



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-16919 - APPLICANT/OWNER: CHARLESTON & JONES, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions of Z-0037-02, Z-0037-02(1) and VAR-0041-02 approved by City Council 09/02/02 except as amended herein.
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 09/18/06, except as amended by conditions herein. NOTE: reduced copies are date stamped 09/19/06.
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. Air conditioning units shall not be mounted on rooftops.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

8. 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.
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. 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
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
12. This approval shall be void two years from the date of final approval, unless a Final Map has been submitted and approved. An Extension of Time may be filed for consideration by the City of Las Vegas.
13. Each dwelling unit shall be served by gas and/or electric services completely within the lot lines or ownership space of each separate unit. Easements for gas and/or electric lines shall be provided in the common ownership area where lateral service connections shall take place. Each dwelling unit shall be separately metered for gas and/or electricity. A plan for equitable sharing of communal water metering, where required, shall be included in the covenants, conditions and restrictions.
14. All new on-site and off-site minor utilities except switch boxes, transformer boxes and cap banks across property frontage shall be underground.
15. 36 box trees planted 30 feet on center, set to provide maximum viewing protection to surrounding properties.

Public Works

16. 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.
17. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Submit copies of the receipts to the Collection Systems Planning Section of the Department of Public Works with Final Map mylar submittal.

18. Gated driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
19. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
21. A Homeowners Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping 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.
22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review and a Waiver of the perimeter landscape buffer requirements for the conversion of an approved 192-unit apartment complex to a condominium development on 7.39 acres at 5905 West Charleston Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/19/72	A portion of the subject site was Annexed (A-0001-71) into the City of Las Vegas.
02/07/96	The City Council approved a Rezoning (Z-0104-95) to C-1 (Limited Commercial) on a portion of this site. The Planning Commission recommended approval.
09/04/02	The City Council approved a General Plan Amendment (GPA-0014-02) to M (Medium Density Residential), a Rezoning (Z-0037-02) to C-2 (General Commercial), a Variance (V-0041-02) to allow the proposed apartment buildings to be three stories and 38 feet tall where two stories and 35 feet are the maximum height allowed, and Site Development Plan Review [Z-0037-02(1)] for a 192-unit three-story, apartment complex on this site. The Planning Commission and staff recommended approval on August 8, 2002.
10/06/04	The City Council approved an Extension of Time (EOT-5144) of Rezoning Z-0037-02; an Extension of Time (EOT-5146) of Site Development Plan Review Z-0037-02(1); and an Extension of Time (EOT-5147) of Variance (V-0041-02).
11/02/06	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #49/r1).
<i>Building Permits</i>	
11/08/05	Building permits issued under Plan Check number C-0223-04 for on-site improvements and recreation building for Desert Shadows Apartments.
02/06/06	Building permits issued under Plan Check number C-0223-04 for eight apartment buildings and three 8-Bay garage buildings for Desert Shadows Apartments.
03/10/06	Building permits issued under Plan Check number C-0223-04 for an 8-Bay garage building for Desert Shadows Apartments.

<i>Pre-Application Meeting</i>	
09/05/06	A pre-application meeting was held at which the applicant was instructed that a Site Development Plan Review would be required for the proposed conversion, and that it would be heard by City Council. Further, a list of requirements was provided and the applicant was told that they should meet with Flood Control and conform to the previously approved site plan (Z-37-02(1)).
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, nor was one held.

<i>Details of Application Request</i>				
<i>Site Area</i>				
Gross Acres	7.41			
Net Acres	7.39			
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning	
Subject Property	Vacant	M (Medium Density Residential)	C-2 (General Commercial) and R-E (Residential Estates) Under Resolution of Intent for R-3 (Medium Density Residential)	
North	Service Commercial	SC (Service Commercial)	C-1 (Limited Commercial)	
South	Single Family, Vacant	DR (Desert Rural Density Residential), SC (Service Commercial)	R-E (Residential Estates) and U (Undeveloped) [L (Low Density Residential General Plan Designation)]	
East	Office	SC (Service Commercial)	C-1 (Limited Commercial)	
West	Service Commercial	SC (Service Commercial)	C-1 (Limited Commercial)	
<i>Special Districts/Zones</i>		<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			X	Y
<i>Special Districts/Zones</i>		<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X		Y
A-O Airport Overlay District 200 Feet		X		Y
Trails			X	Y
Rural Preservation Overlay District			X	Y
Development Impact Notification Assessment			X	Y
Project of Regional Significance			X	Y

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF	322,812 SF	Y
Min. Lot Width	NA	538 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	5 Feet	5 Feet	Y
• Rear	20 Feet	20 Feet	Y
Min. Distance Between Buildings	10 Feet	25 Feet	Y
Max. Building Height	3 Stories/38 Feet per V-0041-02	3 Stories/38 Feet	Y

