



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: AUGUST 16, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ABEYANCE - SDR-12165 - APPLICANT/OWNER: PORTICO PROPERTIES**

---

***THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 12, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

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

Staff recommends DENIAL. The Planning Commission (4-3 vote/se, ld, sd) recommends APPROVAL, subject to:

#### **Planning and Development**

1. A Rezoning (ZON-12167) to an R-4 (High Density Residential) Zoning District and a Variance (VAR-12168) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan and building elevations, date stamped 02/28/06, except as amended by conditions herein.
4. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
5. 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. The landscape plan shall include irrigation specifications.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
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 Municipal Code Section 19.12.050.
9. Prior to the submittal of a building permit, 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.

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. Any remodeling or construction work in conjunction with the conversion of the storage building shall require permits from the Department of Building and Safety, with the exception of painting, carpeting, or other similar finish work.
12. If required by the Department of Building and Safety, the conversion of the storage building shall require the payment of additional sewer connection fees. The additional connection fees shall be paid prior to the issuance of building permits
13. All City Code requirements and design standards of all City departments must be satisfied.

**Public Works**

14. 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.
15. Site development to comply with all applicable conditions of approval for ZON-12167 and all other site-related actions.
16. El Camino Avenue adjacent to this site shall be posted as No Parking as required by the City Traffic Engineer.

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

**APPLICATION REQUEST**

This is a request for a Site Plan Review for the conversion of a 2,500 square feet storage building to six one-bedroom residential units of an existing 216 unit apartment complex, on 8.6 acres at 2301 Valley View Boulevard

**EXECUTIVE SUMMARY**

The density of development that is allowed by the proposed R-4 (High Density Residential) zoning district is not compatible with existing development in the area. Additionally, the site plan is deficient in parking area landscaping and buffer landscaping. **Therefore, denial of this request is recommended.**

**BACKGROUND INFORMATION**

***A) Related Actions***

- 1976            Apartments were constructed on the subject site.
- 04/13/06        The Planning Commission recommended approval of a companion General Plan Amendment (GPA-12164), a Rezoning (ZON-12167) and a Variance (VAR-12168) concurrently with this application.
- 04/13/06        The Planning Commission voted 4-3/se, ld, sd to recommend APPROVAL (PC Agenda Item #20/ar).

***B) Pre-Application Meeting***

- 02/17/06        Staff noted the following issues at the pre-application meeting:
- All off-street parking needs to comply with Title 19.10
  - A Variance will be required to allow 346 parking spaces where 351 are required.
  - Staff suggested that the applicant meet with the Building and Safety Department to discuss building code issues.
  - The applicant is required to hold a neighborhood meeting in conjunction with the related General Plan Amendment application.

**C) *Neighborhood Meetings***

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting for the related General Plan Amendment (GPA-12164) is required to be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on Thursday, March 16, 2006, a meeting was held at the Spanish Oaks Apartments clubhouse/leasing office, located at 2301 Valley View Boulevard. Two people attended and had the following questions/comments:

- Concerns about what was going to be built adjacent to the northern boundary of the property.
- Would the project hurt the surrounding property values?
- Is the project going to add landscaping?
- Architect noted that no new buildings would be built.
- An existing single story storage area is proposed to be converted into six studio units.
- The Architect walked outside to show the two residents where the storage units were located.
- No objections to the proposal other than the questions stated above were provided.

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

Gross Acres: 8.6

**B) *Existing Land Use***

Subject Property	Apartments
North	Townhomes
South	Shopping center
East	Townhomes
West	Single Family Dwellings

**C) *Planned Land Use***

Subject Property	M (Medium Density Residential)
North	L (Low Density Residential)
South	SC (Service Commercial)
East	L (Low Density Residential)
West	L (Low Density Residential)

**D) Existing Zone**

Subject Property	R-3 (Medium Density Residential)
North	R-PD6 (Residential Planned Development, 6 units per acre)
South	C-1 (Limited Commercial)
East	R-PD6 (Residential Planned Development, 6 units per acre)
West	R-1 (Single Family Residential)

<i>SPECIAL DISTRICTS/ZONES</i>	<b>YES</b>	<b>NO</b>
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

There are no special plan areas or overlays that affect this application.

**PROJECT DESCRIPTION**

The site is currently developed with a nine apartment buildings which contain a total of 216 units. The applicant is proposing to convert an existing 2,500 square foot, one-story storage building, located in the northwest portion of the site, into six one bedroom apartments. The elevations indicate the converted storage building will have a stucco exterior and a concrete tile roof that will match the existing apartment buildings.

As part of the conversion, the applicant is proposing to place Mexican Fan Palm trees spaced at 20 feet on center within an existing 10 foot wide planter along the north property line. Eight palm trees will be placed in the existing 10 foot wide planter along the east property line. Palo Verde trees, spaced at 20 feet on center will be placed in an existing 15 foot wide planter along Valley View Boulevard.

