

03/21/23 PC AGENDA SHEET

MULTIPLE FAMILY DEVELOPMENT
(TITLE 30)

TONOPAH AVE/WALNUT RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-23-0015-SILVER YEARS SERIES 8, LLC & KRED INVESTMENTS, LLC:

ZONE CHANGE to reclassify 2.0 acres from an R-T (Manufactured Home Residential) Zone to an R-4 (Multiple Family Residential - High Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** alternative street landscaping; **2)** allow access to a local street; **3)** allow modified driveway design standards; and **4)** allow modified street standards.

DESIGN REVIEW for a proposed multiple family development.

Generally located on the north side of Tonopah Avenue and the west side of Walnut Road within Sunrise Manor (description on file). WM/md/syp (For possible action)

RELATED INFORMATION:

APN:

140-19-302-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow alternative street landscaping including an attached sidewalk adjacent to Walnut Road where landscaping and a detached sidewalk are required per Section 30.64.030 and Figure 30.64-17.
2. Allow access to a local street (Tonopah Avenue) where access to a local street is not permitted per Table 30.56-2.
3.
 - a. Reduce throat depth to 39 feet for a driveway along Walnut Road where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 48% reduction).
 - b. Reduce throat depth to 7 feet for a driveway along Tonopah Avenue where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 90.1% reduction).
4. Reduce the departure distance from the intersection of Tonopah Avenue and Walnut Road for a driveway located along Tonopah Avenue to 119 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 37.4% reduction).

LAND USE PLAN:

SUNRISE MANOR - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 1851 N. Walnut Road
- Site Acreage: 1.93
- Number of Units: 48
- Density (du/ac): 24.9
- Project Type: Multiple family development
- Number of Stories: 2 & 3
- Building Height (feet): 35
- Square Feet: 25,576 (Building A)/21,007 (Building B)
- Open Space Required/Provided: 4,800/7,852
- Parking Required/Provided: 94/106

Neighborhood Meeting Summary

This is a request for a nonconforming zone change to reclassify 1.93 acres from an R-T zoning district to an R-4 zoning district to allow a multiple family residential development. The applicant conducted a neighborhood meeting on November 2, 2022, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. No neighbors attended the meeting; however, the applicant received 1 letter in support and 1 letter in opposition to the project. The letter of opposition expressed concern with increased criminal activity in the immediate area and the turnover rate of tenants within multiple family developments.

Site Plans

The plans depict a proposed multiple family residential development consisting of 2 buildings featuring a total of 48 dwelling units with a density of 24.9 dwelling units per acre. Building A is oriented in an east/west direction along the north portion of the site and is designed with the following setbacks: 1) 20 feet from the east property line adjacent to Walnut Road; 2) 5 feet from the north property line; 3) 78.5 feet from the southeast property line and 380 feet from the southwest along Tonopah Avenue; and 4) 32 feet from the west property line. Building B is oriented in a north/south direction along the west portion of the site and is designed with the following setbacks: 1) 76 feet from the east property line; 2) 132.5 feet from the north property line; 3) 69.5 feet from the south property line adjacent to Tonopah Avenue; and 4) 48.5 feet from the west property line. Access to the site is granted via proposed driveways adjacent to Walnut Road and Tonopah Avenue. A waiver of development standards is required for access to the local street, Tonopah Avenue. Throat depths of 39 feet and 7 feet are proposed for the driveways along Walnut Road and Tonopah Avenue, respectively, necessitating a waiver of development standards to reduce throat depth. A second waiver of development standards is required to reduce the departure distance from the intersection of Tonopah Avenue and Walnut Road for a driveway located along Tonopah Avenue to 119 feet. The proposed development requires 94 parking spaces where 106 parking spaces are provided. The parking spaces are located along the west property line, south of Building A and east of Building B.

Landscaping

The plans depict a landscape area measuring 6 feet in width behind a 5 foot wide attached sidewalk adjacent to Tonopah Avenue and Walnut Road. A proposed 6 foot high decorative wrought iron fence is located behind the street landscape areas. The street landscape area consists of trees, shrubs, and groundcover. A waiver of development standards is required to permit an attached sidewalk along Walnut Road. A 5.5 foot wide landscape strip, consisting of 24 inch box large Evergreen trees, is provided along the east and west property lines of the site. The development requires 4,800 square feet of open space where 7,852 square feet of open space is provided. The open space consists of the following: 1) 4,856 square feet of surface area, which includes outdoor seating areas; and 2) 2,832 square feet of balcony area distributed over 48 units.