<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-3	25du/acre 192 units on the subject site	192	R-3	25du/acre 192 units on the subject site	M	25.89 197 units on the subject site

<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	Tree/ 6 Spaces	15 Trees	36 Trees	Y
Buffer:				
Min. Trees				
• North	1 Tree/20 Linear Feet	28 Trees	16 Trees	Y
• South	1 Tree/20 Linear Feet	26 Trees	13 Trees	Y
• East	1 Tree/20 Linear Feet	28 Trees	10 Trees	N
• West	1 Tree/20 Linear Feet	28 Trees	10 Trees	N
Total Buffer		110 Trees	49 Trees	61 Trees Deficient
TOTAL		125 Trees	95 Trees	Y
Min. Zone Width	10 Feet along right-of-way 5 Feet along interior lot lines		10 Feet 5 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
1 Bedroom	84	1.25/Unit	105	7	322	7	Y
2 Bedroom	108	1.75/Unit	189				
Guest Spaces		1/6 Units	32				
TOTAL	192		326		329		Y

ANALYSIS

ZONING

The subject property is currently designated as M (Medium Density Residential) within the Southwest Sector Plan of the General Plan. The M (Medium Density Residential) designation includes a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allows up to 25.49 units per acre. The subject site is under a Resolution of Intent to R-3 (Medium Density Residential) zoning. The proposed site plan is in compliance with the requirements of this land-use designation and zoning district. The property is within the Airport Overlay District (200-foot Buffer) and is in full compliance with the appropriate regulations therein.

SITE PLAN

The submitted site plan is of an apartment complex, currently under construction, as approved with conditions by City Council as Z-0037-02(1) on 09/04/02, and is appropriate for this type of conversion. In addition, staff notes that the buildings that are being proposed are three stories in height, to a maximum of 38 feet. While this exceeds the maximum height of the R-3 (Medium Density Residential) Zone, an approved Variance (V-0041-02) allows this deviation on the subject site. Conditions of approval of Z-0037-02 further require the dedication of the radius corner of Holmby Avenue and Duneville Street at the southeast corner of the subject site. Full dedication of Holmby Avenue is not required by Public Works.

LANDSCAPE PLAN

The submitted landscape plan indicates that the development shall provide a minimum ten-foot wide landscape buffer along any public right-of-way; and a minimum six-foot wide landscape buffer along all interior property lines, except behind the garage structures. Conditions of the previously approved site plan (Z-0037-02(1)) require all landscape buffers shall contain a minimum of one 24-inch box tree spaced a maximum of 30 feet, consistent with the conditions of the approved site plan. In addition, a total of four, five-gallon shrubs shall be provided in addition to each tree. The submitted landscape plan indicates five-foot landscape buffers along the south, east and west property lines. In addition, the landscape plan depicts 24-inch box trees around the perimeter of the site with no regularity. Therefore, staff has included a condition requiring conformance to the approved site plan (Z-0037-02(1)).

ELEVATIONS

Staff finds the submitted elevations for the proposed condominium buildings are appropriate in that proper articulation and materials are depicted. The zoning code states that buildings that are zoned R-3 (Medium Density Residential); are allowed a maximum height of two stories or 35 feet, whichever is less. An approved Variance (V-0041-02) on the subject site, however, allows a height of 38 feet. Staff finds the elevations of the garage structures to be appropriate for this development.

FLOOR PLAN

Staff finds the submitted floor plans indicate different one-bedroom and two-bedroom plans that range in size from 792 square feet for a one-bedroom unit to 1,159 square feet for a two-bedroom unit.

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:

Staff finds the proposed condominiums to be compatible with the adjacent commercial development to the north, east and west; and with the residential development to the south of this site.

In regard to 2:

Staff finds that the proposed development as amended by the recommended conditions will be consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, wall and buffer standards in that property circulation, buffering and landscaping will occur.

In regard to 3:

Staff finds that access to the site will be accomplished by one primary driveway from Charleston Boulevard, a 100-foot wide Primary Arterial roadway and; therefore, will not negatively impact adjacent roadways or neighborhood traffic.

In regard to 4:

Staff finds the proposed building materials are appropriate for the area and are consistent with other buildings within the City of Las Vegas. Staff finds the landscaping as amended by the recommended conditions to be appropriate for the area and will help provide an adequate buffer.

In regard to 5:

Staff finds the proposed architecture and landscaping as amended by the recommended conditions will create an orderly and aesthetically pleasing environment that is harmonious and compatible with development in the area.

In regard to 6:

The proposed development will be subject to inspection by the City and will not compromise the health, safety and welfare of the general public.

PLANNING COMMISSION ACTION

There were two speakers in opposition. Conditions #1 and #20 were amended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 3

SENATE DISTRICT 8

NOTICES MAILED 162 by Planning Department

APPROVALS 0

PROTESTS 0