The existing and proposed apartments require a total of 351 parking spaces. A total of 346 spaces are shown. This issue will be addressed in a separate variance application.

**ANALYSIS**

**A) Zoning Code Compliance**

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

<b>Standards</b>	<b>Required</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	6,500 Square Feet	8.60 Acres	Y
Min. Lot Width	N/A	433 Feet	Y
Min. Setbacks			
• Front	10 Feet	90 Feet	Y
• Side	5 Feet	80 Feet	Y
• Corner	5 Feet	55 Feet	Y
• Rear	20 Feet	100 Feet	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories/ 25 Feet	Y
Trash Enclosure	50 Feet from residential	50 Feet from residential	Y

The existing apartment buildings and the storage building that is proposed to be converted conform to the development standards for the proposed R-4 (High Density Residential) zoning district.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

The existing two story, 25 foot tall apartment buildings are required to be at least 75 feet from residentially zoned property to the north and east. The buildings are 80 feet from the north property line and 100 feet from the east property line and conform to the Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

<b>Uses</b>	<b>Required</b>		<b>Provided</b>		
	Ratio	Parking		Parking	
		Regular	Handicap	Regular	Handicap
144 existing one bedroom units;	1.25 spaces per one bdrm unit;	180 spaces			12 spaces
6 proposed one bedroom units	1.25 spaces per one bdrm unit;	8 spaces			
72 two bedroom units	1.75 spaces per two bdrm unit;	126 spaces			
Guest spaces	1/6 units	37 spaces			
<b>TOTAL</b>		351 spaces	*	346 spaces	12 spaces out of 346 spaces

\*Handicapped parking for residential uses shall be provided at the rate of one space for each dwelling unit that is designed for occupancy by the handicapped.

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 tree / 6 uncovered spaces	59 Trees (351 uncovered spaces)	0 Trees*
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet	126 Trees	90 Trees**
• Min. Zone Width			
• North prop line	6 feet		10 feet
• South prop line	6 feet		20 feet
• West prop line	15 feet		10 feet
• East prop line	6 feet		10 feet

\*The parking area as it relates to landscaping standards is based upon the number of uncovered parking spaces. Title 19 standards require landscaping at the end of each planter island and one tree every six spaces. The subject site is deficient with respect to parking area landscaping.

\*\*The landscape plan does not meet the required number of trees within the buffer areas.

**B) General Analysis and Discussion**

•Zoning

The surrounding community consists predominately of single-family homes on lots which are zoned R-PD6 (Residential Planned Development - 6 Units Per Acre). The conversion of the existing storage building into six one-bedroom apartment units results in a density of development of 26.27 dwelling units per acre, which is not compatible with existing development in the area.

- Site Plan

Converting the existing storage building into six one-bedroom apartments creates a total of 222 apartment units on this 8.6 acre site, resulting in a density of 26.27 dwelling units per acre. This density is not compatible with the existing low-density residential developments in the vicinity. The proposed density is also inappropriate given the adjacent General Plan designation of L (Low Density Residential) which only allows up to 5.49 units per acre. Staff finds the proposed project is out of character with adjacent development and not compatible with the R-PD6 (Residential Planned Development, 6 units per acre) to the north and east.

- Waivers

There are no Waivers requested as a part of the subject application. Waivers are not accepted for modifications of existing apartment developments.

- Landscape Plan

The site plan is deficient in parking area landscaping and buffer landscaping. No parking lot trees are provided where 59 are required, and 90 buffer trees are provided where 126 are provided. For these reasons, staff cannot support the landscaping as proposed.

- Elevation

The elevations indicate the converted storage building will have a stucco exterior and a concrete tile roof that will match the existing apartment buildings.

- Floor Plan

The floor plans indicate the storage building will be converted into 6 one bedroom apartments, each approximately 415 square feet in size. These are typical for one bedroom studio apartments in the city.

## **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 project requires a zoning classification which allows a density of 50 units to the acre, which is out of character with adjacent development. Therefore, denial of this request is recommended.

**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 site is located within the Neighborhood Revitalization Strategy Area of the 2020 Master Plan. Policy 2.1.2 of that Strategy Area (page 42) specifically states: That development on vacant or underutilized lots within existing residential neighborhoods (should) be sensitive in use and design to surrounding development. The proposed development does not comply with this policy because it requires a General Plan Amendment and a Rezoning which would allow development densities that are not compatible with the single family development to the north and east.

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

Valley View Boulevard, an 80 foot wide Secondary Collector as designated by the Master Plan of Streets and Highways, can provide adequate transportation access.

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

The building and landscape materials are existing and are typical for multi-family development within the city.

**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 conversion of the storage building into apartment units will not result in building elevations that are unsightly or obnoxious in appearance

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

The site will be subject to inspection and will therefore not compromise the public health, safety and general welfare.

**PLANNING COMMISSION ACTION**

The Planning Commission added condition #16 as shown.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 18

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 3

**NOTICES MAILED** 399 by Planning Department

**APPROVALS** 0

**PROTESTS** 0