



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: MAY 15, 2024  
DEPARTMENT: COMMUNITY DEVELOPMENT  
ITEM DESCRIPTION: APPLICANT: MICHAELS DEVELOPMENT COMPANY I, L.P.  
– OWNER: SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0067-GPA1	Staff recommends APPROVAL.	
24-0067-ZON1	Staff recommends APPROVAL.	24-0067-GPA1
24-0067-SDR1	Staff recommends APPROVAL, subject to conditions:	24-0067-GPA1 24-0067-ZON1

**\*\* NOTIFICATION \*\***

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 304 (by City Clerk)

PROTESTS 1 - 24-0067 [GPA1, ZON1 AND SDR1]

APPROVALS 0

**\*\* CONDITIONS \*\***

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**24-0067-SDR1 CONDITIONS**

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**Planning**

1. Approval of a General Plan Amendment (24-0067-GPA1) and Rezoning (24-0067-ZON1) 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, landscape plan, date stamped 04/16/24 and building elevations, date stamped 03/18/24, except as amended by conditions herein.
4. A Waiver from Title 19.06.040 is hereby approved, to allow a residential adjacency setback of 19 feet where 75 feet is required for Building #1.
5. A Waiver from Title 19.06.040 is hereby approved, to allow a residential adjacency setback of 62 feet where 75 feet is required for Building #2.
6. A Waiver from Title 19.06.040 is hereby approved, to allow a residential adjacency setback of 51 feet where 75 feet is required for Building #3.
7. A Waiver from Title 19.06.110 is hereby approved, to allow a four-foot perimeter landscape buffer where 15 feet is required on the west perimeter.
8. A Waiver from Title 19.06.110 is hereby approved, to allow a nine-foot perimeter landscape buffer where 10 feet is required on the north perimeter.
9. A Waiver from Title 19.06.110 is hereby approved, to allow a zero-foot to four-foot perimeter landscape buffer where six feet is required along a portion of the south perimeter.
10. An Exception from Title 19.06.040 is hereby approved, to allow 10 trees within the west perimeter landscape buffer where 18 trees are required.

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11. 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.
12. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
13. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.
14. 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.
15. Prior to or at the time of submittal for any building permit, the applicant shall provide written verification by the FAA and/or the Clark County Department of Aviation of the following:
  - a. Applicant is required to file FAA form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA.
  - b. Applicant is advised that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments. Applicant is advised that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.
  - c. No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA.

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- d. No structure greater than 35' in height shall be permitted to be erected or altered that would constitute a hazard to air navigation, or would result in an increase to minimum flight altitudes during any phase of flight, or would otherwise be determined to pose a significant adverse impact on airport or aircraft operations
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

17. Per Title 13.12, dedicate a 15-foot spandrel at the corner of Duncan Drive and Edward Avenue on the Final Map for this site.
18. Construct half-street improvements on Duncan Drive and Edward Avenue adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
19. Extend public sewer in Duncan Drive from Scuba Circle to the western edge of this site, and north from Gowan Road for the full frontage of Edward Avenue at a size, depth and location acceptable to the City of Las Vegas Public Works Sanitary Sewer Engineering.
20. Landscape and maintain all unimproved right-of-way adjacent to this site. 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. Show Site Visibility Restriction Zones at the intersection of Duncan Drive and Edwards Avenue.
21. Prior to the submittal of construction drawings for this site, in accordance with Section 2.2 of the City's Vision Zero Action Plan, submit a pedestrian circulation plan to identify nearby pedestrian attractors and recommend measures to accommodate pedestrians, such as but not limited to pedestrian access, crosswalk, pedestrian activated flashers and temporary sidewalks. Comply with the recommendations of the approved pedestrian circulation plan.

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22. Prior to the submittal of construction drawings for this site, in accordance with Section 2.2 of the City's Vision Zero Action Plan, submit a pedestrian circulation plan to identify nearby pedestrian attractors and recommend measures to accommodate pedestrians, such as but not limited to pedestrian access, crosswalk, pedestrian activated flashers and temporary sidewalks. Comply with the recommendations of the approved pedestrian circulation plan.
23. This site is in a Federal Emergency Management Area (FEMA) designated flood zone. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. Additionally, a Conditional Letter of Map Revision (CLOMR) must be obtained from FEMA prior to the issuance of any construction permits.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is proposing to develop a two-story tall, 80-unit multi-family residential development on 5.15 acres at the southeast corner of Duncan Drive and Edward Avenue.

