



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: MAY 21, 2025

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: CBLC, LLC - OWNER: CINDY L. BRADEN

**** STAFF RECOMMENDATION(S) ****

| CASE NUMBER | RECOMMENDATION | REQUIRED FOR APPROVAL |
|---------------------|---|--|
| 24-0616-VAR1 | Staff recommends APPROVAL, subject to conditions: | 24-0616-TMP1 |
| 24-0616-WVR1 | Staff recommends APPROVAL, subject to conditions: | 24-0616-TMP1 |
| 24-0616-WVR2 | Staff recommends APPROVAL, subject to conditions: | 24-0616-TMP1 |
| 24-0616-WVR3 | Staff recommends APPROVAL, subject to conditions: | 24-0616-TMP1 |
| 24-0616-WVR4 | Staff recommends APPROVAL, subject to conditions: | 24-0616-TMP1 |
| 24-0616-WVR5 | Staff recommends APPROVAL, subject to conditions: | 24-0616-TMP1 |
| 24-0616-SDR1 | Staff recommends APPROVAL, subject to conditions: | 24-0616-TMP1 |
| 24-0616-TMP1 | Staff recommends APPROVAL, subject to conditions: | 24-0616-VAR1 24-0616-WVR1 24-0616-WVR2 24-0616-WVR3 24-0616-WVR4 24-0616-WVR5 24-0616-SDR1 |

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 208 (by City Clerk)

PROTESTS 0

APPROVALS
5 - (25-0616 [VAR1, WVR1 - WVR3])
3 - (25-0616 [WVR4, WVR5, SDR2, AND TMP1])

**** CONDITIONS ****

24-0616-VAR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for 24-0616-TMP1 shall be required, if approved.
2. A Variance from Title 19.04 is hereby approved, to allow a private street that does not conform to complete street standards for private street requirements.
3. A Variance from Title 19.04 is hereby approved, to allow a stub street termini where a cul-de-sac or hammerhead terminus is required.
4. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

24-0616-WVR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for 24-0616-TMP1 shall be required, if approved.
2. A Waiver from Title 19.09 is hereby approved, to allow a zero-foot interior side yard setback where five feet is required for Lot 1 on the proposed Tentative Map (24-0616-TMP1).

Conditions Page Two
May 21, 2025 - City Council Meeting

3. A Waiver from Title 19 is hereby approved, to allow a six foot corner side yard setback where 10-feet is required for Lot 1 on the proposed Tentative Map (24-0616-TMP1).
4. A Waiver from Title 19.09 is hereby approved, to allow a ten foot rear setback where 15 feet is required for Lot 1 on the proposed Tentative Map (24-0616-TMP1).
5. A Waiver from Title 19.09 is hereby approved, to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required for Lot 1 on the proposed Tentative Map (24-0616-TMP1).

24-0616-WVR2 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for 24-0616-TMP1 shall be required, if approved.
2. A Waiver from Title 19.09 is hereby approved, to allow a zero-foot interior side yard setback where five feet is required for Lot 2 on the proposed Tentative Map (24-0616-TMP1).
3. A Waiver from Title 19.09 is hereby approved, to allow a ten foot rear setback where 15 feet is required for Lot 2 on the proposed Tentative Map (24-0616-TMP1).
4. A Waiver from Title 19.09 is hereby approved, to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required for Lot 2 on the proposed Tentative Map (24-0616-TMP1).

24-0616-WVR3 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for 24-0616-TMP1 shall be required, if approved.

2. A Waiver from Title 19.09 is hereby approved, to allow a zero-foot interior side yard setback where five feet is required for Lot 3 on the proposed Tentative Map (24-0616-TMP1).
3. A Waiver from Title 19.09 is hereby approved, to allow a ten foot rear setback where 15 feet is required for Lot 3 on the proposed Tentative Map (24-0616-TMP1).
4. A Waiver from Title 19.09 is hereby approved, to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required for Lot 3 on the proposed Tentative Map (24-0616-TMP1).

24-0616-WVR4 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for 24-0616-TMP1 shall be required, if approved.
2. A Waiver from Title 19.09 is hereby approved, to allow a zero-foot interior side yard setback where five feet is required for Lot 4 on the proposed Tentative Map (24-0616-TMP1).
3. A Waiver from Title 19.09 is hereby approved, to allow a ten foot rear setback where 15 feet is required for Lot 4 on the proposed Tentative Map (24-0616-TMP1).
4. A Waiver from Title 19.09 is hereby approved, to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required for Lot 4 on the proposed Tentative Map (24-0616-TMP1).

24-0616-WVR5 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for 24-0616-TMP1 shall be required, if approved.
2. A Waiver from Title 19.09 is hereby approved, to allow a zero-foot interior side yard setback where five feet is required for Lot 5 on the proposed Tentative Map (24-0616-TMP1).
3. A Waiver from Title 19 is hereby approved, to allow a five foot corner side yard setback where 10-feet is required for Lot 5 on the proposed Tentative Map (24-0616-TMP1).
4. A Waiver from Title 19.09 is hereby approved, to allow a ten foot rear setback where 15 feet is required for Lot 5 on the proposed Tentative Map (24-0616-TMP1).
5. A Waiver from Title 19.09 is hereby approved, to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required for Lot 5 on the proposed Tentative Map (24-0616-TMP1).

24-0616-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for 24-0616-TMP1 shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan date stamped 02/13/25, and building elevations date stamped 05/06/25 and 01/28/25, except as amended by conditions herein.

