



# Planning Commission Agenda Item

Date: May 8, 2024

Item No: 11

**TO:** Planning Commission

**FROM:** Alfredo Melesio, Jr., AICP, EDFP, Director of Land Development & Community Services  
Prepared By: Duane McNelly, Principal Planner

**SUBJECT: ZN-05-2024 OLD ROSE GARDEN (Public Hearing).** Applicant: Southern Nevada Regional Housing Authority. Request: A Property Reclassification of 5.8 Acres from R-A/R-2 (Medium Density Residential Subdistrict) to a PUD/PID (Planned Unit Development District/Planned Infill Development District) Consisting of a 192-Unit Multi-Family Housing Development. Location: Southwest Corner of N. 5th Street and Tonopah Avenue. (APNs 139-22-810-041 & 139-22-810-042). Ward 2. (For Possible Action)  
*(Continued from April 10, 2024)*

**RECOMMENDATION: APPROVE WITH CONDITIONS**

## PROJECT DESCRIPTION:

The applicant is requesting consideration to reclassify (rezone) the subject parcels from R-A/R-2 (Medium Density Residential Subdistrict) to a PUD/PID (Planned Unit Development District/Planned Infill Development District) consisting of a 192-unit multi-family housing development. The existing Comprehensive Master Plan Land Use designation for the subject site is Downtown Business District. The subject site contains a total of 5.8 acres and is generally located at the southwest corner of N. 5th Street and Tonopah Avenue within Ward 2.

## BACKGROUND INFORMATION:

Previous Action
On February 6, 2024 a Task Force meeting was held at the City of North Las Vegas to discuss the project.
On February 12, 2024, the applicant conducted a neighborhood meeting at the Neighborhood Recreation Center, 1638 N. Bruce Street, North Las Vegas NV 89030. According to the Neighborhood Meeting Summary provided by the applicant, no opposition was expressed.

**RELATED APPLICATIONS:**

Application #	Application Request
N/A	N/A

**GENERAL INFORMATION:**

	Land Use	Zoning	Existing Use
<b>Subject Property</b>	Downtown Business District	R-A/R-2, Medium Density Residential Subdistrict	Undeveloped
<b>North</b>	Downtown Business District	R-A/R-2, Medium Density Residential Subdistrict	Existing Residential
<b>South</b>	Downtown Business District	R-A/DC, Downtown Core Subdistrict and R-A/R-2, Medium Density Residential Subdistrict	Undeveloped Land
<b>East</b>	Downtown Business District	M-1, Business Park District	Amazon Distribution Center
<b>West</b>	Downtown Business District	PUD, Planned Unit Development District	Rose Gardens Senior Apartments

**DEPARTMENT COMMENTS:**

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

**ANALYSIS:**

The applicant is requesting a property reclassification to rezone the subject parcels from R-A/R-2 (Medium Density Residential Subdistrict) to a PUD/PID (Planned Unit

Development District/Planned Infill Development District) consisting of a 192-unit multi-family housing development. The existing Comprehensive Master Plan Land Use designation for the subject site is Downtown Business District. The subject site contains a total of 5.8 acres and is generally located at the southwest corner of N. 5th Street and Tonopah Avenue within Ward 2.

The existing land use to the north of the applicant's proposed project is a residential subdivision having a zoning classification of R-A/R-2, Medium Density Residential Subdistrict and was developed in the 1930's. East of N. 5<sup>th</sup> Street is an Amazon Distribution Center. West of the proposed project is the existing Rose Garden Senior Apartment complex at 1731 Yale Street and along the southerly border is undeveloped property.

***Site Plan:***



***Open Space / Amenities:***

Private common open space is private open land area set aside for the exclusive use and enjoyment of a development's residents, employees, or users, whereas, individual private open space areas are designed for personal use and directly accessible from individual dwelling units (e.g., enclosed patios, balconies). Private common open space must meet all provisions as defined in Table 17.24.020-2 of the *City of North Las Vegas Municipal Code*. Accordingly, 200 square feet of private common open space per unit is required for the development which equates to 38,400 square feet of open space.

According to the justification letter provided by the applicant, the site is providing a total of 38,400 square feet of open space including a 24,260 square foot courtyard area and 8,385 square feet of indoor amenities. Indoor amenities include a lounge and multi-purpose area, salon, arts and crafts area, computer room, fitness center, library, and laundry lounges. According to the Preliminary Development Plan (Architectural Site Plan), a landscape area consisting of 27,856 square feet is depicted along the southerly property line. This landscape area is excess of the minimum open space requirement.

With regard to individual private open space, the applicant is providing a patio for every unit on the first level and a balcony for units on the upper levels. The patio square footage is 63 square feet where 80 square feet is required; however, the balconies are 63 square feet where only 40 square feet is required. The applicant has requested a deviation to allow a reduced patio on the ground level while providing an increase in square footage for all balconies. Because the subject site is being considered as "infill" development under the PUD/PID, deviations can be considered with this application. Staff supports the requested deviation.

***Architecture / Materials / Color:***

According to the building elevations provided by the applicant, the building would consist of a stucco exterior and "wood look" fiber cement siding, painted in three (3) different shades of grey and a light tan accent color. A standing seam metal roof is proposed for the building. According the Code, buildings should be finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds. Additionally, concrete or clay tile should be used on all sloped roofs. Any building design that utilizes a flat roof must incorporate a parapet wall and cornice element on all sides of the roof. Stone, stucco, colored or exposed aggregate or textured finish concrete, and brick should be used for building exteriors. The areas of stone veneer depicted on the lower levels could be increased to add visual appeal to the building. The architectural elements and paint colors will be addressed with the Final Development Plan.



