

SENIOR HOUSING
(TITLE 30)

SAHARA AVE/MEYERS CT

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-21-0020-APOLLO PROPERTY HOLDINGS, LLC, ET AL & GEORGE 2004 TRUST:

ZONE CHANGE to reclassify 4.5 acres from C-1 (Local Business) Zone to R-4 (Multiple Family Residential - High Density) Zone.

USE PERMITS for the following: **1)** senior housing; and **2)** project of regional significance.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** increase wall height; **3)** reduce landscaping; **4)** non-standard improvements in the right-of-way; and **5)** alternative driveway geometrics.

DESIGN REVIEWS for the following: **1)** senior housing; and **2)** finished grade.

Generally located on the south side of Sahara Avenue, the west side of Meyers Court (alignment), and the north side of Laredo Street within Spring Valley (description on file).
JJ/jt/jd (For possible action)

RELATED INFORMATION:

APN:

163-09-501-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 44 feet where 35 feet is the maximum per Table 30.40-3 (a 26% increase).
2. Increase wall height along Laredo Street to 8 feet where 6 feet is the maximum per Section 30.64.020 (a 34% increase).
3.
 - a. Eliminate parking lot landscape fingers where required per Figure 30.64-14 (a 100% reduction).
 - b. Eliminate parking lot landscaping along the southern and western property lines where required per Figure 30.64-14 (a 100% decrease).
 - c. Reduce street landscaping width along Sahara Avenue to 10 feet where 15 feet is required per Section 30.64.030 (a 34% decrease).
4. Allow non-standard improvements (landscaping) in the Sahara Avenue right-of-way where not allowed per Chapter 30.52.
5.
 - a. Reduce throat depth on Meyers Court to 16 feet where 100 feet is the minimum per Uniform Standard Drawing 222.1 (an 84% decrease).
 - b. Reduce departure distance to 162 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 15% decrease).

DESIGN REVIEWS:

1. Senior housing development.
2. Increase finished grade to 36 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 100% increase).

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL NEIGHBORHOOD

BACKGROUND:**Project Description****General Summary**

- Site Address: 8007 W. Sahara Avenue
- Site Acreage: 4.5
- Number of Lots/Units: 174
- Density (du/ac): 38.7
- Project Type: Senior housing
- Number of Stories: 3
- Building Height (feet): 44
- Open Space Required/Provided: 17,400/40,873
- Parking Required/Provided: 174/180

Neighborhood Meeting Summary

An initial virtual neighborhood meeting was conducted on Thursday, September 17, 2020 via Zoom. Notices were mailed to property owners within 1,500 feet of the site. Five neighbors attended the meeting and the topics discussed included density, traffic, off-site improvements, affordable housing units, and timing of construction.

A second virtual neighborhood meeting was conducted on Thursday, October 22, 2020 via Zoom. Notices were mailed to property owners within 1,500 feet of the site. Approximately 15 neighbors attended the second meeting and topics discussed included deed restricting the property, methods to ensure privacy from third floor units to the single family homes to the south, landscaping along Laredo Street, secondary access to the site, and timing of construction.

Request

This request is to reclassify the site to R-4 zoning to allow for a 174 unit affordable, senior housing project. The application is a project of regional significance since senior housing requires a special use permit, and the site is located within 500 feet of the City of Las Vegas.

Site Plan

The site plan depicts a proposed senior housing building located near the center of the site. Setbacks are approximately 70 feet to the north property line along Sahara Avenue, 55 feet to the east property line, 78 feet to the south property line along Laredo Street, and 53 feet to the west property line. Vehicular access is provided from a single driveway on the east side of the site to the Meyers Court cul-de-sac. Waivers of development standards are necessary to reduce the throat depth to 16 feet and to reduce the departure distance for the driveway from Sahara Avenue to 162 feet.

A drive aisle circles the building and provides access to parking spaces located around the perimeter of the site. Trash enclosures are located on the east and west sides of the site, set back 5 feet from the respective property lines. Pedestrian paths connect the site to Sahara Avenue to the north, to Meyers Court to the east, and to Laredo Street to the south.

Landscaping

Landscaping is located along the north, east, and south property lines, and around the base of the building. No landscaping is proposed along the west property line, which is adjacent to a mini-warehouse facility, and no parking lot landscape fingers are proposed. Waivers of development standards are required to not provide parking lot landscaping along the west property line and to not provide landscape fingers throughout the entire parking lot.

