



## AGENDA MEMO

**CITY COUNCIL MEETING DATE: JULY 12, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ABEYANCE - SDR-12325 - APPLICANT: NEVADA H.A.N.D., INC. - OWNER: THE SALVATION ARMY**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE JUNE 7, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

### **\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

#### **Planning and Development**

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan and landscape plan, date stamped 3/23/06 and building elevations and floor plans, date stamped 03/14/06, except as amended by conditions herein.
3. The minimum distance between buildings shall be 20 feet.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect additional fenestration to the side elevations to be more consistent with the architectural elements of the front elevations, subject to review and approval by the Planning and Development Department.
7. Air conditioning units shall not be mounted on rooftops.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Show all Sight Visibility Restriction Zones (SVRZs) adjacent to public streets and include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as Privately Maintained.

16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

The applicant is requesting a Site Development Plan Review for a proposed 78-unit apartment complex on 3.16 acres adjacent to the south side of Owens Avenue approximately 660 feet west of Main Street.

**EXECUTIVE SUMMARY**

The proposed apartment project will be serving low-income residents. The project complies with all development standards and parking requirements. Three of the units will be handicapped accessible. The project includes a recreational building and leasing office located in the center of the development. Staff is recommending approval with conditions.

**BACKGROUND INFORMATION**

**A) Related Actions**

- 08/19/04      The City Council approved Rezoning (ZON-4608) from C-V (Civic) to R-5 (Apartment) on 9.33 acres. The Planning Commission and staff recommended approval.
  
- 08/19/04      The City Council approved a General Plan Amendment (GPA-4607) to amend a portion of the Southeast Sector Plan of the General Plan from PF (Public Facilities) to H (High Density Residential) on 9.33 acres. The Planning Commission and staff recommended approval.
  
- 01/05/05      The City Council approved a Site Development Plan Review (SDR-5481) for a 75-unit multi-family housing complex on 4.84 acres adjacent to the southwest corner of Owens and Main.
  
- 01/05/05      The City Council approved a Variance (VAR-5483) for a to allow 50 parking spaces where 112 parking spaces are the minimum required on 4.84 acres adjacent to the southwest corner of Owens and Main.
  
- 04/27/06      The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #11/ms).

**B) Building Permits**

06/27/05 Building (for 75-unit multi-family project), Electrical and Plumbing were issued by the Building and Safety Department. They have had some inspections pertaining to pre-slab, under slab plumbing and other underground activities. Thus, the permits are active.

**C) Pre-Application Meeting**

02/23/06 The general requirements for Site Development Review were provided. Information related to rezoning (ZON-4608) was provided and general submittal requirements were provided. In addition, general development standards were also discussed. Comments were provided by Public Works.

**D) Neighborhood Meetings**

A neighborhood meeting is not required as part of this application request, nor was one held.

**DETAILS OF APPLICATION REQUEST**

**A) Site Area**

Gross Acres: 3.39  
Net Acres: 3.16

**B) Existing Land Use**

Subject Property: Undeveloped  
North: Undeveloped  
Commercial (Clark County)  
South: Under Construction for Multi-Family Residential  
East: Manufactured Home Park  
West: Undeveloped and Rescue Mission/Shelter for The Homeless (St. Vincents)

**C) Planned Land Use**

Subject Property: High Density Residential  
North: Clark County  
South: High Density Residential  
East: Medium Density Residential  
West: Public Facilities

**D) Existing Zoning**

Subject Property: C-V (Civic) under R-5 (Apartment) (ROI)  
 North: Clark County  
 South: R-5 (Apartment) (ROI)  
 East: C-V under R-5 (ROI)  
 West: MHP (Manufactured Home Park)

**E) General Plan Compliance**

This site is designated H (High Density Residential) on the Southeast Sector Plan of the General Plan. This land use category permits medium to high-density residential development with densities greater than 18 dwellings units per acre. The land use allows residential planned development and other urban residential developments. The site is currently zoned C-V (Civic) under Resolution of Intent to R-5 (Apartment), which is in conformance with the current land use.

SPECIAL DISTRICTS/ZONES	Yes	No
<b>Special Area Plan</b>		<b>X</b>
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>		<b>X</b>
<b>County/North Las Vegas/HOA Notification</b>	<b>X</b>	
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

**INTERAGENCY ISSUES**

**County/North Las Vegas/HOA Notification**

Property located within the notification radius falls within sections the City of North Las Vegas. The North Las Vegas Planning Department has been notified of the land use application.

**PROJECT DESCRIPTION**

The proposed 78 unit apartment project consists of four main buildings that will be serving low-income families that include the following:

**Building A:** Three-story residential apartment consisting of 24 one-bedroom units.

**Building B:** Three-story residential building consisting of 24 one-bedroom units.

**Building C:** Three-story residential building consisting of 12 two-bedroom and 18 three-bedroom apartment units totaling to 30 units within this building.

**Recreation**

**Building:** Includes two multi-purpose rooms and leasing offices (4,204 gross square feet)

The applicant includes one entry taken from Owens Avenue which allows guest to park near the leasing office. The rest of the parking lot is gated in two directions.

