

**General Plan**

Rural Neighborhood Preservation	Transit Oriented Corridor -1
Rural Estates	Transit Oriented Corridor -2
Desert Rural	Transit Oriented Development - 1
Rural	Transit Oriented Development - 2
Low	Planned Community Development
Medium Low	Office
Medium Low Attached	Service Commercial
Medium	General Commercial
High	Tourist Commercial
Form-Based Code	Las Vegas Medical District
Neighborhood Mixed Use Center	Light Industry / Research

Traditional Neighborhood Development
Downtown Redevelopment Area
Parks/Recreation/Open Space
Public Facilities
Public Facilities - School
Public Facilities - Clark County
Town Center
Resource Conservation
Commercial (Downtown Land-Use)
Mixed Use (Downtown Land-Use)

**FROM SC TO TOC-1**

Subject Property

1000ft Buffer

City Limits



GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity, this map is for reference only.  
Geographic Information System  
Planning & Development Dept.  
702-225-5301

Date: Monday, July 12, 2021





## AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JULY 13, 2021

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: CENTURA DEVELOPMENT - OWNER: CASINO CENTER, LLC

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>21-0197-GPA1</b>	Staff recommends APPROVAL.	
<b>21-0197-ZON1</b>	Staff recommends APPROVAL.	21-0197-GPA1
<b>21-0197-VAR1</b>	Staff recommends DENIAL, if approved subject to conditions:	21-0197-GPA1 21-0197-ZON1
<b>21-0197-VAR2</b>	Staff recommends DENIAL, if approved subject to conditions:	21-0197-GPA1 21-0197-ZON1 21-0197-VAR1
<b>21-0197-SDR1</b>	Staff recommends DENIAL, if approved subject to conditions:	21-0197-GPA1 21-0197-ZON1 21-0197-VAR1

**\*\* NOTIFICATION \*\*****NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

17

**NOTICES MAILED** 247**PROTESTS** 0**APPROVALS** 0

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

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**21-0197-VAR1 CONDITIONS**

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**Planning**

1. Approval of a General Plan Amendment (21-0197-GPA1) and Rezoning (21-0197-ZON1) and approval of and conformance to the Conditions of Approval for Variance (21-0197-VAR2) and Site Development Plan Review (21-0197-SDR1) 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 necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**21-0197-VAR2 CONDITIONS**

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**Planning**

1. Approval of a General Plan Amendment (21-0197-GPA1) and Rezoning (21-0197-ZON1) and approval of and conformance to the Conditions of Approval for Variance (21-0197-VAR1) and Site Development Plan Review (21-0197-SDR1) 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.

Conditions Page Two

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3. 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 Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**21-0197-SDR1 CONDITIONS**

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**Planning**

1. Approval of a General Plan Amendment (21-0197-GPA1) and Rezoning (21-0197-ZON1) and approval of and conformance to the Conditions of Approval for Variance (21-0197-VAR1) 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, and building elevations, date stamped 05/27/21, except as amended by conditions herein.
4. A Waiver from Title 19.06.120 is hereby approved, to allow an eight-foot landscape buffer along a portion of the east property line where 10 feet is the minimum required.
5. A Waiver from Title 19.06.120 is hereby approved, to allow a zero-foot buffer along a portion of the north perimeter and a five-foot landscape buffer along a portion of the south perimeter where six feet is the minimum required.
6. An Exception from Title 19.06.040(D)(8) is hereby approved, to allow 60 24-inch box trees where 61 are required within the perimeter landscape buffers.
7. An Exception from Title 19.08.110(C) is hereby approved, to allow 11 interior parking lot islands with 24-inch box trees where 22 are required.

**Conditions Page Three**

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8. 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 Department of Building and Safety.
9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
10. 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.
11. 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.
12. 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.
13. 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.
14. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning 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.
15. Sign and record a deed restriction with language determined to be satisfactory by the City Attorney which restricts the use of the site to an age-restricted community for those persons 55 years of age or older, to the full extent of the law.

