



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 19, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-23072 - APPLICANT/OWNER: JELENA L. KUNOVAC
AND ZORAN BASARABA

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-1/sd vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-23073) 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, and building elevations, date stamped 07/25/07, except as amended by conditions herein.
4. A Waiver from Title 19.12.040.A is hereby approved, to allow no perimeter landscaping along the north and east property lines and a one-foot perimeter landscape planter along a portion of the south property line, where a minimum of eight feet is required.
5. A Waiver from Title 19.08.050.D is hereby approved, to allow asphalt roof shingles where concrete roof tile is required.
6. An Exception from 19.08.050.E(2) is hereby approved, to allow no sidewalk at the rear of the building, where a minimum five-foot sidewalk is required along any façade featuring a customer entrance that exits into a parking area or travel lane.
7. An Exception from Title 19.08.050.E(4) is hereby approved, to allow no trash enclosure and to allow air conditioning units on a sloping roof, where such is prohibited.
8. An Exception from 19.10.010.J(11) is hereby approved, to allow no trees in parking area where one tree is required and to allow no buffer between the building and parking spaces where a minimum five-foot buffer is required.
9. An Exception from 19.12.040.B is hereby approved, to allow no trees in the north and east perimeter landscape buffer areas where a total of six trees are required.

10. 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. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - Provide a minimum of four five-gallon shrubs per required tree in perimeter planters.
 - Demonstrate conformance to Title 19.12 turf restrictions and Title 14 drought restrictions.
11. 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.
12. 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).
13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

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. The driveway accessing this site from Jones Boulevard shall comply with Standard Drawing #224 and receive approval from the Nevada Department of Transportation.
18. If on-street parking is not already prohibited adjacent to this site, submit a written request to the City Traffic Engineer to eliminate on-street parking on Jones Boulevard adjacent to this site.

19. Landscape and maintain all unimproved rightofway, if any, on Jones Boulevard adjacent to this site prior to the issuance of any permits. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives.
20. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.
21. No parking shall be allowed in the front of the building; post signage in the northwest corner of the building as No Parking.
22. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns 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 drainageways as recommended.
23. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z2691 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for the proposed conversion of a single-family residence to a 1,716 square foot Medical Office and a Waiver of perimeter landscape standards to allow no buffers on the north and east property lines and a one-foot buffer along the south property line where eight-foot buffers are the minimum required on 0.17 acres at 328 South Jones Boulevard.

A portion of the building will be removed to accommodate parking in the rear and the side access to the parking area. Even with the additional room created by the demolition, the site plan as proposed cannot meet Title 19 parking requirements. The applicant has filed for a companion variance (VAR-23073) for relief from the parking standard. Based on the lack of hardship regarding the provision of parking and numerous design and landscape waivers, staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/01/91	The City Council approved a request for a Rezoning (Z-0026-91) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on the subject site as part of a larger request. The Planning Commission and staff recommended denial.
05/17/06	The City Council approved a city-initiated request (GPA-12156) to amend the Southeast Sector Plan of the General Plan from L (Low Density Residential) to O (Office) on this site as part of a larger request. The Planning Commission and staff recommended approval.
05/25/07	Code Enforcement (Case #53720) failed an inspection for high weeds and grass, refuse and waste at 328 South Jones Boulevard. After issuance of a letter and two follow up inspections, the issue was resolved 06/20/07.
08/23/07	The Planning Commission recommended approval of companion item VAR-23073 concurrently with this application. The Planning Commission voted 6-1/sd to recommend APPROVAL (PC Agenda Item #44/ss).
<i>Related Building Permits/Business Licenses</i>	
05/07/91	A building permit (#91105469) was issued for a city design masonry block wall at 328 South Jones Boulevard. A final inspection was completed 05/20/91.
09/05/97	A building permit (#97018444) was issued for electrical service relocation at 328 South Jones Boulevard. An inspection for a service change was completed 09/11/97.