Along the north property line, the plans depict a 10 foot wide landscape strip where 15 feet is required, which necessitates a waiver of development standards. However, an additional 10 foot wide strip is located behind the existing attached sidewalk in the Sahara Avenue right-of-way. The plans depict landscaping in this area between the back of the sidewalk and the northern property line, which requires a waiver of development standards for non-standard improvements (landscaping) in the right-of-way.

Along the south property line, adjacent to Laredo Street, the plans depict a row of parking spaces, an 8 foot high wall, and a 10 foot wide landscape strip behind a proposed attached sidewalk. Waivers of development standards are necessary to not provide parking lot landscaping and to increase the block wall height to 8 feet. A pedestrian gate will be in the southwestern portion of the site in the block wall along Laredo Street.

Amenities on the site include a pool and 2 walking paths. The pool and each walking path are located between different wings of the building. Overall, 40,873 square feet of open space is provided where 17,400 square feet is required.

Elevations

The elevations depict a 3 story building that transitions to a 2 story building along the southern property line, which provides a transition to the abutting single family houses. Overall height extends up to 44 feet for architectural towers, which requires a waiver of development standards. Most of the building is 39 feet with a parapet wall along the roofline. Exterior materials include painted stucco with various shades of gray. Stone veneer and a tube steel canopy are located around the main entryway. No other architectural features are provided on the building.

Floor Plan

Throughout the building, a total of 174 units are provided on 3 floors. On the first floor, a community center, business center, exercise room, television room, and offices are provided in addition to the residential units. The second and third floors contain all residential units. Each residential unit includes a combined kitchen and living area, restroom, laundry room, and 1 or more bedrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, the project will provide 174 units of low income, affordable, and market rate housing for independent seniors age 55 and up. Overall, the project is suitable at this location since it will provide housing needs for low income senior citizens, it will have minimal impact on existing streets, and it will have a positive financial impact on neighboring commercial businesses.

Several alternatives to Title 30 standards are proposed with this design; however, the applicant justifies each request. For example, the applicant states that the increase to building height and the increase to wall height along Laredo Street are appropriate. The increase in building height is necessary to accommodate building infrastructure, and most of the building is 39 feet high while architectural towers extend up to 44 feet high. Increasing the wall height along Laredo Street will provide the single family residential houses to the south with additional privacy from the senior housing project.

Landscaping alternatives are necessary to accommodate the use and the site. For example, landscape fingers are removed from the parking lot to avoid tripping hazards for seniors, and parking lot landscaping along the western property line is not necessary since the adjacent site is a mini-warehouse. Similarly, parking lot landscaping along the southern property line is not provided since street landscaping will be provided on the street side of the 8 foot wall. Reducing the landscaping width along Sahara Avenue is appropriate since an additional 10 feet of landscaping will be provided in the right-of-way. Providing landscaping in the dirt area behind the back of the sidewalk in the right-of-way will improve the aesthetics of the site and improve drainage. The applicant understands that the landscaping in the right-of-way could be removed with future street improvements.

Reducing the throat depth for the driveway will not create any negative issues since the driveway is on Meyers Court rather than Sahara Avenue. This is a non-gated development; therefore, no stacking of vehicles is anticipated. However, assuming that stacking does occur in the public right-of-way, the vehicles would stack onto Meyers Court, which is 162 feet from Sahara Avenue. Similarly, the reduced departure distance will not create any negative impacts since the driveway is as far south as possible from the Sahara Avenue and Meyers Court intersection.

Lastly, the design review to increase finished grade is necessary to balance the site for accessibility. The east side of the property is 8 feet lower than the western property line, and with cut and fill, the maximum increase in finished grade will be 3 feet.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-2064-95	Reclassified the site from R-E to C-1 zoning for an office and retail complex	Approved by BCC	January 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	C-1	Retail complex

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential
East	Commercial Neighborhood	C-P & C-1	Office & retail complex
West	Commercial Neighborhood	C-1	Mini-warehouse facility

Related Applications

Application Number	Request
VS-21-0027	A vacation and abandonment of government patent easements 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

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.*

According to the applicant, a change in trends since the last adoption of the Spring Valley Land Use Plan in 2014 includes a reduced demand for commercial development and increased demand for multiple family residential development. Reduced demand for commercial development is due in part to increases in online shopping and more people working from home. Also, the increased demand for multiple family residential development is evident by the numerous multiple family residential projects that have been constructed in the area. As a result, the changing economic circumstances support the nonconforming zone change to residential.