Conditions Page Four

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16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

17. Construct all half-street improvements meeting Current City Standards on Lindell Road adjacent to this site, including widened paving from the north edge of this site northward to Charleston Boulevard, and appropriate transition at the south edge of the site concurrent with the development of this site. 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.
18. Unless otherwise allowed by the City Engineer, connect to Public Sewer from existing Lindell Living I (L20-01061). Prior to receiving civil plan approval/permits, existing sewer from Lindell Living I must be accepted by the City of Las Vegas and the Public Sewer Easement per separate document must be recorded. Coordinate a private sewer easement (10-foot width minimum) in favor of Lindell Living II over private sewer connection running through Lindell Living I. Alternatively, extend Public Sewer to full frontage on Lindell Road from existing 15-inch sewer in Charleston Boulevard.
19. 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.
20. If the site is deed restricted and developed as senior apartments, then no Traffic Impact Analysis will be required. Otherwise, a Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

21. 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 drainage ways 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.



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

**PROJECT DESCRIPTION**

This is a request for a 90-unit Senior Citizen Apartments development on 2.70 acres located at 1245 Lindell Road. This proposed development is intended to be phase II (Lindell II) of the approved 144-unit Senior Citizen Apartments development (Lindell I), located across the street to the east that was approved via Site Development Plan Review (SDR-75858) by the City Council on May 15<sup>th</sup>, 2019.

**ISSUES**

- The applicant has requested a General Plan Amendment (21-0197-GPA1) to amend a portion of the Southeast Sector Plan from SC (Service Commercial) to TOC-1 (Transit Oriented Corridor) on APN 163-01-103-028. Staff supports the request.
- The applicant has requested a Rezoning (21-0197-ZON1) from R-E (Residence Estates) to R-4 (High Density Residential) on both APNs 163-01-103-027 and 028. Staff supports the request.
- The applicant has requested a Variance (21-0197-VAR1) to allow an eight-foot tall front yard fence where five feet is the maximum allowed and to allow a 10-foot rear yard setback where 20 feet is the minimum required. [Staff does not support the request.](#)
- The applicant has requested a Variance (21-0197-VAR2) to allow three addresses (two – residential and one – clubhouse) for a single multi-family residential development where one is allowed. Staff does not support the request.
- The applicant has requested Waivers from Title 19.06.120 perimeter landscaping development standards, to allow an eight-foot landscape buffer along a portion of the east property line where 10 feet is the minimum required and to allow a zero-foot buffer along a portion of the north perimeter and a five-foot landscape buffer along a portion of the south perimeter where six feet is the minimum required. [Staff does not support the request.](#)
- The applicant has requested an Exception from Title 19.06.040(D)(8) perimeter planting materials development standards, to allow 60 24-inch box trees where 61 are required within the perimeter landscape buffers. [Staff does not support the request.](#)
- The applicant has requested an Exception from Title 19.08.110(C) interior parking lot planting materials development standards to allow 11 interior parking lot islands with 24-inch box trees where 22 are required. [Staff does not support the request.](#)
- The subject site is comprised of two separate lots that must be consolidated prior to the issuance of building permits. A condition of approval has been added to Site Development Plan Review (21-0197-SDR1), which will require the applicant to coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots.



**Staff Report Page Two**  
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**ANALYSIS**

The subject site is 2.70 acres and is comprised of two parcels that are zoned R-E (Residence Estates). However, the two parcels have different General Plan Land Use Designations. Currently, APN 163-01-103-027 is designated TOC-1 (Transit Oriented Corridor) and APN 163-01-103-028 is designated SC (Service Commercial). The applicant is requesting to amend the Southeast Sector Plan from SC (Service Commercial) to TOC-1 (Transit Oriented Corridor) on parcel APN 163-01-103-028, which is approximately 0.24 acres of the 2.70 acre subject site.