**ISSUES**

- A General Plan Amendment (24-0067-GPA1) is requested from DR (Desert Rural Density Residential) to M (Medium Density Residential). Staff supports this request.
- A Rezoning (24-0067-ZON1) is requested from R-E (Residence Estates) to R-3 (Medium Density Residential). Staff supports this request.
- The proposed Residential, Multi-family land use is permitted in the proposed R-3 (Medium Density Residential) zoning district.
- A Site Development Plan Review (24-0067-SDR1) is requested for a proposed two-story, 80-unit multi-family residential development. Staff supports this request.
- A Waiver of Title 19.06.040 is requested to allow a residential adjacency setback of 19 feet where 75 feet is required for Building #1. Staff supports this request.
- A Waiver of Title 19.06.040 is requested to allow a residential adjacency setback of 62 feet where 75 feet is required for Building #2. Staff supports this request.
- A Waiver of Title 19.06.040 is requested to allow a residential adjacency setback of 51 feet where 75 feet is required for Building #3. Staff supports this request.
- A Waiver of Title 19.06.110 is requested to allow a four-foot perimeter landscape buffer where 15 feet is required on the west perimeter. Staff supports this request.
- A Waiver of Title 19.06.110 is requested to allow a nine-foot perimeter landscape buffer where 10 feet is required on the north perimeter. Staff support this request.
- A Waiver of Title 19.06.110 is requested to allow a zero to four-foot perimeter landscape buffer where six feet is required on a portion of the south perimeter. Staff supports this request.
- An Exception of Title 19.06.040 is requested to allow 10 perimeter landscape buffer trees where 18 trees are required on the west landscape buffer. Staff supports this request.
- Trees indicated on the Landscape Plan within the Site Visibility Zone (SVZ) will not be planted and are not counted as part of the perimeter landscape buffer tree requirements.

## ANALYSIS

The subject site is currently zoned R-E (Residence Estates) with a DR (Desert Rural Density Residential) land use designation and is subject to Title 19 development standards. The site has been undeveloped since at least 1990 and is bordered by multi-family residential development to the north and east. Across Edward Avenue to the west are existing single-family dwellings that are located in Clark County that are zoned RS20 (Residential Single-Family 20). To the south are additional existing single-family dwellings that are zoned R-E (Residence Estates).

The applicant has proposed a General Plan Amendment (24-0067-GPA1) from DR (Desert Rural Density Residential) to M (Medium Density Residential). The M (Medium Density Residential) category allows multi-family units such as plexes, townhomes, and low-density apartments up to 25.50 dwelling units per acre. The proposed 80-unit multi-family residential development on 5.15 acres proposes a maximum density of 15.53 units per acre, which falls below the maximum density allowed. The M (Medium Density Residential) land use designation allows the R-TH (Single Family Attached), R-2 (Medium-Low Density Residential), R-3 (Medium Density Residential) and PD (Planned Development) zoning districts.

Subsequently, the applicant also proposes a Rezoning (24-0067-ZON1) of the subject site from R-E (Residence Estates) to R-3 (Medium Density Residential). The R-3 (Medium Density Residential) zoning district is intended to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The zoning district is consistent with the policies of the M (Medium Density Residential) and H (High Density Residential) land use categories of the General Plan.

The City of Las Vegas 2050 Master Plan includes land use strategies where a rezoning or land use change may be necessary to further diversify housing options for multiple income levels. If approved, the proposed Rezoning and General Plan Amendment would further enable for the development of housing types like apartments on a site that has otherwise remained undeveloped. Additionally, as the Rancho Drive corridor will see directed medium to higher-density transit-oriented development, the proposed Rezoning and General Plan Amendment is appropriate and would further complement future development and will serve as a transition between higher-density development on Rancho Drive and single-family dwellings to the south and west. Staff finds that the proposed R-3 (Medium Density Residential) zoning district is consistent with the proposed M (Medium Density Residential) land use designation. Therefore, staff also finds the proposed zoning district and land use designation is also compatible with existing adjacent multi-family residential zoning designations and uses to the north and east and the existing single-family dwellings that are located to the west and south of the subject site. Therefore, staff recommends approval of the requested General Plan Amendment (24-0067-GPA1) and Rezoning (24-0067-ZON1).

