

09/22/21 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

UPDATE
JONES BLVD/TROPICANA AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-21-0325-PAIR-A-DICE, LLC:

ZONE CHANGE to reclassify 1.9 acres from a C-1 (Local Business) Zone and a C-2 (General Commercial) Zone to an R-5 (Apartment Residential) Zone for a multiple family residential development.

WAIVER OF DEVELOPMENT STANDARDS to reduce the height/setback ratio to single family residential.

DESIGN REVIEWS for the following: **1)** multiple family residential development; and **2)** finished grade.

Generally located 190 feet north of Tropicana Avenue, 270 feet east of Jones Boulevard within Spring Valley (description on file). MN/jvm/jd (For possible action)

RELATED INFORMATION:

APN:
163-24-410-008; 163-24-410-011

WAIVER OF DEVELOPMENT STANDARDS:
To reduce the height/setback ratio to 86 feet where 105 feet is required (an 18% reduction).

DESIGN REVIEWS:

1. A multiple family residential development.
2. Increase finished grade to 36 inches where 18 inches is the standard per Section 30.32.040 (a 100% increase).

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:
Project Description

General Summary

- Site Address: 4846 S. Jones Boulevard
- Site Acreage: 1.9
- Number of Lots/Units: 44
- Density (du/ac): 23.2
- Project Type: Multiple family residential

- Number of Stories: 3
- Building Height (feet): 35
- Open Space Required/Provided (square feet): 4,400/15,000
- Parking Required/Provided: 79/82

Neighborhood Meeting Summary

The applicant conducted a virtual neighborhood meeting on February 4, 2021 as required by the nonconforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project were notified about the meeting. Approximately 10 neighbors were in attendance and for the most part were in favor of the development.

Site Plan

The site plan depicts 2 parcels on either side of a private drive. The main parcel on the east side of the private drive is L-shaped while the parcel on the west side is rectangular. The apartment building is located entirely on the L-shaped parcel and follows the shape of the parcel itself. The project includes 44 apartment units on 1.9 acres for an overall density of 23.2 dwelling units per acre. Parking is shown primarily to the north and east of the main structure. A trash enclosure is shown south of the apartment building and the southern driveway is a gated exit only drive. Access is provided from a private drive that has access to both Jones Boulevard and Tropicana Avenue. The parcel located on the western side of the private drive is proposed to be developed as an auxiliary parking lot with 18 parking stalls.

Landscaping

The landscape plan depicts a 6 foot wide landscape planter along the perimeter of the main parcel. This planter has 24 inch box trees planted 20 feet on center with various shrubs and groundcover. There are additional landscape plantings around the perimeter of the building and within the parking areas.

Elevations

The elevations depict a 3 story, 35 foot tall building with a flat roof behind parapet walls. There are exterior stairways located on both the north and south elevations. Balconies and/or patios are located on all 4 sides of the apartment building which will have a stucco façade painted in various complimentary colors.

Floor Plans

The project will be composed of 17, one bedroom units and 27, two bedroom units. The smallest 1 bedroom unit is approximately 710 square feet and the largest 2 bedroom unit is 1,110 square feet. All units are composed of rooms typically associated with this type of use.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that this is an older part of town and new, modern housing is in need. In addition, it is stated that being in close proximity to the intersection of Jones Boulevard and Tropicana Avenue makes this site ideal for the proposed project. Also, the applicant indicates

that the proposed project will not create an increased burden on infrastructure over what has already been contemplated. Lastly, it is stated that the proposed project will meet several of the policies of the Comprehensive Master Plan.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0050	Vehicle maintenance and repair	Approved by PC	March 2020
ZC-1996-96	Reclassified portions of this site to C-2 zoning	Approved by BCC	January 1997
ZC-1284-95	Reclassified portions of this site to C-1 zoning	Approved by BCC	September 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Commercial General	C-2	Manufactured home park
South & West	Commercial General	C-1 & C-2	Remaining portions of the shopping center

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.*

The applicant indicates that the Spring Valley Land Use Plan has not been updated since 2014, and there have been multiple changes over the last several years within the area. As this is an older part of town, the need for new, modern housing choices has increased. By way of example, there are several older multiple family developments in this area, including Bridges on Tropicana Apartments (1980); Sedona Ridge Apartments (1990); Meadow Ridge Apartments (1990); and Stonegate Townhouse Apartments (1996).

