



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-14346 - APPLICANT: DARLENE MOORE - OWNER:
MICHAEL E. WATSON

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (3-2/se/sd vote) recommends APPROVAL.

Planning and Development

1. A Rezoning (ZON-14340) to an O (Office) Zoning District, and a General Plan Amendment (GPA-14331) approved by the City Council.
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 07/05/06, except as amended by conditions herein.
4. A Waiver from perimeter landscaping requirements is hereby approved, to allow no landscape buffer requirement on the side and rear yard area.
5. The Parking lot size shall be revised to show three standard size 9 wide parking spaces with one compact size 8 wide parking space. Handicap space shall comply with the code requirements.
6. 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.
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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. All private improvements and 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.
12. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Parking spaces located off the public alley shall be set back sufficiently to allow a minimum of 24 feet clearance for vehicle maneuvering.
13. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON14340 and all other applicable site-related actions

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for the proposed conversion of a 1,418 square-foot residence to an office and a waiver of the perimeter landscape buffer requirements on 0.19 acres at 4301 West Lake Mead Boulevard.

EXECUTIVE SUMMARY

This conversion of a residence to an office has several deviations from standards, requires a Rezoning, and a General Plan Amendment. The rezoning to a P-R (Professional Office and Parking) District is considered inappropriate based on the context and is not supported. A waiver to allow no landscape buffer in the side yard areas where eight feet is required by Code has been requested. While redevelopment in this area of the city is encouraged, a use of a less intense nature is desired. The project calls for too many deviations from standards and therefore, denial of this application is recommended.

BACKGROUND INFORMATION

A) Related Actions

- 07/27/06 The Planning Commission (3-2/se/sd vote on a motion for approval) failed to obtain a super majority which is tantamount to DENIAL on companion item GPA-14331. The Planning Commission recommended approval of companion item ZON-14340 concurrently with this application.
- 07/27/06 The Planning Commission voted 3-2/se/sd to recommend APPROVAL (PC Agenda Item #53/jm).

B) Pre-Application Meeting

- 06/02/06 A pre-application conference was held and elements of this development were discussed. It was noted that the proposed use is not permitted within the existing zone, that Rezoning would be necessary, and that a General Plan Amendment would be required.

C) Neighborhood Meetings

- 06/02/06 A neighborhood meeting was held at Westminster Presbyterian Church at 4601 West Lake Mead Boulevard. Nine residents were in attendance. All were in favor of the development. Eight were property owners facing Lake Mead and they too wanted their properties to be rezoned to office.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.19

B) Existing Land Use

Subject Property: Single-Family Residential

North: Condominiums

South: Single-Family Residential

East: Single-Family Residential

West: Single-Family Residential

C) Planned Land Use

Subject Property: L (Low Density Residential) [Proposed: O (Office)]

North: ML (Medium-Low Density Residential)

South: L (Low Density Residential)

East: L (Low Density Residential)

West: L (Low Density Residential)

D) Existing Zoning

Subject Property: R-3 (Medium Density Residential) [Proposed: P-R (Professional Office and Parking)]

North: R-3 (Medium Density Residential)

South: R-1 (Single Family Residential)

East: R-1 (Single Family Residential)

West: R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is designated as L (Low Density Residential) under the Southeast Sector Plan of the General Plan. The L (Low Density Residential) category permits a density range of single family detached homes, including compact lots and zero lot lines; mobile home parks and two-family dwellings. The conversion to an office use that the applicant is requesting does not agree with the existing Planned Land Use and; therefore, needs a General Plan Amendment (GPA-14331) to O (Office) and Rezoning (ZON-14340) to P-R (Professional Office and Parking) to be consistent.

PROJECT DESCRIPTION

This proposed project calls for the conversion of a residence to an office. The project is located on the southeast corner of Lake Mead and Valley Drive surrounded by single family residential to the south and condominiums across Lake Mead Boulevard to the north. This conversion of a residence to an office has several deviations from standards, requiring a Rezoning, and a General Plan Amendment. A waiver to eliminate the landscape buffer in the side yard areas where eight feet is required by Code has been requested.

