



Whitney Town Advisory Board

Whitney Community Center

5712 Missouri Ave.

Las Vegas, NV. 89122

July 28, 2022

6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Victoria Bonner at 702-335-9205.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at specific Board/Council website.

Board/Council Members: Christopher Fobes, Chairperson
 Greg Konkin-, Vice Chairperson
 Geraldine Ramirez
 Amy Beaulieu

Secretary: Victoria Bonner, 702-335-9205, victoria.tabsecretary@gmail.com
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Blanca Vazquez, 702-455-8531, bva@clarkcountynv.gov
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

I. Call to Order, Invocation, Pledge of Allegiance, and Roll Call

II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the

Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- III. Approval of Minutes for May 12, 2022. (For possible action)
- IV. Approval of the Agenda for July 28, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning

1. **NZC-22-0380-BORT, LLC:**

ZONE CHANGE to reclassify 6.7 acres from a C-2 (General Commercial) Zone to an R-4 (Multiple Family Residential (High Density)) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** fence height; and **2)** building height.

DESIGN REVIEWS for the following: **1)** a multiple family residential development; and **2)** alternative parking lot landscaping. Generally located on the west side of Boulder Highway and the north and south sides of Desert Horizons Drive within Whitney (description on file). JG/jvm/jo

(For possible action)

08/16/22 PC

- VII. General Business
- VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
- IX. Next Meeting Date: August 11, 2022.
- X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Whitney Community Center-5712 Missouri Ave.
<https://notice.nv.gov>



Whitney Town Advisory Board

May 12, 2022

MINUTES

Board Members: Christopher Fobes –Chair - **PRESENT**
Greg Konkin - Vice Chair- **PRESENT**
Amy Beaulieu-**EXCUSED**
Geraldine Ramirez-**PRESENT**

Secretary: Victoria Bonner 702-335-9205 victoria.tabsecretary@gmail.com

Town Liaison: Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov

I. Call to Order, Pledge of Allegiance, Roll Call,(see above) County Staff Introduction

Nicole Russell; Planning,
Alvaro Lozano; Community Services Specialist

The meeting was called to order by Fobes at 6:00 p.m.

II. Public Comment
None

III. Approval of April 28, 2022 Minutes
Moved by: Ramirez
Approve as submitted
Vote: 4-0 Unanimous

IV. Approval of Agenda for May 12, 2022
Moved by: Ramirez
Vote: 4-0 Unanimous

V. Informational Items (for discussion)

VI. Planning and Zoning

1. **WS-22-0188-MENDOZA JOSEPH AURELIO:**

WAIVER OF DEVELOPMENT STANDARDS to reduce the setback of an existing accessory structure in conjunction with an existing single family residence on 0.1 acres in an R-1 (Single Family Residential) Zone. Generally located on the east side of Ada Drive, 55 feet north of Arvada Way within Whitney. JG/jor/syp (For possible action) 06/07/22 PC

MOVED BY: Ramirez

APPROVE with staff conditions and siding must be constructed within 12 months.

VOTE: 4-0

2. **ET-22-400054 (WS-19-0927)-DFA, LLC:**

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: **1)** reduced security gate setback; **2)** alternative landscaping; **3)** attached sidewalk; and **4)** reduced parking.

DESIGN REVIEW for a 265,000 square foot office/warehouse building on 15.1 acres in an M-1 (Light Manufacturing) Zone and an M-2 (Industrial) Zone. Generally located on the north side of Eastgate Road and the west side of Fourth Street within Whitney. JG/jor/syp (For possible action) 06/08/22 BCC

