

02/17/21 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
HIGH IMPACT PROJECT
(TITLE 30)

LAS VEGAS BLVD S/NEAL AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-20-400169 (UC-0922-17)-PROSPECTUS ENDEAVORS 4, LLC:

AMENDED USE PERMITS SECOND EXTENSION OF TIME to commence the following:
1) High Impact Project; **2)** multiple family residential development; and **3)** increased density (no longer needed).

DESIGN REVIEW for a proposed multiple family residential development on a 10.8 acre portion of a 13.1 acre parcel in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Neal Avenue, 100 feet west of Las Vegas Boulevard South within Enterprise. MN/jgh/jd (For possible action)

RELATED INFORMATION:

APN:

191-05-601-022; 191-05-601-023 ptn

USE PERMITS:

1. High Impact Project for a multiple family residential development.
2. Multiple family residential development in an H-1 zone.
3. Increased density for a multiple family residential development district to 53.3 dwelling units per acre (gross) where 50 dwelling units per acre is the standard per Table 30.40-7 (a 6.6% increase) (no longer needed).

LAND USE PLAN:

ENTERPRISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 10.8 (portion)
- Number of Units: 484
- Density (du/ac): 44.8
- Project Type: Multiple family residential development
- Number of Stories: 4
- Building Height (feet): 67
- Square Feet: 660 to 1,168 for units

- Open Space Required/Provided (acres): 1.1/3.4
- Parking Required/Provided: 796/812 (residential only)

Site Plans

The previously approved plan depicts a proposed 575 unit multiple family residential development with a density of approximately 53.3 dwelling units per gross acre. The parcel has an area of 13.1 acres; however, the proposed apartment complex will only occupy the western 10.8 acres. The remaining 2.3 acres of the site is adjacent to Las Vegas Boulevard South and will be developed later. The proposed apartment complex consists of 2 buildings, which are centrally located on the western 10.8 acres. The plans indicate that the property will be developed in 3 phases including the future commercial development on the eastern 2.3 acres of the site (Phase 3). Phase 1 is the central portion of the site and Phase 2 is the western portion. Access to the site will be provided by 4 proposed driveways; 1 on the southeast corner of the site from Las Vegas Boulevard South and the others on the north side of the site with access from Neal Avenue. The plans indicate that the buildings will consist of residential units that are built around parking garages and courtyards. The courtyards will consist of pools and other amenities for the residents.

Subsequent to the approval of the original application, the applicant has administratively reduced the scope of the project and is now only proposing a 484 unit multiple family residential development with a density of approximately 44.8 dwelling units per gross acre. No changes to the site layout as described above resulted from the reduction in units. With the reduction in overall density, use permit 3 for increased density is no longer necessary since the H-1 zone allows for a maximum density of 50 dwelling units per acre.

Landscaping

A minimum of 3 acres of open space was required for the project when it was approved and a total of 3.1 acres was being provided. The open space includes both passive and active areas. The passive open space consists of landscape areas around the perimeter of the site, between the buildings, and within the surface parking area. The active areas include centralized courtyards for each building. The pedestrian realm located along Neal Avenue and Parvin Street is a minimum of 20 feet in width and includes a detached sidewalk, benches, and additional landscape areas. The previously approved plans depict a minimum 15 foot wide pedestrian realm along Las Vegas Boulevard South which also includes a detached sidewalk, benches, and additional landscape areas.

With the reduction in units, and a redesign of the individual residential unit floor plans, a minimum of 1.1 acres of open space is now required and the applicant is providing 3.4 acres.

Elevations

The previously approved plans depict that the buildings are 4 stories with a maximum height of 67 feet. The buildings have variations in roof height and other architectural features such as recesses and pop-outs to break-up the horizontal and vertical surfaces. The buildings have pitched roofs with concrete tile roofing material. The pitched roof elements vary between 53 feet and 67 feet to break-up the roofline. Each of the residential units will have a patio or balcony

area. The exterior of the building will be a combination of a stucco finish, smooth plaster finishes, pop outs, glass windows, and stone veneer.

No significant changes to the elevations occurred as a result of the reduced number of residential units.