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The applicant has proposed to develop a two-story, 80-unit multi-family residential (apartment) development consisting of 20 one-bedroom units, 44 two-bedroom units, 12 three-bedroom units, and 4 four-bedroom units that are spread across seven buildings. In conjunction, the proposed development also includes a one-story, 3,398 square-foot private community center and leasing office with amenities that include: a community room, fitness room, computer room, mail room, and outdoor patio spaces. There are also additional areas of open space spread throughout the development for the residents to utilize which include a park, playground, and courtyard areas. The applicant indicates a future basketball court, which will be built in a later phase of this development.

The submitted elevations depict a maximum building height of 24 feet, six inches for the seven proposed two-story multi-family residential buildings. The proposed clubhouse building is 18 feet, six inches. All building facades are treated with “Cotton Tail”, “Hikers Paradise”, “On the Edge”, and “Black Widow” stucco finish. The proposed buildings are then accented with “Eldorado Dark Stone Rundle” stacked veneer accents with “Crazed Cranberry” doors and “Starless Sky” metal accents. All rooftop mounted equipment has been designed to be screened from the public view and right-of-way by parapet walls.

Due to the subject site’s proximity to the North Las Vegas Airport (VGT), Federal Aviation Regulations (14 CFR, Part 77) and City of Las Vegas (CLV) Code (Section 19.10.080) require that the Federal Aviation Administration (FAA) be notified before the construction or alteration of any building or structure that will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of any airport runway or for any structure greater than 200 feet in height. Such notification allows the FAA to determine what impact, if any, the proposed development will have upon aircraft operations, and allow the FAA to determine whether the development should be obstruction marked or lighted.

The proposed development would exceed the 100:1 notification requirement or is greater than 200 feet in height.

Additionally, as the proposed development lies just outside the 2015 AE-60 (60-65 DNL) noise contour for North Las Vegas Airport (VGT), the development is subject to significant noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade VGT to meet future air traffic demand, and nighttime operations may and will continue at VGT. Therefore, the applicant is strongly advised to issue a stand-alone noise disclosure statement to the purchaser or renter of each unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation’s Noise Office at [landuse@lasairport.com](mailto:landuse@lasairport.com). Additionally, the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998, and funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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Pursuant to Title 19.12, on-site parking requirements for a Residential, Multifamily land use are as follows: 1.25 spaces for each one bedroom unit, 1.75 spaces for each two bedroom units, and two spaces for three and four bedroom units. Guest parking spaces are also required at a rate of one space per six dwelling units. Based on the distribution of the proposed 80 units, the proposed development requires 148 parking spaces. The submitted site plan indicates that the development exceeds this requirement by providing 151 parking spaces.

Additional Waivers are requested of perimeter landscape buffer requirements. Pursuant to Title 19.06.110, landscape buffers adjacent to right-of-way are required to be increased to 15 feet when adjacent to or across the street from an existing single-family residential use or zoning district. The proposed development, instead, provides a four-foot landscape buffer along Edward Drive, where single-family residential uses are located to the west. The landscape buffer adjacent to Duncan Drive is approximately nine feet where 10 feet is required. Interior landscape buffers shall also be six feet, where the applicant has instead proposed a zero to four-foot perimeter landscape buffer along a portion of the south property line. An Exception is also required for a reduction in required perimeter landscape materials as 10 perimeter landscape buffer trees are proposed where 18 trees are required for the west perimeter landscape buffer. Staff finds these requests to be minimal and will not compromise the objectives of the City of Las Vegas in relation to urban forestry goals identified in the City of Las Vegas 2050 Master Plan, as the applicant has provided excess landscape materials throughout the development. Therefore, staff supports these Waiver and Exception requests.

