



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-14311 - APPLICANT: DENNIS IWASAKA
OWNER: MAX JONES PROFESSIONAL PLAZA

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 4, 2006 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILWOMAN TARKANIAN.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions for ANX-12916, VAR-14313 and subsequent Rezoning application if approved.
2. In order to become congruent with the SC (Service Commercial) General Plan Land Use designation, the property must be rezoned to an agreeable category prior to the issuance of building permits.
3. 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.
4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/13/06, except as amended by conditions herein.
5. A Waiver from Title 19.12 is hereby approved, to allow no perimeter landscape buffer on the north property line where eight feet is the minimum required and to allow five parking lot landscape fingers where 15 is the minimum number required.
6. 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.
7. 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.

8. 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).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 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.
12. 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.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

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. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
16. Landscape and maintain all unimproved rightofway, if any, on Jones Boulevard adjacent to this site.
17. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Jones Boulevard public rightofway adjacent to this site prior to the issuance of any permits.
18. This site shall connect to the City of Las Vegas public sewer system at a location acceptable to the City Engineer.

19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

This application is a request for a Site Development Plan Review for a proposed 21,551 square-foot two story office building and a waiver of perimeter landscape requirements on 0.85 acres at 1506 South Jones Boulevard.

EXECUTIVE SUMMARY

The site plan with this application indicates a two-story proposed 21,551 square foot office building. The total building elevation is 35 feet in the front of the property, but due to the severe natural slope from the front of the property to the rear of the property, the rear elevation of the building is 42 feet. The applicant provides a total of 90 spaces on the site, where 72 spaces are required.

The applicant provides a 95 foot residential adjacency setback from the eastern property line where 126 feet is required. Due to the natural grading of the site and the requirement that the building sit at least 18 inches higher than Jones Boulevard, the site development should be considered appropriate for this use. An accompanying Variance application (VAR-14313) addresses the encroachment into the residential adjacency setback area.

The proposed building has recently been annexed from Clark County and is zoned O (Office). The General Plan designates this land as SC (Service Commercial) and the O (Office) zone is not a permitted zoning category in SC (Service Commercial) designated land. Therefore, a condition of approval has been added to rezone the subject property to a category that is permitted in the SC (Service Commercial) land use designation.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|--|
| 07/19/06 | The City Council approved a Petition to Annex (ANX-12916) property generally located on the east side of Jones Boulevard, between Charleston Boulevard and Doe Avenue. |
| 09/07/06 | The Planning Commission recommended approval of companion item VAR-14313 concurrently with this application. |
| 09/07/06 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #37/rl). |

B) Pre-Application Meeting

05/17/06 A pre-application meeting was held and submittal requirements for a Site Development Review and Variance were discussed.

C) 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

Net Acres: 0.85

B) Existing Land Use

Subject Property: Single Family Residence
North: Offices
South: Offices
East: Single Family Residences
West: Southern Nevada Desert Development Center

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: SC (Service Commercial)
East: DR (Desert Rural Density Residential)
West: PF (Public Facilities)

D) Existing Zoning

Subject Property: R-E (Residence Estates) [Resolution of Intent to O (Office)]
North: C-1 (Limited Commercial)
South: Clark County
East: Clark County
West: C-V (Civic)

E) General Plan Compliance

The subject property is shown on the Southeast Sector Land Use Plan of the General Plan. The Plan designates the future land use for this property as SC (Service Commercial). The recently annexed property is zoned O (Office), which is a zoning category not permitted in the Service Commercial land use designation. A condition of approval will be added to this Site Development Plan Review to require a rezoning to a category (C-1, N-S or C-D) that is permissible in the SC (Service Commercial) land use category before issuance of the building permits. There are no specific General Plan policies directly related to this Site Development Plan Review request.

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

Rural Preservation Overlay District

The subject property is within the 330 street buffer area. There are no specified development requirements associated with the subject property being part of the Rural Preservation Overlay District.

PROJECT DESCRIPTION

The site plan with this application indicates a two-story proposed 21,551 square foot office building. The total building elevation is 35 feet in the front of the property, but due to the severe natural slope from the front of the property to the rear of the property, the rear elevation of the building is 42 feet. The applicant proposes the bottom floor of the building to be utilized for parking and will be located in a basement level 10 feet below ground. Thirty of the 72 required parking spaces are provided on that level. The applicant provides a total of 90 spaces on the site, combining surface parking with subterranean parking. The exterior building materials will be sand finish stucco and stone veneer. Landscaping is provided on the majority of the site; however the applicant does not provide a landscape buffer along the north property line and is lacking the required number of parking lot landscape fingers.

There are R-E (Residential Estates) zoned properties adjacent to the east of the subject parcel. According to the building height on the eastern elevation of the building, residential adjacency standards require a building setback of 126 feet. The applicant provides a 95 foot setback from the eastern property line. An accompanying Variance application (VAR-14313) addresses the encroachment into the residential adjacency setback area.

The proposed building has recently been annexed from Clark County and is zoned O (Office). The General Plan designates this land as SC (Service Commercial) and the O (Office) zone is not a permitted zoning category in SC (Service Commercial) designated land. Therefore, a condition of approval has been added to rezone the subject property to a category that is permitted in the SC (Service Commercial) land use designation.

