



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-14352 - APPLICANT: DEVELOPMENT FUNDING GROUP
- OWNER: COHEN 1969 TRUST, PHILLIP JOSEPH COHEN, TRUSTEE

**** CONDITIONS ****

The Planning Commission (4-1/ds vote) and staff recommend DENIAL.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-14356), Variance (VAR-14880), and a General Plan Amendment (GPA-14354) 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, and landscape plan, date stamped 7/14/06, and the building elevations, date stamped 06/13/06, except as amended by conditions herein.
4. The parking area shall be re-striped to meet Title 19 requirements prior to the issuance of a Certificate of Occupancy for the building on this site.
5. The minimum distance between buildings shall be 40 feet.
6. The setbacks for this development shall be a minimum of 20 foot front yard setback, five feet on the side, and 20 feet in the rear.
7. 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. The technical landscape plan shall include the following changes from the conceptual landscape plan.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

9. 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.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. 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.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. The proposed driveway accessing Jones Boulevard shall align with the driveway on the west side of Jones Boulevard and shall also receive approval from the Nevada Department of Transportation.
15. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Jones Boulevard and Cheyenne Avenue public rightsofway adjacent to this site prior to the issuance of any permits.
16. 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.
17. A Homeowners Association shall be established to maintain all private roadways, landscaping and common areas created with this development.
18. Provide a copy of a recorded joint access agreement between this site and Assessors Parcel No. 13813101005 prior to the issuance of any permits.
19. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site prior to submittal of any construction drawings.

20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON14356 and all other applicable site-related actions
21. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
22. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or the approval of subdivisionrelated construction plans, whichever may occur first. Approval of this Site Development Plan does not constitute approval of any deviations. We note that the site plan proposes meandering sidewalk adjacent to public streets and would therefore require approval for this deviation.

**** STAFF REPORT ****

APPLICATION REQUEST

This application is a request for a Site Development Plan Review for a proposed 161-unit condominium development on 7.1 acres at 3132 North Jones Boulevard.

EXECUTIVE SUMMARY

While the proposed Rezoning to an R-PD25 (Residential Planned Development 25 Units Per Acre) District is compatible with the surrounding area in terms of density, lot size, and housing type, there are other areas of concern. The site plan does not conform to the open space requirements of an R-PD (Residential Planned Development) zoning district. Therefore, the site plan is inappropriate as designed.

BACKGROUND INFORMATION

A) Related Actions

- 6/14/94 The City Council approved a Rezoning from N-U (Non-Urban) to C-1 (Limited Commercial).
- 10/27/97 The City Council approved a Rezoning from U (Underdeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial).
- 07/27/06 The Planning Commission recommended denial of companion items GPA-14354, ZON-14356 and VAR-14880 concurrently with this application.
- 07/27/06 The Planning Commission voted 4-1/ds to recommend DENIAL (PC Agenda Item #57/jm).

B) Pre-Application Meeting

- 5/26/06 The applicant attended a pre-application meeting to discuss the project and the necessary applications. The applicant was provided guidance on the development process.

C) Neighborhood Meetings

- 6/27/06 A neighborhood meeting was held by the applicant at Calvary Community Church, 2900 Torrey Pines. There were ten members of the public in attendance. The following summary identifies the concerns raised by members of the public at the meeting:

- Dont want lighting to spill on existing properties
- Wall should match existing one
- Eliminate sidewalk along Rowland
- No Streetlights on Rowland
- Dont want two stories, prefer ranch style homes

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 7.36

Net Acres: 6.31

B) Existing Land Use

Subject Property: Vacant

North: Shopping Plaza

South: Vacant

East: Vacant - Clark County

West: Vacant

C) Planned Land Use

Subject Property: SC (Service Commercial)

North: SC (Service Commercial)

South: M (Medium Density Residential)

East: Clark County

West: SC (Service Commercial)

D) Existing Zoning

Subject Property: U (Underdeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

North: C-1 (Limited Commercial)

South: U (Underdeveloped) Zone [M (Medium Density Residential) General Plan Designation] under Resolution of Intent to R-3 (Medium Density Residential).

East: County

West: U (Underdeveloped) Zone [SC (Service Commercial) General Plan Designation]

E) General Plan Compliance

The subject property is located within the Southwest Sector of the General Plan. The R-PD25 (Residential Planned Development 25 unit) zoning request is consistent with the related General Plan Amendment (GPA-14354) request that has been submitted to change the land use designation to M (Medium Density Residential), which would allow density of up to 25.49 units per acre.

While the density of the proposed development meets the requirements of the M (Medium Density Residential) Land Use Designation, the lack of open space for the development fails to meet the requirements of the Residential Planned Development category and; therefore, is not considered to meet the intent of the General Plan.

