MULTIPLE FAMILY RESIDENTIAL

PUBLIC HEARING

WC-19-400059 (ZC-1382-06)-DIAMOND PM, LLC:

WAIVERS OF CONDITIONS of a zone change requiring the following: 1) design review as a public hearing to address deceleration lane and amenities; 2) reduce density from 40 units (24.8 units per acre) to 24 units (15 units per acre); 3) reduce 15 units to 2 story units with only 9, three story units remaining; 4) 3 point turning analysis to be approved by traffic prior to tentative map approval; 5) relocate entrances farther to the north; and 6) right-in/right-out only ingress and egress to the site in conjunction with a multiple family residential development (condominiums) and associated accessory structures on 1.6 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the east side of Pecos-McLeod Interconnect, 650 feet south of Desert Inn Road within Paradise. TS/md/ja (For possible action)

RELATED INFORMATION:

APN:
162-13-501-006

LAND USE PLAN:
WINCHESTER/PARADISE - RESIDENTIAL URBAN CENTER (FROM 18 DU/AC TO 32 DU/AC)

BACKGROUND:
Project Description
General Summary
- Site Address: N/A
- Site Acreage: 1.6
- Number of Units: 40
- Density (du/ac): 17.6
- Project Type: Multiple family residential (condominiums)
- Number of Stories: 2 to 3 (building 1)/3 (building 2)
- Building Height (feet): Up to 35 feet
- Open Space Required/Provided: 8,000/9,450
- Parking Required/Provided: 70/70

Site Plan
The plans depict a gated multiple family residential development (condominiums) consisting of forty, 1 and 2 bedroom units for an overall density of 17.6 dwelling units per acre. Building 1 is
comprised of 16, one bedroom units and building 2 consists of 24, two bedroom units. Building 1 is set back 20 feet from the west property line, adjacent to the Pecos-McLeod Interconnect, and 70 feet from the improved drainage channel to the east. Building 2 is also set back 20 feet from the west property line, 32 feet from the drainage channel to the east, and 5 feet from the property line to the north. The development includes 9,450 square feet of open space consisting of a pool area, dog park, and several areas with benches. Access to the site is provided via a proposed 2 way driveway located at the southwestern portion of the site. An “exit only” gate is provided at the northwestern portion of the site. The proposed development requires 70 parking spaces and 70 spaces are provided. Bicycle parking spaces are located at the northeast corner of building 1. The required trash enclosure is centrally located within the site, between buildings 1 and 2. The pool area, consisting of 4,351 square feet, is located immediately south of building 1. A gazebo/cabana shade structure is located to the west of the pool, and will be set back 20 feet from the west property line. A 301 square foot pool equipment room is located immediately south of the pool and also has a minimum setback of 20 feet from the west property line. A 5 foot wide internal pedestrian walkway connects the buildings to the proposed 5 foot wide detached sidewalk along the Pecos-McLeod Interconnect.

Landscaping
The plans depict a 15 foot wide landscape area, including a 5 foot wide detached sidewalk, along the Pecos-McLeod Interconnect. The street landscape area consists of trees, shrubs, and groundcover. Open space is generally distributed throughout the site, and primarily consists of 4 areas measuring between 873 square feet and 4,351 square feet. Parking lot trees are generally distributed throughout the site, including landscape finger islands located along the east property line adjacent to the improved drainage channel.

Elevations
Building 1 consists of 2 to 3 stories with a height ranging from 31 feet up to a maximum of 35 feet. The building is constructed with a pitched, concrete tile roof with a stucco exterior. Decorative pop-outs and window trimming are featured on the east, south, and west elevations of the building. Patios and balconies are featured on the east and west elevations of building 1. The north elevation of the building features a stucco exterior with decorative plaster corbels. Access to the residential units is provided via an open stair case leading to each floor.

Building 2 consists of 3 stories with a maximum height of 35 feet. The building is constructed with a pitched, concrete tile roof with a stucco exterior. Decorative pop-outs and window trimming are featured on all sides of the building, which include decorative plaster corbels. Patios and balconies are featured on the north and south elevations of building 2. Access to the residential units is provided via an open stair case leading to each floor.