MOVED BY: Fobes

APPROVE with staff conditions

VOTE: 4-0

VII. General Business (for possible action)
None

VIII. Public Comment
None

IX. Next Meeting Date
The next regular meeting will be June 2, 2022.

X. Adjournment
The meeting was adjourned at 6:30 p.m.

**ATTACHMENT A
WHITNEY TOWN ADVISORY BOARD
ZONING AGENDA
THURSDAY, 6:00 P.M., JULY 28, 2022**

08/16/22 PC

1. **NZC-22-0380-BORT, LLC:**
ZONE CHANGE to reclassify 6.7 acres from a C-2 (General Commercial) Zone to an R-4 (Multiple Family Residential (High Density)) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) fence height; and 2) building height.
DESIGN REVIEWS for the following: 1) a multiple family residential development; and 2) alternative parking lot landscaping. Generally located on the west side of Boulder Highway and the north and south sides of Desert Horizons Drive within Whitney (description on file). JG/jvm/jo (For possible action)

MULTIPLE FAMILY
(TITLE 30)

BOULDER HWY/DESERT HORIZONS DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-22-0380-BORT, LLC:

ZONE CHANGE to reclassify 6.7 acres from a C-2 (General Commercial) Zone to an R-4 (Multiple Family Residential (High Density)) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** fence height; and **2)** building height.

DESIGN REVIEWS for the following: **1)** a multiple family residential development; and **2)** alternative parking lot landscaping.

Generally located on the west side of Boulder Highway and the north and south sides of Desert Horizons Drive within Whitney (description on file). JG/jvm/jo (For possible action)

RELATED INFORMATION:

APN:

161-27-802-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow an 8 foot decorative fence where a 6 foot decorative fence is allowed per Section 30.64.020 (a 25% increase).
2. Allow a 41 foot tall building where 35 feet is the maximum height allowed per Table 30.40-3 (a 17.1% increase).

LAND USE PLAN:

WHITNEY - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 6220 Boulder Highway
- Site Acreage: 6.7
- Number of Lots/Units: 167
- Density (du/ac): 24.9
- Project Type: Multiple family residential
- Number of Stories: 3
- Building Height (feet): 41
- Open Space Required/Provided: 16,700/20,510

- Parking Required/Provided:289/309

Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting on March 22, 2022, as required by the nonconforming zone boundary amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There was 1 attendee present at the open house meeting for this item. Positive comments were raised about the modern look of the apartments. Overall, according to the applicant, no opposition was expressed about the project.

Site Plans

The plans depict a multiple family residential development on a rectangular parcel along the Boulder Highway frontage with an overall project site consisting of 6.7 acres. The parcel is bisected by a driveway from Boulder Highway, effectively creating 2 separate developments. The northern portion of the parcel will consist of 1 building with 47 units, parking surrounds the building, and a pool is shown between the building and Boulder Highway. There is 1 point of access to this portion of the project from the bisecting driveway, and trash enclosures are shown on the southern side of this portion of the project. On the south side of the development there are 5 apartment buildings and a club house. In proximity of the clubhouse are amenities that include a second pool, pickle ball court, patio area with barbeque, and a spa. A secondary amenity area includes a playground and dog park. The buildings, parking areas, and trash enclosures are dispersed throughout this portion of the site. Access to this portion of the project is provided by an entrance from the bisecting driveway and a second entrance from Boulder Highway. The project site requires 289 parking spaces where 309 parking spaces are provided.

Landscaping

Landscaping is equitably distributed throughout the project and meets all Code requirements for street landscaping and parking lot landscaping. All areas will have 24 inch box trees, 5 gallon shrubs and groundcover.

Elevations

The submitted elevations depict 3 story buildings with a maximum height of approximately 41 feet. They also show flat roofs behind parapet walls. The main color scheme is grey and white main body with blue and yellow accents, for visual interest. Balconies or patios are included for each unit and the main walls are stucco.

