



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-16139 - APPLICANT/OWNER: WILLIAM B. PALMER II
AND ROSELLE J. PALMER**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/sd vote) recommends APPROVAL.

Planning and Development

1. Conformance to the conditions for General Plan Amendment (GPA-16140), Rezoning (ZON-16141) and Variance (VAR-16533) 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, date stamped 08/21/06, and building elevations, date stamped 09/05/06, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow 4 Trees where 5 are required.
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. 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 replacement of landscape diamond planters with a planting strip or planting fingers in the parking area.
6. 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.
7. 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).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. 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.
11. The trash enclosure must be gated, roofed, and constructed of a material similar to the primary structure with which it is associated, and meet all Title 19 setback and residential adjacency requirements.
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. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
15. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
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. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-16141 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Site Development Plan Review for a 9,300 Square Foot office building with a parking lot landscape waiver on 0.76 acres at 2320 Potosi Street. Accompanying applications include GPA-16140, ZON-16141 and VAR-16533.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/06/91	The City Council denied a Rezoning (Z-148-90) from R-E (Residential Estates) to P-R (Professional Offices and Parking). Planning Commission recommended denial.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
10/05/06	The Planning Commission recommended approval of companion items GAP-16140, ZON-16141, and VAR-16533 concurrently with this application. The Planning Commission voted 6-0-1/sd to recommend APPROVAL (PC Agenda Item#28/rl).
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was requested to submit a Rezoning and Site Development Plan Review including landscape waivers. Also, the applicant was informed that a Variance would be required for the location of the trash enclosure.

<i>Neighborhood Meeting</i>	
08/31/06	<p>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 August 31, 2006 a neighborhood meeting sponsored by the applicant was held. Seven persons attended had the following comments:</p> <ul style="list-style-type: none"> • Will the proposed structure comply with setbacks? (The applicant responded that the building would be in compliance) • Are there any required easements on the site? • Don't want there to be any additional traffic in the residential neighborhood (Mohawk Street). • Allowing the P-R conversion is one step closer to allowing commercial uses to encroach upon the residential neighborhood. • Is the one-story height of the proposed structure consistent with the residential structures in the neighborhood? • Will the proposed structure look like a residence? (The applicant stated that the structure was designed to be 16 to 18-Feet in height and look like a residential structure, so it would blend with the single-family properties that surround it on three sides.) • When will construction start? When will demolition of the existing structure begin? (The applicant responded that construction would probably not start until July 2007, with demolition to precede site grading.) • Concerns were expressed regarding construction noise and dust control. • One resident stated that their principal concern was relative to the traffic that would be generated by the proposed use.

<i>Details of Application Request</i>			
<i>Site Area</i>			
Gross Acres	0.76		
Net Acres	0.73		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residential Estates)
North	Single Family Residential	DR(Desert Rural Density Residential)	R-E (Residential Estates)
South	Parking Lot	SC (Service Commercial)	P-R (Professional Office and Parking)
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West			

	Group Quarters Facility, Single Family Residential	DR (Desert Rural Density Residential), Unincorporated Clark County	R-E (Residential Estates), Unincorporated Clark County
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		N	Y
Special Purpose and Overlay Districts		N	Y
Trails		N	Y
Rural Preservation Overlay District		N	Y
Development Impact Notification Assessment		N	Y
Project of Regional Significance		N	Y

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>	
Min. Lot Size	NA	31,799 SF	Y	
Min. Lot Width	60 Feet	100 Feet	Y	
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	20 Feet 5 Feet 15 Feet 15 Feet	169 Feet 10 Feet NA 15 Feet	Y	
Max. Lot Coverage	50%	29%	Y	
Max. Building Height	15 Feet	14.5 Feet	Y	
Trash Enclosure	50 Feet from Residential	20 Feet from Residential	N	
<i>Residential Adjacency Standards</i>		<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope		54 Feet	10 Feet	N
Adjacent development matching setback		35 Feet	10 Feet	N
Trash Enclosure		50 Feet from Residential	20 Feet from Residential	N