The pool equipment building has an overall height of 15 feet and consists of a pitched, concrete tile roof, stucco exterior, and decorative plaster corbels. The carports have a maximum height of 10 feet and feature tube steel columns with a painted metal roof.

Floor Plans
Building 1 features 16, one bedroom units each measuring 800 square feet. The floor plans for building 1 feature a kitchen, living room, dining room, bedroom, patio, laundry room, bathroom,
and a walk-in closet. Building 2 features 24, two bedroom units each measuring 1,000 square feet. The floor plans for building 2 depict 2 bedrooms, a kitchen, dining room, living room, patio, laundry room, bathroom, and a walk-in closet. The pool equipment building consists of 301 square feet and features an office, restroom, shower, and equipment room.

Signage
Signage is not a part of this request.

Previous Conditions of Approval
Listed below are the approved conditions for ZC-1382-06:

Current Planning
• Reduce to R-3 zoning;
• No resolution of intent and staff to prepare an ordinance to adopt the zoning;
• Design review as a public hearing to address deceleration lane and amenities;
• Change the product from for-rent multi-family to for-sale condominiums;
• Reduce density from 40 units (24.8 units per acre) to 24 units (15 units per acre);
• Reduce 15 units to two story units with only 9, three story units remaining;
• All applicable standard conditions for this application type.

Civil Engineering
• Construct full off-sites;
• Drainage study and compliance;
• Driveway location and widths to be approved by Clark County Civil Engineering Division;
• Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control which may require a vacation of excess right-of-way or execute a license and maintenance agreement for non-standard improvements in the right-of-way;
• 3 point turning analysis to be approved by traffic prior to tentative map approval;
• If subdivided, project must be mapped as condominiums;
• Vacate any unnecessary rights-of-way and/or easements;
• Extend northern median to the southerly edge of the driveway on APN 162-13-116-002;
• Relocate entrances farther to the north;
• Right-in/right-out only ingress and egress to the site.

Fire Department
• Provide fire/emergency access plan, include correct turn radius of 28 foot interior and 52 foot exterior.

Applicant’s Justification
The applicant states the proposed project is a completely different design from the previous land use submittal to which all conditions were specific to. The proposed development is a less intense design and stands on its own merit. The project has been completely redesigned and there is no deceleration lane proposed in the current design. The proposed site amenities are indicated on the site plan. The zoning designation for the site permits up to 18 dwelling units per acre, where 17.6 dwelling units per acre are proposed. The proposed buildings are 2 and 3 stories with the maximum height of 35 feet as allowed per the zoning district. Turning
movements are depicted on the site plan and the north driveway has been located as far north as possible and is an “exit only” driveway. The main entrance/exit is located as far south as possible to utilize the existing opening in the median. Full movement is needed at the main entrance and use of the existing left turn lanes are incorporated into the design of the project.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>ET-19-400036</td>
<td>Second extension of time to vacate and abandon right-of-way and easements</td>
<td>Approved by PC</td>
<td>May 2019</td>
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<tr>
<td>(VS-0090-15)</td>
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<tr>
<td>VS-0090-15</td>
<td>First extension of time to vacate and abandon right-of-way and easements</td>
<td>Approved by PC</td>
<td>March 2017</td>
</tr>
<tr>
<td>(ET-0037-17)</td>
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<td></td>
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<tr>
<td>UC-0427-11</td>
<td>First extension of time for a use permit for an assisted/independent living facility with a waiver of development standards for reduced lot size, a waiver of conditions of a zone change, and a design review for an assisted/independent living facility and project amenities – expired</td>
<td>Approved by BCC</td>
<td>June 2015</td>
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<tr>
<td>(ET-0025-15)</td>
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<tr>
<td>VS-0090-15</td>
<td>Vacated and abandoned easement of interest to Clark County and vacate a portion of Pecos-McLeod Interconnect</td>
<td>Approved by PC</td>
<td>April 2015</td>
</tr>
<tr>
<td>UC-0427-11</td>
<td>Reduced lot size, waived a condition of a zone change to change the product from for rent multi-family to for sale condominiums and to reduce 15 units to 2 story units with only 9, three story units remaining along with a design review for an assisted/independent living facility with project amenities – expired</td>
<td>Approved by BCC</td>
<td>June 2012</td>
</tr>
<tr>
<td>VS-0002-11</td>
<td>Vacated and abandoned a portion of the Pecos-McLeod Interconnect and patent easement – expired</td>
<td>Approved by PC</td>
<td>March 2011</td>
</tr>
<tr>
<td>VS-0061-08</td>
<td>Vacated and abandoned a portion of the Pecos-McLeod Interconnect and patent easement – recorded</td>
<td>Approved by BCC</td>
<td>April 2008</td>
</tr>
<tr>
<td>WS-1162-07</td>
<td>Reduced driveway length with a waiver of conditions of a zone change, and design review for a deceleration lane, project amenities, and a condominium complex – expired</td>
<td>Approved by BCC</td>
<td>December 2007</td>
</tr>
<tr>
<td>ZC-1382-06</td>
<td>Reclassified 1.6 acres from R-1 to R-4 (reduced to R-3) zoning with waivers of development standards and a design review for a multi-family complex</td>
<td>Approved by BCC</td>
<td>August 2007</td>
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Surrounding Land Use

