

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: NOVEMBER 29, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-23118 - APPLICANT/OWNER: BEDRI ABDULLAHI**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3474) and Extension of Time (EOT-11905) 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 (10/09/07), and building elevations (07/10/07), except as amended by conditions herein.
4. A revised site plan 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 changes herein: indicate a van accessible handicap parking space with access aisles.
5. A Waiver from the Perimeter Landscape Buffering Standards of 19.12 is hereby approved, to allow zero-foot perimeter landscape buffer where eight feet is required and a zero-foot public right-of-way landscape buffer where 15 feet is required.
6. 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.
7. 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.

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8. 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).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. 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.
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. 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.
15. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the width and depth of the new driveways accessing this site from Jones Boulevard. All driveways shall meet the approval of the Nevada Department of Transportation.
16. Drive aisles shall be constructed at a minimum width of 15 feet and shall be properly designed as one-way circulation. Provide a construction easement to Land Development from the adjacent property owners to the north and south prior to the issuance of any permits or the approval of any construction drawings, whichever may occur first.
17. The City of Las Vegas Traffic Engineer or the Nevada Department of Transportation may require closure of the driveways proposed with this site plan in the future as the remaining parcels zoned with Rezoning ZON-3474 are developed.

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18. As required by Condition of Approval #7 of Rezoning ZON-3474, provide a copy of a recorded Joint Access Agreement for all parcels involved in the Rezoning prior to the issuance of any permits.
19. Landscape and maintain all unimproved right-of-way, if any, on Jones Boulevard adjacent to this site. 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.
20. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Jones Boulevard public rightofway adjacent to this site prior to the issuance of any permits.
21. 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.
22. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
23. Site development to comply with all applicable conditions of approval for ZON-3474 and all other applicable site-related actions.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This request for a Site Development Plan Review for the conversion of an existing 1,946 square foot, two-story residence to an office building with a waiver to allow perimeter landscape buffers to be zero feet on the north, south, and east sides, where eight feet is required and zero feet on the west property line where 15 feet is required. The structure is located on a 0.19-acre lot at 704 Jones Boulevard.

This property is one of nine lots which were rezoned (ZON-3474) and required to meet a comprehensive plan developed for these specific properties on Jones Boulevard. The applicant has submitted an individual component of the nine-lot comprehensive site plan. Due to narrow side lots, drive aisles circumvent the building in a one-way pattern. Twenty-four foot wide driveways are shown adjacent to Jones Boulevard on the north and south sides of the subject property.

The proposal includes Waivers of perimeter landscaping requirements to allow a zero foot landscape buffer along the north, south, and east property lines where eight foot buffers are required and on the west property line where a 15 foot wide buffer is required adjacent to a public Right-of-Way. A 15-foot wide front landscape buffer is specified for all commercial development in order to enhance the building, the streetscape and contribute to the overall attractiveness of the city. Staff is unable to support this request with a waiver of zero landscaping for the proposed conversion from a residence to an office, and recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1964	Construction of Single Family Dwelling.
02/18/2004	The City Council approved a request to amend a portion of the Southwest Sector Plan of the General Plan (GPA-3388) From: L (Low Density Residential) To: O (Office) on 1.70 acres at 600 - 804 North Jones Boulevard.
02/18/2004	The City Council approved a request for a Rezoning (ZON-3474) FROM: R-1 (Single Family Residential) TO: P-R (Professional Offices and Parking) on 1.7 acres at 600 - 804 North Jones Boulevard.
10/20/2004	The City Council denied a request for a Review of Condition #3 (ROC-5250) of an approved Rezoning (ZON-3474) which required a comprehensive site plan, including all lots, to be submitted for approval by the Planning and Development Department and the Department of Public Works prior to the issuance of a Certificate of Occupancy for any of the lots involved in the Rezoning to allow the lots to submit Site Development Plan Reviews on an individual basis on 1.7 acres at 600 to 804 North Jones Boulevard.