Conditions Page Five
May 21, 2025 - City Council Meeting

4. A Waiver from Title 19.09 is hereby approved, to allow a nine foot corner side setback where 10 feet is required for Common Lot 1 on the proposed Tentative Map (24-0616-TMP1).
5. A Waiver from Title 19.09 is hereby approved, to allow a five foot corner side setback where 10 feet is required for Common Lot 1 on the proposed Tentative Map (24-0616-TMP1).
6. A Waiver from Title 19.09 is hereby approved, to allow a 52 percent building façade within Façade Zone where 65 percent is required along Owens Avenue for Common Lot 1 on the proposed Tentative Map (24-0616-TMP1).
7. A Waiver from Title 19.09 is hereby approved, to allow a 41 percent building façade within Façade Zone where 65 percent is required along Harrison Avenue for Common Lot 1 on the proposed Tentative Map (24-0616-TMP1).
8. A Waiver from Title 19.09 is hereby approved, to allow a 44 percent building façade within Façade Zone where 50 percent is required along Harrison Lane for Common Lot 1 on the proposed Tentative Map (24-0616-TMP1).
9. A Waiver from Title 19.09 is hereby approved, to allow a Common Yard frontage not in conjunction with another allowed private frontage type with a 10-foot depth where 20 feet is required along Harrison Avenue for Common Lot 1 on the proposed Tentative Map (24-0616-TMP1).
10. A Waiver from Title 19.09 is hereby approved, to allow a Common Yard frontage not in conjunction with another allowed private frontage type with a 10-foot depth where 20 feet is required along Owens Avenue for Common Lot 1 on the proposed Tentative Map (24-0616-TMP1).
11. A Waiver from Title 19.09 is hereby approved, to allow a zero-foot parking setback where 10 feet is required for Common Lot 1 on the proposed Tentative Map (24-0616-TMP1).
12. A Waiver from Title 19.09 is hereby approved, to allow a 38-foot wide driveway width where 34 feet is the maximum allowed for Common Lot 1 on the proposed Tentative Map (24-0616-TMP1).
13. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division.
14. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

Conditions Page Six
May 21, 2025 - City Council Meeting

15. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
16. A revised site plan shall be submitted to and approved by the Department of Community Development, prior to the time application is made for a building permit to reflect the changes herein:
 - Bicycle Parking shall be provided in accordance with Title 19.09.100.
17. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - The Ilex Vomitoria and Lysiloma Watsonii along the street frontages shall be replaced with an equal number of 24-inch box trees from the district specific tree palate in Title 19.09.040.C.
18. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
19. Prior to the submittal of a building permit application, the applicant shall meet with Department of Community Development staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
20. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

21. Coordinate sewer connection at a size, depth, and location acceptable to the Sanitary Sewer Engineering Section of the Department of Public Works. Provide estimated splash pad flow rates per cycle and seasonal schedule.
22. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the Owens Avenue Interceptor Phase 1 (MWA797) project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

Fire & Rescue

23. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

24-0616-TMP1 CONDITIONS

Planning

- A. In conjunction with creation, declaration and recordation of the subject common interest community, and prior to recordation of the Covenants, Codes and Restrictions (“CC&R”), or conveyance of any unit within the community, the Developer shall record a Declaration of Private Maintenance Requirements (“DPMR”) as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR shall include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and shall provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Public Works prior to recordation, and shall include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer shall submit a copy of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Public Works.
1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
2. Approval of 24-0616-VAR1, 24-0616-WVR1, 24-0616-WVR2, 24-0616-WVR3, 24-0616-WVR4, 24-0616-WVR5, and 24-0616-SDR1 shall be required, if approved.
3. Street names must be provided in accordance with the City’s Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Private streets must be granted and labeled on the Final Map for this site as Public Utility Easements (P.U.E.), Public Sewer Easements, and Public Drainage Easements to be privately maintained by the Homeowner's Association. Additionally, all Homeowner's Association common lot elements and any private improvements in the public right-of-way authorized by an Encroachment License Agreement shall be the maintenance responsibility of the Homeowner's Association. If the Homeowner's Association fails to perform any private maintenance obligation, then the individual property owners within the subdivision shall be jointly and severally liable for any and all City expenses that may be incurred to perform any private maintenance obligations.
6. In accordance with code requirements of Title 13.56 and Section 2.2 of the City's Vision Zero Action Plan, remove all substandard offsite improvements and unused driveway cuts, if any, and replace with new improvements meeting Public Right-of-Way Accessibility Guidelines (PROWAG) to the satisfaction of the City Engineer concurrent with development of this site. Grant Pedestrian Access Easement(s) if necessary to comply with this requirement. All existing paving damaged or removed by this development shall be restored at its original location, width and depth concurrent with development of this site.
7. Install a crosswalk to the signalized median island west of this site and construct ramps to comply with Public Right-of-Way Accessibility Guidelines (PROWAG). Any driveway movements may be restricted in the future at the discretion of the City Traffic Engineer.
8. On-Street Parking is prohibited on the north side of Harrison Avenue and may be restricted on the south side of Owens Avenue, subject to the discretion of the City Traffic Engineer. Provide appropriate "no parking" signs as determined by the City Traffic Engineer.
9. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
10. Submit a License Agreement for landscaping and private improvements in the public right(s)-of-way prior to the issuance of permits for these improvements. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any

Conditions Page Nine**May 21, 2025 - City Council Meeting**

successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (229-4836).

11. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.
12. As per Unified Development Code (UDC) 19.16.060.G, all requirements must be complied with or such future compliance must be guaranteed by an approved performance security method in accordance with UDC sections 19.02.130.
13. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. A deviation from standards for a stub street is hereby approved. No other deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

Fire & Rescue

14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

**Staff Report Page One
May 21, 2025 - City Council Meeting**

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to develop a five-lot single-family, attached and one, six-unit multi-family condominium subdivision on 0.55 acres at the southeast corner of Harrison Avenue and Owens Avenue.

REVISIONS

- After publicly advertising this project, the applicant has provided revised plans which eliminated the need for the following Waivers, that were previously advertised:
 - Lot coverage on Lots 2, 3, and 4 has been brought into compliance with Title 19.
 - The front yard setback on Lots 1, 2, 3, 4, and 5 has been brought into compliance with Title 19.

ISSUES

- The subject site is within the confinements of the Vision 2045 Downtown Las Vegas Master Plan (Historic Westside District) [Area 3].
- A Variance is requested to allow a private street [Harrison Lane] to not comply with Title 19.04 complete street standards, and to allow for a stub street terminus where a hammerhead or cul-de-sac would be required.
- Several Waivers of Title 19.09 are requested as a part of this application. A listing of those Waivers is included at the end of this report.
- The tandem parking created by the driveways and garages are only counted as one parking stall in accordance with 19.08.110(C). The subject site meets the required number of parking stalls with those tandem stalls counted as one stall.
- The subject site is located in Redevelopment Area - Area 1.

ANALYSIS

Adopted by the City Council in June 2016, the Vision 2045 Downtown Las Vegas Master Plan (Downtown Master Plan) is the policy document that provides an overall vision, policy direction, and implementation strategy in support of the ongoing recovery and revitalization in Downtown Las Vegas. The Downtown Master Plan envisions and encourages downtown Las Vegas to achieve a compact, vibrant urban environment, with a focus on higher-density mixed-use development around transit hubs and activity nodes.