The adjacent properties to the west are designated TOC-1 (Transit Oriented Corridor) and RN (Rural Neighborhood) – Clark County designation. The land to the north adjacent to Charleston Boulevard and east of the property are designated TOC-1 (Transit Oriented Corridor). Land is designated RN (Rural Neighborhood) – Clark County designation to the south. The requested TOC-1 (Transit Oriented Corridor) has been deemed to be compatible with the land use designations of the properties in the surrounding area. Therefore, staff supports this request, as this amendment will allow a uniform General Plan Designation for the entire subject site.

In addition, the applicant has proposed a Rezoning (21-0197-ZON1) R-E (Residence Estates) to R-4 (High Density Residential) on both APNs 163-01-103-027 and 028, which is consistent with the proposed TOC-1 (Transit Oriented Corridor) General Plan Land Use Designation. The adjacent properties to the west are zoned C-2 (General Commercial) and R-E (Rural Estates Residential – Clark County designation); to the north properties are zoned C-2 (General Commercial); to the south properties are zoned R-E (Rural Estates Residential – Clark County designation); and to the east the property is zoned R-4 (High Density Residential) which is developed as a 144-unit Senior Citizens Apartments development. The requested R-4 (High Density Residential) development has been deemed to be compatible with the surrounding single-family, multi-family and commercial zoning designations. Therefore, staff supports this requested Rezoning of the subject site.

A Senior Citizen Apartments use is described in Title 19.12 as: “An apartment house or other multi-family dwelling in which each unit is occupied by at least one person 55 years of age or older, or in which the units are intended and operated for occupancy by persons 55 years of age or older. This use includes an apartment house or other multi-family dwelling that qualifies as “housing for older persons” under the provisions of Federal law, including without limitation housing developments that:

1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and
2. Publish and adhere to policies and procedures that demonstrate intent to provide housing for persons 55 years of age or older to the extent allowed by applicable State or Federal law.”

Per the submitted justification letter, the proposed development classifies as a Senior Citizen Apartments use. A condition of approval has been added to the Conditions of Approval for Site Development Plan Review (21-0197-SDR1) to ensure the required age restriction for tenants is abided by.

The submitted site plan and elevations depict two three-story apartment buildings, a one-story clubhouse and a pool area. Of the 90 proposed units, 48 will be one bedroom and 42 will be two bedroom units. The buildings are proposed to have a white stucco façade. Site access will be provided by Lindell Road, an 80-foot Collector as designated on the city's Master Plan of Streets and Highways. A total of 96 parking spaces are provided where 90 are required.

The applicant has requested Waivers from Title 19.06.120 perimeter landscaping development standards, to allow an eight-foot landscape buffer along a portion of the east property line where 10 feet is the minimum required and to allow a zero-foot buffer along a portion of the north perimeter and a five-foot landscape buffer along a portion of the south perimeter where six feet is the minimum required. The submitted landscape plan indicates the primary tree species will be 24-inch box Willow Acacia, Shoestring Acacia, Dynamite Crape Myrtle, Bay Laurel, Mondel Pine, Chinese Pistache, Mastic Tree, Flowering Plum, Holly Oak and Hybrid Fan Palm trees, with a combination of five-gallon shrubs. Planting materials adhere to the Southern Nevada Regional Plant List.

The applicant has requested an Exception from Title 19.06.040(D)(8) perimeter planting materials development standards, to allow 60 24-inch box trees where 61 are required within the perimeter landscape buffers. Also, the applicant has requested Exceptions from Title 19.08.110(C) interior parking lot planting materials development standards to allow 11 interior parking lot islands with 24-inch box trees where 22 are required. [Staff does not support the requested Waivers and Exceptions as the proposed deviations may have a negative impact to the surrounding area.](#)

The applicant has requested a Variance (21-0197-VAR1) to allow an eight-foot tall front yard fence where five feet is the maximum allowed and to allow a 10-foot rear yard setback where 20 feet is the minimum required. However, no evidence of a unique or extraordinary circumstance has been presented to warrant the requested Variance. As such, the hardship is self-imposed and therefore, staff recommends denial of this request. Furthermore, staff notes that the reduced setbacks and increased fence height may have a negative impact to the existing single-family dwellings located in Clark County which are adjacent to the west and south perimeter of the subject site.

