



Planning Commission Agenda Item

Date: March 09, 2022

Item No: 5.

TO: Planning Commission

FROM: Marc Jordan, Director Land Development & Community Services
Prepared By: Amy Michaels

SUBJECT: ZN-03-2022 N 5TH & AZURE (Public Hearing). Applicant: Harmony Homes. Request: A property reclassification from a PUD (Planned Unit Development District) and a C-1 (Neighborhood Commercial District) to a PUD (Planned Unit Development District), consisting of a 108-lot, multi-family subdivision. Location: Northwest corner of North 5th Street and Azure Avenue. Ward 4.

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DESCRIPTION: (APN #124-27-504-002; 124-27-504-004; 124-27-504-006; and 124-27-504-008)

The applicant is requesting consideration to amend an existing PUD, Planned Unit Development District and C-1, Neighborhood Commercial District on the subject property consisting of four parcels that are approximately 7.48 acres to allow a 108-unit multi-family development with an overall density of 14.4 dwelling units per acre. The site is located on the northwest corner of North 5th Street and Azure Avenue.

BACKGROUND INFORMATION:

| Previous Action | |
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| A neighborhood meeting was held on January 18, 2022 at 5:30 p.m. at the Alexander Library located at 1755 W. Alexander Road, North Las Vegas, NV 89032. The meeting was attended by two neighbors. | |

RELATED APPLICATIONS:

| Application # | Application Request |
|----------------------|---|
| T-MAP-02-2022 | A tentative map in a proposed, PUD (Planned Unit Development District), to allow a 108-unit multi-family development. |

GENERAL INFORMATION:

| | Land Use | Zoning | Existing Use |
|-------------------------|----------------------|--|---|
| Subject Property | Mixed-Use Commercial | PUD, Planned Unit Development District and C-1, Neighborhood Commercial District | Undeveloped |
| North | Mixed-Use Commercial | R-4, High Density Residential District | Multi-Family Residential |
| South | Single-Family Low | PUD, Planned Unit Development District | Single-Family Residential |
| East | Mixed-Use Commercial | R-3, Multi-Family Residential District | Multi-Family Residential |
| West | Mixed-Use Commercial | R-3, Multi-Family Residential District / R-E, Ranch Estates District | Multi-Family Residential and Religious Facility |

DEPARTMENT COMMENTS:

| Department | Comments |
|--------------------------------------|--------------------------|
| Public Works: | See attached Memorandum. |
| Police: | No Comment. |
| Fire: | No Comment. |
| Clark County Department of Aviation: | No Comment. |
| Clark County School District: | No Comment. |

ANALYSIS

The applicant is requesting consideration to reclassify (rezone) the site from PUD, Planned Unit Development District and C-1, Neighborhood Commercial District to a PUD, Planned Unit Development District. The applicant's subject site consists of four (4) parcels that are approximately 7.48 gross acres combined. The Comprehensive Plan Land Use designation for the subject site is Mixed-Use Commercial which supports the requested zoning. The subject site is located on the northwest corner of North 5th Street and Azure Avenue. The applicant has also submitted a tentative map (T-MAP-02-2022) for a one hundred and eight (108) unit multi-family development.

The purpose of the PUD, Planned Unit Development District is to serve as an alternative to conventional zoning and development approaches and processes in a manner consistent with the purpose of the Nevada Revised Statutes (NRS) and the Comprehensive Land Use Plan. The use of a PUD is to encourage innovations in residential, commercial and industrial development and to encourage a more creative

approach in the utilization of land. It is not to be used as way to circumvent our traditional regulations.

Public Works has reviewed this application request and the applicant is proposing to vacate thirty (30) feet of right-of-way along a portion of the western boundary. The owner is required to apply for the subject vacation. If the vacation does not record within two (2) years of the PUD, Planned Unit Development approval date, the vacation shall be deemed null and void and the preliminary development plan will need to be redesigned.

The applicant did not provide a landscape plan; however the site plan provided contains twenty (20) feet of landscaping, which includes a ten-foot wide sidewalk next to North 5th Street; fifteen (15) feet of landscaping which includes a five-foot sidewalk along Azure Avenue; and ten (10) feet of landscaping which includes a five-foot sidewalk along Regena Avenue. The perimeter landscaping appears to be in compliance with code requirements.

The applicant submitted preliminary development plan proposing 108 multi-family condominium dwellings within thirty-six (36) buildings. Access to the site is from a gated access located from Regina Avenue with an emergency access from Azure Avenue. The internal streets are 28-feet wide private streets with five (5) foot sidewalks on each side.

