



## AGENDA MEMO

**CITY COUNCIL MEETING DATE: NOVEMBER 15, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - SDR-12922 - APPLICANT: DORSAL**

**DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER**

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### **\*\* CONDITIONS \*\***

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

#### **Planning and Development**

1. 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.
2. All development shall be in conformance with the site plan and landscape plans, date stamped 08/23/06, and building elevations, date stamped 05/08/06, except as amended by conditions herein.
3. 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.
4. 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).
5. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
6. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers
7. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & Rs.

8. 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.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**Public Works**

10. Prior to submittal of any construction drawings or Maps subdividing this site, or any further actions, coordinate with the City Engineer to discuss the potential extension of Bearden Drive through this site.
11. Construct all incomplete half-street improvements on Bearden Drive and Desert Lane adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
12. Remove all substandard public street improvements, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
13. Grant pedestrian walkway easements for all public sidewalks not located within public rightofway along Bearden Drive.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing 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.
15. All landscaping and private improvements (including trash enclosures) 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.
16. Site development to comply with all applicable conditions of approval for Z2097 and all other applicable siterelated actions.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Site Development Plan Review for a proposed five-story, mixed-use development consisting of 30 residential condominium units and 9,350 square feet of medical office space on 0.74 acres at 728 Desert Lane.

**EXECUTIVE SUMMARY**

Because the floor plans depict parking spaces at ground-level, the proposed development does not comply with the mixed-use standards of the Las Vegas Medical District Plan (page 12). These standards require that the office use shall be located at ground-level fronting the primary public right-of-way, and the primary entry way to that use shall be directly from and oriented to a street.

Because there is no hardship, which precludes compliance with these requirements, the recommendation for the subject application is for denial.

**BACKGROUND INFORMATION**

***A) Previous Actions***

05/27/97      The City Council approved a Request for Rezoning (Z-0020-97) on properties located between Alta Drive and Charleston Boulevard and Martin L. King Boulevard and Rancho Drive from R-1 (Single Family Residential), R-3 (Medium Density Residential), R-4 (High Density Residential), R-5 (Apartment), R-E (Residence Estates), P-R (Professional Offices and Parking), C-1 (Limited Commercial), C-2 (General Commercial), and CV (Civic) to PD (Planned Development) on 171 acres. The Planning Commission and staff recommended approval on April 2, 1997.

06/19/02      The City Council approved a Request for a Major Modification [Z-0020-97(33)] to the Las Vegas Medical District Plan to update and revise the Plan document, as part of the City's General Plan for the area bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin L. King Boulevard to the east and Rancho Drive to the west. The Planning Commission and staff recommended approval on April 11, 2002.

- 11/17/04 The City Council approved a Request for a Major Modification MOD-5267 to the Las Vegas Medical District Plan in order to reduce height and setback restrictions on mixed-use developments, list them as a specific use on the table of permitted uses, provide for the incorporation of the live/work ordinance, and clarify the table of permitted uses to update terminology. The Planning Commission and staff recommended approval on October 21, 2004.
- 10/19/06 The Planning Commission recommended approval of companion items MOD-12922 and denial of SUP-16246 concurrently with this application.
- 10/19/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #16/ar).

**B) *Pre-Application Meeting***

A pre-application meeting was held on March 21, 2006. Issues discussed included:

- The Department of Building and Safety indicated that a handicap accessible route would need to be shown to the right-of-way
- A representative of the Traffic Division indicated that Project Neon could affect this site, and that a traffic study would be required.
- The Department of Public Works indicated that a Flood Study would be required because of the underground parking.
- The Planning Department informed the applicant of the Medical District Streetscape standards.

**C) *Neighborhood Meetings***

A neighborhood meeting is not required for this application, nor was one held.

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

Gross Acres: 0.74 acres

**B) *Existing Land Use***

Subject Property: Undeveloped  
North: Clark County Health District warehouse  
South: Parking lot  
East: Apartments  
West: Offices

**C) *Planned Land Use***

Subject Property: UMC [MD-2 (Major Medical)]  
North: UMC [MD-2 (Major Medical)]  
South: UMC [MD-1 (Medical Support)]

East: UMC [HD (High Density Residential)]  
 West: UMC [P-O (Professional Office)]

- D) Existing Zoning  
 Subject Property: PD (Planned Development)  
 North: PD (Planned Development)  
 South: PD (Planned Development)  
 East: PD (Planned Development)  
 West: PD (Planned Development)

**E) General Plan Compliance**

The subject site is located within the Southeast Sector of the General Plan. More specifically, the site is located within the Las Vegas Medical District Neighborhood Plan (LVMD), which is itself an element of the General Plan. This site is designated as MD-2 (Major Medical) within the LVMD. The Major Medical category is intended to allow the most intensive development within the LVMD. It is designed to allow major medical uses and office uses.

In terms of zoning, the site is zoned PD (Planned Development). The PD (Planned Development) zoning district is consistent with the General Plan designation and the proposed use shown on companion site plan SDR-12922 is a permitted use within the PD (Planned Development) zoning district.