Floor Plans

The room mix is composed of the following: 14 studios; 63 one bedrooms; 87 two bedrooms; and 3 three bedroom units. The units consist of typical room types for this type of residential development.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed project is compatible with adjacent development in terms of density and intensity. Site access and on-site circulation do not negatively impact adjacent roadways or neighborhood traffic. In addition, the elevations and design characteristics are not unsightly, undesirable or obnoxious in appearance.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---------------------------------------|-----------------|---------------|
| DR-1541-06 | Hotel signage | Approved by PC | December 2006 |
| UC-0293-06 | Kitchens in hotel rooms | Approved by BCC | April 2006 |
| TM-0104-06 | Commercial subdivision | Approved by BCC | April 2006 |
| ZC-1610-04 | Zone boundary amendment to C-2 zoning | Approved by BCC | October 2004 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|--|------------------------|-----------------------------|
| North | Corridor Mixed-Use | C-2 | Outside storage |
| South | Corridor Mixed-Use | C-2 & R-2 | Commercial & undeveloped |
| East | Urban Neighborhood (greater than 18 du/ac) | R-3 | Multiple family residential |
| West | Entertainment mixed-use | R-5 | Multiple family residential |

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

- 1. A change in law, policies, trends, or facts after the adoption, readoption or amendment 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.*

The applicant states that circumstances surrounding the property provide in part a compelling justification for the nonconforming zone change. The Boulder Highway corridor is in the process of transitioning to enable more residential with limited commercial area and the amendment would allow for this parcel to be developed in a compatible manner. Additionally, there is a

huge need to make efficient use of existing infrastructure, land and water, and provide adequate supply of housing options. Furthermore, the changes to make Boulder Highway safer, more pedestrian friendly, transit oriented, and less conventional retail underscore the need for both the change in zoning and higher density.

- 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 applicant states that approval of this zone change is compatible with the existing and planned land uses in the surrounding area. The abutting development to the west that shares access with this request is existing multiple family. There is no abutting single family.

- 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.*

The applicant states that this nonconforming zone change site is an in-fill location that is anticipated to be adequately served with no adverse impact to public improvements, facilities, and services. Compliance with all public development requirements is expected.

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

The applicant states that approval of this nonconforming zone change request conforms to the applicable adopted plans, goals, and policies of the County, and specifically conforms to the MUD-3 designation.

Summary

Zone Change

Based on the analysis above, staff finds that the trend in the area for higher density residential development makes this request appropriate at this location. The proposed scale, intensity, and location of this project should not have any adverse effects on adjacent properties. The density is consistent with the nearby R-3 and R-5 zoned projects on both sides of Boulder Highway. This project satisfies Countywide policies and goals in the Master Plan which encourages, in part, that new developments should be complementary and similar in intensity to the surrounding land uses and fully accessible between the various uses in the area; therefore, staff finds that the applicant has provided a compelling justification to warrant approval of this nonconforming zone change request.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Staff finds that the request for increased fence height will increase safety for the future residents by allowing patrol units to see into the property and the increased height will make it more difficult to climb over. The request for increased building height is minimal and will not be discernible from the neighboring properties or roadways; therefore, staff can support both waivers.

Design Reviews

Staff finds site access and circulation do not negatively impact adjacent roadways or neighborhood traffic. The proposed project will help complete a substantial portion of the pedestrian realm along Boulder Highway. In addition, the bulk of the traffic will be pushed toward the secondary entrance on Boulder Highway, minimizing the impact of traffic on the existing driveway for the apartments to the west.

The building and landscape materials are appropriate for the area and for the County. In addition, the proposed landscaping will provide “defensive” landscape plants along Emerald Avenue, and the property management will participate in Metros community safety program.

Lastly, the elevations, design characteristics, and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance. The buildings have an attractive appearance with plenty of articulation and fenestrations; therefore, staff can support the design reviews.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners’ meeting for final action on September 21, 2022 at 9:00 a.m., unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified

in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential 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; that 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 that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0251-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:
APPROVALS:
PROTESTS:**

APPLICANT: BORT, LLC

CONTACT: G. C. GARCIA, INC C/O GEORGE GARCIA, 1055 WHITNEY RANCH DRIVE, SUITE 210, LAS VEGAS, NV 89014



LAND USE APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
- ZONE CHANGE
 - CONFORMING (ZC)
 - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
 - PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)

(ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)

(ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)

(ORIGINAL APPLICATION #)