Elevations

The plans depict two, 2 and 3 story multiple family buildings with varying rooflines measuring between 22 feet to 35 feet in height to the top of the parapet wall. The buildings consist of a stucco exterior with aluminum windows. All rooftop mounted equipment will be screened from the right-of-way and public view by parapet walls. The buildings will be painted with a contrasting color scheme consisting of dark and light gray.

Floor Plans

The plans depict 2 multiple family Buildings A and B, featuring 26 and 22, two bedroom units, respectively.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that a 6 foot wide landscape area with a 6 foot high wrought iron fence will be provided in lieu of the detached sidewalk, located at the northeast corner of the site adjacent to Walnut Road. The applicant indicates that providing the required throat depth of 75 feet would have a negative impact on the parking lot serving the development. The applicant states they are only able to provide 119 feet of departure distance without affecting the flow of traffic within the site. The proposed multiple family development will help supply the high housing demand throughout the valley and complement the existing residential area.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1083-00	Reclassified the project site from T-C to R-T zoning for a future development	Approved by BCC	September 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-T	Single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Compact Neighborhood (up to 18 du/ac)	R-T & R-3	Multiple family residential, manufactured home park, & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

- 1. A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

The applicant states the current land use designation for this site is Compact Neighborhood (up to 18 du/ac). This Master Plan land use designation is intended for multiple family residential development. Taking into account that even though the site is zoned as R-T, the planned land use is for multiple family development; therefore, a zone change to R-4 would not be a major deviation from the current planned land use.

Immediately to the north of the proposed development is an existing multiple family development zoned R-4. To the west of the project site, and to the south across Tonopah Avenue are existing single family residential developments zoned R-T. Immediately to the east of the site is an existing multiple family building with 4 units zoned R-3. Farther to the east of the project site, across Walnut Road, is an existing manufactured home park zoned R-T and an existing multiple family development zoned R-3. Due to an increase in demand for multiple family housing options within unincorporated Clark County, including Sunrise Manor, staff finds the proposed nonconforming zone boundary amendment is appropriate.

- 2. The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

The applicant indicates the developed parcels in the surrounding area have similar zoning and planned land uses. The parcel directly to the north is zoned as R-4. The parcel to the south is zoned as R-3.

Immediately to the north of the proposed development is an existing multiple family development zoned R-4 with a density of 19.3 dwelling units per acre with a planned land use of Urban Neighborhood. To the west of the project site, and to the south across Tonopah Avenue are existing single family residential developments zoned R-T with densities of 6.5 dwelling units per acre and a planned land use of Mid-Intensity Suburban Neighborhood. To the east of the project site is an existing 4 unit multiple family development zoned R-3 with a planned land use of Compact Neighborhood. Farther to the east of the project site, across Walnut Road, is an existing manufactured home park zoned R-T and an existing multiple family development zoned R-3 with planned land uses of Mid-Intensity Suburban Neighborhood and Compact Neighborhood, respectively. The proposed R-4 zoning is compatible with the density and intensity of the existing and planned land uses in the area, and with the R-4 zoning immediately to the north of the project site. Furthermore, the multiple family development should provide an appropriate transition from the R-T zoned single family residential development to the west and the R-T and R-3 zoned single family and multiple family developments to the east, across Walnut Road.

3. *There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

According to the applicant, the proposed nonconforming zone change will not result in any additional impacts on surrounding infrastructure not already contemplated for the area. Multiple family residential developments tend to not effect schools since families with children tend to favor single family residential. The open area provided within the site will minimize the impact on Clark County recreational facilities.

There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. The school district has indicated this development would generate 7 additional elementary school students, 4 middle school students, and 4 high school students. Furthermore, the school district has indicated Cortez Elementary School and Monaco Middle School are currently 186 and 461 students under capacity, respectively. The school district has indicated that Desert Pines High School is over capacity by 674 students.