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02/16/06	Planning and Development and Public Works staff administratively approved a comprehensive site plan as specified by condition number three of ZON-3474.
04/05/2006	The City Council approved a request for an Extension of Time (EOT-11905) of an approved Rezoning (ZON-3474) From R-1 (Single Family Residential) To: P-R (Professional Office and Parking) on 1.7 acres at 600-804 North Jones Boulevard. This approval for an Extension of Time is subject to expire on February 18, 2008.
08/23/07	This Site Development Plan Review (SDR-23118) was pulled from the 08/23/07 Planning Commission meeting to allow the applicant time to meet with NDOT regarding driveways onto Jones Boulevard.
09/13/07	This Site Development Plan Review (SDR-23118) was pulled from the 09/13/07 Planning Commission meeting to allow the applicant time to revise the plans.
<i>Related Building Permits/Business Licenses</i>	
04/30/07	Applied for a Non Work C of O Permit (Paradise Home Care). Not Completed
04/03/2006	Occupancy Investigation Failed (627830)
<i>Pre-Application Meeting</i>	
05/12/06	The applicant was informed that the required condition of approval set forth in ZON-3474 regarding joint access agreements and the 9-lot comprehensive site plan would also be a condition of this site plan review.

Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.

Details of Application Request

Site Area

Gross Acres	0.19
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Field Check

10/31/07	This is a predominantly residential area. A single family dwelling is on either side of the subject property. A one to three-foot wall exists on the side property lines between the homes. The walls will need to be removed to allow vehicle access to the back of the house. No work appears to have been done on the house.
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	O (Office)	R-1 (Single Family Residential) Zone Under Resolution of Intent to P-R (Professional Office and Parking) Zone
North	Single Family Residential	O (Office)	R-1 (Single Family Residential) Zone Under Resolution of Intent to P-R (Professional Office and Parking) Zone
South	Single Family Residential	O (Office)	R-1 (Single Family Residential) Zone Under Resolution of Intent to P-R (Professional Office and Parking) Zone
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residential	L (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			
Redevelopment Plan Area		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay District (140 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply.

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	8,575 sq ft	Y
Min. Lot Width	60	65	Y
Min. Setbacks			
• Front	20	28	Y
• Side	5	8	Y
• Corner	15	N/A	N/A
• Rear	15	70	Y
Max. Lot Coverage	30%	21%	Y
Max. Building Height	Lesser of 2 stories or 35	20	Y
Trash Enclosure	Walled, Gated, Roofed	Curbside Trash Pickup	Y
Mech. Equipment	Screened	Screened	Y

A detail drawing indicates the two existing A/C units on the roof of the house will be screened from view. Staff has included a condition of approval (#9), which will require any mechanical equipment to be screened.

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	60 Feet	72 3	Y
Matching Setback	20 Feet	Y	Y

Pursuant to Title 19.12, the following standards apply.

<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	2 Tree	2 Existing trees	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	6 Trees	1 Existing tree	N
TOTAL		8 Trees	3 Trees	N
Min. Zone Width	15 Feet for ROW & 8 int. lot		5ROW and 0 Sides and Rear	N
Wall Height	6 Feet Adjacent to Existing Residential		N/A*	N/A*

* Per the submitted plans, no walls have been proposed for this project.

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Title 19.10 parking standards:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	1,946 sf	1/300 sq ft	6	1	7	1*	Y
TOTAL (includes handicap)			7		8		Y

*Handicap space shown on the submitted site plan does not comply with requirements for a Van Accessible Space. A revision of the plan must depict a van accessible parking space and access aisles. This additional space needed for the handicap parking will eliminate one standard parking space.

Waivers		
Request	Requirement	Staff Recommendation
To allow a 0 perimeter landscape buffer where 8 is required adjacent to the north, south and east property lines.	An eight-foot interior landscape buffer is required adjacent to the north, south and east property lines.	Denial
To allow a zero-foot public right-of-way landscape buffer where 15 is required adjacent to Jones Boulevard	A 15 foot public right-of-way landscape buffer is required adjacent to Jones Boulevard.	Denial

ANALYSIS

- **General Plan and Zoning**

The General Plan designated land use for the entire project site is O (Office) and the underlying zoning is R-1 (Single family Residential) Under a Resolution of Intent to P-R (Professional Office and Parking). An office is a permitted use within the P-R (Professional Office and Parking) zone.