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 Width	60 Feet	70	Y
Min. Setbacks			
• Front	20 Feet	35	Y
• Side	5 Feet	8	Y
• Corner	15 Feet	15	Y
• Rear	15 Feet	35	Y
Max. Lot Coverage	50 %	33%	Y
Max. Building Height	2 Stories / 35 Feet	2 stories	Y
Trash Enclosure	1	1	Y

The proposed development is in compliance with Title 19 Development standards.

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	1418 SF.	1/300 GFA	5	1	5	1
Total			5		5	

The applicant is providing four parking spaces, three spaces eight feet in width spaces and one space ten foot in width space in the back of the property. The applicant was informed in the pre-application meeting to modify the space size to three nine foot spaces but neglected to revise them. The applicant still has sufficient room to modify the width to meet the standards. The applicant will have to make those changes to the site plan before this can be accepted. The modifying of the size to three nine foot spaces and one eight foot space has been added as a condition of approval.

The handicap space is positioned in the front of the house with adequate striping. However, the applicant does not provide adequate turn around space as it is prohibited to back onto a major street such as Lake Mead Boulevard.

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	
Buffer:	1 Trees/20 linear space	18	3
<ul style="list-style-type: none"> • Min. Trees • Min. Zone Width 	8 Feet		None

The applicant is not providing any additional landscaping for the development. A buffer of eight feet in width is required. A waiver has been requested to mitigate this deviation from the standards. The applicant is also providing less than the required trees in the perimeter area. There is an existing six-foot wall that surrounds the entire parcel excluding the front and back entry gates.

B) General Analysis and Discussion

•Zoning

The applicant is requesting a rezoning from R-3 (Medium Density Residential) to a P-R (Professional Office and Parking) Zoning District. The P-R (Professional Office and Parking) Zoning District is intended to allow for office uses in an area which is predominately residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. The site does gain access from Lake Mead Boulevard a 100 wide major arterial. However, the properties to the north and west are zoned R-3 (Medium Density Residential) and to the east and south are zoned R-1 (Low Density Residential). Therefore, a request for P-R (Professional Office and Parking) is inappropriate based on context and not recommended.

The P-R (Professional Office and Parking) Zoning District also asks that to decrease the impact to adjacent residential uses, single family structures should be retained to maintain the residential character. The applicant is not doing any external changes to the structure maintaining the residential character of the neighborhood.

- Site Plan

The site plan for the proposed conversion of a residence to an office shows a semi-rectangular shaped lot containing one building. The building is situated in the middle of the parcel. The parking is toward the rear with one handicap parking stall in the front. The lot is entirely walled except for the front and rear gates.

- Waivers

The applicant has requested a waiver of perimeter landscaping requirements. No landscape buffering is provided on the side yards where an eight-foot buffer is required. Additionally the applicant is providing less than the required number of trees along the perimeter of the site. There are three large, mature, trees on the site but they do not fall into the eight-foot buffer area.

- Landscape Plan

The applicant is requesting a waiver of perimeter landscape requirements and; therefore, did not submit a landscape plan. The only landscaping on the lot are three mature trees 20 to 30 feet on center at the southwest portion of the site

- Elevation

Elevations depict a one-story building. The building is very basic with little architectural embellishment. There is a heating and ventilation system on the roof with a brick chimney.

- Floor Plan

The first floor has a file storage area, waiting area, lunch room, and three offices. The layout is typical of a conversion or a residence to an office.

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 does not intend to change the exterior of the building. The parking arrangement will be altered, but no plan was submitted for landscaping. The proposed development is not compatible with adjacent development as it is a case of inappropriate based on the context, requiring a General Amendment (GPA-14331) and a Rezoning (ZON-14340) that is not compatible with 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 development does not meet the perimeter landscape buffer requirements. The applicant has requested a waiver to mitigate these deviations from the standards. The large number of deviations is an indication that the development is too intense for this location; therefore the denial of this request is recommended.

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

Site access is of particular concern for this development as the handicap parking space in the front of the house must back out onto Lake Mead which is prohibited. The lack of turn around is a portion of the reason for the recommendation of denial.

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

Building and landscape materials are appropriate for the area and the City of Las Vegas.

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;

Elevations and design characteristics are not unsightly and are harmonious and compatible with development in the vicinity.

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

The site will be subject to inspections and state licensing requirements and will not endanger the public health or compromise the general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 594 by Planning Department

APPROVALS 15

PROTESTS 1