<i><b>SPECIAL DISTRICTS/ZONES</b></i>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>	X	
Las Vegas Medical District	X	
<b>Special Overlay District</b>		X
<b>Trails</b>		X
<b>Rural Preservation Neighborhood</b>		X
<b>County/North Las Vegas/HOA Notification</b>		X
<b>Development Impact Notification Assessment</b>		X
<b>Project of Regional Significance</b>		X

Las Vegas Medical District

The intent of the Las Vegas Medical District is to provide for future and continued development in this area of an interrelated and cohesive mix of uses in a manner that is safe, orderly, and manageable for pedestrians.

**INTERAGENCY ISSUES**

There are no interagency issues involved with this request.

**PROJECT DESCRIPTION**

The applicant proposes a five-story, mixed-use development consisting of 30 residential condominium units and 9,350 square feet of medical office space on the subject 0.74 acres. Access to the site is provided by driveways to Desert Lane and Bearden Drive. Parking is provided on a below-grade level and on a street-grade level. Landscaping with 24-inch box trees is shown at the vehicular entrances. The elevations drawings depict a 55-foot tall structure with a stucco exterior and stone veneer accents.

**ANALYSIS**

**A) Zoning Code Compliance**

A1) Development Standards

Pursuant to the Las Vegas Medical District Plan, the following Development Standards apply:

<b>Standards</b>	<b>Required</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	N/A	0.75 Acres	Y
Min. Lot Width	N/A	100 Feet	Y
Min. Setbacks			
• Front	N/A	15 Feet	Y
• Side	N/A	10 Feet	Y
• Rear	N/A	15 Feet	Y
Max. Lot Coverage	N/A	46 %	Y
Max. Building Height	N/A	5 Stories/55 Feet	Y
Trash Enclosure	50 Feet from residential	1,489 feet from residential	Y
Loading Zone	N/A	No	Y
Mech. Equipment	Screened	Screened	Y

The proposed development meets the standards of the Medical District Plan.

A2) Residential Adjacency Standards

Pursuant to the Las Vegas Medical District Plan, mixed-use projects are exempt from the Residential Adjacency Standards.

A3) Parking and Traffic Standards

Pursuant to the Las Vegas Medical District Plan, the following Parking Standards apply:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Medical Offices	9,350 SF.	One space for each 200 sf of gfa up to 2,000 sf, plus one space for each additional 175 sf	52			
30 Condominium Units		1 space per unit	30			
<b>TOTAL</b>			82	3	82	4

The proposed development complies with the parking standards of the Las Vegas Medical District Plan.

The Medical District Standards also require two bicycle parking spaces to be provided in conjunction with a medical office. The submitted site plan depicts 14 such spaces and thus complies with this portion of the standards.

A4) Landscape and Open Space Standards

Pursuant to the Las Vegas Medical District Plan, the following Landscape Standards apply:

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Trees/Linear Feet	7 Trees	7 Trees
• Min. Zone Width			
Desert Lane	5 to 15 Feet		15 Feet
Bearden Drive	5 to 15 Feet		15 Feet
North property line	5 Feet		5 Feet
South property line	5 Feet		5 Feet

The proposed site plan meets the landscaping standards of the Medical District plan.

The Medical District Plan requires Desert Lane and Bearden Drive to have streetscape treatments which consist of a five to 15-foot wide landscape planter, and ten-foot wide public sidewalk. The submitted site plan depicts compliance with this standard along both adjacent streets.

***B) General Analysis and Discussion***

•Zoning

The proposed office use is consistent with the PD (Planned Development) zoning district and the MD-1 (Medical Support) Las Vegas Medical District land use designation.

•Site Plan

The site plan complies with the standards of the Las Vegas Medical District.

•Waivers

No waivers are required in conjunction with this application.

•Landscape Plan

The width of the planters and the size and locations of the trees comply with the landscape standards of the Medical District Plan.

•Elevation

The proposed materials and architectural articulation are in compliance with the standards of the Medical District Plan.

•Floor Plan

Because the floor plans depict parking spaces at ground-level, the proposed development does not comply with the mixed-use standards of the Las Vegas Medical District Plan (page 12). These standards require that the office use shall be located at ground-level fronting the primary public right-of-way, and the primary entry way to that use shall be directly from and oriented to a street.

Because there is no hardship, which precludes compliance with these requirements, the recommendation for this application is denial.

## 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 mixed-use development is compatible with adjacent development and the surrounding 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 setbacks and landscaping as proposed comply with the Medical District plan and Title 19.

Because the floor plans depict parking spaces at ground-level, the proposed development does not comply with the mixed-use standards of the Las Vegas Medical District Plan (page 12).

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

Adequate access to Desert Lane and Bearden Drive is depicted on the site. These adjacent roadways will not be adversely impacted by this development.

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

Building and landscape materials are appropriate for the area.

**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 and architectural features will be harmonious and compatible with surrounding development.

The Las Vegas Medical District Plan standards require that the office use shall be located at ground-level fronting the primary public right-of-way, and the primary entry way to that use shall be directly from and oriented to a street. The floor plans depict parking spaces at ground-level and do not comply with this standard.

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

The site will be subject to inspections and will not compromise public health and safety.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 19

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 3

**NOTICES MAILED** 70 by Planning Department

**APPROVALS** 0

**PROTESTS** 0