

**AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: OCTOBER 19, 2022

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: LEGGERA DEVELOPMENT, LLC - OWNER:
NOLA SOL HOLDINGS, LLC**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
22-0368-SUP1	Staff recommends APPROVAL, subject to conditions:	
22-0368-SDR1	Staff recommends APPROVAL, subject to conditions:	22-0368-SUP1

**** NOTIFICATION ******NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 10**NOTICES MAILED** 322 (by City Clerk)**PROTESTS** 8**APPROVALS** 0

**** CONDITIONS ****

22-0368-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under Title 19.10.080 for a project in the Airport Overlay District.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0368-SDR1) shall be required.
3. 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.
4. 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.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
6. 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 a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Clark County Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Clark County Department of Aviation;
 - b) No Building Permit or other construction permit shall be issued for any structure greater than 35 feet above the surface of land that, based upon the FAA's 7460 airspace determination (the outcome of filing the FAA Form 7460-1) would (a) constitute a hazard to air navigation, (b) would result in an increase to minimum flight altitudes during any phase of flight (unless approved by the Department of Aviation), or (c) would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.

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- c) Applicant is advised that FAA's airspace determinations 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.
 - d) Applicant is advised that the FAA's airspace determinations include expiration dates and that the separate airspace determinations will be needed for construction cranes or other temporary equipment.
 - e) Applicant is advised that issuing 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 is strongly encouraged. 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.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0368-SDR1 CONDITIONS

Planning

- 1. Approval of and conformance to the Conditions of Approval for Special Use Permit (22-0368-SUP1) shall be required, if approved.
- 2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-73295) and Site Development Plan Review (20-0101-SDR1) shall be required, except as amended herein.
- 3. 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.
- 4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 07/13/22, except as amended by conditions herein.

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5. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. 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.
8. 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.
9. 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 a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Clark County Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Clark County Department of Aviation;
 - b) No Building Permit or other construction permit shall be issued for any structure greater than 35 feet above the surface of land that, based upon the FAA's 7460 airspace determination (the outcome of filing the FAA Form 7460-1) would (a) constitute a hazard to air navigation, (b) would result in an increase to minimum flight altitudes during any phase of flight (unless approved by the Department of Aviation), or (c) would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.
 - c) Applicant is advised that FAA's airspace determinations 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.
 - d) Applicant is advised that the FAA's airspace determinations include expiration dates and that the separate airspace determinations will be needed for construction cranes or other temporary equipment.

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- e) Applicant is advised that issuing 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 is strongly encouraged. 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.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the Rancho Road – Mesquite to Rainbow project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
12. An update to the previously approved 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 or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved update to the Traffic Impact Analysis prior to occupancy of the site. 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.
13. Comply with all applicable conditions of approval for Site Development Plan Review (SDR-73295) and any other site related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Amendment (22-0368-SDR1) to a previously approved Site Development Plan Review (SDR-73295) for a proposed revisions to Phase 2 of a multi-family residential development generally located at the northwest corner of Smoke Ranch Road and Rancho Drive.

ISSUES

- Pursuant to Title 19.16.100 (F), Site Development Plans Reviews may be approved administratively as long as the proposed project adheres to all applicable requirements of Title 19. However, the applicant has requested a Special Use Permit (22-0368-SUP1) to allow 38-foot tall buildings where 35 feet is the maximum allowed by the Airport Overlay, which requires a public hearing for both associated items. Staff recommends approval of the request.

ANALYSIS

The subject site is approximately 33.47 acres and consists of three parcels (APN 139-18-410-015 to 017) generally located at the northwest corner of Smoke Ranch Road and Rancho Drive. On August 15, 2018 the City Council approved a request to Rezone (ZON-73294) the subject site from R-PD19 (Residential Planned Development – 19 Units per Acre) to R-3 (Medium Density Residential). In addition, the City Council also approved Site Development Plan Review (SDR-73295) for a proposed 738-unit multi-family residential (apartment) development.

The first two-year Extension of Time (EOT-78774) for this application was approved by the City Council in August 2020. On January 15, 2021 the Department of Planning approved a Minor Site Development Plan Review (20-0101-SDR1) of the approved Site Development Plan Review (SDR-73295) for a proposed reduction the unit count from 738-units to 692-units for the proposed development. During that design review staff noted that the originally approved design allowed studio, one-bedroom, and two-bedroom units within 45 multi-colored two or three-story buildings through the complex.

