

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-16169 - OWNER/APPLICANT: JOHN HERNANDEZ

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (5-2/se/bg vote) recommends APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-16168) to an O (Office) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-16174) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. 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.
5. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public rightofway adjacent to this site.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose for this request is to re-zone 0.2 acres from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for the conversion of an existing 1,186 square-foot single-family home, constructed in 1963, to an office. This application is a companion item of SDR-16174 and GPA-16168. A waiver of the zone boundary wall requirement is necessary since the applicant is depicting an existing cyclone fence to be maintained around the property. The existing building also has a roof-mounted air conditioner and a television antenna on the roof.

BACKGROUND INFORMATION

| <i>Pre-Application Meeting</i> | |
|--------------------------------|--|
| 08/02/2006 | The applicant was informed that parking for this project is at a ratio of 1:300 sq. ft. The applicant was informed that access issues may exist and a signal impact fee would be required. |
| 11/02/2006 | The Planning Commission recommended approval of companion item GPA-16168 and denial of SDR-16174 concurrently with this application. The Planning Commission voted 5-2/se/bg to recommend APPROVAL (PC Agenda Item #11/jk). |
| <i>Neighborhood Meeting</i> | |
| 9/13/2006 | At the meeting the residents in attendance had the following questions/comments: * Would like a block wall to be provided along the side and rear property lines (it was noted that a 6-foot high wall is required between residential and commercial properties, and the applicant will comply with the requirement). * There are concerns about homeless individuals occupying the property as the structure is currently vacant; however, they noted that having a commercial use in operation on the property will deter any homeless encampment. * The residents stated that they were in support of the conversion. |

| <i>Details of Application Request</i> | |
|---------------------------------------|------|
| <i>Site Area</i> | |
| Gross Acres | 0.40 |
| Net Acres | 0.20 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|---------------------------|--|--|
| Subject Property | Single-family Residential | Low Density Residential | R-1 (Single-family Residential) |
| North | Single-family Residential | Low Density Residential | R-1 (Single-family Residential) |
| South | Strip Commercial | Clark County Commercial Low & Commercial General | C-1 (Limited Commercial)& C-2 (General Commercial) |
| East | Single-family Residential | Low Density Residential | R-1 (Single-family Residential) |
| West | Single-family Residential | Low Density Residential | R-1 (Single-family Residential) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | X | |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | X | |
| Trails | | X | |
| Rural Preservation Overlay District | | X | |
| Development Impact Notification Assessment | | X | N |
| Project of Regional Significance | | X | N |

DEVELOPMENT STANDARDS

Pursuant to 19.08.050:

| <i>Standard</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|---------------------------------|-------------------------|-------------------------|-------------------|
| Min. Lot Size | N/A | 8,835 Sq. Ft. | N/A |
| Min. Lot Width | 60 Feet | 71 Feet | Y |
| Min. Setbacks | | | |
| Front | 26.5 Feet | 20 Feet | Y |
| Side | 13.3 Feet | 5 Feet | |
| Corner | 25.6 Feet | 15 Feet | |
| Rear | 48.1 Feet | 15 Feet | |
| Min. Distance Between Buildings | N/A | N/A | N/A |
| Max. Lot Coverage | 50% | 13.4% | Y |
| Max. Building Height | 2 Stories/ 35 Feet | 1-story 15 Feet | Y |
| Trash Enclosure | 50 | N/A | N/A |
| Mech. Equipment | Screened | Exposed Roof-mounted | N |

Pursuant to 19.08.060:

| <i>Residential Adjacency Standards</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|--|---|-----------------|-------------------|
| 3:1 proximity slope | 10-Feet if Building is 1-Story/15 Feet High | 1-Story/15 Feet | Y |
| Adjacent development matching setback | | | |
| Trash Enclosure | 50 Feet | N/A | N/A |