Staff Report Page Two
May 21, 2025 - City Council Meeting

The Master Plan is intended to enable an energetic, urban way of life and a high-quality physical environment for locals and visitors alike. Adopted under the requirements of the Las Vegas Municipal Code and other applicable laws, the Title 19.09 Form-Based Code establishes the new form-based standards for the area of the City included within the Downtown Las Vegas Overlay (DTLV-O). Eventually, the Form-Based Code will be applied to each of the twelve Downtown Districts within the Downtown Las Vegas Overlay District.

The subject site is located in the Historic Westside District of Downtown Las Vegas. The Historic Westside's assets are historically and culturally significant for the entire valley. However, the District is dominated by sparse low-rise residential neighborhoods and industrial zones. With the vision of a thriving neighborhood augmented with services and amenities, the City of Las Vegas has undergone planning efforts including the UNLV Hundred (Historic Urban Neighborhood Design Redevelopment) Plan.

The area needs improved housing stock, development of vacant parcels, and programming for the existing parks and amenities. Two of the District's strengths are abundance of open space and availability of parcels suitable for mid-to-large scale development easily accessible by all modes of transportation. For long-term success, the Hundred Plan, a visioning and strategic planning document prepared by the UNLV Downtown Design Center, recommends promotion of contextual neighborhood infill with multifamily housing and appropriate amenities to stabilize the community.

The Hundred Plan was developed in 2016 as a plan for community-led investment in the Historic Westside. The proposed development is consistent with the Hundred Plan goals by making the most of opportunities for infill to add new and diverse housing types. This project is a catalyst project located on the northern periphery of the Historic Westside, and may motivate further redevelopment in the area.

The subject site is zoned T4-N (T4 Neighborhood). The T4-N zoning district is intended to reinforce established neighborhoods in walkable urban areas. These neighborhoods will evolve through the use of small to medium building footprints and medium intensity building types to achieve a compact urban form that accommodates a variety of urban housing choices. This Zone reinforces the walkable nature of the neighborhood, supports neighborhood-serving commercial and service uses, and supports public transportation alternatives. The maximum building height in this transect is three stories.

The subject site is a vacant 0.55 acre area at the southeast corner of Harrison Avenue and Owens Avenue. The subject site is within the confinements of the Vision 2045 Downtown Las Vegas Master Plan (Historic Westside District) [Area 3], and is subject to Title 19.09 Form-Based Code. The developer is required to do a Tentative Map for the subdivision creating more than four lots.

Staff Report Page Three
May 21, 2025 - City Council Meeting

Five standalone Waiver applications are requested, one for each of the proposed Single-Family Attached lots on the proposed Tentative Map (24-0616-TMP1). The waivers for each of those lots are detailed in the following paragraphs. Each of the Single-Family Attached residential lots needs to have their own standalone waiver because the proposed single family dwelling units do not meet all requirements of Title 19 but the construction of single family units do not require a Site Development Plan in accordance with Title 19.16.100. An application for a Waiver can be filed with the Department in connection with a Site Development Plan Review, Special Use Permit, Tentative Map, or as a stand-alone item.

Multifamily residential exceeding four units must be approved through a Site Development Plan Review, and a Site Development Plan Review is requested for the development of the three-story, six-unit condominium on Common Lot 1 on the proposed Tentative Map (24-0616-TMP1). Several Waivers for Title 19.09 Form-Based Code are included with the Site Development Plan Review as allowed by 19.16.130. Further, a Variance is needed to deviate from Title 19.04 Complete Street Standards for the street section and the requested terminus of Harrison Lane.

The main exterior material as depicted in the building elevations is stucco with either a lace or dashed finish. There are blank wall planes depicted on the building elevations; blank walls and wall planes are allowed in the T4-N (T4 Neighborhood) zoning district as simple wall planes along the streets are acceptable with the residential uses in smaller neighborhood settings. A note has been added to the building elevations that exterior materials such as masonry that is encouraged in the Historic Westside Design Guidelines will be incorporated into the multifamily residential building veneer to reflect the local architectural history and character.

Development projects within the form-based code designated areas of Downtown Las Vegas are subjected to an alternative parking reduction based upon a variety of factors such as neighborhood context and current or future infrastructure. Pursuant to Title 19.09.100 Table G-1 (High Load - Zone 3), the reduction brings the parking requirement range from a minimum of 10 to a maximum of 17 parking spaces. The parking for the proposed development is within this threshold as 12 parking spaces are provided. The tandem parking created by the driveways and garages are only counted as one parking stall in accordance with 19.08.110(C). The subject site meets the required number of parking stalls with those tandem stalls counted as one stall.

A six-foot composite fence is proposed in the side and rear yards of the single family, attached units along the west of the site. This fence meets perimeter wall standards for the T4-N (T4 Neighborhood) zoning district.

The irregular shape of the lot makes it difficult to build-out the façade zone as the site approaches the corner of Harrison Avenue and Owens Avenue. As a result of that, common open space has been located at that hard corner. Several Waivers are requested to allow for the reduced build-out along the street frontage for the condominium building:

Staff Report Page Four
May 21, 2025 - City Council Meeting

- A Waiver of Title 19.09 is requested to allow a 47 percent building façade within Façade Zone where 65 percent is required along Owens Avenue [Common Lot 1].
- A Waiver of Title 19.09 is requested to allow a 55 percent building façade within Façade Zone where 65 percent is required along Harrison Avenue [Common Lot 1].
- A Waiver of Title 19.09 is requested to allow a 49 percent building façade within Façade Zone where 50 percent is required along Harrison Lane [Common Lot 1].

