PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-0526-17 – GRAND FLAMINGO CAPITAL MANAGEMENT, LLC:

**ZONE CHANGE** to reclassify a 5.4 acre portion of a 17.9 acre parcel from C-2 (General Commercial) Zone to R-4 (Multiple Family Residential - High Density) Zone for a multiple family residential development in the MUD-3 Overlay Districts.

**DESIGN REVIEW** for a multiple family residential development.

Generally located on the south side of Rochelle Avenue (alignment), 905 feet east of Hualapai Way within Spring Valley (description on file). SB/pb/ma (For possible action)

RELATED INFORMATION:

**APN:**
163-19-211-011 ptn

**LAND USE PLAN:**
SPRING VALLEY - COMMERCIAL GENERAL

**BACKGROUND:**
**Project Description**
**General Summary**
- Site Address: N/A
- Site Acreage: 5.4 acre portion of a 17.9 acre parcel
- Number of Units: 128
- Density (du/ac): 23.8
- Project Type: Multi-family residential apartments
- Number of Stories: 2
- Building Height: 30 feet
- Open Space Required/Provided: 12,800 square feet/53,408 square feet
- Parking Required/Provided: 234/256

**Neighborhood Meeting Summary**
This request is for a nonconforming zone change to reclassify approximately 5.4 acres from a C-2 zone to an R-4 zone to allow a multi-family residential development. The applicant conducted a neighborhood meeting at the Desert Breeze Community Center on June 12, 2017, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. One neighbor was present who had no objection to the project.
Site Plan
The plan depicts a multiple family residential development consisting of 128 units with a density of 23.8 dwelling units per acre. This project is proposed to be developed in conjunction with an existing 276 unit multiple family residential development on the adjacent parcel to the west. The proposed development is considered to be the second phase of the project and consists of 9 buildings for the residential units, 19 individual garages distributed between 4 residential buildings, and 53,408 square feet of open space distributed throughout the complex. Outdoor recreational amenities will include a dog park and hammock areas. Phase 2 will also share amenities with Phase 1; the amenities include swimming pools, a tot-lot and BBQ pits. Parking is distributed throughout the site and includes covered parking areas, garages, and long term bicycle parking areas. Access to the site is from Hualapai Way via shared access with Phase 1 on the adjacent parcel to the east.

Landscaping
The plan depicts landscaping that is in compliance with Title 30 requirements. A 5 foot wide landscape area is depicted along the south boundary of the project. Landscape areas with a minimum width of 10 feet are depicted along the north and east boundaries of the project. The landscape materials consist of trees, shrubs, and groundcover. Medium and large trees are distributed throughout the parking areas and additional trees, shrubs, and groundcover are provided adjacent to the buildings and within the common areas.

Elevations
The residential buildings are all 2 story with pitched roofs consisting of concrete tile roofing material. The exterior walls have a stucco finish painted in earth tone colors. The second floor units will have balconies with wrought iron railings. The residential buildings are designed with various pop-outs, recesses, and varying roof heights on all sides of the buildings to break up the vertical and horizontal lines of the buildings.

Floor Plans
The residential buildings will consist of 40, one bedroom units and 88, two bedroom units. There are 4 buildings with garages on the first floor and residential units on the second floor.

Signage
Signage is not a part of this request.

Applicant’s Justification
The applicant indicates that commercial projects have not developed on the site and additional residential development would benefit the area. The proposed development is adjacent to, and will be developed in conjunction with the existing R-4 zoned multiple family residential development to the west. The applicant also states that the proposed project will have minimal impact on public facilities and services in the area. The proposed development conforms to several policies in the Clark County Comprehensive Master Plan such as Urban Specific Policy 10 which encourages the site design to be compatible with adjacent land uses. The development meets the required design standards for an R-4 zoned multiple family development and will provide a housing option that is compatible with the area.
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>UC-0812-06</td>
<td>Allowed a carnival/temporary outdoor event with outdoor live entertainment – expired</td>
<td>Approved PC</td>
<td>July 2006</td>
</tr>
<tr>
<td>ZC-1244-98</td>
<td>Reclassified 150 acres including the subject site to C-2 zone to allow a regional shopping center</td>
<td>Approved by BCC</td>
<td>December 1998</td>
</tr>
</tbody>
</table>

Various other land use applications were approved on the site and the surrounding parcels in conjunction with the existing shopping center to the east and the existing apartment uses to the west and south.

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 &amp; undeveloped</td>
</tr>
<tr>
<td>South</td>
<td>Residential Urban Center (18 du/ac to 32 du/ac) &amp; Commercial General</td>
<td>R-4 &amp; C-2</td>
<td>Multi-family apartment complex &amp; undeveloped</td>
</tr>
<tr>
<td>East</td>
<td>Commercial General</td>
<td>C-2</td>
<td>Shopping center &amp; undeveloped</td>
</tr>
<tr>
<td>West</td>
<td>Residential Urban Center (18 du/ac to 32 du/ac)</td>
<td>R-4</td>
<td>Multi-family apartment complex</td>
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STANDARDS FOR APPROVAL:
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

The nonconforming zone change amendment ordinance requires that the applicant provide compelling justification that approval of the nonconforming zoning is appropriate. Additionally, the BCC may consider the cumulative impacts of nonconforming zone boundary amendments within the planning area.