06/29/98	A building permit (#98013532) was issued for an attached greenhouse at 328 South Jones Boulevard. A final inspection was completed 08/18/98.
05/16/00	A building permit (#00009344) was issued for two-foot retaining and six-foot CLV design block walls at 324 South Jones Boulevard. A final inspection was completed 07/11/00.
<i>Pre-Application Meeting</i>	
06/25/07	Application requirements for a Variance and Site Development Plan Review were discussed. The status of the existing P-R zoning on the site was also discussed and determined to be active.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
07/16/07	The site contains a two-level single-family residence with asphalt roof shingles and exterior siding. The rear elevation includes an enclosed sun room with windows on the north, south and east sides. There is a large mature tree in the front yard with no other existing landscaping. One of the existing rooftop A/C units is missing an exterior panel. A decorative block wall is located on the north property line.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.17

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-Family Residential	O (Office)	R-1 (Single Family Residential) under Resolution of Intent to P-R (Professional Office and Parking)
North	Office	O (Office)	P-R (Professional Office and Parking)
South	Office	O (Office)	P-R (Professional Office and Parking)
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		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (175 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

DEVELOPMENT STANDARDS

Per Title 19.08, the following development standards are required for this request:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	7,313 SF	N/A
Min. Lot Width	60 Feet	61 feet	Y
Min. Setbacks			
• Front	20 Feet	26.3 feet	Y
• Side	5 Feet	5.73 feet	Y
• Corner	10 Feet	N/A	Y
• Rear	15 Feet	65.5 feet	Y
Max. Lot Coverage	50 %	13 %	Y
Max. Building Height	2 stories/35 feet	18.67 feet	Y
Trash Enclosure	Walled, gated, screened	None proposed	Y*
Mech. Equipment	Screened	Roof A/C screened	Y

*The applicant has indicated that refuse will continue to be removed from the site via curbside pickup, as very little trash will be generated.

The following Residential Adjacency standards apply to the subject property:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	56-foot rear yard setback	65.5 feet	Y
Adjacent development matching setback	15-foot rear yard setback	65.5 feet	Y
Trash Enclosure	50 feet from residential	None provided	Y

Per Title 19.12, the following landscape standards apply to the proposal:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Trees/6 Spaces	1 Tree	0 Trees	N
Buffer: Min. Trees (north/south)	1 24 Box Tree/30 Linear Feet	6 Trees	5 Trees	N
Min. Trees (east/west)	1 24 Box Tree/20 Linear Feet	5 Trees	4 Trees	N
TOTAL		12 Trees	9 Trees	N
Min. Zone Width (west)	15 Feet		26 Feet	Y
Min. Zone Width (all other sides)	8 Feet		0-14.5 Feet	N
Wall Height (east)	6 - 8 Feet		6.67 Feet	Y
Wall Height (north, south sides)	Not required		6 Feet (north) 6 Feet (south)	Y

Waivers of perimeter and parking lot landscaping requirements are requested below.

Per Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Medical	1,716 SF	1 space/ 200 SF GFA up to 2,000 SF	8	1	6	1	N*
TOTAL			9		7		
Loading Spaces			N/A	N/A	None	N/A	N/A
Percent Deviation					22%		

*Companion item VAR-23073 requests relief from the Medical Office parking standard.

Wall Signs: [West Elevation]		
Standards	Allowed	Provided
Maximum Number	One per elevation facing street or onsite parking 2 total	One total
Maximum Area	10 % of building elevation	Less than 10 %
Maximum Projection	2 Feet	Not provided
Illumination	Internal/External*	Not provided

* Title 19.14 Residential protection standards for signage shall apply; namely, bare bulbs, exposed neon tube, animation or electronic message units are prohibited.

Conformance to Title 19.14 sign standards will be required at the time of permitting.

Waivers		
Request	Requirement	Staff Recommendation
<i>Landscaping:</i>		
(1) No perimeter landscaping along north and east property lines [19.12.040.A]	Min. 8 feet	Approval. Area needed to accommodate a driveway for access to parking and additional area for parking; six-foot wall separates parking area from abutting residence
(2) 1.75-foot perimeter landscape buffer along portion of south property line [19.12.040.A]	Min. 8 feet	Approval. Sidewalk access to public right-of-way is required
<i>Design Standards:</i>		
(3) Asphalt roof shingles [19.08.050.D (2.b.ii)]	Concrete tile	Approval. Existing roof framing cannot support concrete tile; existing shingles are in good condition.