- 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.*

R-4 zoning allows up to 25 units per acre, and the multiple family zoning is compatible with the existing commercial and office developments to the east and west of the site along the south side of Sahara Avenue. Multiple family zoning allows for a similar intensity of uses to commercial development, such as traffic generation, parking, and massing of buildings. In addition, Laredo Street separates the site and provides a buffer from the single family residential subdivision to

the south. As a result, the density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing uses in the surrounding area.

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.*

Utility providers and other agencies provided no indication that the proposed zoning would create a substantially adverse effect on public facilities and services. However, the Clark County School District indicates that Spring Valley High School was over capacity for the 2020-2021 school year and multiple family zoning could increase demand on school facilities.

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

Urban Specific Policy 56 encourages multiple family zoning to be located adjacent to a mix of other land uses including commercial, and Urban Specific Policy 57 encourages multiple family zoning to locate near transit and along road networks that can accommodate higher residential densities. The proposed location for the multiple family zoning district will be located adjacent to a mix of commercial uses along Sahara Avenue, Sahara Avenue includes public transportation, and the right-of-way can accommodate higher residential densities. As a result, the proposed zoning complies with other applicable policies in the Comprehensive Master Plan.

Summary

Zone Change

In conclusion, reduced demand for commercial zoning and increased demand for multiple family residential zoning has indicated a changing trend since the last adoption of the Spring Valley Land Use Plan. Furthermore, the density and intensity of the R-4 zoning district is compatible with the adjacent commercial uses, and there will not be a substantial adverse effect on public facilities and services. Lastly, the proposed multiple family zoning district complies with policies in the Comprehensive Master Plan. As a result, staff can support the zone boundary amendment.

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 Comprehensive 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.

Goals in the Clark County Master Plan Housing element support the use permit for senior housing. For example, Goal 1 encourages development of affordable housing units whenever possible, and Goal 3 encourages a reduced cost burden for households by supporting the creation of affordable housing. Furthermore, the location of the proposed senior housing site, which is along a commercial corridor with access to transit, is consistent with Policy 3, which in part encourages opportunities to support affordable housing in a pedestrian friendly community with access to public transportation and basic amenities, such as grocery stores and healthcare facilities. Lastly, the location, which is within 500 feet of the City of Las Vegas will not create

any negative impacts on infrastructure or adjacent properties. As a result, staff can support the use permits for senior housing and the project of regional significance.

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

Multiple family residential developments are typically 3 or more stories to accommodate the increased demand for housing in the current economic circumstances. The increased building height to 44 feet is appropriate in scale for the width of Sahara Avenue, which is a 150 foot wide arterial street. In addition, the increased building height will not create any negative visual impacts to the mini-warehouse development to the west or the office and commercial complex to the east of Meyers Court. Lastly, the 3 story building transitions to 2 stories on the south side of the site to provide a transition to the single family residences to the south of Laredo Street. As a result, staff can support the waiver of development standards for increased building height.

Waiver of Development Standards #2

The increased wall height along Laredo Street will provide an increased buffer between the proposed affordable, senior housing project and the single family residences to the south. Increasing the wall height to 8 feet along with the additional street landscaping along Laredo Street will also increase compatibility with the single family houses. This is consistent with Urban Specific Policy 45, which encourages design considerations to prevent incompatible noise, lighting, and aesthetic impacts from multiple family developments adjacent to estate residential areas. Therefore, staff can support the request.

Waiver of Development Standards #3a & #3b

Reducing tripping hazards for senior citizens is an important consideration when developing a senior housing complex; however, the proposed project substantially reduces the required landscaping to try and avoid tripping hazards. No landscaping is provided on the west side of the site, and landscaping along the south property line is provided on the south side of an 8 foot block wall with no landscaping adjacent to the parking spaces. Instead of landscape fingers in the parking lot, landscaping could be provided in strips along the western and southern property line adjacent to the parking spaces or grouped into larger landscape areas. Also, landscaping could be provided around the trash enclosure and along the north and south sides of the building to improve the aesthetics and provide environmental benefits. Desert appropriate landscaping reduces dust, noise, glare, and heat. In addition, trees assist with wind control and minimize water run-off onto streets. The large areas of the site along the western and southern parking spaces will be visually unappealing and will contribute to the Urban heat island effect. As a result, staff cannot support waivers of development standards #3a and #3b.

