ramps; alternative sight visibility zones; and revisions to site access requirements.

Applicant’s Justification

The applicant states that the R-5 and C-2 zoning (mixed-use) supports the basic development philosophy for Downtown Summerlin, which is to provide different types of land uses that are vertically integrated throughout the entire project in a highly concentrated manner. This type of development will result in pedestrian oriented neighborhoods where local residents have convenient access to jobs, shops, public facilities, transit facilities, and various other services that are typically found to be readily available in an active urban center.

In addition, the applicant states that outdoor retail sales are vital to creating visual activity and excitement in Downtown Summerlin. Revenue from carts and kiosks is required to support maintenance of extensive common areas. The presence of outdoor merchants will help support the safety and enjoyment of patrons.

Prior Land Use Requests

Application Number	Request	Action	Date
ORD-22-900026	Fifth amendment to the Development Agreement	Approved by BCC	March 2022
UC-19-0410	Temporary events	Approved by BCC	September 2019
UC-18-0830	Hotel with variances for a reduced front yard setback, reduced parking, and a design review for a hotel with accessory uses	Approved by BCC	December 2018

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0886-17	Recreational facility (multiple use AAA ballpark) including all related ancillary uses, variances for reduced parking, alternative landscaping along streets, and permit a variety of outdoor commercial events not within a permanent enclosed building	Approved by BCC	November 2017
UC-0542-16	Recreational facility (NHL Training Facility) including all related ancillary uses, variance to reduced parking, with a design review for a recreational building, and an off-site shared parking lot	Approved by BCC	September 2016
ZC-1020-07	Reclassified 221 acres to R-5 and C-2 zoning in the P-C (Planned Community Overlay District) for a mixed-use development on a portion of Village 13 East, use permits for modified development standards, variances to permit on street loading/unloading, and reduced parking stall size, and waivers for modified street improvement standards, street trees within parking lanes, and on street parking	Approved by BCC	December 2007
UC-0621-05	Established modified development standards to increase the height of buildings throughout Village 13 East	Approved by PC	June 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mixed-Use (Residential/Commercial)	City of Las Vegas	Shopping center
South	Summerlin South - Mixed-Use (Residential/Commercial)	R-2 & R-3	Multiple family residential & single family residential
East	Summerlin South - Single Family & Park/Open Space	R-3 & P-F	Multiple family residential, single family residential, & community park
West	Summerlin South - Mixed-Use (Residential/Commercial)	R-U, P-F, MLZ, & R-2	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change, Use Permits, & Variance

The development plan/zone change request complies with the planned community parameters and is compatible with adjacent and neighboring land uses; therefore, staff recommends approval of the zone change/development plan request. The request to modify the development standards to permit outdoor business activities and associated uses is consistent with the mixed-use concept. Staff does not have a practical issue with this request since the purpose of the modified development standards for a P-C Overlay District is to provide the master developer the flexibility to plan and design the community that is appropriate for this site as it is in keeping with and is an extension of the modified development standards already in place within Summerlin South.

Currently, there are other mixed-use projects planned within the Summerlin South planning area and this request can be another example of a viable and practical mixed-use development that accomplishes the essence of a mixed-use project. The Shoppes at Summerlin currently incorporates retail, employment, entertainment, and a cultural component for the area in order to provide a diverse, urban walkable community that offers businesses, shopping and entertainment as well as active living. The project components and proportions are designed to increase the level of convenience to patrons and the future residents given the land use context of the immediate area, which is part of Summerlin Town Centre. The project incorporates a balanced level of horizontal and vertical integration that appears safe and convenient. Upon further review, the height and scope of the project, building placement and orientation, stair stepped building levels, and other design features set amidst the site are all well interconnected by pedestrian realms, including paseos, courtyards, and pedestrian oriented private streets and drive aisles. The site itself is well connected and convenient for pedestrian movement and the parking areas are organized so they do not negatively impact the pedestrian circulation. Therefore, staff finds the project meets the purpose and expectations of a mixed-use project within the planned community overlay district to provide for the use of creative design concepts to integrate different product types within the community.

Staff finds that the proposed development standards are in substantial compliance with previously approved standards for similar major projects. In addition, staff has conducted numerous meetings which included staff from the Fire Department, Civil Engineering, the Building Department, and the applicant in which all deviations were discussed. Therefore, staff finds that the proposed modified development standards will allow the creation of a development that will be unique to the Las Vegas Valley, and will not jeopardize the health, safety, or welfare of the general or traveling public.

Staff has no issue with allowing single family development in the R-5 zoning district. The proposed use variance will allow the creation of a developments that will provide an opportunity for the use of creative design concepts to address community needs, and will not jeopardize the welfare of the general area.

Public Works - Development Review

Waiver

Staff has no practical issues with the street standards as presented, these street standards were previously approved (ZC-1020-07) and have been utilized on the east side of Pavilion Center Drive, this application will allow those street sections to be utilized on the western side of Pavilion Center Drive.

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, Titles 28 and 29, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Expunge ZC-1894-98, ZC-1020-07, and ZC-1431-06;
- Applicant to provide County staff with 10 complete Village 13 binders;
- Applicant to provide a table of all approved modified standards;
- All applicable standard conditions for this application type.

Fire Prevention Bureau

- All proposed single family residential submittals will comply with Code requirements for residential streets;
- 503.2.1.1 parallel parking permitted on both sides; where parallel parking is permitted on both sides of the fire apparatus access road, the minimum clear width of the fire apparatus road shall be shall be 36 feet (10,972 mm), measuring 37 feet (11,277 mm) from back-of-curb to back-of-curb for L curbs, 38 feet (11,852 mm) from back-of-curb to back-of-curb for R curbs, and 39 feet (11,887 mm) from back-of-curb to back-of-curbs for roll curbs;
- The prohibition of parallel parking on both sides for the purpose of narrowing the roadway width is not permitted for fire apparatus roads serving 1 and 2 family dwellings.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JENNIFER VERAS

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