4. *The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.*

The applicant states the proposed R-4 zoning district and multiple family development conforms to the following Countywide Goals and Policies: 1) Goal 1.1: Provide opportunities for diverse housing options to meet the needs of residents of all ages, income levels, and abilities; 2) Policy 1.1.2: Housing Access: Concentrate higher density housing in areas with access to existing or planned high frequency transit, major employment centers, existing infrastructure, and other services; 3) Goal 1.4: Invest in and care for established neighborhoods; 4) Policy 1.4.4: In-fill and Redevelopment: Encourage in-fill development and redevelopment in established neighborhoods through flexible standards and other regulatory incentives, while promoting compatibility with the scale and intensity of the surrounding area; 5) Goal SM-1: Encourage reinvestment in established areas of Sunrise Manor; and 6) Policy SM-1.1: Neighborhood

Revitalization: Encourage reinvestment and revitalization of older neighborhoods in Sunrise Manor that are compatible with existing development. The applicant indicates R-4 zoning provides high density multiple family living as an alternative lifestyle to single family homes. The multiple family development is being proposed on a vacant parcel in an established neighborhood. Furthermore, the multiple family development would be an additional housing option in the neighborhood that currently offers mobile homes, single family homes, and lower density multiple family residential.

Staff finds the proposed nonconforming zone change complies with multiple goals and policies from the Master Plan, including the following: 1) providing opportunities for diverse housing options to meet the needs of residents of all ages, income levels, and abilities; 2) encouraging in-fill development and redevelopment in established neighborhoods through flexible standards and other regulatory incentives, while promoting compatibility with the scale and intensity of the surrounding area; 3) encouraging reinvestment in established areas of Sunrise Manor; and 4) encouraging reinvestment and revitalization of older neighborhoods in Sunrise Manor that are compatible with existing developments.

Summary

Zone Change

Staff finds the proposed R-4 zoning is compatible with the density and intensity of the surrounding development and planned uses. Utility purveyors have not indicated that the zoning would negatively impact public facilities and services, and the proposed zoning complies with goals and policies in the Master Plan; therefore, staff can support the nonconforming zone boundary amendment to R-4 zoning.

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 has no objection to the alternative street landscaping proposed at the northeast corner of the site, adjacent to Walnut Road. The proposed attached sidewalk, that is 47 linear feet in length, will connect to an existing attached sidewalk immediately to the north of the site. The 6 foot wide street landscape area, with a 6 foot high decorative wrought iron fence located behind the landscaping, is an acceptable alternative and should not impact the surrounding properties. Therefore, staff recommends approval.

Waiver of Development Standards #2

Staff has no objection to permitting access to the local street, Tonopah Avenue. Access to the local street provides better on-site circulation for the multiple family development, in addition to providing a second point of access for emergency personnel. Staff finds that providing access to

the local street should have minimal impact on the surrounding land uses and properties; therefore, recommends approval.

Design Review

Staff finds the proposed multiple family residential development complies with several goals and policies within the Master Plan. 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 overall mix of uses. An existing private street measuring 37 feet in width to the west, in addition to the proposed multiple family building setbacks, should provide an appropriate buffer between the existing single family residential development and the multiple family buildings. The proposed development is consistent and compatible with the multiple family development to the north and east. Policy 6.2.2 encourages the use of sustainable site design and development practices in new construction projects. The landscape plan for the site has been designed to incorporate multiple species of recommended trees, shrubs, and groundcover from the Southern Nevada Water Authority Regional Plant List. Furthermore, the buildings include off-set surface planes and parapet walls along the roofline at various heights. Therefore, staff recommends approval.

Public Works - Development Review

Wavier of Development Standards #3

Although the throat depth at each driveway does not comply with the minimum standard, the applicant worked with staff to remove parking spaces, which provides more room for vehicles to safely exit the right-of-way to gain access to the site.

Wavier of Development Standards #4

Staff has no objection to the reduced departure distance for the Tonopah Avenue driveway. Staff finds that the location of the driveway will allow vehicles to safely access the site, as Tonopah Avenue ends to the west of the site.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 19, 2023 at 9:00 a.m., unless otherwise announced.

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:

Comprehensive Planning

- Resolution of Intent to complete in 3 years;
- 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 new application

for a Master Plan amendment and a zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0044-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Sunrise Manor - approval.

APPROVALS:

PROTESTS:

APPLICANT: KRED INVESTMENTS, LLC

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