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residential Estates)	2.18	1	P-R (Professional Office and Parking)	0	O (Office)	0

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/ 6 Spaces	5 Trees	4 Trees	N
Buffer: Min. Trees	1 Tree/ 20 Linear Feet	38 Trees	38 Trees	Y
TOTAL		43 Trees	42 Trees	N
Min. Zone Width	Sides 8 Feet Rear 15 Feet		8 Feet 15 Feet	Y
Wall Height	6-8 Feet		Not Provided	

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Office	9,300	1/300	29	2	29	2	Y
TOTAL			31		31		

<i>Waivers</i>		
<i>Request</i>	<i>Requirement</i>	<i>Staff Recommendation</i>
4 Parking Lot Trees where 5 Trees are Required	19.10	Denial

ANALYSIS

The site meets the parking requirements of Title 19, as well as the perimeter landscape requirements.

ZONING

This project is appropriate for the proposed P-R (Professional Office and Parking) zoning district as well as the proposed General Plan designation of O (Office).

SITE PLAN

The site plan calls for the location of the building set back 169 Feet from the front property line where only 20 Feet are required, and necessitating a variance from residential adjacency setbacks on the sides and rear of the lot. The diamond shaped planters are not sufficient according to Title 19.10, which requires a landscape strip or fingers. The parking lot will also require an additional 60-Inch strip alongside one of the Handicapped parking spaces in order to comply with Title 19.10. A condition has been added to require that the Trash Enclosure conform to Title 19 including setback and adjacency requirements.

LANDSCAPE PLAN

While the landscape plan depicts 38 Russian Hawthornes that fully meet the perimeter landscape requirements, the parking lot falls short of the landscape requirements. The site plan indicates four Raywood Ash trees, where five trees are required, necessitating a waiver for compliance. Staff does not support this waiver as it is the result of a self-imposed hardship.

ELEVATION/FLOOR PLAN

The 9,300 square foot law office building will be one story and approximately 18 Feet in height. The elevations provided depict a tile roof, stucco fascia, coach light, decorative wrought iron and ledge stone veneer.

SIGNS

A subsequent review of on-premises signage will be required to ensure that all proposed signage is in accordance with the Sign Standards of Title 19.14.

FINDINGS

The following findings must be made for an SDR:

1. The proposed development is compatible with adjacent development and development in the area;
2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;
3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4. Building and landscape materials are appropriate for the area and for 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;
6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

In regard to 1:

The site plan indicates a 9,300 square foot office building setback 169 Feet from the frontage and surrounded on three sides by residential designations of R-E (Residential Estates) to the north and west and L (Low Density Residential) to the east. The placement of this building requires waivers as it fails to meet the setbacks from the residential uses while it is setback considerable from the compatible uses. Therefore the proposed Site Development Plan Review is deemed incompatible with existing adjacent land use designations.

In regard to 2:

The applicant has requested a parking lot landscape waiver as well as a variance from residential adjacency setbacks. As such, this design is not consistent with Title 19.

In regard to 3:

The site is accessed by Potosi Street, and the proposed development will not negatively impact the traffic pattern in the vicinity.

In regard to 4:

The elevations depict a tile roof, stucco fascia, coach light, decorative wrought iron and ledge stone veneer. The primary landscaping includes Russian Hawthornes, Raywood Ashes and various shrub species. These materials are appropriate for the area and for the City.

In regard to 5:

The one-story office building is not unsightly, undesirable nor obnoxious in appearance. However, the size of the building and the subsequent need for a variance setback makes it inappropriate for the lot. While Potosi Street is primarily commercial, this site plan calls for the structure to be placed far from other commercial establishments and deeply imbedded among private residences where it fails to meet residential adjacency setbacks.

In regard to 6:

The site will be subject to ongoing inspection, in which the public health, safety, and welfare will not be compromised.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 86 by Planning Department

APPROVALS 0

PROTESTS 0