The subject site is bordered by R-E (Residence Estates) single-family dwellings to the south. Pursuant to Title 19.06.040.I, all property to be developed for multi-family residential or a nonresidential use that is located adjacent to property which is zoned R-E, R-D, R-1, R-SL, or R-CL is subject to residential adjacency standards. While buildings are required to be setback at least 75 feet from the protected property line, proposed buildings #1, #2, and #3 are set back at 19 feet, 62 feet, and 51 feet, respectively. Title 19.06.040 also stipulates that residential adjacency requirements may be waived by the City Council for:

- I. Any multi-family residential project that is intended to meet the affordable housing objectives of the General Plan if the City Council determines that the waiver is critical to the viability of the project and that the intent of this Paragraph (2) can be achieved; or
- II. Any mixed-use development that contains a significant residential element.

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The submitted justification letter indicates that meeting the affordable housing intent of the general plan will involve designating 54 of the 80 total proposed units (67.5 percent) as low/very low income defined by the United States Department of Housing and Urban Development guidelines as 50 percent of medium income for the area, as adjusted. The 54 affordable housing units will be comprised of 14 one-bedroom units, 27 two-bedroom units, 9 three-bedroom units, and 4 four-bedroom units. Staff finds sufficient evidence has been found to allow the applicant to request Waivers of residential adjacency requirements.

The City of Las Vegas 2050 Master Plan is a visionary policy document of the community, which identifies where land use changes may be anticipated or desired and how they should function. In the future, Las Vegas' demographic projections anticipate up to 300,000 new residents within city limits by 2050. Considering current constraints on our water supply, single-family housing consumes the greatest amounts of water when compared to multi-family residential development. As the City of Las Vegas manages the delicate balance between growth and sustainability, key land use planning strategies include prioritizing and incentivizing construction of "Missing Middle" housing: low-rise multifamily units. For the Rancho neighborhood area in particular, the City of Las Vegas envisions medium to higher-density development to support existing, well-established shopping centers in the Rancho Drive corridor. These goals would be achieved in-part by providing diverse housing options.

At the same time, Las Vegas struggles with the same issues of equity that are common across urban environments – especially in respect to affordable housing. Las Vegas has made increasing affordable housing types and choices for all income levels a chief priority to address existing and future challenges facing current city residents seeking housing. By focusing on availability, affordability, and access, the City of Las Vegas supports the assumption that upper class residents who can afford market rate housing will have little need for housing assistance while those who are a part of the "missing middle" and lower income levels would benefit from an affordable housing project, like the proposed development.

Because there is such a high proportion of single-family residential and apartment-type multi-family units, the City must improve the diversity of housing types with TOD, infill, and diverse housing options identified for each area of the city:

- Through the removal of zoning barriers and incentivizing and integrating affordable housing
- By increasing affordable housing options and removing barriers to affordability
- By providing financial tools and strategies for developers, homeowners and investors

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The proposed development, if approved would contribute to the desired affordable housing outcomes of the City of Las Vegas 2050 Master Plan, which calls for affordable housing to be developed at a rate of at least 1,000 units annually.

Staff finds the proposed Waivers of residential adjacency, perimeter landscape buffer, and an Exception of reduced perimeter landscape buffer trees will not negatively impact surrounding development and will not compromise the intent of the City of Las Vegas 2050 Master Plan. Additionally, the proposed multifamily development supports the goals of the City of Las Vegas 2050 Master Plan by providing an affordable housing development, including the construction of “Missing Middle” housing: low-rise (3-5 story) multi-family residential units. Therefore, staff recommends approval of the requested General Plan Amendment, Rezoning and Site Development Plan Review, subject to conditions.

**FINDINGS (24-0067-GPA1)**

Section 19.16.030(l) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

The density and intensity of the proposed M (Medium Density Residential) land use designation is compatible with adjacent multifamily and single-family residential land use designations.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

The proposed R-3 (Medium Density Residential) zoning district is compatible with the adjacent multifamily and single-family residential zoning districts.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

There are transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment (24-0067-GPA1).

4. **The proposed amendment conforms to other applicable adopted plans and policies.**

The proposed General Plan Amendment (24-0067-GPA1) supports the City of Las Vegas 2050 Master Plan in relation to affordable housing.

