



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-13921 - APPLICANT/OWNER: AURORA LUBLIN

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13922), Variance (VAR-14204), and General Plan Amendment (GPA-13920) shall be required.
2. 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.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 07/20/06, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow 8 trees where 23 are required in the buffer area; and to allow buffer area widths of 4 feet and 11 feet, respectively, where 8 feet and 15 feet, respectively, are required.
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. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
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 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. 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. This property is listed on the Las Vegas Historic Property Register and is therefore subject to additional review by the City of Las Vegas Historic Preservation Commission per LVMC Title 19.06.090.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Site development to comply with all applicable conditions of approval for ZON-13922 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed 4,920 square foot office and a waiver of the perimeter landscaping requirements on 0.44 acre at 4363 Mountain View Boulevard.

EXECUTIVE SUMMARY

Staff cannot support this request as it is incompatible with the surrounding neighborhood. The area in which the proposed structure will be located is largely residential in character. The commercial property to the north is a conversion of a residential structure to an office. As this proposal will include all new construction, it will not contribute to maintaining the residential character of the neighborhood.

BACKGROUND INFORMATION

A) Related Actions

- 08/10/06 The Planning Commission recommended denial of companion items GPA-13920 and ZON-13922 concurrently with this application.
- 08/10/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #22/stf).

B) Pre-Application Meeting

- 05/03/06 A pre-application meeting with the applicant was held and the following items were discussed:
- Staff discussed the required applications with the applicant (SDR, GPA, and ZON).
 - In a follow-up meeting, Staff informed the applicant of an additional VAR that would be required. This Variance has since been rendered unnecessary.

C) Neighborhood Meetings

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall 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 06/15/06 a neighborhood meeting sponsored by the applicant was held at the China Star Restaurant. Nine area residents attended, along with two representatives of the applicant and Planning staff. The residents had the following questions/comments:

- Proposed use? Office real estate or mortgage
- Demo existing building? Yes
- Future cul-de-sac at Mountain View? Unknown
- Concern about traffic and pedestrian safety
- Concern that it could become retail
- Concern that its not appropriate in the neighborhood

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.44

B) *Existing Land Use*

Subject Property: Single Family Residential
North: Office
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential

C) *Planned Land Use*

Subject Property: R (Rural Density Residential)
North SC (Service Commercial)
South R (Rural Density Residential)
East R (Rural Density Residential)
West L (Low Density Residential)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North P-R (Professional Office and Parking)
South R-E (Residence Estates)
East R-E (Residence Estates)
West R-1 (Single Family Residential)

E) General Plan Compliance

The subject site is located in the Southeast Sector of the General Plan. Within that Sector, it has a land use designation of R (Rural Density Residential). This complies with the underlying zoning of R-E (Residence Estates). A General Plan Amendment has been submitted to change this designation to O (Office) and the zoning to P-R (Professional Office and Parking). These are compatible with each other.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District	X	
Airport Overlay	X	
Trails		X
Rural Preservation Overlay District	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

Airport Overlay

The subject site is located within an Airport Overlay District that restricts the height of buildings to 200 feet. At less than 15 feet, the subject proposal will not exceed this requirement.

Rural Preservation Overlay District

While no specific requirements are specified for commercial development within the Rural Preservation Overlay District, the applicable language indicates that neighborhoods within this district should maintain their rural character. This office development will not enhance the rural character of the neighborhood as it will bring more traffic to the area and will bring commercial development into a neighborhood dominated by mature residential development.

PROJECT DESCRIPTION

The proposal is for a 4,845 square foot office building at 4363 Mountain View Boulevard. The building is approximately 13 feet, 11 inches tall and is oriented along Arville Street for maximum exposure. Ingress and egress will be from Mountain View Boulevard with the parking area located in the eastern portion of the site. The existing home on the site, built in 1929, will be demolished in order to build the proposed building.

The Las Vegas Historic Preservation Officer has reviewed the property and notes that, while it has been significantly altered from its original state, it may have the potential to yield additional historic information about the growth and development of early Las Vegas due to its age and location.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	0.44 Acre	Y
Min. Lot Width	60 Feet	120 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	10 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	15 Feet	70 Feet	Y
Max. Lot Coverage	50 %	25%	Y
Max. Building Height	Lesser of 2 Stories or 35 Feet	13.9 Feet	Y
Trash Enclosure	Gated, Roofed, Constructed of a similar material to the main dwelling; 50 feet from residential	Gated, Roofed, Constructed of a similar material to the main dwelling; 53 feet, 10 inches from residential	Y

The proposal meets all development standards per Title 19 requirements for R-3 developments. Residential Adjacency standards require a rear yard setback of 35 feet and the subject proposal meets this standard as well.