A Compelling Justification means the satisfaction of the following criteria as listed below for proposed nonconforming zone boundary amendments:

1. A change in law, policies, trends, or facts after the adoption of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.

Amendments to the Spring Valley Land Use Plan were adopted in October 2014. There have been no changes in law, policies, trends, facts, or the character/condition of the area. However, based on the character of the neighborhood, the development proposed by the applicant may be more consistent and compatible with the surrounding area than a commercial development for this site. Additionally, the request is an expansion of an existing multiple family residential development on the adjacent parcel to the west.
2. The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.

The proposed development is adjacent to and will be developed in conjunction with the existing R-4 zoned multiple family residential development to the west. Furthermore, there is an existing multiple family residential development in an R-4 zone on the adjacent parcel to the south and an existing multiple family residential development in an R-3 zone located south of Peace Way. Staff finds that the request is more appropriate and compatible with the existing land use patterns in the immediate area.

3. There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.

Various Clark County service departments have reviewed this development proposal and found adequate services available, or have specified the type of improvements that are needed for this development.

Based on information received from the Clark County School District, the elementary school located within the corresponding school zone is over-capacity for the 2016-2017 school year. Staff is concerned that the cumulative impact from the individual student yield of this project and future projects in the immediate area may further exacerbate the existing capacity situations, especially since this area was not planned to accommodate the number of additional residential units and there are no plans to build new schools in the future.

4. The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.

The proposed zoning and design is similar to the existing R-4 zoned developments to the west and south, therefore, staff finds that the design of this project may satisfy Comprehensive Master Plan Urban Land Use Policy 7 which encourages, in part, that new developments should be complementary and similar in scale and intensity to the surrounding land uses. The project is located near the intersection of Hualapai Way and Flamingo Road and conforms to Urban Specific Policy 57 which encourages multiple family residential developments to locate near transit (or where it may become available) along with pedestrian and road networks that can accommodate higher residential densities.

**Summary**

**Zone Change**

Based on the criteria listed above, staff finds that the applicant has satisfied the requirements for a compelling justification to warrant approval of the application. The density and intensity proposed by this request will result in a land use that is less intense than allowed by the Commercial General land use category designated for the site. Based on the requested zoning, staff finds that the density and intensity proposed by this request will result in a land use that is compatible with the development to the west and south. Therefore, this project satisfies Comprehensive Master Plan Urban Specific Policy 7 which encourages, in part, that new developments should be complementary and similar in scale and intensity to the surrounding
land uses. Therefore, staff finds the proposed project is compatible with the existing, approved, and planned development in the area.

Design Review
The design of the subdivision layout is consistent and compatible with approved land uses in this area, and staff finds the project conforms to Urban Land Use Policy 10 of the Comprehensive Master Plan that encourages site designs to be compatible with adjacent land uses and off-site circulation patterns. The residential buildings are designed with various pop-outs, recesses, and varying roof heights on all sides of the buildings to break up the vertical and horizontal lines of the buildings that conform to Urban Land Use Policy 55 which encourages design alternatives and spatial distribution rather than the massing of buildings (massing refers to the bulk of a building). Design alternatives for massing include varied elevations, roof forms, and surface planes. Building heights should vary in a multiple family development with lower buildings adjacent to streets and surrounding residential uses. Therefore, staff recommends approval of this request.

Staff Recommendation
Approval. This item has been forwarded to the Board of County Commissioners.

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.

TAB/CAC: Spring Valley – approval.
APPROVALS: 2 cards
PROTESTS: 3 cards

PLANNING COMMISSION ACTION: August 15, 2017 – APPROVED – Vote: Unanimous
Absent: Kirk

Current Planning
- A resolution of intent to complete in 3 years;
- A parcel map to separate the R-4 zoned portion of the parcel from the C-2 zoned portion of the parcel shall be recorded prior to building permits being issued;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

Public Works – Development Review
- Drainage study and compliance;
- Traffic study update and compliance.

Clark County Water Reclamation District (CCWRD)
- Applicant is advised that a Point of Connection (POC) request has been completed for this project; request your POC by emailing sewerlocation@cleanwaterteam.com and referencing POC Tracking #0025-17; and that CCWRD approved POC must be included when submitting civil improvement plans.

APPLICANT: Nevada West Partners IV, LLC
CONTACT: Chris Kaempfer, Kaempfer Crowell, 1980 Festival Plaza Drive, Suite 650, Las Vegas, NV 89135