In addition, the applicant has requested a Variance (21-0197-VAR2) to allow individual addresses for each of the three proposed buildings (two apartment buildings and one clubhouse building) where one overall master address assignment is allowed for the proposed development. Pursuant to the Street Naming and Address Assignment Regulations, 2009 Edition, Section VI.A.1, "All multi-family residential developments shall be assigned an address (street number, direction, street name) corresponding to the appropriate hundred block. The development address shall be called the "Master Site Address or General Address."

Per the submitted justification letter, the applicant argues that due to the COVID-19 pandemic life safety changes are needed to promote health and wellness for their future elderly residents. In order to deter all residents from converging at one central mailbox area at the clubhouse building, mailbox areas are proposed for each individual building. Staff finds that sufficient evidence has not been provided and the request to be a self-imposed hardship. Therefore, staff recommends denial of the Variance (21-0197-VAR2) request. If approved, it will be subject to conditions.

In summary staff supports the requested General Plan Amendment and Rezoning. However, with the requested Variances to allow reduced rear yard setbacks, increased front yard wall height and irregular addressing reinforces the fact that the site has not been designed to comply with Title 19 and City of Las Vegas Street Naming and Addressing Assignment Regulations. Also the requested Waivers and Exceptions of required perimeter and interior landscaping highlight the fact that the site is not designed to be compatible with surrounding development in the area; therefore, staff recommends denial of this project subject to conditions.

#### **FINDINGS (21-0197-GPA1)**

Section 19.16.030(I) 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 proposed TOC-1 (Transit Oriented Corridor) designation is compatible with the existing adjacent land use designations. The proposed amendment would allow for multi-family residential to be developed at this location.

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

The proposed amendment would allow for the R-4 (High Density Residential) zoning district, which would be compatible with the commercial properties fronting Charleston Boulevard and the existing 144-unit Senior Citizen Apartments development (Lindell I), located across the street to the east that was approved via Site Development Plan Review (SDR-75858) by the City Council on May 15<sup>th</sup>, 2019.

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 that are adequate to accommodate the uses and densities permitted by the proposed General Plan Amendment.

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

There are no other applicable plans for this particular area. The proposal conforms to the Neighborhood Revitalization strategy area (Southeast Sector) policies for development outlined in the Las Vegas 2020 Master Plan.

#### **FINDINGS (21-0197-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.**

The proposed Rezoning to R-4 (High Density Residential) would conform to the TOC-1 (Transit Oriented Corridor) General Plan designation if approved.

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-4 (High Density Residential) zoning district would allow for the proposed multi-family development. This is compatible with the surrounding uses within the subject site.

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



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The subject parcel was originally intended to be developed as a single family dwelling for this neighborhood. As the area developed with almost exclusively multi-family residential and commercial uses, the market for single family residential dwellings on large lots greatly decreased. The pattern of development in this area supports rezoning to R-4 (High Density Residential) rather than remaining R-E (Residence Estates).

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.**

The subject parcel has access to Lindell Road, an 80-foot Collector as designated on the city's Master Plan of Streets and Highways. This road is adequate in size to accommodate development in an R-4 (High Density Residential) zoning district.

**FINDINGS (21-0197-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."

Sufficient evidence of a unique or extraordinary circumstance has not been presented, in that the applicant has created a self-imposed hardship by proposing to deviate from Title 19 rear yard setback and front yard wall height development standards for the proposed R-4 (High Density Residential) zoning district. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**FINDINGS (21-0197-VAR2)**

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."