**ANALYSIS**

**A) Zoning Code Compliance**

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards for an R-5 (Apartment) apply to the subject proposal:

<b>Standards</b>	<b>Required</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	7,000	3.29 gross ac.	Y
Min. Lot Width	N/A	N/A	N/A
Min. Setbacks			
• Front	10 Feet	13 Feet	Y
• Side	5 Feet	10-40 Feet	Y
• Corner	N/A	N/A	Y
• Rear	20 Feet	43 Feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	5 stories or 55 Feet whichever is less	38-9	Y
Min. Building Height	4 stories	3 stories	Y
Density	Unlimited	24.68 d.u.a.	Y
Trash Enclosure	Walled/roofed	Y	Y
Mech. Equipment	Screened	Y	Y

The proposed project includes a parking and circular driveway with the majority of the residential units in the middle. Therefore, allowing for additional setback area for the project.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the Residential Adjacency Standards do not apply to the subject proposal.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Residential Use	# of Units	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
One Bedroom	48	1/1.25 ea. d.u.	60	3 of the 130	60	3 of the 130
Two Bedroom	12	1/1.75 ea. d.u.	21		21	
Three Bedroom	18	1/2.00 ea. d.u.	36		36	
Guest Spaces		1/6 du	13		13	
<b>Total</b>			130		130	

The applicant has indicated that three of the units have been specifically designated for handicapped accessible. The requirement is to one handicapped accessible for each unit designated for handicapped accessibility. All of the parking requirements are proposed to be open or not covered.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees / 6 Spaces	21 Trees	23 Trees
Buffer:			
• Min. Trees Total	1 Trees/ 30 Linear Feet	<u>46 Trees</u> 67 Trees	117 Trees
• Min. Zone Width	5 Feet Side & 10 Feet Front		5-8 Feet 10 Feet
• Wall height	6 Feet Minimum		6 Feet

The building setback along the side yard is five (5) feet. When building setbacks are less restrictive, the setbacks shall prevail (Subsection 19.12.040 A.). Therefore, the project buffer zone requirements have been met.

**B) *General Analysis and Discussion***

•Zoning

The site is currently zoned C-V (Civic) under Resolution of Intent to R-5 (Apartment), which is in conformance with the current land use. The subject rezoning included the lot located just south of the subject site. Building permits were issued on 06/25/05 to allow for the construction of 75 residential units. Therefore, the resolution of intent for the subject site has been extended another two years, expiring on 08/19/06. The applicants indicate that they will be obtaining building permits within the year.

•Site Plan

The applicant has provided adequate parking and landscaping within the site. In addition, trash enclosures have been located in three convenient areas so that each of the residential buildings is located within close proximity to a trash enclosure. The applicant has provided more than required perimeter landscaping that would buffer the mobile home park, multi-family residential, and the thrift shop from the subject site. In addition, the buildings have been centered within the subject site to minimize any views to adjacent properties.

•Waivers

The proposed project complies with all development standards and no waivers are requested.

•Landscape Plan

The landscaping plan provides adequate parking lot and perimeter landscaping. The perimeter is proposed to be planted with a 24-inch box Mondel Pine trees. The parking lot will be planted with a mixture of Fan-Tex Ash and Date Palms. In addition, the site incorporates a number of Chilean Mesquite trees as accent trees through-out the site.

•Elevation

The building elevations architectural character is modern. The exterior elevations include stucco with various stucco pop-outs and windows on the main or front building elevations views. However, the side views of the building elevations have been designed with less fenestration to make an effort in protecting privacy along adjacent properties. However, additional fenestration along the side areas can be incorporated bringing in some of the elements from the front of the building elevations (i.e., small windows, stucco pop-outs, and color changes). Staff is recommending a condition of approval for the applicant to add additional fenestration to the side elevations to be more consistent with the architectural elements of the front elevations, subject to review and approval by the Planning and Development Department.

- Floor Plan

The project site includes one, two and three bedroom floor plans. Most of the units will have a balcony. Those units which do not have a balcony are located adjacent to a side yard area. A kitchen, living room and small dining area have been provided for each of the residential units. Each of the units also includes a laundry facility. The one-bedroom unit has one bathroom and the two and three-bedrooms have two bathrooms each unit.

## FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

**1. The proposed development is compatible with adjacent development and development in the area;**

The proposed 78-unit apartment complex is compatible with adjacent multi-family development and residential development in the area.

**2. The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;**

The proposed site plan complies with all setbacks, parking, landscaping and wall and buffer standards. The proposed apartment project is consistent with the High Density Residential land use designation for the site as this project is also proposed to serve low income families.

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

The proposed site access and circulation will not negatively impact adjacent roadways or neighborhood traffic. The site will access Owens Avenue, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways, via one main driveway.

**4. Building and landscape materials are appropriate for the areas and for the City;**

The proposed development is an aesthetically appropriate for the area. The landscape materials as proposed for the parking lot and perimeter buffers will be appropriate for this project.

- 5. Building 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 building elevations and design characteristics of the proposed buildings are well-suited for affordable housing and would be harmonious with the design of the adjacent development and nearby commercial structures as conditioned.

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

The proposed development will be subject to the provisions of the Uniform Building Code; therefore, the use will not compromise the public health, safety, and welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 15

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 66 by Planning Department

**APPROVALS** 0

**PROTESTS** 0