Waiver of Development Standards #3c

Although the landscaping on-site along Sahara Avenue will be reduced, the cumulative area of landscaping (including the landscaping in the right-of-way) will exceed Title 30 standards. A total width of 20 feet (10 feet of landscaping in the right-of-way and 10 feet of landscaping on-site) will provide a visually pleasing street frontage along Sahara Avenue. As a result, staff can support the waiver of development standards to reduce the street landscaping on-site.

Design Review #1

Overall, the layout of the site provides vehicle circulation, parking spaces, and pedestrian access to Sahara Avenue, Meyers Court, and Laredo Street. In addition, amenities include a swimming pool and walking paths for residents. However, the building design is unadorned with architectural features and appears massive and institutional. The design conflicts with Urban Specific Policy 55, which encourages design alternatives and spatial distribution rather than the massing of buildings. Design alternatives for massing include varied elevations, roof forms, and surface planes. Staff recommends a condition to enhance the elevations to be more consistent with the design intent of Policy 55 with desert earth tone colors rather than the proposed red and gray color scheme.

Public Works - Development Review

Waiver of Development Standards #4

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #4 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 #5a

Staff has no objection to the reduction in the throat depth for the Meyers Court driveway. Meyers Court should see a low volume of traffic since it terminates in a cul-de-sac just south of Sahara Avenue and it only provides access to the commercial development to the east and to this site. Therefore, staff does not anticipate any traffic safety issues related to the reduced throat depth.

Waiver of Development Standards #5b

Staff has no objection to the reduction in the departure distance from the intersection of Meyers Court and Sahara Avenue to the driveway. Meyers Court should see a low volume of traffic since it terminates in a cul-de-sac just south of Sahara Avenue and it only provides access to the commercial development to the east and to this site. Therefore, staff does not anticipate any traffic safety issues related to the reduced throat depth.

Design Review #2

This design review represents the maximum grade difference along 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 zone change, use permits, waivers of development standards #1, #2, #3c, #4, #5a, #5b, and the design reviews; denial of waiver of development standards #3a and #3b. This item has been forwarded to the Board of County Commissioners' meeting for final action .

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.

PLANNING COMMISSION ACTION: April 6, 2021 – APPROVED – Vote: Unanimous

Current Planning

- Resolution of Intent to complete in 3 years;
- Revise building elevations to include varied elevations, roof forms, and surface planes with a desert earth tone color scheme;
- Remove pedestrian access gates on Laredo Street;
- No vehicular access on Laredo Street;
- 36 inch box African Sumac trees to be planted 10 feet on center along the south property on Laredo Street;
- Applicant to construct an 8 foot high block wall on Laredo Street;
- The trash enclosure on the east property line shall not be located within 300 feet of the south property line;
- The trash enclosure on the west property line shall not be located within 325 feet of the south property line;
- Building elevation height for the 3 story building to be a maximum of 37 feet 6 inches except for a portion of the northeast front elevation which will be 39 feet;
- Building elevation height for the 2 story building to be a maximum of 26 feet 6 inches;
- 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 nonconforming 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;
- 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;
- Right-of-way dedication to include 30 feet for Laredo Street, 30 feet for Meyers Court with a portion of the cul-de-sac;
- Full off-site improvements;

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- 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.

Building Department - Fire Prevention

- 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 (trash enclosure doors impede on minimum width).

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 #0356-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval (design review for signage and lighting; signalize cul-de-sac and intersection; trees planted 10 feet off-center; solar atop covered parking; and electric charging stations).

APPROVALS: 2 cards

PROTESTS: 4 cards, 4 letters

PLANNING COMMISSION ACTION: March 16, 2021 – HELD – To 04/06/21 – per the applicant.

APPLICANT: GEORGE GEKAKIS, INC.

CONTACT: GEORGE GEKAKIS, INC., 2655 S. RAINBOW BLVD., SUITE 401, LAS VEGAS, NV 89146