Sufficient evidence of a unique or extraordinary circumstance has not been presented, in that the applicant has created a self-imposed hardship by proposing to allow multiple addresses for a single development which fails to meet the minimum requirements of the City of Las Vegas Street Naming and Addressing Assignment Regulations, 2009 Edition. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**FINDINGS (21-0197-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:

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

The site design as proposed does not enhance the quality of life for City residents, nor advance the vision of the City as demonstrated by the Variance, Waiver and Exceptions that have been requested.

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

The proposed development is not consistent with Title 19, as the applicant has requested a Variance to allow reduced rear yard setbacks, increased front yard wall height and irregular addressing reinforces the fact that the site has not been designed to comply with Title 19 and City of Las Vegas Street Naming and Addressing Assignment Regulations. These deviations highlight the fact that the site is not designed to be compatible with surrounding development in the area. The proposed development is not consistent with the governing document, Title 19.

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

The site is accessed from Lindell Road a 80-foot Major Collector, as classified by the City of Las Vegas Master Plan of Streets and Highways and will carry the minimal amount of traffic this proposed development will generate.

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

Building materials are compatible with those used in the surrounding development in the area. Perimeter landscaping consists of drought-tolerant trees and plants that are compatible with other landscaping in this area. However, the applicant has requested Waivers to allow reduced landscape buffer widths and Exceptions of required perimeter and interior landscaping planting materials, which highlight the fact that the site is not designed to be compatible with surrounding development in the area.

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 submitted building elevations are not unsightly, undesirable or obnoxious in appearance.

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

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

#### BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
06/21/06	The City Council approved a request for a Petition of Annexation (ANX-11906) to annex three (3) parcels located on the southwest corner of Charleston Blvd and Lindell Rd, at 1245 Lindell Street, 5525 Charleston Blvd and 5555 Charleston Blvd. The Planning Commission recommended approval of the request.
10/05/06	An application was refunded for a proposed General Plan Amendment (GPA-16187) to amend a portion of the Southwest Sector Plan of the Master Plan from SC (Service Commercial) to ML (Medium Low Density Residential) on 3.07 acres on the west side of Lindell Road, approximately 200 feet south of Charleston Boulevard.
	An application was refunded for a proposed Rezoning (ZON-16189) from R-E (Residence Estates) to R-PD8 (Residential Planned Development - 8 Units per Acre) on 3.07 acres on the west side of Lindell Road, approximately 200 feet south of Charleston Boulevard.
	An application was refunded for a proposed Variance (VAR-16190) to allow a residential planned development on 3.07 acres where 5 acres are required on the west side of Lindell Road, approximately 200 feet south of Charleston Boulevard.
	An application was refunded for a proposed Variance (VAR-16191) from open space requirements on a 24-lot residential planned development on the west side of Lindell Road, approximately 200 feet south of Charleston Boulevard.
	An application was refunded for a proposed Site Development Plan Review (SDR-16192) for a 24-lot Single Family Residential Subdivision on the west side of Lindell Road, approximately 200 feet south of Charleston Boulevard.
04/09/09	A Code Enforcement case (#CE-76615) was processed for a truck parked on the dirt in the front of the lot at 1245 Lindell Road. The case was resolved on 04/28/09.



***Related Relevant City Actions by Planning, Fire, Bldg., etc.***

06/13/13	A Code Enforcement case (#CE-130063) was processed for a wasp nest in the back yard at 1245 Lindell Road. The case was resolved on 06/17/13.
02/18/14	A Code Enforcement case (#CE-137992) was processed for an abandoned trailer and small trailer on the lot at 1245 Lindell Road. The case was resolved on 02/19/14.
02/25/14	A Code Enforcement case (#CE-138276) was processed for a RV trailer parked on the lot at 1245 Lindell Road. The case was resolved on 04/07/14.
01/22/15	A Code Enforcement case (#CE-149873) was processed for lots of black barrels on the lot at 1245 Lindell Road. The case was resolved on 01/27/15.
11/19/19	A Code Enforcement case (#CE19-04193) was processed for trash, garbage and debris at 1245 Lindell Road. The case was resolved on 12/23/19.