STAFF

DATE FILED: 6/22/22 P. NUMBER: NZC-22-0380
 PLANNER ASSIGNED: JUM TAB/CAC: Whitney
 ACCEPTED BY: JUM TAB/CAC MTG DATE: 7/28 TIME: 6pm
 FEE: \$ 3,050 PC MEETING DATE: 8/16/22
 CHECK #: _____ BCC MEETING DATE: 9/21/22
 COMMISSIONER: J-G ZONE / AE / RNP: C-2
 OVERLAY(S)? PLANNED LAND USE: CM
 PUBLIC HEARING? (Y)N NOTIFICATION RADIUS: 150 SIGN? Y / N
 TRAILS? Y / (N) PFNA? Y / (N) LETTER DUE DATE: _____
 APPROVAL/DENIAL BY: _____ COMMENCE/COMPLETE: _____

PROPERTY OWNER

NAME: BORT LLC
 ADDRESS: PO BOX 80391
 CITY: Las Vegas STATE: NV ZIP: 89180
 TELEPHONE: _____ CELL: 702-750-7400
 E-MAIL: gotiger66@gmail.com

APPLICANT

NAME: BORT LLC
 ADDRESS: PO BOX 80391
 CITY: Las Vegas STATE: NV ZIP: 89180
 TELEPHONE: _____ CELL: 702-750-7400
 E-MAIL: gotiger66@gmail.com REF CONTACT ID #: _____

CORRESPONDENT

NAME: G.C. Garcia, Inc. c/o Doug Rankin
 ADDRESS: 1055 Whitney Ranch Dr., Suite 210
 CITY: Henderson STATE: NV ZIP: 89014
 TELEPHONE: 702-435-9909 CELL: _____
 E-MAIL: acole@gcgarciainc.com REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 161-27-802-002
 PROPERTY ADDRESS and/or CROSS STREETS: 6220 BOULDER HWY
 PROJECT DESCRIPTION: rezone to R-4, DR for 167 units as well as Waivers of Development standards:
See attached justification ltr

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature)* [Signature] Property Owner (Print) Guillermo Rangel

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON 10/19/2021 (DATE)
 By Guillermo Rangel
 NOTARY PUBLIC: [Signature]



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.



May 23, 2022

Nancy Amundsen, Director
Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

N2C-22-0380

RE: Boulder Hwy & Emerald Ave
Request: Non-conforming Zone Change, Design Review and Waivers of
Development Standards
APNs: 161-27-802-002

Dear Nancy:

On behalf of our client, Bort LLC, please accept the attached application for a Non-Conforming Zone Change, and Design Review with Waivers of Development Standards to allow a Multifamily development. The proposed project is on the northwest corner of Boulder Highway and Emerald Avenue on approximately 6.7 +/- acres. The project would develop a long vacant piece of infill property and help to add a substantial piece to the pedestrian realm along Boulder Highway.

The current zoning is General Commercial (C-2) and MUD-3 in the Mixed-Use Overlay and the request is to rezone to Multifamily Residential (High Density) R-4. The Planned Land Use is Corridor Mixed- Use. The land to the north and south is zoned and developed as General Commercial (C-2). To the west is R-3 developed as apartments and to the east across Boulder Hwy is also R-3 developed as Single Family Residential.

Project Design

Site Plan

The proposed project is a total of 125,305 SF. The Multifamily will be spread throughout six three-story buildings and a clubhouse. The existing driveway from the abutting parcel to the west to Boulder Hwy effectively bisects the parcel into two sections with Building 1 and a pool on the northern section and Buildings 2-5, the clubhouse and a second pool on the southern section. The Multifamily will consist of 167 units made up of fourteen studio units, sixty-three 1-bedroom units, eighty-seven 2-bedroom units and three 3-bedroom units. The units will range in size from 528 SF to 1,285 SF. Only the 2-bedroom units will have two floor plans: a 900 SF plan and a 1050 SF plan.

The required car parking is 289 spaces, and 309 spaces are provided or 7% above required. Also, 4 bike parking spaces are required and 12 are provided by the clubhouse or 200% more bike parking than required.