Several of the requested Waivers are to allow for a more compact version of the multifamily residential and single family, attached housing types. Typical yard spaces and setbacks are difficult to meet given the irregularly shaped lot. For example the following waivers are minor reconfigurations of the site which allow for the mix of housing types on the small, irregularly shaped lot:

- A Waiver of Title 19.09 is requested to allow a nine foot front setback where 10 feet is required [Common Lot 1]
- A Waiver of Title 19.09 is requested to allow a five foot corner side setback where 10 feet is required [Common Lot 1]
- A Waiver of Title 19.09 is requested to allow a zero-foot interior side yard setback where five feet is required [Lots 1, 2, 3, 4, and 5]
- A Waiver of Title 19.09 is requested to allow a six-foot [Lot 1] and five foot [Lot 5] corner side yard setback where 10 feet is required.
- A Waiver of Title 19.09 is requested to allow a 10-foot rear setback where 15 feet is required [Lots 1, 2, 3, 4, 5].
- A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required along Harrison Lane [Lots 1, 2, 3, 4, 5].
- A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with a 10-foot depth where 20 feet is required along Harrison Avenue [Common Lot 1].
- A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an eight-foot depth where 20 feet is required along Owens Avenue [Common Lot 1].
- A Waiver of Title 19.09 is requested to allow a zero-foot parking setback along Owens Avenue where 10 feet is required.

The applicant has further requested a Waiver to allow for a widened curb cut. The Department of Public Works supports the proposed curb cut width in exceedance of the Title 19.09 Form-Based Code standard. A Waiver of Title 19.09 is requested to allow a 38-foot wide driveway width where 34 feet is the maximum allowed.

Staff Report Page Five
May 21, 2025 - City Council Meeting

The provided landscaping has met the requirements for street trees and parking lot landscaping. The landscape plan depicts Acacia Pendula, Ilex Vomitoria, and Lysiloma Watsonii along the street frontages. A condition has been added to revise the landscape plan to provide trees from the district specific tree palate in Title 19.09.040.C. The Ilex Vomitoria and Lysiloma Watsonii shall be replaced with an equal number of trees from the district specific tree palate in Title 19.09.040.C.

The proposed site is also located within Redevelopment Area - Area 1, and if approved would support the goals of the Redevelopment Agency by striving to create an environment reflecting a high level of concern for architectural, landscape, urban design, and land use principles appropriate for the attainment of the objectives of the Redevelopment Plan. Additionally, the proposed development redevelops an area that is stagnant or improperly used.

As the proposed development supports goals and policies identified in the 2050 Master Plan, the Vision 2045 Downtown Master Plan, and the Hundred Plan (Historic Urban Neighborhood Design Redevelopment), staff finds that the proposed development can be harmonious and compatible with the surrounding area and therefore recommends approval, subject to conditions.

FINDINGS (24-0616-VAR1)

In accordance with the provisions of Title 19.16.140(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

The exceptional shape and limited dimensions of the subject site create an extraordinary circumstance wherein it would be a hardship to achieve conformance to the Title 19 requirements for the private street to meet the requisite standards for a public complete street. Due to the hardships imposed by the site's physical characteristics, it is thereby inside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (24-0616-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed Multi-Family Residential development is compatible with the adjacent development and redevelopment vision within the surrounding area of the subject site.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

The proposed development helps further several housing-related goals, objectives, and guiding principles identified in the Historic Westside Hundred Plan, the 2050 Master Plan, and Vision 2045 Downtown Master Plan.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site is accessed off of Harrison Avenue and Owens Avenue, both one-way streets with sufficient capacity for the proposed development.

4. **Building and landscape materials are appropriate for the area and for the City;**

The building materials are appropriate for the area and the city. The landscape plan depicts Acacia Pendula, Ilex Vomitoria, and Lysiloma Watsonii along the street frontages. A condition has been added to revise the Landscape Plan to provide trees from the district specific tree palate in Title 19.09.040.C. The Ilex Vomitoria and Lysiloma Watsonii shall be replaced with an equal number of trees from the district specific tree palate in Title 19.09.040.C.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The building materials are appropriate for the area and the city. A note has been added to the building elevations that exterior materials such as masonry that is encouraged in the Historic Westside Design Guidelines will be incorporated into the multifamily residential building veneer to reflect the local architectural history and character.

Staff Report Page Seven
May 21, 2025 - City Council Meeting

The main exterior material as depicted in the building elevations is stucco with either a lace or dashed finish. There are blank wall planes depicted on the building elevations; blank walls and wall planes are allowed in the T4-N (T4 Neighborhood) zoning district as simple wall planes along the streets are acceptable with the residential uses in smaller neighborhood settings.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The development of the site will be subject to building permit review and inspection, thereby protecting the health, safety, and general welfare of the public.

FINDINGS (24-0616 [WVR1 - WVR5])

Several Waivers of Title 19.09 are requested as a part of this application. A listing of those Waivers is included at the end of this report. The requested Waivers are to allow for a more compact version of the multifamily residential and single family, attached housing types, and to allow for the reduced build-out along the street frontage for the condominium building. Typical yard spaces and setbacks are difficult to meet given the unusual site. The exceptional shape and limited dimensions of the subject site create an extraordinary circumstance wherein it would be a hardship to achieve conformance to the Title 19.09 Form-Based Code requirements. Staff therefore recommends approval of the requested Waivers.

FINDINGS (24-0616-TMP1)

The Tentative Map complies with the provisions of Nevada Revised Statute Chapter 278. Staff therefore recommends approval.

BACKGROUND INFORMATION

| Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc. | |
|--|--|
| 04/04/19 | A Code Enforcement Case (CE-198442) was processed in for overgrown weeds. This case was resolved on 04/24/19 |

| Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc. | |
|---|---|
| 03/11/25 | <p>The Planning Commission voted (6-0) to HOLD IN ABEYANCE the following Land Use Entitlement project requests on 0.55 acres at the southeast corner of Harrison Avenue and Owens Avenue (APNs 139-27-110-001, 004, and 005), T4-N (T4 Neighborhood) Zone, Ward 5 (Summers-Armstrong).</p> <p>24-0616-VAR1 - VARIANCE - TO ALLOW STUB STREET TERMINI WHERE A CUL-DE-SAC OR HAMMERHEAD TERMINUS IS REQUIRED AND TO ALLOW A PRIVATE STREET THAT DOES NOT CONFORM TO TITLE 19.04 COMPLETE STREET STANDARDS FOR PUBLIC STREET REQUIREMENTS</p> <p>24-0616-WVR1 - WAIVER - TO ALLOW A SINGLE FAMILY ATTACHED RESIDENCE THAT DOES NOT CONFORM TO TITLE 19.09 FORM-BASED CODE STANDARDS FOR SETBACK AND FRONTAGE STANDARDS [LOT 1]</p> <p>24-0616-WVR2 - WAIVER - TO ALLOW A SINGLE FAMILY ATTACHED RESIDENCE THAT DOES NOT CONFORM TO TITLE 19.09 FORM-BASED CODE STANDARDS FOR SETBACK, LOT COVERAGE, AND FRONTAGE STANDARDS [LOT 2]</p> |

| Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc. | |
|---|---|
| 03/11/25 | <p>The Planning Commission voted (6-0) to HOLD IN ABEYANCE the following Land Use Entitlement project requests on 0.55 acres at the southeast corner of Harrison Avenue and Owens Avenue (APNs 139-27-110-001, 004, and 005), T4-N (T4 Neighborhood) Zone, Ward 5 (Summers-Armstrong).</p> <p>24-0616-WVR3 - WAIVER - TO ALLOW A SINGLE FAMILY ATTACHED RESIDENCE THAT DOES NOT CONFORM TO TITLE 19.09 FORM-BASED CODE STANDARDS FOR SETBACK, LOT COVERAGE, AND FRONTAGE STANDARDS [LOT 3]</p> <p>24-0616-WVR4 - WAIVER - TO ALLOW A SINGLE FAMILY ATTACHED RESIDENCE THAT DOES NOT CONFORM TO TITLE 19.09 FORM-BASED CODE STANDARDS FOR SETBACK, LOT COVERAGE, AND FRONTAGE STANDARDS [LOT 4]</p> <p>24-0616-WVR5 - WAIVER - TO ALLOW A SINGLE FAMILY ATTACHED RESIDENCE THAT DOES NOT CONFORM TO TITLE 19.09 FORM-BASED CODE STANDARDS FOR SETBACK AND FRONTAGE STANDARDS [LOT 5]</p> <p>24-0616-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED THREE-STORY, SIX-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF TITLE 19.09 FORM-BASED CODE STANDARDS</p> <p>24-0616-TMP1 - TENTATIVE MAP - OWENS & HARRISON RESIDENTIAL - FOR A FIVE-LOT SINGLE-FAMILY, ATTACHED AND ONE, SIX-UNIT MULTI-FAMILY CONDOMINIUM SUBDIVISION WITH WAIVERS OF TITLE 19.09 FORM-BASED CODE STANDARDS</p> |

| Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc. | |
|---|---|
| 04/08/25 | <p>The Planning Commission voted (7-0) to HOLD to recommend APPROVAL the following Land Use Entitlement project requests on 0.55 acres at the southeast corner of Harrison Avenue and Owens Avenue (APNs 139-27-110-001, 004, and 005), T4-N (T4 Neighborhood) Zone, Ward 5 (Summers-Armstrong).</p> <p>24-0616-WVR3 - WAIVER - TO ALLOW A SINGLE FAMILY ATTACHED RESIDENCE THAT DOES NOT CONFORM TO TITLE 19.09 FORM-BASED CODE STANDARDS FOR SETBACK, LOT COVERAGE, AND FRONTAGE STANDARDS [LOT 3]</p> <p>24-0616-WVR4 - WAIVER - TO ALLOW A SINGLE FAMILY ATTACHED RESIDENCE THAT DOES NOT CONFORM TO TITLE 19.09 FORM-BASED CODE STANDARDS FOR SETBACK, LOT COVERAGE, AND FRONTAGE STANDARDS [LOT 4]</p> <p>24-0616-WVR5 - WAIVER - TO ALLOW A SINGLE FAMILY ATTACHED RESIDENCE THAT DOES NOT CONFORM TO TITLE 19.09 FORM-BASED CODE STANDARDS FOR SETBACK AND FRONTAGE STANDARDS [LOT 5]</p> <p>24-0616-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED THREE-STORY, SIX-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF TITLE 19.09 FORM-BASED CODE STANDARDS</p> <p>24-0616-TMP1 - TENTATIVE MAP - OWENS & HARRISON RESIDENTIAL - FOR A FIVE-LOT SINGLE-FAMILY, ATTACHED AND ONE, SIX-UNIT MULTI-FAMILY CONDOMINIUM SUBDIVISION WITH WAIVERS OF TITLE 19.09 FORM-BASED CODE STANDARDS</p> |

| Most Recent Change of Ownership | |
|---------------------------------|--|
| 12/28/17 | A deed was recorded for a change in ownership. |

| Related Building Permits/Business Licenses | |
|---|--|
| No related building permits or business licenses. | |

Staff Report Page Eleven
May 21, 2025 - City Council Meeting

| Pre-Application Meeting | |
|--------------------------------|---|
| 11/19/24 | A pre-application meeting was held to discuss the submittal requirements for a Tentative Map, condominium map, Site Development Plan Review and associated Waivers. |

| Neighborhood Meeting |
|--|
| A neighborhood meeting was not required, nor was one held. |

| Field Check | |
|-------------|---|
| 01/27/25 | During a routine site visit, staff observed a vacant lot with no code violations to note. |

| Details of Application Request | |
|---------------------------------------|------|
| Site Area | |
| Gross Acres | 0.55 |

| Surrounding Property | Existing Land Use Per Title 19.12 | Planned or Special Land Use Designation | Existing Zoning District |
|-----------------------------|--|--|---------------------------------|
| Subject Property | Vacant | FBC (Form-Based Code) | T4-N (T4 Neighborhood) |
| North | Convenience Store | C (Commercial) | C-1 (Limited Commercial) |

| Surrounding Property | Existing Land Use Per Title 19.12 | Planned or Special Land Use Designation | Existing Zoning District |
|-----------------------------|--|--|---------------------------------|
| South | Residential, Single-Family Detached | FBC (Form-Based Code) | T4-N (T4 Neighborhood) |
| East | Residential, Single-Family Detached | FBC (Form-Based Code) | T4-N (T4 Neighborhood) |
| West | Residential, Single-Family Detached | FBC (Form-Based Code) | T4-N (T4 Neighborhood) |

Staff Report Page Twelve
May 21, 2025 - City Council Meeting

| Master and Neighborhood Plan Areas | Compliance |
|--|-------------------|
| Las Vegas 2050 Master Plan Area: Downtown Las Vegas | Y |
| Vision 2045 Downtown Las Vegas Master Plan: Historic Westside District | Y |
| The HUNDRED Plan | Y |
| Special Area and Overlay Districts | Compliance |
| A-O (Airport Overlay) District (140 Feet) | Y |
| DTLV-O (Downtown Las Vegas Overlay) District - Area 3 (Historic Westside District) | Y |
| Other Plans or Special Requirements | Compliance |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area - Area 1 | Y |
| Interlocal Agreement | N/A |
| Project of Significant Impact | N/A |
| Project of Regional Significance | N/A |