***Most Recent Change of Ownership***

12/05/18	A deed was recorded for a change in ownership.
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***Related Building Permits/Business Licenses***

There are no Building Permits or Business Licenses associated with the subject site.

***Pre-Application Meeting***

03/30/21	A pre-application meeting was conducted with the applicant to go over the application materials and submittal requirements for a General Plan Amendment, Rezoning, Variances and Site Development Plan Review on the subject site.
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<b>Neighborhood Meeting</b>	
06/22/21	<p>A neighborhood meeting was held at Las Vegas City Hall at 495 South Main Street, at 5:30pm to discuss the proposed General Plan Amendment, Rezoning, Variances and Site Development Plan Review at Assessor's Parcels 163-01-103-027 and -028.</p> <p>The meeting was attended by one staff member. There were two members of the public; as such the following concerns were raised regarding the proposed development.</p> <ol style="list-style-type: none"> <li>1. Can the age restriction be reversed to allow younger occupants? The applicant indicated that it cannot be amended as the property is deed restricted.</li> <li>2. Will the community be gated? The applicant indicated that the development would be surrounded by a perimeter gated.</li> <li>3. Will there be any commercial uses provided onsite? The applicant indicated that there are no commercial uses provided onsite. However, there may be catered events like potlucks and brunches that are catered on the subject site.</li> </ol>

<b>Field Check</b>	
05/27/21	Staff conducted a routine site visit and found the subject site to be an undeveloped parcel of land with desert vegetation throughout the site.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	2.70

<b><i>Surrounding Property</i></b>	<b><i>Existing Land Use Per Title 19.12</i></b>	<b><i>Planned or Special Land Use Designation</i></b>	<b><i>Existing Zoning District</i></b>
Subject Property	Undeveloped	TOC-1 (Transit Oriented Corridor) SC (Service Commercial)	R-E (Residence Estates)
North	Auto Repair Garage, Minor Banquet Facility Motor Vehicle Sales (Used)	MXU (Mixed Use)	C-2 (General Commercial)
South	Single Family Detached Dwelling	RN (Rural Neighborhood) – Clark County	R-E (Rural Estates Residential) – Clark County
East	Undeveloped (Proposed Senior Citizen Apartments)	H (High Density Residential)	H (High Density Residential)
West	General Retail Liquor Establishment (Tavern)	MXU (Mixed Use)	C-1 (Limited Commercial)
	Single Family Detached Dwelling	RN (Rural Neighborhood) – Clark County	R-E (Rural Estates Residential) – Clark County

<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
No Applicable Master Plan Area	N/A
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
A-O (Airport Overlay) District – 200 Feet	Y
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails	N/A
Las Vegas Redevelopment Plan	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 19.06.120, the following standards apply:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	7,000 SF	117,612 SF	Y
Min. Setbacks - (Clubhouse – Building #1)			
• Front (East)	10 Feet	47 Feet	Y
• Side (North)	5 Feet	5 Feet	Y
• Side (South)	5 Feet	314 Feet	Y
• Rear (West)	20 Feet	185 Feet	Y
Min. Setbacks - (Building #2)			
• Front (East)	10 Feet	188 Feet	Y
• Side (North)	5 Feet	79 Feet	Y
• Side (South)	5 Feet	76 Feet	Y
• Rear (West)	20 Feet	10 Feet	N*
Min. Setbacks - (Building #3)			
• Front (East)	10 Feet	13 Feet	Y
• Side (North)	5 Feet	170 Feet	Y
• Side (South)	5 Feet	51 Feet	Y
• Rear (West)	20 Feet	186 Feet	Y
Min. Distance Between Buildings	Unlimited	Unlimited	Y
Max. Lot Coverage	Unlimited	Unlimited	Y
Max. Building Height - Clubhouse	N/A	One Story (26 Feet)	Y
Max. Building Height – Building #2 & #3		Three Stories (39 Feet, 8 Inches)	
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

\*The applicant has requested a Variance (21-0197-VAR1) to allow a 10-foot rear yard setback where 20 feet is the minimum required.