A2) Residential Adjacency Standards

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

- a) Proximity slope. Residential Adjacency Standards apply to the subject property, but buildings less than 15 feet in height are not required to adhere to the 3:1 proximity slope requirement.
- b) Building setback. The subject development must match the required setback on the residential property to the south. This requirement is 35 feet. At 70 feet, the subject proposal meets this standard.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	4,845 SF.	1 Space / 300 SF GFA	17	1	19	1
TOTAL			17 (including handicap accessible)		19 (including handicap accessible)	

The subject proposal meets current standards for parking.

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 Spaces	2 Trees	2 Trees
Buffer:			
• Min. Trees	1 Tree / 20 Linear Feet where adjacent to residential	14 Trees	0 Trees
	1 Tree / 30 Linear Feet where adjacent to commercial	9 Trees	8 Trees
• Min. Zone Width	15 Feet along ROW		11 Feet
	8 Feet Interior		4 Feet

The subject proposal does not meet all applicable landscaping standards in buffer areas. The perimeter area is deficient by fifteen trees. However, the buffer areas adjacent to residential contain fourteen 18 box trees, but Title 19.12 requires 24 box trees. Additionally, the buffer areas along both Arville Street and Mountain View Boulevard are four feet less than required. Also, the interior buffer areas along the east and south property lines are deficient by four feet. A waiver has been requested from these requirements.

B) General Analysis and Discussion

•Zoning

The proposed Rezoning (ZON-13922) would change the zoning to P-R (Professional Office and Parking). P-R allows for new development (although conversion of existing structures is preferred and encouraged) provided that it retains a residential character and blends with the existing neighborhood. This designation is compatible with the proposed project. However, the proposal would not be compatible with the neighborhood as it will require the construction of a non-residential building type. It should be noted that the P-R to the north (across Mountain View Boulevard) retained the single-family structure existing on the site when it was converted to an office.

•Site Plan

The site plan depicts the proposed office building, oriented perpendicular to Arville Street with parking in the front along the residential property line to the south. Access will be from Arville Street. However, Arville is a primarily residential street south of Mountain View Boulevard and this will add commercial traffic in the neighborhood.

•Waivers

The site requires a Waiver of perimeter landscape requirements. Staff does not support this request as the buffer area is necessary in order to protect neighboring properties from commercial development and maintain a residential character by minimizing the visual impact from adjacent rights-of-way.

•Landscape Plan

The landscaping plan indicates a deficiency in the number of trees required in the perimeter buffer areas. Additionally, the buffer widths along both Mountain View Boulevard and Arville Street do not meet current standards. Staff cannot find a reason to support the requested waiver of these requirements as these elements are necessary to protect the neighborhood.

•Elevation

The elevations depict a 13.9-foot, one story building. The proposed finish is reddish brown on the lower portion of the structure with a tan finish for the remainder of the exterior. The pitch of the roof is minimal to simulate the architectural character of the surrounding neighborhood and the typical style prevalent in Las Vegas.

- Floor Plan

The floor plan shows four tenant spaces, each containing approximately 1,211 square feet. General office uses are proposed for the spaces.

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 development is not compatible with surrounding development as the neighborhood is almost entirely residential.

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 proposal does not conform to all applicable plans in that a waiver of the landscaping requirements is requested.

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

The access from Mountain View Boulevard is not support by Staff because that road is currently used entirely for residential traffic and the commercial traffic will negatively affect the surrounding area.

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

The landscaping materials are appropriate but there is a deficiency in the number of trees provided. Additionally, while the applicant has made every attempt to make the structure look like a residence, P-R developments should make use of existing structures on-site and the applicant is not proposing to do so.

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 design is not ideal for the area as the surrounding properties are residential.

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

Public health and safety are not in jeopardy as a result of this project, but the site is more appropriate as a residential development.

PLANNING COMMISSION ACTION

Revised plans show a 4,845 square foot building and revised landscaping.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 249 by Planning Department

APPROVALS 0

PROTESTS 35