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- **Site Plan**

In general, the submitted site plan corresponds to the comprehensive site plan approved 02/16/06. A recorded reciprocal access and parking agreement has been established between the nine-lots. Most of the parking is shown along the rear property line, to eventually be extended on each converted property. Exceptions to the comprehensive plan are the addition of a second 24-foot wide driveway onto Jones Boulevard, the handicap parking space shown has been moved to the back of the building to accommodate traffic flow, and perimeter landscaping has not been provided. The handicap parking space indicated on the site plan does not comply with Title 19 handicap parking standards which requires an eight-foot and a five-foot access aisle on either side of a nine-foot wide handicap parking space.

In order to comply with the driveway requirements from Public Works, revisions were made to the plan. In an attempt to eliminate access driveways onto Jones Boulevard, joint driveways were created. To adhere to Public Works driveway requirements revisions to the submitted plan were made. Narrow drive aisles on either side of the structure required traffic to circumvent the building. Twenty-four foot wide driveways provide ingress and egress. Both ingress and egress aisles are shared access driveways between the properties. A Joint Access agreement has been provided for the subject property and the remaining eight neighboring lots.

- **Parking**

A total of eight parking spaces are shown on the site plan where seven spaces are required. Six parking spaces are along the rear property line, as required by the comprehensive site plan. Adjacent to the back of the house are two spaces, one of which is noted as a handicap space. The space does not comply with handicap parking space requirements. Dimensions of the space are not shown and access aisles are not provided. A revision of the site plan must depict dimensions of a typical parking space and a handicap van accessible parking space along with the required access aisles.

- **Landscaping - Waivers**

The application, as submitted, complies with Title 19 in use and development standards with the exception of not complying with the perimeter landscape requirements. The proposal includes Waivers of perimeter landscaping requirements to allow a zero foot landscape buffer along the north, south, and east property lines where eight foot buffers are required and on the west property line where a 15 foot wide buffer is required adjacent to a public Right-of-Way. A 15-foot wide front landscape buffer is specified for all commercial development in order to enhance the building, the streetscape and contribute to the overall attractiveness of the city. Landscaping will consist of three mature trees existing on the site. Two of the trees are located in parking fingers and will provide shaded parking at the rear of the property.

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- **Elevations**

The submitted as-built exterior elevations for the office conversion indicate few alterations are being made to the split level house other than a new coat of off-white paint. It is the applicants intent to maintain the residential character of the house.

- **Floor Plan**

Interior walls will be constructed to divide the split level in rooms conducive to an office use. The lower level is shown on the floor plan to be divided into a reception area, conference room, kitchen, large library, computer room and bathroom facilities. The 681 square foot upper level will contain three offices and two bathrooms. Stairways are indicated central to the interior of the house and on the back exterior adjacent to the parking area.

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;**

As a component of a nine-lot comprehensive site plan approved in ZON-3474 and as a Residential-to-P-R office conversion, this site plan is compatible with the adjacent single family development.

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;**

This site plan and its proposed office use is consistent with the land use and intensity per approved the General Plan Amendment (GPA-3388) and Rezoning (ZON-3474). The applicant is seeking a waiver for zero perimeter landscape buffers which does not comply with the approved comprehensive plan or the intent of Title 19.12. The handicap parking space must be redesigned to meet the minimum access aisles and parking space requirements for a handicap van accessible space.

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

Twenty-four foot wide shared access driveways will not negatively impact Jones Boulevard (80-foot wide Secondary Collector).

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

Few alterations or upgrades are proposed for the exterior of the existing building. The existing landscape materials are proposed to be retained on site, although the applicant has requested a waiver for zero perimeter landscaping.

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;

Elevations are in are not unsightly, undesirable, or obnoxious in appearance. The site plan shall be revised to show accurate parking space dimensions in compliance with Title 19.08.

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

The development is still subject to the permitting process and appropriate measures will be taken to ensure that Building Code is properly applied during the commercial conversion of residential property.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 356

APPROVALS 2

PROTESTS 4