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	133 Feet	Y
Min. Setbacks			
• Front	20 Feet	66 Feet	Y
• Side	5 Feet	10 Feet	Y
• Rear	15 Feet	53 Feet	Y
Max. Lot Coverage	50%	49%	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories / 35 Feet	Y
Trash Enclosure	50 Feet from residentially zoned property	78 Feet from residentially zoned property	Y

The proposed development meets the Title 19.08 Development Standards.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The building does not meet the 3:1 proximity slope. With a building height of 35 feet, the proposed office building must be a minimum of 105 feet from residentially zoned property. The building currently sits 58 feet from R-E zoned properties to the east. An accompanying Variance (VAR-14313) addresses the encroachment into the residential adjacency setback requirement.

- b) Building setback. The R-E zoned properties on the eastern boundary of the subject site have a rear yard setback of 35 feet. Therefore the proposed office building must be set back a minimum of 35 feet to the residentially zoned property. With a rear yard setback of 58 feet to the residential property line, the proposed office building meets this requirement.

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, Other Than Listed	21,554 SF.	1 Space/300 Feet of GFA	72 Spaces	3 of the total spaces required	90 Spaces	4 of the total spaces required

The current site plan depicts adequate parking for office uses.

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 Landscape Fingers	1 Landscape Finger/6 Spaces	15 Fingers	5 Fingers
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet	7 Trees	13 Trees
• Min. Zone Width	8 Feet		10 Feet
• Wall height	6 Feet Minimum		6 Feet

The buffer zone width, wall height and number of buffer trees meet or exceed Title 19.12.040 requirements. A waiver of landscape buffering on the north side of the property has been requested and cannot be supported. The site also provides only 5 parking lot landscape fingers where 15 are required. A waiver of parking lot landscape fingers has also been requested as part of this application.

B) General Analysis and Discussion

•Zoning

The site was annexed into the City of Las Vegas from Clark County on July 19, 2006, with an effective date of July 28, 2006. The site is currently zoned R-E (Residence Estates) with a Resolution of Intent to O (Office) on 0.85 acre, [SC (Service Commercial) Master Plan Designation]. The O (Office) zone is not a permitted zone in the SC (Service Commercial) land use category. Therefore a Rezoning to a permitted zoning category will be required before building permits will be issued.

•Site Plan

This proposal is for a 21,551 square foot office building. It provides 90 parking spaces where 72 are required. The site is bound by single family homes on the east, office and commercial uses to the north and south, and the Southern Nevada Desert Development Center to the west. The proposed 35 foot tall office building rests 58 feet from the nearest residential property line and does not meet the residential adjacency standards. However, the natural grading of the site and the requirement that the building sit at least 18 inches higher than Jones Boulevard, the site development should be considered appropriate for this use.

•Waivers

The site requires a Waiver of perimeter and parking area landscape requirements. The applicant requests no perimeter landscaping buffer along the northern property line, as the buildings in the neighboring commercial development rest directly on the property line. Staff supports the request for a waiver of the northerly perimeter buffer landscaping, as the buffer area is not necessary in order to protect neighboring residential properties from the impact a new office building would have on the area. The site also requires additional parking lot landscape fingers. Staff can support the request for a waiver of parking lot fingers, as the site provides ample landscaping planters on either end of the parking area as part of the provided landscape buffer.

•Landscape Plan

The landscape plan depicts a ten foot landscape buffer along Jones Boulevard with five-24 box trees and miscellaneous one to five-gallon shrubs throughout. The applicant proposes 24-inch box trees, 20 off-center along the eastern boundary bordering residential property. Seventeen, 24-inch box trees and miscellaneous five to 10 gallon shrubs are proposed along the southern boundary.

- Elevation

The proposed two story building is 28 feet tall on the western boundary, Jones Boulevard, and because of the natural slope of the property, is 35 feet tall on the eastern side closest to single family residences. The buildings are proposed Sand Finish stucco and stone veneer exteriors. The roof will be tile and of matching color to the stucco. Because this property is being proposed for and office use and is adjacent to R-E (Residence Estates) lots, Residential Adjacency requirements apply. As part of the accompanying Variance request (VAR-13888), the applicant requests a Residential Adjacency standard of 58 feet where 105 feet is required.

- Floor Plan

The floor plan depicts a typical office building of its size and character.

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 land use is appropriate for the area; however, the residential adjacency standard requirement is not met. A Variance accompanies this application to permit the encroachment into the residential adjacency setback. Staff can support the Variance as exceptional topographic conditions do exist on the subject site.

- 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 is not consistent with the General Plan. However, when the property was annexed into the city of Las Vegas from Clark County, it remained in a similar zoning category that it held in Clark County [C-P (Office and Professional District)]. The resulting City of Las Vegas O (Office) zoning category is not in conformance with the General Plan designation of SC (Service Commercial). A condition of approval was added to correct this discrepancy before building permits may be issued.

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

Primary site ingress and egress is proposed from North Jones Boulevard, a 100-foot Right-of-Way. Traffic from the proposed development entering onto North Jones Boulevard will increase, but this should not have a significant negative impact on the neighborhood as a whole.

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

Building materials are typical of commercial developments in the Las Vegas Valley. Landscaping materials are drought-tolerant and compatible with existing development.

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 elevations and aesthetic features are 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 development will be subject to inspections, and appropriate measures will be taken to protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

ASSEMBLY DISTRICT 3

SENATE DISTRICT 8

NOTICES MAILED 72 by Planning Dept

APPROVALS 0

PROTESTS 2