

01/18/23 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL  
(TITLE 30)

SERENE AVE/LAS VEGAS BLVD S

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0650-PALM BEACH RESORT CONDOS:**

**USE PERMITS** for the following: **1)** High Impact Project; and **2)** multiple family residential development.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce height/setback ratio; **2)** reduce parking; and **3)** reduce throat depth.

**DESIGN REVIEW** for a multiple family residential development on a 6.5 acre portion of 14.5 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Serene Avenue, 1,000 feet west of Las Vegas Boulevard South within Enterprise. MN/hw/syp (For possible action)

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RELATED INFORMATION:

**APN:**

177-20-710-000 through 177-20-710-378 ptn

**USE PERMITS:**

1. High Impact Project.
2. Multiple family residential development.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the height/setback ratio from the south property line for a proposed multiple family residential development to 71 feet where 88 feet is required per Figure 30.56-10 Option 2 (a 19.3% reduction).  
b. Reduce the height/setback ratio from the west property line for a proposed multiple family residential development to 67 feet where 88 feet is required per Figure 30.56-10 Option 2 (a 23.8% reduction).
2. Reduce parking to 326 parking spaces where 349 parking spaces are required per Chapter 30.60 and Table 30.60-1 (a 7% reduction).
3. Reduce the throat depth for a call box to 75 feet where 100 feet is the standard per Uniform Standard Drawing 222.1 (a 25% reduction).

**DESIGN REVIEW:**

A multiple family residential development with 183 units.

**LAND USE PLAN:**

ENTERPRISE - ENTERTAINMENT MIXED-USE

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 2525 W Serene Avenue
- Site Acreage: 6.5 (portion)
- Number of Units: 183 (378 previous and 561 total)
- Density (du/ac): 28.3 (38.7 total)
- Project Type: Multiple family residential
- Number of Stories: 4
- Building Height (feet): 50
- Square Feet: 289,021
- Open Space Required/Provided (square feet): 18,300/22,177
- Parking Required/Provided: 349/326

#### Site Plans

The proposed project is being developed on a portion of a previously approved 756 unit multiple family development. The entire complex has been subdivided, but only the eastern half was constructed. This request is to develop the western portion of the site for a 183 unit multiple family development which will be separated from the existing development. The plans depict a 4 story, multiple family residential building with a footprint of approximately 72,500 feet, with a total square footage of 289,021 square feet situated in the central portion of the site. The building is rectangular in shape with 2 central areas designed to host a 14,955 square foot courtyard on the northern portion of the building and a 7,222 square foot pool and spa area on the southern portion of the building. A 9,800 square foot clubhouse is provided to the north of the courtyard along with a 5,000 square foot exercise room which splits the courtyard and the pool spaces. Garages mainly surround the pool area, while many of the living spaces surround the courtyard. The building itself is surrounded by parking with spaces on all 4 sides of the building with covered and garage spaces provided in addition to typical uncovered spaces. The site has a primary access point off Serene Avenue with this driveway containing a median and call box for the gates that block unauthorized access to the rest of the parking area. An exit only gate is provided at the very northeast corner of the site, and cross access is provided to the adjoining 377 unit condominium development to the west. Overall, the building is shown set back 156 feet from Serene Avenue, 67 feet and 71 feet from the adjacent manufactured home park to the south and west, and 41 feet from the adjoining condominium complex to the east. At this time the parcel is still part of the overall existing tentative map. As a result, this project is considered a high impact project due to the combined unit total between the existing condominium complex to the east and the proposed apartment addition equaling 561 dwelling units with cross access and common ownership of the parcel. The 561 dwelling units exceeds the 500 dwelling unit threshold for high impact projects.

#### Landscaping

The plans provided depict a landscaping area 15 feet in width which incorporates a 5 foot wide attached sidewalk along Serene Avenue. This landscape area then extends around the western property line as a 10 foot wide landscaping strip which serves as an intense buffer to the less intensive manufactured home park use that surrounds the site on the southern and western

boundaries. This buffer extends farther to the parking lot and includes an area for a dog run. The southern property line contains a 12 foot intense landscape buffer to the less intensive manufactured home park. The eastern boundary contains a varying 8 foot to 10 foot landscape strip to serve as the parking lot landscaping and a buffer to the condominium complex to the east. A mix of trees and shrubs are located within these landscape strips with a majority of the trees being 24 inch box trees spaced 20 feet off center with the shrubs filling in. The parking lot has all required landscaping with 8 foot landscape fingers found throughout the site. A 6 foot decorative CMU block wall is shown to surround the property except at the cross access point and in the front of the property where a 6 foot decorative wrought iron fence is located.

### Elevations

The elevations depict a 4 story, 50 foot high residential structure. The plans show that the building's exterior materials are primarily stucco finished with foam bands and window treatments along with stucco parapets. The building is well fenestrated with triple panel windows on all floors and all sides for the dwelling units. The north and south portions of the building include storefront window and door systems for access to the building on the first floor, while the east and west portions of the building include metal roll-up doors for garage access. The roofline and building profile have varying levels of wall protrusions and window pop outs that give a contemporary feel. The building is painted varying shades of grey based on the extent of the wall's protrusion from the building with yellow, green, and white accents on the varying window pop outs.