The amenities provided include a pool, clubhouse & gym, playground, BBQ areas, and dog park all located on the southern portion. A second pool and BBQ areas are provided on the northern end of Building 1. The required open space is 16,700 SF and the project exceeds the required open space by almost 23% with the 20,510 SF provided.

The site has an existing access easement for a driveway from Boulder Highway across the property to enable access to the abutting apartment complex to the west. This shared access will be the primary entrance.



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

A secondary access drive occurs to the south of the existing shared drive to help disperse traffic. Emergency access is also located on Emerald. The proposed project will keep the existing driveway. A second driveway further to the south on Boulder Hwy will be utilized as the primary entrance for Buildings 2-5 and the additional amenities including a clubhouse and dog park. A man gate is located in the wrought iron fence along Boulder Highway to allow access to the amenities on the southern portion of the site to be utilized by residents with units on the northern portion.

A crash gate for the southern section will be located on the existing driveway and on Emerald. This design is to minimize the amount of traffic that will be added to the existing driveway and will have less impact on the existing residents in the apartments to the west. Preliminary approval has already been received from NDOT for the access to Boulder Hwy by the existing and new access drives.

Landscape

The pedestrian realm along Boulder Hwy per Title 30.48.770 consists of a 5 FT detached sidewalk along with the 5 FT amenity zone between the sidewalk and the back of curb. The supplemental pedestrian area from the sidewalk to the 8 FT tall wrought iron fence is approximately 12 FT, with another 14 FT or more between the fence and the buildings. Trees along the property line adjacent to the existing apartments will be planted close together to provide additional buffering. A fenced dog park amenity of approximately 1730 SF is also proposed within the 21 FT parking lot landscape strip next to the Building 4. The dog park will have a water station, dog waste station and share a bench with the abutting playground. This will provide an additional amenity for residents and their four-legged family members.

A Design Review of Table 30.64-14 is requested. Per Table 30.64-14 an 8" wide planting strip with one large tree for every 6 parking spaces is required. The trees for the proposed parking lot adjacent to the fenced dog park amenity have been relocated to other portions nearby. The total number of required trees complies with the Code however just not as shown in Table 30.64-14.

The landscaping strip at this location is over 21 FT wide, well in excess of the 8 FT requirement by Table 30.64-14. This deviation from the standard allows for the additional dog park amenity while still meeting the intent of Figure 30.64-14.

Elevations

Elevations for this project depict buildings ranging from approximately 38 Ft to 41 FT in height. There are multiple articulations and fenestrations on all buildings. The main body of the buildings are grey and white with accents of yellow and blue to provide visual interest.

Zone Boundary Approval Criteria 30.16.060(i)

"Compelling Justification" means the satisfaction of the following criteria for proposed amendments:

1. A change in law, policies, trends, or facts after the adoption, re-adoption or amendment 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 amendment appropriate; and

The circumstances surrounding the property provide in part a compelling justification for the Non-Conforming Zone Change. The Boulder Hwy corridor is in the process of transitioning to enable more residential with limited commercial area and the amendment would allow for this parcel to be developed in a compatible manner.

Additionally, the existing Overlay for the site is MUD-3 with which the Urban Village zoning district and the proposed project create the best fit and most compatibility.

There is a huge need to make efficient use of existing infrastructure, land and water and provide adequate supply of housing options.

Furthermore, the changes to make Boulder Highway safer, more pedestrian friendly and transit oriented and less conventional retail underscore the need for both the change in zoning and higher density.

2. The density or intensity of the uses allowed by the amendment is compatible with the existing and planned land uses in the surrounding area; and

Approval of this zone change is compatible with the existing and planned land uses in the surrounding area. The abutting development to the west that shares access with this request is existing multi-family. There is no abutting single family.

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; and

The non-conforming zone change site is an infill location that is anticipated to be adequately served with no adverse impact to public improvements, facilities and services. Compliance with all public development requirements is expected.