#### **FINDINGS (24-0067-ZON1)**

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

If approved, the proposed R-3 (Medium Density Residential) zoning district conforms to the proposed M (Medium Density Residential) land use designation.

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

The proposed R-3 (Medium Density Residential) zoning district allows for multi-family residential developments that are compatible with adjacent multi-family residential development in the area.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

Growth and development factors in the community indicate the need for rezoning to allow development consisting of affordable housing.

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

Duncan Drive is a 40-foot local street and Edward Avenue is a 36-foot local street. Both streets are adequate in size to accommodate the requirements of the proposed zoning district.

**FINDINGS (24-0067-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;**

Despite requested Waivers for residential adjacency and perimeter landscape buffer requirements and an Exception for reduced perimeter landscape trees, staff finds the proposed multifamily development is compatible with the adjacent multifamily residential development to the east and north and single-family residential development to the west and south.

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

The proposed development supports the goals of the City of Las Vegas 2050 Master Plan and is consistent with those policies and standards.

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

Site access is designed to not negatively impact adjacent roadways as ingress/egress is only allowed on Edward Avenue.

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

The building and landscape materials are typical for a desert environment and are appropriate for the area and the City.

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 proposed building elevations create an aesthetically pleasing environment, and are harmonious and compatible with development in the area.

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

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If approved, the proposed development is subject to building permit reviews and regular inspections during construction to ensure the public health, safety and general welfare are protected.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
01/20/71	The Board of Commissioners approved a Reclassification of Property (Z-0073-70) from C-2 (General Commercial) to R-E (Residence Estates for property generally located 285 feet west of Tonopah Highway between Duncan Drive and Gowan Road.
04/28/06	The Planning Commission voted to recommend denial on a General Plan Amendment (GPA-12360) from DR (Desert Rural Density Residential) to MLA (Medium-Low Attached Density Residential) on 5.15 acres at 5901 Duncan Drive.
04/28/06	The Planning Commission voted to recommend denial on a Rezoning (ZON-12360) from R-E (Residence Estates) to R-3 (Medium Density Residential) on 5.15 acres at 5901 Duncan Drive.
04/28/06	The Planning Commission voted to recommend denial of a Site Development Plan Review (SDR-12774) for a proposed two-story, 60-unit apartment complex at 5901 Duncan Drive.
06/09/06	The City Council tabled a Rezoning (ZON-12363) from R-E (Residence Estates) to R-3 (Medium Density Residential) on 5.15 acres at 5901 Duncan Drive.
06/09/06	The City Council tabled a General Plan Amendment (GPA-12360) from DR (Desert Rural Density Residential) to MLA (Medium Low Attached Density Residential) on 5.15 acres at 5901 Duncan Drive.
06/09/06	The City Council tabled a Site Development Plan Review (SDR-12774) for a proposed two-story, 60-unit apartment complex at 5901 Duncan Drive.

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
4/9/24	<p>The Planning Commission voted (7-0) to APPROVE For possible action on the following Land Use Entitlement project requests on 5.15 acres on the southeast corner of Duncan Drive and Edward Avenue (APN 138-12-210-021), Ward 5 (Crear). Staff recommends APPROVAL on the Land Use Entitlement project.</p> <p>24-0067-GPA1 - GENERAL PLAN AMENDMENT - FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL)</p> <p>24-0067-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL)</p> <p>24-0067-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED TWO-STORY, 80-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF RESIDENTIAL ADJACENCY AND PERIMETER LANDSCAPE BUFFER REQUIREMENTS</p>

<b><i>Most Recent Change of Ownership</i></b>	
05/25/11	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
There are no related building permits or business licenses.	