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Pursuant to approved Site Development Plan Review (SDR-73295) the proposed development was separated into three individual phases that were assigned to the three APN numbers associated with the project. APN 139-18-410-015 is indicated as "Phase 1", APN 139-18-410-017 is designated as "Phase 2" and APN 139-18-410-016 is designated as "Phase 3". In the submitted justification letter dated July 13, 2022, the applicant indicates, "Since construction of Phase 1 it has been determined that minor changes are needed for the phase located on APN 139-18-410-017. These changes include:

- The unit mix has changed, including 22 new three-bedroom units where previously submitted plans did not have a three-bedroom unit in Phase 2. The overall total unit count is not changing (308 units).
- This changes the parking analysis, which has been updated on the plans and still meets the parking requirement.
- The prior approvals included 10 buildings at three stories and six buildings at two-stories. The applicant is now requesting two buildings to remain at two-stories and 14 buildings to be three-stories.
- The overall building height on the three-story buildings are increased to 38-feet where 35 feet was approved."

The applicant has requested a Special Use Permit (22-0368-SUP1) to allow 38-foot tall buildings within the 35-foot restriction of the North Las Vegas Airport Overlay District. The Airport Overlay Standards allow a maximum height of 35 feet for this site. The proposed 38-foot tall buildings height exceeds the height of the 35-foot height maximum outlined in the Airport Overlay; therefore a Special Use Permit is required.

As, the proposed development will exceed the 100:1 notice requirement for the North Las Vegas Airport, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration. Such notification allows the FAA to determine what impact, if any, the proposed development will have upon navigable airspace, and allows the FAA to determine whether the development requires obstruction marking or lighting. In addition, the applicant is advised that issuing 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 is strongly encouraged. This Special Use Permit request can be supported subject to approval of the Clark County Department of Aviation, whose role it is to regulate development that intrudes into airspace required for the two regional airports in the Las Vegas valley. Conditions of approval have been added to ensure compliance with these provisions.

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Landscape buffers throughout the subject site remain the same as the prior approval. A Waiver of the perimeter landscape buffer requirements was approved through Site Development Plan Review (SDR-73295), for a uniform 10-foot buffer along all property lines. Throughout the subject site, 24-inch box Bottle Trees, Purple Leaf Plums, and Texas Mountain Laurel trees are used interchangeably.

The proposed building alterations and site reconfiguration is consistent with all applicable requirements of Title 19, previously approved entitlements, and meets the qualifications for an Major Review pursuant to Title 19. As the building alterations and site reconfiguration are consistent with the previously approved design, it will not affect surrounding development. Therefore, staff recommends approval on this Major Amendment (22-0368-SDR1) and Special Use Permit (22-0368-SUP1) application subject to conditions.

FINDINGS (22-0368-SUP1)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The Airport Overlay Standards allow a maximum height of 35 feet for the for the subject site. The proposed 38-foot building height exceeds the height of the 35-foot height maximum outlined in the Airport Overlay; therefore, a Special Use Permit is required. Staff notes that the proposed structures will result in a nine percent increase in overall height, which will have minimal negative impact to the existing adjacent development.

- 2. The subject site is physically suitable for the type and intensity of land use proposed.**

The subject site is is physically suitable for the intensity of the proposed land use.

- 3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

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Site access is provided by Smoke Ranch Road, a 100-foot Primary Arterial, Decatur Boulevard, a 120-foot Primary Arterial, and Rancho Drive, a 125-foot Expressway, each of which is adequate in size to serve the needs of the proposed development.

- 4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

Approval of the height of the project as proposed could result in changes to air traffic routes that will impact adjoining residential neighborhoods. A condition of approval will ensure that any concerns reflected in the review of this project by the Clark County Department of Aviation are addressed by the applicant prior to the issuance of any building permits.

FINDINGS (22-0368-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;**

Staff finds that this proposal is in context with the previously approved entitlements and will not affect development in the surrounding area, as the building alterations are consistent with the previously approved design and the alterations associated with Site Development Plan Review (SDR-73294) and Minor Site Development Plan Review (20-0101-SDR1).

