

February 14, 2024

**VIA ELECTRONIC UPLOAD**

CITY OF LAS VEGAS PLANNING & ZONING  
495 S. Main Street  
Las Vegas, NV 89101

***Re: Justification Letter –General Plan Amendment, Zone Change, Site Plan  
Review for Multifamily Development, Variances  
APN: 138-12-210-021***

To Whom It May Concern:

Please be advised this office represents Michaels Development Company I, L.P, (the Applicant”) in the above-referenced matter. The Applicant is proposing a multifamily development on the southeast corner of Duncan Drive and Edward Avenue, more particularly described as APN: 138-12-210-021 (the “Site). The Site is currently zoned Residential Estates (R-E) within the Desert Rural (DR) general plan. With the proposed multifamily development, the Applicant is requesting a site plan review and related variances.

**General Plan Amendment**

The subject Site is planned Desert Rural, which currently allows for a density of 2.49 units per acre. The Applicant requests a General Plan Amendment from Desert Rural to Medium Density Residential (M), which includes a variety of multifamily units. The proposed plan designation would allow up to 25.49 units per acre. This request for a General Plan Amendment is appropriate for the proposed multifamily development, which proposes a density of 15.53 units per acre - well under the threshold for a general plan designation of M. In further support, the existing multifamily development to the east is currently zoned R-3 within the M plan designation. Thus, this general plan amendment is appropriate and compatible with the existing uses in the area.

**Zone Change**

The Applicant is requesting a zone change from R-E to Medium Density Residential (R-3) to accommodate the proposed multifamily residential development. The purpose of the R-3 zoning district is to provide for the development of medium density, multifamily units such as proposed here. The Site is generally located west of Rancho Drive and north of Gowan Road. More specifically, to the north of the Site is an existing multifamily residential development, also zoned R-3. To the east is yet another multifamily development, also zoned R-3. To the south is a single

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family homes, zoned R-E. To the west are single family homes within Clark County, planned Ranch Estate Neighborhood and zoned Residential Single-Family (RS20).

The proposed multifamily development is compatible with other developments in the area zoned R-3, including the multifamily project adjacent to the Site's eastern property line. As evidenced by the already-existing multifamily developments in the immediate area, the proposed multifamily development is compatible with area and can coexist with the single-family homes to east. The proposed Site is appropriate for multifamily and the requested zone change to R-3 should be permitted.

### **Site Development Plan Review**

The Applicant proposed a multifamily development on approximately 5.15 acres, located west of Rancho Drive, north of Gowan Road. The Site is currently vacant, and surrounded by residential uses in each direction. The proposed multifamily development qualifies as an affordable housing development under City of Las Vegas Municipal Code Title 19.17. To meet these criteria, 54 of the 80 total proposed units (67.5 percent) will be designated as Low/Very Low Income defined by U.S. Department of Housing and Urban Development ("HUD") guidelines as 50 percent of median income for the area, as adjusted. The 54 affordable housing units shall be comprised of 14 one-bedroom units, 27 two-bedroom units 9 three-bedroom units, and 4 four-bedroom units.

The Applicant proposes 80 total units across 6 buildings on the Site at a proposed density of 15.53 units per acre. The proposed buildings are 2 stories, for a total maximum building height of 24 feet, 6 inches, where 55 feet is allowed in R-3. In addition to the 6 residential buildings, the proposed Site will include a clubhouse with a maximum height of 18 feet, 6 inches. The Applicant proposes a variety of living spaces, including one-, two-, three -, and four-bedroom units. The Site will also provide a clubhouse with a fitness center, and sufficient open spaces, including a pavilion, a park area, a dog run, a half basketball court and playground for children.

The Site provides a total of 148 parking spaces where 148 spaces are required. Further, 80 of the 148 proposed parking spaces are covered and 6 of the 148 spaces are ADA parking spaces where 4 ADA spaces are required. The Site further proposes 24 bicycle parking spaces where 20 spaces are required. As proposed, the Site provides more ADA parking and bicycle parking than required by code. Landscaping is also proposed along the perimeter of the Site, including ample landscaping buffering along the south property line adjacent to single family residential as well as a dog park in the southeast corner of the Site.

The Applicant is meeting all standards for multifamily development, with the exception of the variances discussed below.

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## Variances

### **Reduced Landscape Buffers along Edward Avenue**

The City of Las Vegas Unified Development Code (“Code”) requires a landscape buffer of 15 feet when adjacent across the street from the existing residential. The Site currently proposes a 5-foot landscape buffer along Edward Avenue. To start, the single family homes to the west do not provide landscape buffers on their property. Even then, the reduced landscape buffer provides sufficient width to buffer the homes to the west. Although, the Site proposes a 5-foot landscape buffer, it is essentially a 10-foot landscape buffer with a wrought iron fence placed at the midway point of 5 feet. *See* A1.70, Western Property Street Section. Further, the Site proposes enhanced landscaping within the 5 feet to ensure an enhanced visual presence from the homes to the west, across the 60-foot right-of-way.

### **Reduced Landscape Buffer at Southern Property Line**

The Code requires residential adjacency standards to be met for multifamily developments located near residential communities. Here, the Site is adjacent to single-family residences along the southern boundary. The Code requires that for the proposed R3 zoning, a 15-foot landscape buffer is required abutting single family residential homes. The Applicant is requesting a reduction from 15 to 10 feet along the southern boundary. First, the existing homes to the south are set back from the property line by more than 200 feet. Second, the proposed 10 foot buffer will be planted in accordance with City of Las Vegas standards and will provide sufficient landscaping buffering given the existing offsets. Even more, the Applicant is providing significantly more landscaping in the proposed 10-foot landscape buffer than is required as shown in A1.42.

## Waiver

The Applicant further requests a waiver to the Code’s residential adjacency building setback provision which requires a 3:1 line of site setback for the proposed buildings. Here, with a maximum building height of 24 feet, 6 inches for the buildings along the western portion, the Applicant would need line of site setback of 73 feet, 8 inches which it does not meet. However, the reduced line of sight only includes a small portion of the building. Lastly, the Code allows this requirement to be waived for multi-family developments intending to meet the General Plan’s affordable housing objectives and this waiver is critical to the viability of the project. As such, the Applicant request the foregoing waiver for a reduced line of sight setback.

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Thank you in advance for your consideration of these applications. If you have any questions or need additional information, please do not hesitate to let me know.

Sincerely,

KAEMPFER CROWELL



Robert J. Gronauer

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