<b><i>Pre-Application Meeting</i></b>	
02/01/24	A pre-application meeting was held with the applicant to discuss the submittal requirements for a General Plan Amendment, Rezoning, and Site Development Plan Review

<b>Neighborhood Meeting</b>	
03/20/24	<p>A Neighborhood Meeting was held on Wednesday, March 20<sup>th</sup> at 6:00 p.m. at the Sonesta Select – Las Vegas Summerlin Hotel</p> <p>Meeting Start Time: 6:00 p.m. Meeting End Time: 7:30 p.m.</p> <p>Attendance: 9 representatives for the applicant 2 members of city staff (1 Department of Community Development Staff   1 Office of The City Council Staff) 8 members of the public</p> <p>The applicant opened the meeting at 6:00 p.m. by introducing/presenting the proposed project. The applicant then opened up the meeting to questions.</p> <ul style="list-style-type: none"> <li>- Concerns whether applicant has been in communication with Planning Commissioner and City Councilperson. <ul style="list-style-type: none"> <li>o Office of the City Council staff provided contact information to the public</li> </ul> </li> <li>- Concern raised regarding crime in the area. <ul style="list-style-type: none"> <li>o Applicant clarified that background checks will be performed to help mitigate crime concerns.</li> </ul> </li> <li>- Concern about potential renters not caring about community/investing in the neighborhood.</li> <li>- Member of the public stated that they would only support single-family development. <ul style="list-style-type: none"> <li>o Applicant clarified that this will be proposed as a multi-family residential development and the need for housing is high.</li> </ul> </li> <li>- Concern raised about previous request in 2006 for a similar affordable housing project on the site.</li> </ul>

<b>Neighborhood Meeting</b>	
03/20/24	<ul style="list-style-type: none"> <li>- Question regarding whether the development would have an HOA               <ul style="list-style-type: none"> <li>o The applicant indicated that the apartment complex would not have an HOA, but would instead be managed by The Michael's Organization</li> </ul> </li> <li>- Member of the public expressed that proposed development should house veterans instead</li> <li>- Concern about timeline for development.               <ul style="list-style-type: none"> <li>o The applicant indicated that they will close at the end of the year and estimates a 14-month construction window.</li> </ul> </li> <li>- Question raised about potential collaboration between Westcare Transitional Care.               <ul style="list-style-type: none"> <li>o The applicant indicated that there would be no collaboration with the mentioned organization.</li> </ul> </li> <li>- Questions about AMI calculation.               <ul style="list-style-type: none"> <li>o The applicant responded by providing a breakdown of how AMI is calculated.</li> </ul> </li> <li>- Concerns about water supply and population growth.</li> <li>- Concerns about south wall locations and being placed upon an easement.               <ul style="list-style-type: none"> <li>o Applicant clarified that there are no easements.</li> </ul> </li> <li>- Concerns about proposed apartments being able to view into adjacent houses.               <ul style="list-style-type: none"> <li>o Applicant clarified that apartment buildings would be buffered by parking lot, landscape buffer, and wall and would be limited to two stories.</li> </ul> </li> <li>- Residents expressed desire to clean up adjacent apartments before any development is proposed on the subject site.               <ul style="list-style-type: none"> <li>o Applicant expressed willingness to collaborate with both the members of the public and adjacent multi-family apartments to improved conditions in the area.</li> </ul> </li> <li>- Concerns about flood channel and potential for the development to flood adjacent homes.               <ul style="list-style-type: none"> <li>o Applicant clarified that the development adheres to drainage law and will help mitigate flood issues with the completion of off-site improvements</li> </ul> </li> <li>- Question about whether the development would impact flooding on Gowan.               <ul style="list-style-type: none"> <li>o Applicant clarified that flood zone has no impact on Gowan.</li> </ul> </li> <li>- Concerns about degrading apartments over time.               <ul style="list-style-type: none"> <li>o Applicant clarified that the management company for the proposed development would ensure that the proposed development would remain harmonious and compatible with the surrounding area.</li> </ul> </li> </ul>



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<b>Neighborhood Meeting</b>	
03/20/24	<ul style="list-style-type: none"> <li>- Members of public expressed that additional jobs should be secured to afford market rate housing.               <ul style="list-style-type: none"> <li>o Applicant reiterated the need to provide affordable units.</li> </ul> </li> <li>- Question about whether any units will be ADA accessible.               <ul style="list-style-type: none"> <li>o Applicant clarified that there will be ADA accessible units as part of the development.</li> </ul> </li> <li>- Question about increasing CMU block wall height with additional twine and/or electric fencing.               <ul style="list-style-type: none"> <li>o The applicant has indicated that the block wall will be 8 feet tall and will not include twine or electric fencing.</li> </ul> </li> </ul> <p>The meeting was then closed at 7:30 p.m.</p>