Staff Report Page Fourteen  
 July 13, 2021 - Planning Commission Meeting

<b>Existing Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-E (Residence Estates)	1 du/lot	1 du/lot
<b>Proposed Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-4 (High Density Residential)	Unlimited	Unlimited
<b>Existing General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
TOC-1 (Transit Oriented Corridor)	N/A	N/A
SC (Service Commercial)	N/A	N/A
<b>Proposed General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
TOC-1 (Transit Oriented Corridor)	Unlimited	Unlimited

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

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Buffer Trees:				
• North (Side)	1 Tree / 20 Linear Feet	14 Trees	14 Trees	Y
• South (Side)	1 Tree / 20 Linear Feet	14 Trees	14 Trees	Y
• East (Front)	1 Tree / 20 Linear Feet	13 Trees	13 Trees	Y
• West (Rear)	1 Tree / 20 Linear Feet	20 Trees	19 Trees	N*
<b>TOTAL PERIMETER TREES</b>		<b>61 Trees</b>	<b>60 Trees</b>	<b>N*</b>
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	22 Trees	11 Trees	N**
<b>LANDSCAPE BUFFER WIDTHS</b>				
Min. Zone Width				
• North (Side)	5 Feet		0 Feet	N***
• South (Side)	6 Feet		5 Feet	N***
• East (Front)	10 Feet		8 Feet	N***
• West (Rear)	6 Feet		6 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		7 Feet	Y

\*The applicant has requested an Exception from Title 19.06.040, to allow 60 24-inch box trees where 61 are required within the perimeter landscape buffers.

\*\* The applicant has requested an Exception from Title 19.08.110(C), to allow 11 interior parking lot islands with 24-inch box trees where 22 are required.

\*\*\*The applicant has requested a Waiver from Title 19.06.120 perimeter landscape buffer standards to allow an eight-foot landscape buffer along a portion of the east property line where 10 feet is the minimum required, a zero-foot buffer along a portion of the north perimeter and a five-foot landscape buffer along a portion of the south perimeter where six feet is the minimum required.

<b>Street Name</b>	<b>Functional Classification of Street(s)</b>	<b>Governing Document</b>	<b>Actual Street Width (Feet)</b>	<b>Compliance with Street Section</b>
Lindell Road	Major Collector	Master Plan of Streets and Highways Map	80	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	
Senior Citizen Apartments	90 Units	1:0.75	67.5 (68)				
Private Community Center (Accessory)	4,270 SF	1:200	22				
TOTAL SPACES REQUIRED			90		96	Y	
Regular and Handicap Spaces Required			86	4	90	6	Y

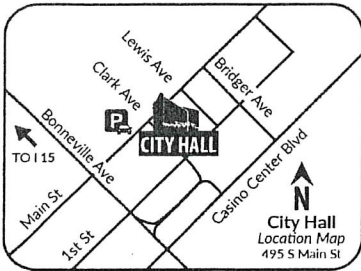
Staff Report Page Seventeen  
 July 13, 2021 - Planning Commission Meeting

<b>Waivers</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
Pursuant to Title 19.06.120 a 10-foot landscape buffer is required along the front property line.	To allow an eight-foot landscape buffer on a portion of the eastern perimeter.	Denial
Pursuant to Title 19.06.120 a six-foot landscape buffer is required along the interior property lines.	To allow a zero-foot buffer along a portion of the north perimeter and a five-foot landscape buffer along a portion of the south perimeter where six feet is the minimum required.	Denial

<b>Exceptions</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
Pursuant to Title 19.06.040(D)(8) 61 perimeter landscape trees are required within the landscape buffer areas.	To allow 60 24-inch box trees where 61 trees are required.	Denial
One tree per six uncovered spaces, plus one tree at the end of each row of spaces.	To allow 11 interior parking lot islands and end caps with 24-inch box trees where 22 are required	Denial