Pursuant to 19.12.040:

| <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 | 1 Tree | 2 Trees | Y |
| Buffer: Min. Trees | 1 Tree/ 20 Linear Feet | 8 Trees | 6 Trees | N |
| TOTAL | | 9 Trees | 8 Trees | Y |
| Min. Zone Width | 15 Feet | | 22.7 Feet | Y |
| Wall Height | 6 Feet | | 4-foot Cyclone Fence | N |

| Waivers | | |
|---------------------------------------|--------------------|-----------------------------|
| Request | Requirement | Staff Recommendation |
| Perimeter Landscaping (Street) | 15 Feet | Denial |
| Perimeter Landscaping (Zone Boundary) | 8 Feet | Denial |

ANALYSIS

The plans show a 1,186 square-foot single-family home on an 8,836 square-foot, R-1 (Single Family Residential) zoned lot, at the northwest corner of Charleston Boulevard and Prince Lane. This home was constructed in 1963 and from the photographs provided it appears to be in minor disrepair. This residence is located in the 40-lot Treasure Park subdivision. An observation of aerial photographs to the north and west, in the Park Ridge subdivision shows at least six lots with what appears to be a significant number of derelict vehicles in each lot. Many of the lots in this area appear to have poorly maintained landscaping. There are five corner lots along the Charleston Boulevard frontage within this subdivision and the adjacent subdivision to the west. Of the five lots along Charleston Boulevard, one of those lots has filed for a rezoning from R-1 (Single Family Residential) to P-R (Professional Offices and Parking). The parcel on which this was filed is located on the northwest corner of Charleston Boulevard and Ronald Lane. The City Council approved a General Plan Amendment and a Rezoning (GPA-39-98 and Z-68-98).

Although the General Plan Amendment and Re-zoning were approved, a site inspection of this property indicates that the site is not being used as a business, nor have any of the improvements on the plans submitted for the aforementioned cases been completed. On the south side of Charleston Boulevard are C-1 (Limited Commercial) and C-2 (General Commercial) zoned strip shopping centers within the jurisdiction of Clark County.

Currently, this site has grass that isn't in a living state and there are several large deciduous trees that will be removed and replaced with Monder Pine Trees and Chilean Mesquite Trees. The grass areas will be xeriscaped with a combination of Desert Cassia, Mountain Marigold, Green Bush Daisy, and Trailing Lantana with decomposed granite ground cover to fill in the areas without vegetation. There is a waiver to provide zero feet of landscaping along Prince Lane due to the need for a handicapped drive aisle. Additionally, the applicant is seeking a waiver of the 8-foot landscape buffer along the north property line. The building is a ranch-style home with wooden panel siding that is painted in two tones in the range of cream to sand in color, with a green trim. The roof is low-pitched with asphalt shingles and roof-mounted mechanical equipment that is not screened. The applicant is providing a cyclone fence along the north property line rather than providing a zone boundary wall, which can be requested through a Site Development Plan Review pursuant to 19.08.050(E) (6) by showing convincing and substantial evidence that the exception or modification will not compromise the objective of the City in safeguarding the interests of the citizens of the City. Photographs of the house show that the rain gutters are pulling away from the eaves on the north side of the house. There is an existing carport that will be removed; however, the existing garage door that faces Charleston Boulevard will remain as shown on the plans. All access to this site will be gained via Prince Lane.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

The proposed development will conform to the General Plan if a General Plan Amendment (GPA-16168), a companion item is approved.

2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

There are five lots with frontage along Charleston Boulevard in this subdivision and the adjacent subdivision to the west. Of the five lots, one was approved for a residential office conversion, but that property doesn't look like it has been redeveloped yet. The proposed development, while having frontage on Charleston Boulevard, will only have access from Prince Lane and the existing access on Charleston Boulevard will be eliminated, which will create a situation of funneling commercial traffic onto a residential street.

Additionally, the applicant is not proposing to install a zone boundary wall on the north property line. Moreover, no improvements to the property are being proposed beyond the landscape conversion in an effort to present an architecturally compatible commercial project with the existing commercial land uses on the south side of Charleston Boulevard.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

Staff finds no compelling factors in this area to necessitate the rezoning of this property. Moreover, both the design of the project and access to the site are detracting characteristics for the conversion of this project to an office.

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

While, Charleston Boulevard can provide adequate access to this site, the applicant is proposing to funnel traffic onto Prince Lane, a residential street, which is generally considered poor practice.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 225 by Planning Department

APPROVALS 0

PROTESTS 0