<b>Field Check</b>	
02/28/24	Staff conducted a routine field check of the subject property and observed an undeveloped lot. Nothing of concern was noted.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	5.15

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Residential, Multi-family	SC (Service Commercial)	R-3 (Medium Density Residential)
South	Residential, Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Residential, Multi-family	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Residential, Single Family, Detached	RS20 (Residential Single Family 20 – Clark County)	R-E (Ranch Estate Neighborhood – Clark County)

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: Rancho	Y
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
A-O (Airport Overlay) District (105 Feet)	Y
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
Trails	N/A
Las Vegas Redevelopment Plan Area – (Area ½)	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.06, the following standards apply:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	6,500 SF	224,334 SF	Y
Min. Lot Width	N/A	400 Feet	Y
Min. Setbacks – Clubhouse			
• Front	10 Feet	259 Feet	Y
• Side	5 Feet	174 Feet	Y
• Corner	5 Feet	62 Feet	Y
• Rear	75 Feet	267 Feet	Y
Min. Setbacks – Maintenance Shed			
• Side	3 Feet	6 Feet	Y
• Corner	5 Feet	420 Feet	Y
• Rear	3 Feet	299 Feet	Y
Min. Setbacks – Building 1			
• Front	10 Feet	272 Feet	Y
• Side	5 Feet	205 Feet	Y
• Corner	5 Feet	301 Feet	Y
• Rear	75 Feet	19 Feet	N*
Min. Setbacks – Building 2			
• Front	10 Feet	417 Feet	Y
• Side	5 Feet	205 Feet	Y
• Corner	5 Feet	301 Feet	Y
• Rear	75 Feet	62 Feet	N*

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<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Setbacks – Building 3 <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul>	10 Feet 5 Feet 5 Feet 75 Feet	337 Feet 80 Feet 354 Feet 51 Feet	Y Y Y N*
Min. Setbacks – Building 4 <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul>	10 Feet 5 Feet 5 Feet 75 Feet	175 Feet 80 Feet 255 Feet 208 Feet	Y Y Y Y
Min. Setbacks – Building 5 <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul>	10 Feet 5 Feet 5 Feet 75 Feet	26 Feet 68 Feet 207 Feet 391 Feet	Y Y Y Y
Min. Setbacks – Building 6 <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul>	10 Feet 5 Feet 5 Feet 75 Feet	181 Feet 165 Feet 147 Feet 179 Feet	Y Y Y Y
Min. Setbacks – Building 6 <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul>	10 Feet 5 Feet 5 Feet 75 Feet	21 Feet 359 Feet 20 Feet 187 Feet	Y Y Y Y
Min. Distance Between Buildings	10 Feet	110 Feet	Y
Max. Lot Coverage	N/A	19%	N/A
Max. Building Height – Clubhouse	2 stories, or 35 Feet	One Story/18 Feet	Y
Max. Building Height – Maintenance Shed	2 stories, or 35 Feet	One Story/15 Feet	Y
Max. Building Height – Building 1	5 stories or 55 Feet	2 stories/ 24 feet, 6 inches	Y
Max. Building Height – Building 2	5 stories or 55 Feet	2 stories/ 24 feet, 6 inches	Y
Max. Building Height – Building 3	5 stories or 55 Feet	2 stories/ 24 feet, 6 inches	Y

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<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Max. Building Height – Building 4	5 stories or 55 Feet	2 stories/ 24 feet, 6 inches	Y
Max. Building Height – Building 5	5 stories or 55 Feet	2 stories/ 24 feet, 6 inches	Y
Max. Building Height – Building 6	5 stories or 55 Feet	2 stories/ 24 feet, 6 inches	Y
Max. Building Height – Building 7	5 stories or 55 Feet	2 stories/ 24 feet, 6 inches	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

<b>Residential Adjacency Standards</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
3:1 proximity slope – Building 1	75 Feet	19 Feet	N*
3:1 proximity slope – Building 2	75 Feet	62 Feet	N*
3:1 proximity slope – Building 3	75 Feet	51 Feet	N*
Trash Enclosure	50 Feet	50 Feet	Y

\*A Waiver of Title 19.06.040 is requested to allow a 19-foot residential adjacency setback where 75 feet is required; to allow a 62-foot residential adjacency setback where 75 feet is required; and to allow a 51-foot residential adjacency setback where 75 feet is required.