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

| Landscaping and Open Space Standards | | | | |
|---|---|--------------|-----------------|-------------------|
| Standards | Required | | Provided | Compliance |
| | Ratio | Trees | | |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 2 Trees | 2 Trees | Y |
| Wall Height | 6 to 8 Feet Adjacent to Residential | | 6 Feet | Y |

| Street Name | Functional Classification of Street(s) | Governing Document | Actual Street Width (Feet) | Compliance with Street Section |
|--------------------|---|----------------------------------|-----------------------------------|---------------------------------------|
| West Owens | Avenue | Title 19.04.350 Complete Streets | 50 | Y |
| Harrison | Avenue | Title 19.04.350 Complete Streets | 50 | Y |
| Internal Street | Private Street | Title 19.04.230 | 28 | N* |

**A Variance is requested to allow a private street that does not conform to Title 19.04 Complete Street Standards for private street requirements*

Staff Report Page Thirteen
May 21, 2025 - City Council Meeting

| Streetscape Standards | Required | Provided | Compliance |
|------------------------------|-----------------------------------|-------------------|-------------------|
| Owens Avenue | Avenue 19.04.350 | Avenue 19.04.350 | Y |
| Harrison Avenue | Matching existing | Matching existing | Y* |
| Private Drive | Minimum 5' Sidewalk on both sides | No S/W | N** |

*The proposed improvements will match the existing adjacent improvements as allowed under Title 19.04.010.

**The proposed private street does not meet the minimum construction standards for public streets. A Variance is requested to allow a private street that does not conform to Title 19.04 Complete Street Standards for private street requirements.

| Parking Requirement - Downtown (Areas 1-3) | | | | | | | |
|--|-------------------------------------|---------------------|---------------------------------------|--------------|---------|--------------|----|
| Use | Gross Floor Area or Number of Units | Required | | Provided | | Compliance | |
| | | Parking Ratio | Parking | | Parking | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Residential, Single Family Attached | 5 units | Two spaces per unit | 10 | | | | |
| Residential, Multi-family | 3, 3-bedroom units | Two spaces per unit | 11 | | | | |
| | 3, 2-bedroom units | 1.5 spaces per unit | | | | | |
| Guest Parking | 11 units total | 1:6 units | 2 | | | | |
| TOTAL SPACES REQUIRED (unweighted) | | | 23 | | | | |
| TOTAL SPACES REQUIRED (weighted requirement; see below) | | | 10-17 | | 12** | | Y |
| Regular and Handicap Spaces Required | | | 9 | 1 | 11 | 1 | Y |
| Downtown Form Based Code Parking Standards - Title 19.09.100.G | | | | | | | |
| Parking Standards High Load - Zone 3 | | | Between 40% and 70% = 10 - 17 | | 12 | | Y |
| Bicycle Parking Requirements | | | 2 min., plus 1 per every 20 units = 3 | | 0 | | N* |

* A condition has been added to provide compliant bicycle parking.

** The tandem parking created by the Driveways and garages are only counted as one parking stall in accordance with 19.08.110(C).

Staff Report Page Fourteen
May 21, 2025 - City Council Meeting

FORM-BASED CODE

Pursuant to Title 19.09, the following standards apply:

| Standard | Required/Allowed | Provided | Compliance |
|---|---|------------------------------------|----------------|
| Table D. Building Types | | | |
| Building Type (Flex Low-rise) [Common Lot 1] | Main Body Width: 120 Feet Max. Main Body Depth: 120 Feet Max | 63 Feet 41 Feet | Y |
| Table E. Building Placement | | | |
| Setback Distance (Front) | 10 Feet Minimum 20 Feet Maximum | 9 Feet | N ¹ |
| Setback Distance (Corner Side) | 10 Feet Minimum 20 Feet Maximum | 10 Feet [Harrison Avenue] | Y |
| | 10 Feet Minimum 20 Feet Maximum | 5 Feet [Harrison Lane] | N ² |
| Building Façade (Front) [West Owens Avenue] | 65 Percent | 47 Percent | N ³ |
| Building Façade (Front) [Harrison Avenue] | 65 Percent | 55 Percent | N ⁴ |
| Building Façade (Side) [Harrison Lane] | 50 Percent | 49 Percent | N ⁵ |
| Table F. Building Form Standards | | | |
| Building Height | 1 Stories Minimum 3 Stories Maximum | 3 Stories | Y |
| Floor-to-Ceiling (Ground) | 9 Minimum | 11 Feet | Y |
| Floor-to-Ceiling (Upper) | 8 Minimum | 11 Feet | Y |
| Footprint – Lot Coverage | 75 % Maximum | 39 Percent | Y |
| Table D. Building Types | | | |
| Building Type (Rowhouse) [Lots 1, 2, 3, 4, 5] | Main Body Width: 18-36' Main Body Depth: 45 max | 21 Feet Width 40 Feet Depth | Y |