Staff finds that since this is an in-fill development in an area that has a wide variety of existing uses that range from high intensity commercial development to lower density manufactured

home parks, the proposed development will provide a positive transition between the commercial development centered around the intersection of Jones Boulevard and Tropicana Avenue and the manufactured home park located to the north and east of the subject parcel.

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 states that the subject parcels have commercial development to the south and west and a large existing manufactured home park to the north and east. The site is in close proximity to the intersection of Jones Boulevard and Tropicana Avenue which clearly makes the proposed project compatible with the surrounding area.

Staff finds that the proximity to major transportation corridors on both Jones Boulevard and Tropicana Avenue makes the proposed project ideally suited for this location. In addition, the proposed development will provide a positive transition between the commercial development centered around the intersection of Jones Boulevard and Tropicana Avenue and the manufactured home park located to the north and east of the subject parcel.

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.*

The applicant advises that the proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area and states that the applicant will mitigate any impacts the proposed development may have.

There has been no indication from most service providers that this request will have a substantial adverse effect on public facilities and services. However, the school district has indicated that this development would generate 6 additional elementary school students, 3 middle school students, and 3 high school students. Dondero Elementary School, Guinn Middle School and Clark High Schools are all currently over capacity however, development of this project will minimally impact the schools.

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

The applicant states that pursuant to the general policies of the new Urban Land Use Policies, Policy 10 "encourages site design to be compatible with adjacent land use and off-site circulation patterns." Here, the site is located near Tropicana Avenue and Jones Boulevard. The site is located near public facilities and mass transit stops necessary to support multiple family development and is near other planned multiple family developments, residential neighbors, and commercial uses. Not only is the proposed development compatible with the general policy of the Urban Land Use Policies, but it is also compatible with the more specific Multiple Family Residential policies of the Urban Land Use Policies, including, but not limited to the following policies: Policy 54 encourages the arrangement of parking areas into courts to avoid long concrete corridors of parking. Here, the parking is placed throughout the site and is broken up by

landscaped parking fingers; and Policy 53 which encourages the use of drought-tolerant landscaping. Here, the landscaping complies with all Title 30 requirements in that regard.

Summary

Zone Change

Staff finds that since this is an in-fill development in an area that has a wide variety of existing uses that range from high intensity commercial development to lower density manufactured home parks, the proposed development will provide a positive transition between the commercial development centered around the intersection of Jones Boulevard and Tropicana Avenue and the manufactured home park located to the north and east of the subject parcel. Staff finds that the proximity to major transportation corridors on both Jones Boulevard and Tropicana Avenue makes the proposed project ideally suited for this location; therefore, staff can support the proposed zone boundary amendment.

Waiver 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.

Staff finds that the reduction in the height/setback ratio is minimal and should not negatively impact the manufactured homes to the north and east of the project; therefore, staff can support this request.

Design Review #1

Staff finds that the proposed layout and design of the project presents an effective use of the in-fill property. The elevations of the building are stylish and incorporate a modern design which will enhance the aesthetics of the surrounding area. Drive aisles and pedestrian walkways are free of conflicts and circulation is sufficient. The landscaping as proposed will improve the streetscape and beautify the area in general. Staff does have 1 concern with the overall development, that being the lack of amenities for the future residents. Staff would recommend a condition that requires at a minimum, grilling area and benches to be located in the landscape areas at the corners of the development. With that condition, staff can support the design review.

Public Works - Development Review

Design Review #2

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. This item has been forwarded to the Board of County Commissioners 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: August 17, 2021 – APPROVED – Vote: Unanimous
Current Planning

- Resolution of Intent to complete in 3 years;
- Provide grilling areas with benches in the landscaped areas at the corners of the site;
- 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;
- Traffic study and compliance.
- 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.

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 #0271-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS: 3 cards

PROTESTS: 5 cards

APPLICANT: PAIR-A-DICE, LLC

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