The applicant submitted one (1) two-story model elevation for the multi-family (condominiums). Each model contains one (1) three (3) bedroom unit and two (2) two (2) bedroom units. The model consists of stucco exteriors with concrete tile roofs and are earth tone in color. Architecturally, the proposed multi-family dwellings appear to be in compliance with code. The actual colors have been provided and appear to be in compliance with the design standards per code. The applicant's letter of intent states that the typical lot width is 37'66". The applicant is requesting a building separation of ten (10) feet where twenty (20) feet is required per code. The applicant is proposing the following setbacks for the lots:

- Front setback fifteen (15) feet
- Interior Side setback zero (0) feet
- Corner Side setback ten (10) feet
- Rear setback ten (10) feet

Each unit will be required to provide an eighty (80) square foot patio area or a forty (40) square foot balcony per unit to comply with the multi-family design standards. This requirement is not part of the overall open space requirement for the development.

Parking is calculated using the townhome parking requirements of two (2) parking spaces per unit. The applicant's letter of intent states that the multi-family (condominiums) will have two car garage for the three (3) bedroom units and one (1) car

garage for the two (2) bedroom units. The required parking for the site is 243 spaces and the applicant's site plan has a total of 261 parking spaces. The parking is in compliance with the parking requirements.

The applicant is required to provide 43,200 square feet (400 square feet per unit) of open space for the development. The preliminary development plan provides 45,616 square feet of open space per code requirements. The useable open space is located within one central area as required by code. The applicant's letter of intent does not list what amenities will be located in the usable open space area, the applicant should provide a tot-lot with EPDM surfacing; barbeque area; a shaded ramada or splash pad; picnic areas; and dog station areas. The final amenity list will be reviewed with the final development plan.

The surrounding area is a mixture of single-family, multi-family and commercial uses. The proposed PUD, Planned Unit Development District and land use is compatible with the surrounding neighborhood and staff has no objections to the proposed request.

Approval Criteria: (Zoning Map Amendments)

The City Council may approve zoning map amendments, and the Planning Commission may recommend approval, if the zoning map amendment meets all of the following criteria:

- (1) The rezoning will promote the public health, safety, and general welfare;
- (2) The rezoning is consistent with the comprehensive master plan and the purposes of this Code;
- (3) The rezoning is consistent with the stated purpose of the proposed zoning district(s);
- (4) Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
- (5) The rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
- (6) The rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and
- (7) Future uses on the subject tract will be compatible in scale with uses on other properties in the vicinity of the subject tract.

CONDITIONS:

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. A Final Development Plan for the 108 multi-family residential is required.
3. The building separation of ten (10) feet is permitted for the dwelling units.
4. The setbacks for the multi-family dwelling units are as follows:
 - Front setback fifteen (15) feet
 - Interior Side setback zero (0) feet
 - Corner Side setback ten (10) feet
 - Rear setback ten (10) feet
5. The following amenities shall be provided within the open space areas: age appropriate playground equipment with EPDM surfacing; turfed open play areas; shaded picnic areas; and dog stations.

Public Works:

6. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans. Conformance may require modifications to the site plan.
8. The size and number of access points and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.040; Conformance may require modifications to the site.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope.

10. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.1.
11. Proposed residential driveway slopes shall not exceed twelve percent (12%).
12. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
13. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Regena Ave.
 - b. Azure Ave
 - c. N. 5th Street
14. Azure Avenue shall be designed and constructed per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 205.
15. Regena Avenue shall be designed and constructed per the *City of North Las Vegas Modified 60' Standard Street Section with Offset Sidewalk*.
16. All off-site improvements must be completed prior to final inspection of the first building.
17. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
18. As depicted on the site plan, the applicant is proposing to vacate thirty (30) feet of right-of-way along a portion of the western boundary. Incidentally, the owner must apply for the subject vacation. Should the Order of Vacation not record within two years from the approval date, the vacation shall be deemed null and void and the Preliminary Development Plan will need to be redesigned.
19. The vacation shall record concurrently with the associated final map that is required for the development.
20. The property owner is required to grant a roadway easements for commercial driveways.

21. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.

ATTACHMENTS:

Public Works Memorandum

Letter of Intent

Site Plan

Elevations

Neighborhood Meeting Summary Letter

Clark County Assessor's Map

Location and Comprehensive Plan Map