Staff Report Page Fifteen
May 21, 2025 - City Council Meeting

| Table E. Building Placement | | | |
|--|--|--|-----------------|
| Setback Distance (Front) | 10 Feet Minimum 20 Feet Maximum | 18 Feet [Lots 1, 2, 3, 4, 5] | Y |
| Setback Distance (Interior Side) | 5 Feet Minimum 30 Feet Maximum | 0 Feet [Lots 1, 2, 3, 4, 5] | N ⁶ |
| Setback Distance (Corner Side) | 10 Feet Minimum 20 Feet Maximum | 6 Feet [Lot 1] 5 Feet [Lot 5] | N ⁷ |
| Setback Distance (Rear) | 15 feet minimum | 10 Feet | N ⁸ |
| Building Façade (Front) [Harrison Lane] | 65 | 77 Percent [Lot 1] 100 Percent [Lots 2, 3, 4] 80 Percent [Lot 5] | Y |
| Building Façade (Side) [Harrison Avenue] | 50 | 60 Percent [Lot 1] | Y |
| Table F. Building Form Standards | | | |
| Building Height | 1 Stories Minimum 3 Stories Maximum | 2 Stories | Y |
| Floor-to-Ceiling (Ground) | 9 Minimum | 11 | Y |
| Floor-to-Ceiling (Upper) | 8 Minimum | 14 | Y |
| Footprint – Lot Coverage | 75 % Maximum | 64% [Lots 2, 3, and 4] 43% [Lot 1] 51% [Lot 5] | Y |
| Table G. Frontages | | | |
| Frontage 1 [Harrison Lane] | Common Yard; 20 Foot Depth | 18 Feet [Lots 1, 2, 3, 4, 5] | N ⁹ |
| Frontage 2 [Harrison Avenue] | Common Yard; 20 Foot Depth | 10 Feet [Common Lot 1] | N ¹⁰ |
| Frontage 3 [Owens Avenue] | Common Yard; 20 Foot Depth | 8 Feet [Common Lot 1] | N ¹¹ |
| Table I. Use Types | | | |
| Single Family, Attached | | Y | |
| Multi-Family Residential | | Y | |
| Table J. Parking Standards | | | |
| Setback from Lot | 10 Feet | Zero Feet | N ¹² |
| Parking Driveway Width | 32-34 Feet | 38 Feet at curb | N ¹³ |

Staff Report Page Sixteen
May 21, 2025 - City Council Meeting

| Table K. Required Street Trees | | | |
|--------------------------------|---|--|---------------------------|
| Amenity Zone Tree Planting | Acacia Pendula Celtis Reticulata Havardia Mexicana Parkinsonia Praecox Pistacia Atlantica Prosopis x Alba Prosopis Glandulosa Quercus Douglasii Vachellia Farnesiana One tree every 20 Feet on center | Acacia Pendula Ilex Vomitoria Lysiloma Watsonii One tree every 20 Feet on center | By Conditon ¹⁴ |

| Table L. Open Space | | | |
|---------------------|---------------------|-------------------------|---|
| Miscellaneous | 50 sf min. per unit | 210 Square Feet Per Lot | Y |

[1] A Waiver of Title 19.09 is requested to allow a nine-foot front setback where 10 feet is required [Common Lot 1]

[2] A Waiver of Title 19.09 is requested to allow a five-foot corner side setback where 10 feet is required [Common Lot 1]

[3] A Waiver of Title 19.09 is requested to allow a 47 percent building façade within Façade Zone where 65 percent is required along Owens Avenue [Common Lot 1].

[4] A Waiver of Title 19.09 is requested to allow a 55 percent building façade within Façade Zone where 65 percent is required along Harrison Avenue [Common Lot 1].

[5] A Waiver of Title 19.09 is requested to allow a 49 percent building façade within Façade Zone where 50 percent is required along Harrison Lane [Common Lot 1].

[6] A Waiver of Title 19.09 is requested to allow a zero-foot interior side yard setback where five feet is required [Lots 1, 2, 3, 4, 5]

[7] A Waiver of Title 19.09 is requested to allow a six foot [Lot 1] and five foot [Lot 5] corner side yard setback where ten feet is required.

[8] A Waiver of Title 19.09 is requested to allow a 10-foot rear setback where 15 feet is required [Lots 1, 2, 3, 4, 5].

[9] A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required along Harrison Lane [Lots 1, 2, 3, 4, 5].

[10] A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with a 10-foot depth where 20 feet is required along Harrison Avenue [Common Lot 1].

[11] A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an eight-foot depth where 20 feet is required along Owens Avenue [Common Lot 1].

[12] A Waiver of Title 19.09 is requested to allow a zero-foot parking setback along Owens Avenue where 10 feet is required.

[13] A Waiver of Title 19.09 is requested to allow a 38-foot wide driveway width where 34 feet is the maximum allowed.

Staff Report Page Seventeen
May 21, 2025 - City Council Meeting

[14] A condition has been added to revise the landscape plan to provide trees from the district specific tree palate in Title 19.09.040.C. The Ilex Vomitoria and Lysiloma Watsonii shall be replaced with an equal number of trees from the district specific tree palate in Title 19.09.040.C.

| Variances – Title 19.04 | | |
|---|--|-----------------------------|
| Requirement | Request | Staff Recommendation |
| A Variance of Title 19.04.070 is requested to allow a private street that does not conform to Title 19.04 Complete Street Standards for private street requirements | A private street that does not conform to Title 19.04 Complete Street Standards for private street requirements. | Y |
| A Variance of Title 19.04.070 is requested to allow a stub street termini where a cul-de-sac or hammerhead terminus is required. | A stub street termini where a cul-de-sac or hammerhead terminus is required. | Y |

| Waivers – Title 19.09 Form-Based Code Standards | | |
|--|--|-----------------------------|
| Common Lot 1 [24-0616-SDR1] | | |
| Requirement | Request | Staff Recommendation |
| A Waiver of Title 19.09 is requested to allow a nine-foot front setback where 10 feet is required. | A nine foot front setback where 10 feet is required. | Y |
| A Waiver of Title 19.09 is requested to allow a nine foot corner side setback where 10 feet is required. | A five foot corner side setback where 10 feet is required. | Y |
| A Waiver of Title 19.09 is requested to allow a 52 percent building façade within Façade Zone where 65 percent is required along Owens Avenue. | A 47 percent building façade within Façade Zone where 65 percent is required along Owens Avenue. | Y |

| Waivers – Title 19.09 Form-Based Code Standards (continued) | | |
|--|---|-----------------------------|
| Common Lot 1 [24-0616-SDR1] | | |
| Requirement | Request | Staff Recommendation |
| A Waiver of Title 19.09 is requested to allow a 41 percent building façade within Façade Zone where 65 percent is required along Harrison Avenue. | A 55 percent building façade within Façade Zone where 65 percent is required along Harrison Avenue. | Y |
| A Waiver of Title 19.09 is requested to allow a 44 percent building façade within Façade Zone where 50 percent is required along Harrison Lane. | A 49 percent building façade within Façade Zone where 50 percent is required along Harrison Lane. | Y |
| A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with a 10-foot depth where 20 feet is required along Harrison Avenue. | A Common Yard frontage not in conjunction with another allowed private frontage type with a 10-foot depth where 20 feet is required along Harrison Avenue. | Y |
| A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with a 10-foot depth where 20 feet is required along Owens Avenue. | A Common Yard frontage not in conjunction with another allowed private frontage type with an eight-foot depth where 20 feet is required along Owens Avenue. | Y |
| A Waiver of Title 19.09 is requested to allow a zero-foot parking setback where 10 feet is required. | A zero-foot parking setback where 10 feet is required. | Y |
| A Waiver of Title 19.09 is requested to allow a 38-foot wide driveway width where 34 feet is the maximum allowed. | A 38-foot wide driveway width where 34 feet is the maximum allowed. | Y |