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495 South Main Street  
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VAR1 and 21-0197-VAR2 and 21-0197-SDR1**

Planning Commission Meeting of **07/13/2021**

21-0197  
16301103013  
DAVIS KENT W TRUST  
DAVIS KENT W TRS  
5600 DEL REY AVE  
LAS VEGAS NV 89146

97 DROFNPI 89146



I am against all of the requests in this public hearing. There is a high density apartment complex across the street. There are high density apartments on Decatur Street. + Alta going in. Leave the current zoning alone. Watch the traffic for a few years before going forward.

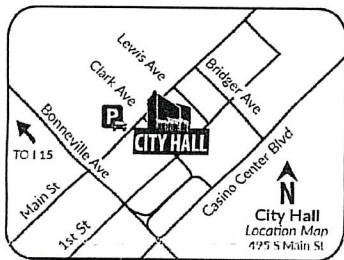
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21-0197  
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HOLLAND DAVID W & MARCI M  
1431 COVELO CT  
LAS VEGAS NV 89146-1361



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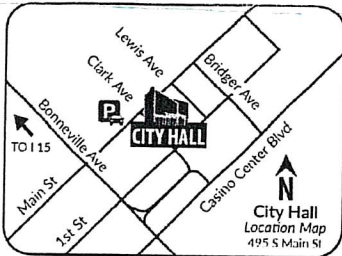
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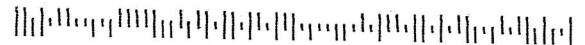
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VAR1 and 21-0197-VAR2 and 21-0197-SDR1**

**Planning Commission Meeting of 07/13/2021**

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To much traffic,

Way, Way to much

Traffic. Somebody is  
going to get Killed!

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21-0197

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HARDINGER JULIE A & CLYDE R

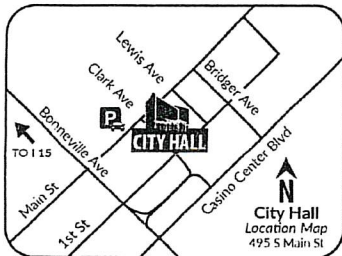
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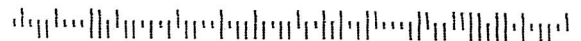
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**VAR1 and 21-0197-VAR2 and 21-0197-SDR1**

**Planning Commission Meeting of 07/13/2021**

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LAS VEGAS NV 89146-1303

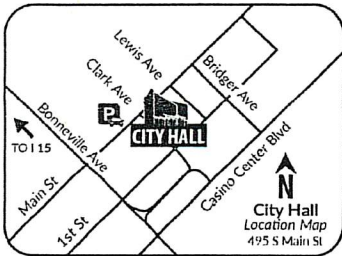
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LAS VEGAS NV 89146-1303

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Planning Commission Meeting of 07/13/2021

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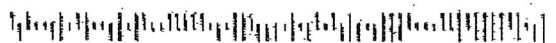
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21-0197  
16301610010  
RENTERIA BERTHA HERNANDEZ  
CORONA JOSE RUFO  
10022 AMBER FIELD ST  
LAS VEGAS NV 89178

1 1 3 DRCFNF1 001 72



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**Nora Lares**

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**Submitted at 07/09/21 7:16 AM**

<b>Meeting Date:</b>	Tuesday, July 13, 2021
<b>Project Number:</b>	21-0197
<b>Position:</b>	I SUPPORT the project and all related applications.
<b>Name:</b>	Richard Cummins
<b>Residential or Business Address:</b>	5520 Del Rey Ave Las Vegas, NV 89146
<b>Phone:</b>	(702) 275-1474
<b>Email:</b>	richard@inspect-nv.com
<b>Comments:</b>	I support all items regarding this project

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