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

This project has been deemed consistent with all applicable requirements of Title 19, previously approved entitlements, and meets the qualifications for an administrative Minor Review pursuant to Title 19.16.100 (F). However, the applicant has requested a Special Use Permit (22-0368-SUP1) to allow 38-foot tall buildings where 35 feet is the maximum allowed by the Airport Overlay, which requires a public hearing for both associated items.

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

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Site access is provided by Smoke Ranch Road, a 100-foot Primary Arterial, Decatur Boulevard, a 120-foot Primary Arterial, and Rancho Drive, a 125-foot Expressway, each of which is adequate in size to serve the needs of the proposed development.

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

Staff finds the proposed building reconfiguration to be suitable to the existing development in the immediate area. The development will be subject to permit review and inspections, thereby protecting the public's health, safety, and general welfare.

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 and design characteristics are not unsightly or obnoxious in appearance. The proposed development is harmonious and compatible with the surrounding commercial and residential uses and a desert environment

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

The proposed development is subject to building permit review during the permitting phase, as well as regular inspections during the construction phase thus protecting the public health, safety, and general welfare.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
08/01/01	The City Council approved a Special Use Permit and Site Development Plan Review (U-0059-01) for five 40-foot tall, 14-foot by 48-foot Off-Premise Signs on the south side of the intersection of Rancho Drive and Decatur Boulevard. The City Council amended the original request for six signs as a condition of the approval. The Planning Commission denied the request, and it was appealed to the City Council.
12/20/01	The Planning Commission approved a Tentative Map (TM-0049-01) for a one-lot commercial subdivision (Smoke Ranch Commercial Development) on 48.49 acres at the northeast corner of Decatur Boulevard and Smoke Ranch Road. Staff recommended approval.
12/17/02	A Final Map (FM-0089-02) for a one-lot commercial subdivision (Smoke Ranch Commercial Development) on 48.28 acres at the northeast corner of Decatur Boulevard and Smoke Ranch Road was recorded.
02/19/03	The City Council approved a request for a General Plan Amendment (GPA-1400) from: GC (General Commercial) to: LI/R (Light Industry/Research) on 48.49 acres at the northeast corner of Decatur Boulevard and Smoke Ranch Road. The Planning Commission and staff recommended denial.
	The City Council approved a request for a Rezoning (GPA-1401) from C-2 (General Commercial) to C-M (Commercial/Industrial) on 48.49 acres at the northeast corner of Decatur Boulevard and Smoke Ranch Road. The Planning Commission and staff recommended denial.
	The City Council approved a request for a Site Development Plan Review (SDR-1404) for a proposed commercial/industrial development consisting of an 18,500 square-foot office building on 1.85 acres adjacent to the west side of Rancho Drive, approximately 320 feet south of Decatur Boulevard and a 166,900 square-foot commercial/industrial development with a modification of the planting scheme along the Rancho Drive frontage on 12.60 acres adjacent to the northeast corner of Decatur Boulevard and Smoke Ranch Road. The Planning Commission and staff recommended denial.
05/21/03	The City Council approved a Required Two-Year Review (RQR-1994) of an approved Special Use Permit (U-0059-01) for five 40-foot tall, 14-foot by 48-foot Off-Premise Signs adjacent to the northeast corner of Rancho Drive and Decatur Boulevard. The Planning Commission and staff recommended approval.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
06/24/04	The Planning Commission approved a Master Sign Plan (MSP-4388) for an approved commercial/industrial development on 47.93 acres adjacent to the northeast corner of Rancho Drive and Decatur Boulevard. Staff recommended approval.
07/07/04	The City Council approved a Required One-Year Review (RQR-4239) of an approved Special Use Permit (U-0059-01) for five 40-foot tall, 14-foot by 48-foot Off-Premise Signs adjacent to the northeast corner of Rancho Drive and Decatur Boulevard. The Planning Commission and staff recommended approval.
12/02/04	The Planning Commission approved a Site Development Plan Review (SDR-5312) for a proposed 40,016 square-foot office complex of eight single-story buildings on 3.30 acres adjacent to the east side of Decatur Boulevard, approximately 875 feet north of Smoke Ranch Road. Staff recommended approval.
09/07/05	The City Council approved a Required One-Year Review (RQR-6794) of an approved Special Use Permit (U-0059-01) for two 40-foot tall, 14-foot by 48-foot Off-Premise Signs adjacent to the northeast corner of Rancho Drive and Decatur Boulevard. The Planning Commission and staff recommended approval of the sign facing Rancho Drive but denial of the Decatur-facing sign.
03/01/06	The City Council approved a request for a General Plan Amendment (GPA-10799) from LI/R (Light Industry/Research) to M (Medium Density Residential) on 33.70 acres on the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission recommended approval. Staff recommended denial.
	The City Council approved a request for a Rezoning (ZON-10803) from C-M (Commercial/Industrial) to R-PD16 (Residential Planned Development – 16 Units per Acre) on 33.70 acres on the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission recommended approval. Staff recommended denial.