Floor Plans

Previously approved plans depict the project has 575 units which consists of 379, one bedroom units and 196, two bedroom units. The 1 bedroom units will range in area between 721 square feet to 830 square feet. The 2 bedroom units will range in area between 1,047 square feet to 1,171 square feet. On the first floor of each building a gym, lounge, and clubhouse area is provided for the residents. The plans indicate that the first phase of the development will consist of 193 units with 120, one bedroom units and 73, two bedroom units. The second phase will consist of 382 units with 259, one bedroom units and 123, two bedroom units.

The revised floor plans show each building will contain 242 units and consist of 150 one bedroom units and 92 two bedroom units. The size of the residential units will range from 660 square feet to 1,168 square feet.

Previous Conditions of Approval

Listed below are the approved conditions for ADET-19-900873 (UC-0922-17):

Current Planning

- Until December 06, 2020 to commence.
- Applicant is advised that 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.

Listed below are the approved conditions for UC-0922-17:

Current Planning

- Enter into a Development Agreement as agreed upon by the applicant to mitigate 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;
- Submit a performance bond for the apartment complex acceptable to the County in an amount sufficient to provide a screen wall and/or restore the site including removal of construction materials, site stabilization and revegetation as necessary should construction of the project be discontinued;
- Provide a Decommissioning Agreement Plan for the apartment complex prior to permits for unfinished construction, including the removal of building materials should construction of the project be discontinued with said plan to be submitted and approved prior to building permits for the apartment complex;
- Design review as a public hearing for significant changes to the plans;
- Design review as a public hearing for lighting and signage;

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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; pedestrian realms per Chapter 30.48 Part J are required along all public streets and private drive aisles adjacent to this site; 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;
- Full off-site improvements;
- Applicant to dedicate their necessary portion of Las Vegas Boulevard South (for a 200 feet total width);
- Right-of-way dedication to include 25 feet to back of curb for Neal Avenue, 25 feet to back of curb for Parvin Street and associated spandrels;
- Proposed driveways to be commercial curb return driveways to comply with County standards;
- If required by Regional Transportation Commission, dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with Regional Transportation Commission standards.
- Applicant is advised that a waiver is needed for the reduced approach and departure distances to and from the driveways along Neal Avenue to and from the intersections with Parvin Street and Las Vegas Boulevard South, and that the installation of detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control and the vacation of excess right-of-way or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0245-2017 to obtain your POC exhibit.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates more time is needed to work with Clark County on conditions of approval for UC-0922-17, such as the Development Agreement and Decommissioning Plan; and a Design Review for lighting and signage. The COVID-19 Pandemic prevented the applicant from completing those tasks in a timely manner; therefore, the applicant is requesting a 2 year extension.

Prior Land Use Requests

Application Number	Request	Action	Date
ADET-19-900873 (UC-0922-17)	Administrative extension of time to increase density for a high impact project and multiple family development	Approved by ZA	December 2019
VS-19-0728	Vacation of government patent easements located between Parvin Street and Las Vegas boulevard South	Approved by PC	November 2019
UC-0922-17	Increase density for a high impact project and multiple family development	Approved by BCC	December 2017
RS-0146-16	Record of survey for Las Vegas Boulevard South – recorded	Reviewed by Staff	September 2016
ZC-1500-06	Reclassified the site to H-1 zoning for future development	Approved by BCC	December 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Undeveloped
South	Commercial Tourist	R-E & H-2	Undeveloped
East	Commercial Tourist & Residential High (from 8 to 18 du/ac)	R-2 & R-3	Undeveloped & single family residential
West	Commercial Tourist	R-E	Undeveloped & 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**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. Technical studies have been submitted, and some approved, for the project and the applicant worked with the Fire Department on the reduced project design. Additionally, the applicant initiated the Development Agreement and Performance Agreement process with the County in Spring 2019, however, since that time no additional work has occurred to finalize those documents. Since the applicant has made some progress, staff has no objections to this request.

Applicant is advised the County is currently in the process of rewriting the Clark County's Development Code (Title 30). Future land use applications, including applications for

extensions of time, will be reviewed for conformance with the regulations in effect at the time of application unless a Development Agreement is entered into prior to the effective date of the revised Title 30 regulations. Due to the future changes in regulations and lack of Development Agreement, this may be the last extension of time staff can support.

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

- Until December 6, 2022 to commence.
- Applicant is advised that the mitigation measures previously identified to mitigate the impacts of the project may be required to be updated due to the lapse in time since the Development Agreement process was initiated; 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; 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

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: TRANSCONTINENTAL REALTY INVESTORS

CONTACT: LINDSAY BROWN, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135