<b>Existing Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-E (Residence Estates)	2.49 du/ac	12 du
<b>Proposed Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-3 (Medium Density Residential)	Up to 25.5 du/ac	131 du
<b>Existing General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
DR (Desert Rural Density Residential)	2.49 du/ac	12 du
<b>Proposed General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
M (Medium Density Residential)	Up to 25.5. du/ac	131 du

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***Pursuant to Title 19.08, the following standards apply:***

<b><i>Landscaping and Open Space Standards</i></b>				
<b><i>Standards</i></b>	<b><i>Required</i></b>		<b><i>Provided</i></b>	<b><i>Compliance</i></b>
	<b><i>Ratio</i></b>	<b><i>Trees</i></b>		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	16 Trees	17 Trees	Y
• South	1 Tree / 20 Linear Feet	33 Trees	37 Trees	Y
• East	1 Tree / 20 Linear Feet	32 Trees	40 Trees	Y
• West	1 Tree / 20 Linear Feet	18 Trees	10 Trees	N**
<b>TOTAL PERIMETER TREES</b>		<b>99 Trees</b>	<b>104 Trees</b>	<b>Y</b>
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	13 Trees	30 Trees	Y
<b>LANDSCAPE BUFFER WIDTHS</b>				
Min. Zone Width				
• North	10 Feet		9 Feet	Y
• South	6 Feet		0 Feet	N*
• East	6 Feet		0-4 Feet	N*
• West	15 Feet		4 Feet	N*
Wall Height	6 to 8 Feet Adjacent to Residential		6 Feet	Y

\*A Waiver of Title 19.06.110 is requested to allow a nine-foot perimeter landscape buffer where 10 feet is required for the north landscape buffer and to allow a four-foot perimeter landscape buffer where 15 feet is required for the west landscape buffer.

\*\*An Exception is requested to allow a reduction in perimeter landscape buffer trees on the west landscape buffer.

<b><i>Street Name</i></b>	<b><i>Functional Classification of Street(s)</i></b>	<b><i>Governing Document</i></b>	<b><i>Actual Street Width (Feet)</i></b>	<b><i>Compliance with Street Section</i></b>
Duncan Drive	Local Street	Title 13	40 Feet	Y
Edward Avenue	Local Street	Title 13	36 Feet	Y

***Pursuant to Title 19.08 and 19.12, the following parking standards apply:***

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Residential, Multifamily	20 One-Bedroom Units	1.25/unit	25				
	44 Two-Bedroom Units	1.75/unit	77				
	12 Three-Bedroom Units	2/unit	24				
	4 Four-Bedroom Units	2/unit	8				
Guest Parking		1 space per 6 units	14				
TOTAL SPACES REQUIRED			148				
Regular and Handicap Spaces Required			143	5	143	8	Y

<b>Waivers</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
Provide a residential adjacency setback of 75 feet	To allow a 19-foot residential adjacency setback (Building #1)	Approval
Provide a residential adjacency setback of 75 feet	To allow a 62-foot residential adjacency setback (Building #2)	Approval
Provide a residential adjacency setback of 75 feet	To allow a 51-foot residential adjacency setback (Building #3)	Approval
Provide a 15-foot perimeter landscape buffer	To allow a four-foot perimeter landscape buffer for the west buffer	Approval
Provide a 10-foot perimeter landscape buffer	To allow a nine-foot perimeter landscape buffer	Approval
Provide an eight-foot perimeter landscape buffer	To allow a zero to four-foot perimeter landscape buffer	Approval

<i>Exceptions</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Provide 18 perimeter landscaper buffer trees on the west landscape buffer	To provide 10 perimeter landscape buffer trees on the west landscape buffer	Approval