

MULTIPLE FAMILY DEVELOPMENT
(TITLE 30)

LAS VEGAS BLVD S/WELPMAN WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0361-CHELSEI HOLDING, LLC:

USE PERMIT for a multiple family development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced parking; **2)** increase building height; **3)** non-standard improvements in the right-of-way; and **4)** throat depth.

DESIGN REVIEWS for the following: **1)** multiple family residential development; **2)** alternative parking lot landscaping; and **3)** finished grade on 10.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east and west sides of Las Vegas Boulevard South, 315 feet south of Welpman Way within Enterprise. JJ/jvm/syp (For possible action)

RELATED INFORMATION:

APN:

191-08-801-003; 191-08-801-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 477 spaces where 530 spaces are required per Table 30.60-1 (a 10% reduction).
2. Increase building height to 56 feet where 50 feet is the maximum per Table 30.40-3 (a 12% increase).
3. Allow non-standard improvements (landscaping, driveways, and walkways) in the right-of-way (Las Vegas Boulevard South) where not allowed per Chapter 30.52.
4. Reduce throat depth to 35 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 77% reduction).

DESIGN REVIEWS:

1. A multiple family development.
2. Allow alternative parking lot landscaping.
3. Increase finished grade to 4.2 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 40% increase).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 10
- Number of Lots/Units: 307
- Density (du/ac): 30.7
- Project Type: Multiple family residential
- Number of Stories: 4
- Building Height (feet): 56
- Open Space Required/Provided: 30,700/57,527
- Parking Required/Provided: 530/477

Site Plan

The site plan depicts a multiple family residential building located near the center of the site. Overall setbacks for the building are 65 feet to the north property line, 261 feet to the west property line, approximately 67 feet to the south property line, and 82 feet to the east property line along Las Vegas Boulevard South.

Access to the site is provided by 1 driveway from Las Vegas Boulevard South, with a fire only access located on the south side of the parcel adjacent to Las Vegas Boulevard South Drive aisles circle the perimeter of the site. Surface parking spaces are located on the north, south, and west sides of the building; however, most of the parking spaces are provided on the west side of the parcel. Open space is provided for residents in 2 internal courtyards and a pool area that is centrally located on the north side of the building. Finished grade will be increased to a maximum of 4.2 feet.

Landscaping

Landscaping is provided within the surface parking areas, and around the perimeter of the building. In addition, a detached sidewalk is provided within the right-of-way, and another detached sidewalk is provided along the east property line. No landscaping is shown along the north and south property lines. There is a drainage easement located in the westerly parking lot where only shrubs and groundcover are being provided in the landscape fingers.

Open space is provided on the north side of the building and in the courtyards, which is over 27,000 square feet.

Elevations

The plans depict an up to 56 foot tall, 4 story building with a flat roof and parapet walls. The building façade will consist of 2 stucco colors, a field color of off white, and an accent color of gray.

Floor Plan

The unit mix for this project is 146, one bedroom units, 145, two bedroom units, and 16 three bedroom units, all apartments will have either a patio or balcony. The first floor will have a leasing office, game room, fitness area, golf simulator space, a sundry space, and a dog area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that a multiple family development was previously approved on the subject site in April 2021.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0033	Apartment complex with associated commercial uses	Approved by BCC	April 2021
WC-21-400012 (ZC-1198-07)	Waiver of conditions of a zone change requiring a dedication of Mullen Avenue	Approved by BCC	April 2021
ZC-1198-07	Reclassified the site to H-1 zoning for future commercial uses	Approved by BCC	December 2007
UC-0349-03	Off-premises advertising sign (billboard) located on the east side of Las Vegas Boulevard South	Approved by BCC	May 2003
UC-0347-03	Off-premises advertising (billboard) located on the west side of Las Vegas Boulevard South	Approved by BCC	May 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Henderson & Commercial Tourist	N/A & H-2	Clark County School District transportation facility & undeveloped
South	City of Henderson	N/A	Parking lot for a Clark County School District transportation facility
East	Commercial Tourist	H-2 & R-E	Undeveloped
West	City of Henderson	N/A	Clark County School District transportation facility

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

Related Applications

Application Number	Request
WC-22-400084 (ZC-1198-07)	A waiver of conditions of a zone change requiring a 300 foot right-of-way dedication for Las Vegas Boulevard South is a companion item on this agenda.

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 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.

Multiple family residential uses are appropriate along Las Vegas Boulevard South. In addition, Policy 1.1.1 in part, encourages the provision of diverse housing types at varied densities and in numerous locations. Also, Policy 1.1.2 encourages concentrating higher density housing in areas with access to existing or planned high frequency transit, major employment centers, existing infrastructure, and other services. Mid-rise residential living options are appropriate at this location, which is adjacent to a transportation facility and undeveloped land. Lastly, although infrastructure may not be currently available since the site is adjacent to the City of Henderson at the south end of Las Vegas Boulevard South, the Master Plan anticipates intense Commercial Tourist uses at this location. As a result, infrastructure will eventually be available.

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.

Waiver of Development Standards #1

Staff finds that a 10 percent reduction in the required parking is a significant amount of parking given the location of the project. In addition, there is nowhere else on-site that would be able to absorb the need for additional parking if it were needed. The applicant had a parking analysis done by Kimley Horn which determined that based on the ITE Parking General Manual, 522 parking spaces are needed for this project. Which is only 8 parking spaces less than required by Title 30. Therefore, based on the parking analysis provided by the engineer and the requirement of Title 30, staff cannot support this request.

Waiver of Development Standards #2

Increases in building height are generally appropriate in the H-1 zone along Las Vegas Boulevard South. Although this site is adjacent to a transportation facility and undeveloped land, the site is approximately one third of a mile from the M Resort Hotel located in the City of Henderson, which is a multiple story development. Also, the project will be visible from I-15 and there is no single family residential development in the area, which could be negatively

impacted by the increased building height. However, since staff cannot support the reduction in parking or the design review for the overall project, staff cannot support this request.

Design Reviews #1 & #2

The site layout meets all setback, circulation requirements, and most of the landscaping requirements, and most of the landscaping requirements. Also, the building materials, elevations, scale, and massing are appropriate and aesthetically pleasing. However, staff is not supporting the requested reduction in parking and has concerns with 307 residential units using a single ingress/egress point. Therefore, staff cannot support these requests.

Public Works - Development Review

Waiver of Development Standards #3

The applicant is responsible for maintenance and up-keep of any non-standard improvement since the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #3, but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Waiver of Development Standards #4

Staff can support the reduced throat depth on Las Vegas Boulevard South. The site design has significant on-site space for queuing on-site.

Design Review #3

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

Staff Recommendation

Approval of the use permit, waivers of development standards #3 and #4, and design review #3; denial of waivers of development standards #1 and #2, and design reviews #1 and #2.

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:

Current Planning

If approved:

- Expunge UC-21-0033;
- 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 final zoning inspection.

- Applicant is advised that 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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Applicant to execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Vacate any unnecessary rights-of-way and/or easements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs, to contact the City of Henderson to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel; and that an interlocal agreement with City of Henderson will also be required.

TAB/CAC: Enterprise - approval of the use permit, waivers of developments #2 through #4, and design review #3; denial of waiver of development standards #1, and design reviews #1 and #2 (design review as public hearing for signage and lighting).

APPROVALS:

PROTESTS:

APPLICANT: LIV DEVELOPMENT, LLC

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