### Floor Plans

The floor plans show 14 pedestrian, utility, and emergency access points along all 4 sides of the building. The plans show there are a total 183 units across 5 different floor plans. There are 2 one-bedroom floor plans spread across the 4 floors with an average of 12-15 units on each floor. The 2 bedroom apartments are spread across 2 models with approximately 37 units on each floor, and the 3 bedroom apartments are found on each floor with 4 units on each. The apartments are grouped mainly around the courtyard which contain gardens, BBQ areas, fire pits, and seating areas. A 9,800 square foot clubhouse, 7,222 square foot spa and pool area, and 5,000 square foot exercise room are also provided.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant is proposing to construct a 183 unit multiple family apartment building with a maximum height of 50 feet. The building will be contemporary in design with stucco and iron accents, and will provide a variety of on-site amenities, such as a pool, clubhouse, and exercise room. The applicant states the waiver for the reduced throat depth should not be an issue, as a remote control will be used to reduce any traffic back-up. They also state the reduction in parking is minimal and is mitigated by the high number of 2 bedroom apartments being proposed. The reduced setback should also not cause any issues as a landscape buffer is proposed to be provided and the adjacent manufactured homes are further buffered by a drainage channel and private road. Overall, the applicant states that the proposed development will aid in the ever increasing demand for housing in the Las Vegas Valley.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0312-08	Allowed a portion of an existing residential condominium complex to be converted to resort condominiums	Approved by PC	May 2008
WS-1630-05 (WC-0216-07)	Waived a requirement for an 8 foot wall on the south and west sides of the site	Approved by PC	August 2007
WS-0799-07	Allowed a freestanding sing where not permitted	Approved by PC	August 2007
WS-1630-05	Reduced wall height, parking, and trash enclosure separation	Approved by PC	December 2005
TM-0483-04	756 unit condominium complex	Approved by PC	September 2004
UC-0365-04	Allowed a 756 unit condominium complex	Approved by BCC	April 2004
ZC-1926-03	Reclassified the site from R-T to H-1 zoning for future development	Approved by BCC	January 2004
DR-0735-97	279 space manufactured home park	Approved by PC	June 1997
ZC-1550-96	Reclassified the site from R-E and H-1 to T-C zoning for a manufactured home park	Approved by BCC	November 1996

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	H-1 & R-3	Retail Center & Apartment Complex
South & West	Entertainment Mixed-Use	R-T	Manufactured Home Park
East	Entertainment Mixed-Use & Open Lands	H-1	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
WC-22-400128 (ZC-1926-03)	A request to waive the conditions of a zone change requiring all units be for sale and a 20 foot landscape buffer be provided along the southern and western property lines 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 Permits

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.

The location of the proposed multiple family building is just off the Las Vegas Boulevard South corridor and is surrounded by many similar or more intense uses. There are several multiple family units adjacent to the proposed building and across Las Vegas Boulevard South. The building will be buffered from the retail complex to the north and from the manufactured homes that surround the site to the west and south. In addition, the location of the proposed multiple family building should also mean services will be accounted for. Finally, the proposed multiple family building will provide for a variety of new units to the housing stock in Clark County. For these reasons, staff could support the described use permits; however, since staff does not support the waivers of developments and design review, staff cannot support the use permits.

#### 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

The applicant has provided an intense landscaping buffer along both affected property lines per Figure 30.64-12, which if installed properly, should help to reduce any issues or nuisances. However, given that this project is being designed on vacant land, the inability to account for the setbacks appears to be a self-imposed burden and may significantly impact the neighboring properties. For those reasons staff cannot support this waiver.

#### Waiver of Development Standards #2

Given the high percentage of higher occupancy rooms and the more car dependent nature of the surrounding area these spaces may be needed to appropriately park the site. While staff appreciates that the number of spots being reduced is more than likely taken from visitor parking and is the result of placing more heat reducing landscaping, staff still cannot support this waiver as this appears to be a self-imposed burden.

#### Design Review

The design for the project that the applicant has shown is contemporary in nature and well landscaped. The project would blend in, contribute to, and enhance the visual environment of the surrounding neighborhood. The addition of the dwelling units provided would add to the housing stock of the area, while providing a variety of options. In general, staff finds the design to be appealing and adequate for its intended use with buffering that helps to separate the project from

the street and less intensive uses. The needed reductions in setback and parking, however, means that there may be unintended consequences for circulation and nuisances to the neighboring area, and for this reason, staff cannot support the design review.

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

#### **Waiver of Development Standards #3**

Although the throat depth distance to the call box does not comply with the minimum standard, the applicant has placed the gates farther into the site, which will provide more room for vehicles to exit the right-of-way, reducing stacking in the right-of-way to avoid collisions. Although staff has no objection to this request, staff cannot support the request since Planning is not supporting the remainder of the application.

### **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**

Denial.

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:

- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- 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;
- 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 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**

- 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 a Point of Connection (POC) request has been initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0128-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** NEW ANGLE DEVELOPMENT

**CONTACT:** PARKER SIECK, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135