Staff Report Page Nineteen
May 21, 2025 - City Council Meeting

| Lot 1 [24-0616-WVR1] | | |
|--|--|---|
| A Waiver of Title 19.09 is requested to allow a zero-foot interior side yard setback where five feet is required | A zero-foot interior side yard setback where five feet is required | Y |
| A Waiver of Title 19.09 is requested to allow a six foot corner side yard setback where ten feet is required. | A six foot corner side yard setback where ten feet is required. | Y |
| A Waiver of Title 19.09 is requested to allow a ten foot rear setback where 15 feet is required | A ten foot rear setback where 15 feet is required | Y |
| A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required along Harrison Lane | A Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required along Harrison Lane | Y |

| Waivers – Title 19.09 Form-Based Code Standards | | |
|--|--|-----------------------------|
| Common Lot 1 [24-0616-SDR1] | | |
| Requirement | Request | Staff Recommendation |
| Lot 2 [24-0616-WVR2] | | |
| A Waiver of Title 19.09 is requested to allow a zero-foot interior side yard setback where five feet is required | A zero-foot interior side yard setback where five feet is required | Y |
| A Waiver of Title 19.09 is requested to allow a ten foot rear setback where 15 feet is required | A ten foot rear setback where 15 feet is required | Y |
| A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required along Harrison Lane | A Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required along Harrison Lane | Y |
| Lot 3 [24-0616-WVR3] | | |
| A Waiver of Title 19.09 is requested to allow a zero-foot interior side yard setback where five feet is required | A zero-foot interior side yard setback where five feet is required | Y |
| A Waiver of Title 19.09 is requested to allow a ten foot rear setback where 15 feet is required | A ten foot rear setback where 15 feet is required | Y |
| A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required along Harrison Lane | A Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required along Harrison Lane | Y |
| Lot 4 [24-0616-WVR4] | | |
| A Waiver of Title 19.09 is requested to allow a zero-foot interior side yard setback where five feet is required | A zero-foot interior side yard setback where five feet is required | Y |
| A Waiver of Title 19.09 is requested to allow a ten foot rear setback where 15 feet is required | A ten foot rear setback where 15 feet is required | Y |

| Waivers – Title 19.09 Form-Based Code Standards | | |
|--|--|----------------------|
| Common Lot 1 [24-0616-SDR1] | | |
| Requirement | Request | Staff Recommendation |
| Lot 4 [24-0616-WVR4] | | |
| A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required along Harrison Lane | A Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required along Harrison Lane | Y |
| Lot 5 [24-0616-WVR5] | | |
| A Waiver of Title 19.09 is requested to allow a five foot [Lot 5] corner side yard setback where ten feet is required. | A five foot [Lot 5] corner side yard setback where ten feet is required. | Y |
| A Waiver of Title 19.09 is requested to allow a zero-foot interior side yard setback where five feet is required | A zero-foot interior side yard setback where five feet is required | Y |
| A Waiver of Title 19.09 is requested to allow a ten foot rear setback where 15 feet is required | A ten foot rear setback where 15 feet is required | Y |
| A Waiver of Title 19.09 is requested to allow a Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required along Harrison Lane | A Common Yard frontage not in conjunction with another allowed private frontage type with an 18-foot depth where 20 feet is required along Harrison Lane | Y |

Staff Report Page Twenty-Two
May 21, 2025 - City Council Meeting

Department of Public Works Traffic Study

| Proposed Five-lot Single-Family, Attached and One, Six-unit Multi-Family Condominium Subdivision | | | | |
|--|-------------------------------------|-------|------------|-------|
| Proposed Use | Description | #Unit | Rate/#Unit | Total |
| Average Daily Traffic (ADT) | SINGLE FAMILY ATTACHED [DU] | 5 | 7.2 | 36 |
| AM Peak Hour | | | 0.48 | 3 |
| PM Peak Hour | | | 0.57 | 3 |
| Proposed Use | Description | #Unit | Rate/#Unit | Total |
| Average Daily Traffic (ADT) | MULTIFAMILY HOUSING (LOW-RISE) [SU] | 6 | 6.74 | 40 |
| AM Peak Hour | | | 0.40 | 2 |
| PM Peak Hour | | | 0.51 | 3 |
| Proposed Use | Description | #Unit | Rate/#Unit | Total |
| Average Daily Traffic (ADT) | TOTAL | N/A | N/A | 76 |
| AM Peak Hour | | | | 5 |
| PM Peak Hour | | | | 6 |
| Existing Traffic on Nearby Streets | | | | |
| Owens Avenue | | | | |
| Average Daily Traffic (ADT) | | | 6,266 | |
| PM Peak Hour (Heaviest 60 Minutes) | | | 501 | |
| Harrison Avenue | | | | |
| Average Daily Traffic (ADT) | | | 5,486 | |
| PM Peak Hour (heaviest 60 minutes) | | | 439 | |
| H Street | | | | |
| Average Daily Traffic (ADT) | | | 5,332 | |
| PM Peak Hour (heaviest 60 minutes) | | | 427 | |
| Traffic Capacity of Adjacent Streets: | | | | |
| Adjacent Street ADT Capacity | | | | |
| Owens Avenue | | | 20,280 | |
| Harrison Avenue | | | 20,280 | |
| H Street | | | 16,380 | |
| Summary | | | | |
| This project is expected to add an additional 76 trips per day on Owens Avenue, Harrison Avenue, and H Street. Currently, Owens Avenue is at about 31 percent of capacity, Harrison Avenue is at about 27 percent of capacity, and H Street is about 33 percent of capacity. With this project, these capacities are expected to remain unchanged. | | | | |
| Based on Peak Hour use, this development will add into the area roughly 6 additional peak hour trip, or about one every ten minutes. | | | | |
| Note that this report assumes all traffic from this development uses all named streets. | | | | |