PROJECT DESCRIPTION

This project is for a proposed 161-unit condominium development. The development calls for two and three story buildings with parking at ground-level. These buildings are situated in the middle of the site with parking along the perimeter. The site gains access from Jones Boulevard, a primary arterial.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.08, the applicant has requested the following standards for the proposed R-PD25 development:

Standards	Requested R-PD25
Min. Lot Size	7.136 acres
Min. Lot Width	305 Feet
Min. Setbacks	
• Front	20 Feet
• Side	5 Feet
• Rear	20 Feet
Max. Building Height	3 Stories / 35 Feet

A2) Residential Adjacency Standards

Residential Adjacency Standards do not apply to the subject proposal as this is a multi-family development that is surrounded by undeveloped and commercial properties.

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
Two Bedrooms	161	1 per 1.75 units	282	8	282	8
Guest	161	1 per 6 units	27		27	
Total	161		309	8	309	8

*Of the 309 parking spaces 243 were regular size and 58 compact.

As 309 parking spaces are required, eight (8) handicap parking spaces shall be provided, one (1) of which shall be van accessible space. The applicant is providing eight (8) handicap spaces, two (2) of which are van accessible. The applicant is only providing one space that is van accessible. Even though the proposed parking is one handicap deficient, the illustrated striping of the accessible spaces fails to meet code requirements. The applicant may simply remedy this deficiency by re-striping their parking spaces, utilizing the space available by re-adjusting their total of regular cars by providing compact cars. Of the parking spaces provided, the applicant is providing 18.8% of the total spaces as for compact parking spaces. Since 30% is the maximum percentage allowed for on-site compact parking spaces, the applicant has enough room to re-adjust the total and meet the required accessible spaces.

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	25 Trees	44 Trees
Buffer:			
• Min. Trees	1 Tree / 20 Linear Feet	90 Trees	163 Trees
• Min. Zone Width	10 Feet		
• Min. Depth-interior Lot Lines	6 Feet		
• Wall height	6 Feet		

The landscape plan depicts a ten-foot buffer area along Jones and Cheyenne, and a pedestrian path along Rowland with a five-foot meandering walk composed of decomposed granite. The buffer areas are planted with 24-inch box Crape Myrtle, Japanese Privet, and Swan Hill Olive trees. Planted along the parking islands are 44 Ginko Trees. The landscape plan depicts a six-foot screen wall where six feet is required. The landscape plan complies with Title 19.12 Landscape Standards.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Densi	Required			Provided	
		Ratio	Percent	Area	Percent	Area
7.361	21.87	1.65	36 %	115,717 SF	19.5%	62,531 SF

The site plan does not conform to the open space requirements of an R-PD (Residential Planned Development) zoning district. As indicated above, a total of 115,717 square feet of open space is required; the deviation from the standard is 54%.

B) General Analysis and Discussion

•Zoning

The applicant is requesting a Rezoning to R-PD 25 (Residential Planned Development 25 Units Per Acre). Per Title 19.06 the R-PD District is intended to provide for flexibility and innovation in residential development, with an emphasis on enhanced amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. The applicant has simply placed buildings in the middle of the lot with parking around the perimeter. With the approval of the related Rezoning request (ZON-14356) the site will be in compliance with zoning requirements.

•Site Plan

The site plan shows a proposed 161-unit condominium development. The development calls for three story buildings with parking at ground-level and two levels of living space. These buildings are situated in the center of the site with the parking along the perimeter.

•Waivers

No waivers for this development.

•Landscape Plan

The landscape plan depicts a ten-foot buffer area along Jones and Cheyenne, and a pedestrian path along Rowland with a five-foot meandering walk composed of decomposed granite. The buffer areas are planted with 24-inch box Crape Myrtle, Japanese Privet, and Swan Hill Olive trees. Planted along the parking islands are 44 Ginko Trees. The landscape plan depicts a six-foot screen wall where six feet is required. The landscape plan complies with Title 19.12 Landscape Standards.

- Elevations

All residential buildings will be between two and three stories in height with a maximum height of 35-feet.

- Floor Plan

All units have two bedrooms with the floor plan submitted showing the Type A model which is 1,104 square feet without balcony and 1,120 square feet with balcony.

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 161-unit condominium development that would be permitted on the site would be compatible with the surrounding area. The primary issue with the development is the lack of the required open space. Open space is an integral part of the R-PD zone, as the developer receives flexibility in design and density for the provision of amenities, such as open space. When open space is not provided, the project does not meet the standards for the zoning district in which it is located.

- 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;**

Open space is an integral part of the R-PD zone, as the developer receives flexibility in design and density for the provision of amenities, such as open space. When open space is not provided, in effect, the project does not meet the standards for the zoning district in which it is located.

The alternative for allowing greater density is the provision of an imaginative layout and design, in which an intrinsic component is the provision of open space. Clearly, this applicant wishes to have the density advantage offered by R-PD zoning without providing any offsetting benefit to the community at large.

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

The subject property abuts Jones Boulevard to the West, a primary arterial street that carries a substantial volume of vehicular traffic, and Rowland, a local street to the east. Since one can only access the development from Jones and not the local street Rowland, there is no concern for negative impacts on the neighborhood.

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;

Building design characteristics are not unsightly and will be harmonious and compatible with development in the area.

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

The proposed development would not endanger the public health or general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 1

SENATE DISTRICT 3

NOTICES MAILED 287 by Planning Department

APPROVALS 0

PROTESTS 0