	The City Council approved a request for a Site Development Plan Review (SDR-10806) for a proposed 513-unit multi-family condominium development on 33.70 acres on the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission recommended approval. Staff recommended denial. The approval expired 03/01/08.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
12/20/06	The City Council approved a Required One-Year Review (RQR-17040) of an approved Special Use Permit (U-0059-01) for two 40- foot tall, 14-foot by 48-foot Off-Premise Signs adjacent to the northeast corner of Rancho Drive and Decatur Boulevard. The Planning Commission and staff recommended approval.
06/06/07	The City Council approved a request for Rezoning (ZON-20512) from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre) on 33.52 acres on the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission and staff recommended approval. This action expunged the approval for ZON-10803.
	The City Council approved a request for a Site Development Plan Review (SDR-20523) for a proposed 535-unit multi-family residential condominium development on 33.52 acres on the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission and staff recommended approval. This action expunged the approval for SDR-10806.
12/17/08	The City Council approved a request for a Rezoning (ZON-29661) from C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre) to R-PD19 (Residential Planned Development – 19 Units per Acre) on 33.47 acres generally located at the northwest corner of Rancho Drive and Smoke Ranch Road. The Planning Commission recommended approval. Staff recommended denial. The approval was amended from the original request of R-PD20.
	The City Council approved a request for a Site Development Plan Review (SDR-29658) for a proposed two- and three-story multi-family development consisting of 335 condominiums and 304 apartment units on 33.47 acres generally located at the northwest corner of Rancho Drive and Smoke Ranch Road. The Planning Commission recommended approval. Staff recommended denial. The approval expired 12/17/10.
02/04/09	The City Council approved a Required Three-Year Review (RQR31565) of an approved Special Use Permit (U-0059-01) for two 40- foot tall, 14-foot by 48-foot Off-Premise Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission recommended approval. Staff recommended denial.
08/15/12	The City Council approved a Required Three-Year Review (RQR-45110) of an approved Special Use Permit (U-0059-01) for two existing 14-foot by 48-foot Off-Premise Signs at the northeast corner of Smoke Ranch Road and Decatur Boulevard. Staff recommended approval.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
08/19/15	The City Council approved a Required Three-Year Review (RQR57896) of an approved Special Use Permit (U-0059-01) for two existing 14-foot by 48-foot Off-Premise Signs at the northeast corner of Smoke Ranch Road and Decatur Boulevard, with another review in 2018. Staff recommended approval.
08/15/18	The City Council approved a Rezoning (ZON-73294) from: R-PD19 (Residential Planned Development – 19 Units per Acre) to: R-3 (Medium Density Residential) on 33.47 acres on the west side of Rancho Drive, 230 feet north of Smoke Ranch Road. The Planning Commission and staff recommended approval.
	The City Council approved a Site Development Plan Review (SDR-73295) to allow a proposed 738-unit multi-family residential development on 33.47 acres on the west side of Rancho Drive, 230 feet north of Smoke Ranch Road. The Planning Commission and staff recommended approval.
04/01/20	A Code Enforcement Case (CE20-00696) was reported for an abandoned vehicle which has been immobilized for several weeks at Rancho Drive between Carey Avenue and Decatur Boulevard. The case was resolved on 04/01/20.
07/20/20	A Code Enforcement Case (CE20-04087) was reported for equipment and piles of dirt and broken up asphalt near a tire shop with building permits at the northwest corner of Rancho Drive and Smoke Ranch Road. The case was resolved on 04/01/20.
08/05/20	The City Council approved the first Extension of Time (EOT-78774) for a previously approved Site Development Plan Review (SDR-73295) for a proposed 738-unit multi-family residential development on 33.47 acres on the west side of Rancho Drive, 230 feet north of Smoke Ranch Road. Staff recommended approval.
11/30/20	A Code Enforcement Case (CE20-04087) equipment and piles of dirt and broken up asphalt near the tire shop at the northwest corner of Smoke Ranch Road and Rancho Drive. The case was resolved on 11/30/20.
01/15/21	The Department of Planning approved a Minor Site Development Plan Review (20-0101-SDR1) of an approved Site Development Plan Review (SDR-73295) for a 692-unit multi-family residential development where 738 units were previously approved on 33.47 acres on the west side of Rancho Drive, 230 feet north of Smoke Ranch Road.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
09/13/22	<p>The Planning Commission (7-0 vote) recommends APPROVAL on the following Land Use Entitlement project requests on a portion of 33.47 acres on the north side of Smoke Ranch Road, approximately 190 feet west of Rancho Drive (APN 139-18-410-017), R-3 (Medium Density Residential) Zone, Ward 5 (Crear)</p> <ul style="list-style-type: none"> • 22-0368-SUP1 - SPECIAL USE PERMIT - FOR PROPOSED 38-FOOT TALL BUILDINGS WITHIN THE 35-FOOT RESTRICTED AREA OF THE AIRPORT OVERLAY DISTRICT • 22-0368-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A MAJOR AMENDMENT OF AN APPROVED SITE DEVELOPMENT PLAN REVIEW (SDR-73295) FOR A THREE-STORY, 692-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT

<i>Most Recent Change of Ownership</i>	
06/03/22	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
10/17/01	<p>A building permit (#01018419) was issued for an off-premise sign at 2680 North Decatur Boulevard. A final inspection was approved on 12/10/01.</p> <p>A building permit (#01018420) was issued for an off-premise sign at 2621 North Rancho Drive. A final inspection was approved on 12/10/01.</p>
07/16/21	A building permit (#R21-08832) was issued for early grading (Rancho Apartments) at Rancho Drive and Airport Drive. The permit has not been finalized.
08/24/21	A building permit (#L21-00070) was issued for offsite improvements (Rancho Village Apartments) at Rancho Drive and Airport Drive. The permit has not been finalized.
09/14/21	A building permit (#PRC21-00007) was issued for multi-family buildings, clubhouse and onsite improvements (Rancho Apartments) at 2705 North Rancho Drive. The permit was finalized on 09/14/21.

<i>Pre-Application Meeting</i>	
06/27/22	A pre-application meeting was held with the applicant to discuss the submittal requirements for amendments to a previously approved Site Development Plan Review (SDR-73295).

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Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.

Field Check

07/28/22

A routine field check was conducted by staff; staff found nothing of concern with the undeveloped site. Staff did note that Phase 1 and 2 of the development are currently under construction.

Details of Application Request**Site Area**

Gross Acres 11.77 acre portion of a 33.47

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	TOD-2 (Transit Oriented Development - Low)	R-3 (Medium Density Residential)
North	Church/House of Worship	TOD-2 (Transit Oriented Development - Low)	C-M (Commercial/Industrial)
South	Auto Repair Garage, Minor	TOD-2 (Transit Oriented Development - Low)	C-2 (General Commercial)
	Convenience Store	SC (Service Commercial)	
	Multi-Family Residential	M (Medium Density Residential)	
	Single-Family Detached Dwelling	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
East	North Las Vegas Airport	North Las Vegas	C-2 (General Commercial) – North Las Vegas

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
West	Shopping Center	TOD-2 (Transit Oriented Development - Low))	C-M (Commercial/ Industrial)
	Post Office	SC (Service Commercial)	C-1 (Limited Commercial)
	Office, Other than Listed		
	Church/House of Worship		
	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Master Plan 2050 Area: Twin Lakes	N/A
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (35 Feet)	N*
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A

<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y

*The Airport Overlay Standards require a maximum height of 35 feet for the northeast corner of this site. The proposed 38-foot tall buildings height exceeds the height of the 35-foot height maximum outlined in the Airport Overlay. A Special Use Permit (22-0368-SUP1) is required.