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

Approval of this non-conforming zone change request conforms to the applicable adopted plans, goals, and policies of the County. It specifically conforms to the MUD-3 designation.

Design Review Approval Criteria 30.16-9(i)

1. The proposed development is compatible with adjacent development and development in the area, including buildings, structures or sites with a Historic Designation;

The proposed development is compatible with the adjacent development and development in the area in terms of density and intensity.

2. The proposed development is consistent with the applicable land use plan, this Title, and other regulations, plans and policies of the County;

The proposed project is consistent with the zoning and regulations, plans and policies of the County and the MUD-3 district.

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

Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic. The proposed project will help complete a substantial portion of the pedestrian realm along Boulder Hwy. In addition, the bulk of the traffic will be pushed toward the secondary entrance on Boulder Hwy minimizing the impact of traffic on the existing driveway for the apartments to the west.

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

The building and landscape materials are appropriate for the area and for the County. The plans were shared with Metro for CPTED input on 3-14-2022 and incorporated into the plans with an 8 foot W.I. Fence. Cameras. Cameras will be installed as well. The final landscaping will provide "defensive" landscape plants along Emerald. Lastly, the Property Management will participate in Metros program.

5. 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 elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance. The buildings have an attractive appearance with plenty of articulation and fenestrations.

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

Appropriate measures have been taken to secure and protect the public health, safety, and general welfare. This includes a review of the plans by Metro for CPTED input.

7. FAA and other additional requirements and standards as established in Sections 30.16.210 - 30.16.240

The project meets the FAA and other additional requirements and standard as established in Sections 30.16.210-30.16.240.

WAIVERS

The proposed project requires Waivers of Development Standard to allow alternative standards for landscaping and an increased perimeter wall height.

1. To allow an 8 FT high wrought iron fence where 6 FT is the maximum per Title 30.64.020.B

The Waiver request is to incorporate CPTED guidelines for the site as recommended by LVMPD to maintain community safety. The 8FT wrought iron fence will still allow patrol units to see into the site while providing a physical barrier.

2. To allow a building height of up to 41 FT where 35 FT is the maximum per Title 30.40 Table 30.40-3.

The Waiver request will allow for additional architectural accents which provide greater façade articulation and variation in the roof line. This helps creates a more attractive visual design for the buildings.

There is one side of buildings that needs 41 feet, the remaining elevations need a 38 foot height.

Waiver Approval Criteria:

- A. The use and value of the area adjacent to the property included in the waiver request will not be affected in a substantially adverse manner;

The proposed waivers will not affect the use and value of the area adjacent and will not affect the surrounding area in a substantially adverse manner.

- B. The use will not materially affect the health and safety of persons residing in, working in, or visiting the immediate neighborhood and will not be materially detrimental to the public welfare;

The proposed waivers will not materially affect the health and safety of persons residing in, working in, or visiting the immediate neighborhood and will not be materially detrimental to the public welfare.

- C. The granting of such application shall be in harmony with the general purpose, goals, objectives, and standard of the Plan and of this Title; and

The project as proposed, and the requested waivers are consistent with the purpose, goals and objective of the Plan and Title 30 as demonstrated by this letter and supporting documentation.

- D. The proposal will be adequately served by and will not create an undue burden on any public improvements, facilities or services.

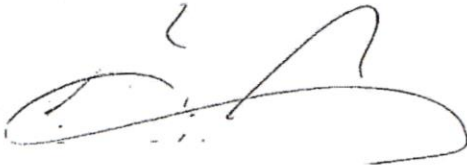
The proposed project will not create an undue burden on any public improvements, facilities, or services.

SUMMARY JUSTIFICATION:

The proposed multi-family project will develop a long vacant parcel and complete a substantial portion of the pedestrian realm along Boulder Highway between Russell and Sunset. The project will add much need residential housing options with amenities. The use will provide efficient use of land and support the future vision of Boulder Highway.

We would appreciate your favorable consideration of this project. Should you have any questions or concerns regarding this request, please contact this office.

Sincerely,



George Garcia,
Founder