### **PURPOSE - Planned Unit Development (PUD):**

The purpose of the Planned Unit Development (PUD) district is to serve as an alternative to conventional zoning and development approaches and processes in a manner consistent with the purposes of NRS 278A.020 in order to:

- (i) Enhance the City's public health, safety, and general welfare as North Las Vegas increasingly urbanizes;
- (ii) Encourage innovations in residential, commercial, and industrial development so that greater opportunities for better housing of all types and design, recreation, shopping, and employment may extend to all citizens and residents of North Las Vegas;
- (iii) Provide for necessary commercial and industrial facilities to be conveniently located near housing;
- (iv) Reflect changes in the technology of land development so that resulting economies may be made available to those who need homes and to encourage more efficient use of land and public and private services;
- (v) Encourage a more creative approach in the utilization of land in order to accomplish a more efficient, aesthetic, and desirable development that may be characterized by special features of the geography, topography, size, or

shape of a particular property;

- (vi) Provide a compatible, stable, developed environment in harmony with that of the surrounding area; and
- (vii) Ensure that increased flexibility of substantive regulations be administered in such a way as to encourage the disposition of proposals for land development without undue delay.

The preceding purposes should be balanced so that the PUD consists of a harmonious selection of uses and groupings of buildings, parking areas, circulation and open spaces, and should be designed as an integrated unit, in such manner as to constitute a safe, efficient, and convenient urban area development.

### ***Analysis of PUD/PID Zoning:***

The proposed property reclassification is for a PUD/PID, Planned Unit Development District, Planned Infill Development District. The PID is essentially a subtype of the PUD and may be considered for properties south of Craig Road that are bordered by existing development on a minimum of two sides. The subject site qualifies for the PID subtype.

In addition, the Comprehensive Plan designates the subject site as part of the Downtown Business District. While the title of Downtown Business District may lend itself to commercial development, residential development would also be allowed, if deemed appropriate. According to the Downtown Redevelopment Plan adopted by the City Council on December 19, 1990, via Ordinance 994, the subject site could be developed with Medium High Density Residential. The applicant is proposing 192 apartment units on 5.8 acres, which equates to approximately 33 dwelling units per acre. While Medium High Density Residential is normally less than 25 dwelling units per acre, a higher density could still be allowed as it is within the Downtown Business District. In addition, Goal 5.4 / Policy 5.4-3 of the current Comprehensive Plan, states:

“Create design guidelines to promote high-quality, attractive infill development and redevelopment. This development should be pedestrian-oriented, serve the needs of the surrounding area, and should be in harmony with the overall character, massing and design of existing development.”

The subject site is in close proximity to other high density senior housing and multi-family developments. Furthermore, this proposed development is being constructed on a former multi-family apartment complex.

In addition, according to the Downtown Master Plan and Investment Strategy, the introduction of new multi-family housing is encouraged. Furthermore, according to the desired land use map as part of this document, medium to high density residential is shown as a desired land use which would support higher density housing as proposed by

the applicant.

### **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.

### **Summary:**

The proposed reclassification to the PUD/PID is consistent with the current land use designation, and the associated studies of the surrounding area. The proposed development serves to improve housing for existing residents and adds new development to the Downtown Redevelopment Area. The proposed use should not impact, but would rather improve the health, safety, and general welfare of the public and the surrounding community. The City also does not anticipate any adverse impacts on facilities and services surrounding the subject site. Furthermore, the proposed reclassification of property should not impact other properties in the vicinity as future development of this property would need to comply with the specifics of the particular PUD/PID and its related conditions.

### **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 is required and shall be approved by the Planning Commission. Updated building elevations, a detailed landscape, open space and amenities plan shall be submitted with the Final Development Plan.
3. The number of units shall not exceed 192 multi-family units.
4. A minimum 257 off-street parking spaces shall be provided.
5. Each patio and balcony shall have an average size of 63 square feet.
6. Appropriate mapping is required to combine the parcels. All mapping shall be in compliance with NRS Chapter 278, the *City of North Las Vegas Municipal Code*, and associated master plans in effect at the time of map approval.

***Public Works:***

7. 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.
8. The existing 4' wide sidewalk along the perimeter streets is required to be replaced with 5' wide sidewalk to meet the current standards.
9. The applicant is required to bring the site into compliance with ADA requirements. i.e., sidewalk ramps, etc.
10. The existing street lights, along Yale and Tonopah, shall be relocated to the standard location for a 5' wide sidewalk, and street light power placed underground.
11. Approval of a drainage study is required prior to submittal of the civil improvement plans.

12. Approval of a traffic study is required prior to submittal of the civil improvement plans and the City of Las Vegas concurrence is required. Please contact Traffic Engineering at 633-2676 to request a scope.
13. 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 and *Clark County Area Uniform Standard Drawing* number 222.1, including throat depths. Conformance may require modifications to the site.
14. The project shall take access from Yale Street and Tonopah Street and remove the existing commercial driveway on N 5th Street/Main Street and replace with vertical curb and gutter.
15. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222.1, including throat depths, and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
16. Appropriate mapping is required to combine the parcels. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code* and associated Master Plans in effect at the time of subdivision and/or parcel map approval.
17. The applicant is responsible for acquiring any easements needed to construct the project
18. The property owner is required to grant a roadway easement for commercial driveway(s).
19. The property owner is required to grant a sidewalk easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
20. A revocable encroachment permit for landscaping within the public right-of-way is required, if applicable.
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.

22. All off-site improvements must be completed prior to final inspection of the first building.

**ATTACHMENTS:**

Public Works Memorandum

Letter of Intent

Boundary Map

Site Plan

Floors Plans

Building Elevations

Neighborhood Summary

Clark County School District – School Development Tracking Form

Clark County Assessor's Map

Location and Zoning Map