DEVELOPMENT STANDARDS

Pursuant to approved Site Development Plan Reviews (SDR-73295 and 20-0101-SDR1), the following standards apply:

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Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 SF	1,457,953 SF	Y
Min. Setbacks			
• Front (Smoke Ranch Road)	10 Feet	10 Feet	Y
• Corner (Rancho Drive)	5 Feet	51 Feet	Y
• Corner (Decatur Boulevard)	5 Feet	68 Feet	Y
• Side	5 Feet	13 Feet	Y
• Rear	20 Feet	242 Feet	Y
Min. Shade Structure Setbacks	May not encroach into landscape buffer	Does not encroach	Y
Min. Distance Between Buildings	10 Feet	10 Feet	Y
Max. Building Height*	5 Stories/ 55 Feet	3 Stories/ 38 Feet	Y*
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 Special Use Permit (22-0368-SUP1) to allow a 38-foot building height where 35 feet is the maximum allowed by the Airport Overlay District (A-O) in this area of the city

Project Details by Phase - Pursuant to Site Development Plan Review (20-0101-SDR1)

Phase	Previously Approved Units	Units	Area	Net Density
1 (North)	160	160	12.19	13.12
2 (South)	308	308	12.11	25.43
3 (Middle)	224	224	9.18	24.40
All Phases	692	692	33.48	20.67

Pursuant to Site Development Plan Reviews (SDR-73295 and 20-0101-SDR1), the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	N/A	0 Trees	N/A
• South	1 Tree / 20 Linear Feet	34 Trees	40 Trees	Y
• East	1 Tree / 20 Linear Feet	93 Trees	93 Trees	Y
• West	1 Tree / 20 Linear Feet	35 Trees	34 Trees	N**

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TOTAL PERIMETER TREES		162 Trees	167 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	42	125 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	N/A	N/A	N/A	N/A
• South	10 Feet	10 Feet	Y	Y
• South*	15 Feet	10 Feet	Y	Y
• East	10 Feet	10 Feet	Y	Y
• West	10 Feet	10 Feet	Y	Y
Wall Height	6 to 8 Feet Adjacent to Residential	Not Indicated	N/A	

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Rancho Drive	Expressway	Master Plan of Streets and Highways Map	125	N
Smoke Ranch Road	Primary Arterial	Master Plan of Streets and Highways Map	100	Y
Decatur Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	120	Y

Pursuant to Site Development Plan Reviews (SDR-73295 and 20-0101-SDR1) and 19.12, the following parking standards apply:

Parking Requirement (Overall Site)							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential - Studio/ 1 Bedroom)	242 Units	1.25 spaces per unit	302.5 (303)				
Multi-Family Residential - 2 Bedroom	428 Units	1.75 spaces per unit	749				

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Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential - 3 Bedroom	22 Units	2 spaces per unit	44				
Guest Spaces	692 Units	1 space per 6 units	116				
TOTAL SPACES REQUIRED			1,212				
Regular and Handicap Spaces Required			1,189	23	1,322	25	Y

Parking Requirement (Phase I Only) – Northern Parcel							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential - 2 Bedroom	160 Units	1.75 spaces per unit	280				
Guest Spaces	160 Units	1 space per 6 units	27				
TOTAL SPACES REQUIRED			307		435		Y
Regular and Handicap Spaces Required			299	3	422	5	Y

Parking Requirement (Phase II Only) – Southern Parcel							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential - Studio/ 1 Bedroom)	128 Units	1.25 spaces per unit	160				
Multi-Family Residential - 2 Bedroom	158 Units	1.75 spaces per unit	276.5 (277)				

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Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential - 3 Bedroom	22 Units	2.00 spaces per unit	44				
Guest Spaces	308 Units	1 space per 6 units	52				
TOTAL SPACES REQUIRED			533				
Regular and Handicap Spaces Required			522	11	525	11	Y

Parking Requirement (Phase III Only) – Middle Parcel							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential - Studio or 1 Bedroom)	114 Units	1.25 spaces per unit	142				
Multi-Family Residential 2 Bedroom	110 Units	1.75 spaces per unit	193				
Guest Spaces	224 Units	1 space per 6 units	38				
TOTAL SPACES REQUIRED			373				
Regular and Handicap Spaces Required			371	7	367	9	Y