

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-16174 - OWNER/APPLICANT: JOHN HERNANDEZ

**** CONDITIONS ****

The Planning Commission (4-3/se/bg/rt vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for General Plan Amendment (GPA-16168) and Rezoning (ZON-16169), if approved.
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, and building elevations, date stamped August 22, 2006, except as amended by conditions herein.
4. 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.
5. 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.
6. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect the garage door to be removed and resurfaced and the entire building to be resurfaced in stucco.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

9. 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.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
11. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped August 22, 2006 except as amended by conditions herein.

Public Works

12. 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.
13. 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.
14. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
15. The pan driveway on Prince Lane is acceptable.
16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-16169 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose of this request is for a proposed conversion of an existing home to a 1,186 square-foot office building with landscape a waiver on 0.2 acres at 11 Prince Lane. This application is a companion item of ZON-16169 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. |
| 11/02/06 | The Planning Commission recommended approval of companion items GPA-16168 and ZON-16169 concurrently with this application. The Planning Commission voted 4-3/se/bg/rt to recommend DENIAL (PC Agenda Item #12/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 | N |
| 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, located at the northwest corner of Charleston Boulevard and Prince Lane. This home was constructed in 1963 and from the photographs provided 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 the rezoning 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 Rezoning 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 Monardella 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.

FINDINGS

The following findings must be made for an SDR:

1. The proposed development is compatible with adjacent development and development in the area;

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 or screen the roof-mounted mechanical equipment, instead leaving the cyclone fence, and leaving the existing roof-mounted air conditioner or television antenna exposed. 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.

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;

The proposed development is not consistent with the General Plan, as a General Plan Amendment is a companion item with this request. Additionally, a zone boundary wall is not proposed along the north property line and the applicant is proposing to maintain the existing garage door on the south side of the house when the garage will not be used as a garage.

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

The proposed access to the property will be along Prince Lane, which is a 60-foot residential street. Commercial access from a residential street is generally not considered good practice.

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

While the proposed landscaping is an improvement over the existing landscape conditions, the applicants plans do not show any improvements to bring this building up to the level of the existing commercial land uses on the south side of Charleston Boulevard.

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;

The design characteristics of this building are unsightly, undesirable in appearance, not aesthetically pleasing, and are not harmonious with the commercial buildings in the area. The building is, however, consistent in appearance with the single-family residences to the north.

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

Staff finds that appropriate measures have not been taken to protect the public health, safety and general welfare of the area by not providing a zone boundary wall along the north property line and by funneling commercial traffic along a residential street.

PLANNING COMMISSION ACTION

Potential conditions of approval considered by the Planning Commission included adding a six foot block wall on the north and west property lines and delete condition #11 as repeated.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 225 by Planning Department

APPROVALS 0

PROTESTS 0