<table>
<thead>
<tr>
<th></th>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Commercial General</td>
<td>C-2</td>
<td>Shopping center</td>
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<tr>
<td>Surrounding Land Use</td>
<td>Planned Land Use Category</td>
<td>Zoning District</td>
<td>Existing Land Use</td>
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<tr>
<td>South &amp; East</td>
<td>Public Facilities</td>
<td>R-1</td>
<td>Drainage channel/Flamingo Wash</td>
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<td>West</td>
<td>Office professional</td>
<td>R-1</td>
<td>Undeveloped</td>
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**Related Applications**

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<thead>
<tr>
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<tbody>
<tr>
<td>DR-19-0352</td>
<td>A design review for a multiple family residential development (condominiums) is a companion item on this agenda.</td>
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</tbody>
</table>

**STANDARDS FOR APPROVAL:**
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis**

**Current Planning**

**Waiver of Conditions #1**
Multiple Family Residential Policy 51 of the Comprehensive Master Plan states that all multiple family projects should provide several amenities such as usable open space, swimming pools, barbeque pits, and community centers. A pool area with a barbeque pit, a dog park, and additional active open spaces are provided throughout the development, comply with this policy. A deceleration lane was a component of the previous land use approval, and is not a requirement with this current development proposal. Therefore, staff can support this waiver request.

**Waiver of Conditions #2**
Multiple Family Residential Policy 53 of the Comprehensive Master Plan encourages multiple family developments that are compatible with adjoining land uses and densities through site planning and building design. The density of the proposed condominium development (17.6 du/ac) is compatible with the density previously approved for the senior housing facility (17.3 du/ac) located to the west of the project site, across the Pecos-McLeod Interconnect. The density for the proposed project is less than what is allowed with the current land use designation for the site, Residential Urban Center, which allows a range of 18 dwelling units up to 32 dwelling units per acre. Therefore, staff can support this waiver request.

**Waiver of Conditions #3**
The maximum height of the 2 buildings is 35 feet, which is the maximum height permitted within the R-3 zoning district. Building 1 is a combination of 2 to 3 stories while building 2 consists of 3 stories. The surrounding zoning districts within the immediate area permit maximum heights ranging from 35 feet to 50 feet. The previously approved senior housing and congregate care facilities to west of the project site, across the Pecos-McLeod Interconnect, were approved at heights of 28 feet and 38 feet respectively. Staff finds the height of the proposed buildings is consistent and compatible with the existing and approved heights of the buildings within the surrounding area; therefore, staff can support this waiver request.
Public Works - Development Review
Waivers of Conditions #4 through #6
Staff has no objection to the request to waive several conditions of approval for Public Works since a new project is proposed with a different layout from what was previously approved.

Staff Recommendation
Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the conditions will no longer fulfill its intended purpose.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Clark County Water Reclamation District (CCWRD)
- No comment.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: DIAMOND PM, LLC
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