Exceptions		
Request	Requirement	Staff Recommendation
(4) No trash enclosure [19.08.050.E (4.b)]	Walled, gated, screened; provide in sufficient numbers to meet needs of development	Approval. This is a low-intensity development; the applicant will instead use curbside refuse pickup

(5) No trees in north and east perimeter landscape buffer areas [19.12.040.B]	Min. 1 tree/30 linear feet (3 trees) in north planter; 1/tree/20 linear feet (3 trees) in east planter	Approval. This area is needed to accommodate a driveway for access to parking and additional area for parking; six-foot wall separates parking area from abutting residence
(6) No trees in parking area [19.10.010.J.(11.a, b, c)]	Min. 1 tree/6 spaces	Approval. The only available location for a tree is directly in front of the patient entrance.
(7) No sidewalk in rear near entrance [19.08.050.E (2.c)]	Min. 5 feet wide if wheel stops provided	Approval. Cannot provide two feet to proposed wheel stops if sidewalk is provided.
(8) No buffer between building and parking spaces [19.10.010.J (11.e)]	Min. 5-foot sidewalk or planter or combination required	Approval. Cannot provide two feet to proposed wheel stops if sidewalk is provided.
(9) A/C unit on sloping roof [19.08.050.E (4.d)]	No mechanical equipment shall be mounted on or attached to any sloped roof (except solar panels)	Approval. Roof screening is proposed to hide the equipment from view on all sides.

ANALYSIS

The existing single-family residence on the property is intended to be converted into a psychiatric medical office. According to the applicant, the nature of the practice involves seeing patients one at a time to protect privacy.

- **Zoning**

The existing zoning classification for this site is R-1 (Single Family Residential), under a Resolution of Intent to P-R (Professional Office and Parking). The property was rezoned in 1991 along with other R-1 properties along the east side of Jones Boulevard north of Alta Drive. An Extension of Time was approved on the Rezoning extending the approval through May 1998. Since then, it has been determined that the Resolution of Intent for any remaining residential properties is extended for one year beyond the issuance of an occupancy permit for a commercial structure. The last such property to convert to an office was issued a Certificate of Occupancy on July 26, 2006. As the application for this Site Development Plan Review was received prior to the expiration date of July 26, 2007, the Resolution of Intent remains in effect for this property.

The P-R (Professional Office and Parking) District is designed to be a transitional zone allowing low intensity administrative and professional offices. Properties to the north and south have already been converted into professional offices. This area conforms to the existing O (Office) General Plan designation.

- **Site Plan**

The existing house is horizontally situated on the lot, leaving approximately six feet of space between the structure and the side property lines. Demolition of a portion of the existing garage will allow for a minimum of 12 feet for an access lane to parking in the rear. A greenhouse/sun room that was added in 1998 will also be removed to allow for additional parking spaces. Even after the removal of these portions of the building, the site as proposed is unable to meet parking standards for the Medical Office use. Subsequently, denial is recommended for this Site Development Plan Review and the accompanying parking variance.

Access to the site is from the existing 18-foot wide driveway on Jones Boulevard. The Department of Public Works would prefer to see adjacent property owners work together to present multi-lot conversions with common access drives and common parking areas wherever possible. The applicant states that neighbors were approached regarding joint access between this site and their properties, but that the neighbors declined to discuss the matter. This leaves the site with a single access point and one 12-foot access in and out of the parking area, which poses a potential safety risk.

The site plan indicates a four to five-foot sidewalk leading from the Jones Boulevard right-of-way to the front of the building and to the handicap accessible parking space in the rear. However, there is no sidewalk between the patient entrance in the rear and the parking area as required by the Zoning Code.

Existing walls are located at the north, east and south property lines. These will remain at least six feet tall after site grading is completed.

- **Landscaping**

Per 19.12.040.B, the trees in the front yard area may be clustered as shown on the landscape plan, as the number of proposed trees exceeds the number of required trees for this planter. Twenty-four inch box Colorado Mesquite shade trees are proposed in the planters along the west and south property lines, in addition to the mature deciduous shade tree in the front yard. Trees in the southern planter are spaced approximately 15 feet apart. Waivers are required for proposing no planter on the north property line and a 1.75-foot planter on the south property line.

- **Waivers**

Several waivers of landscaping and design standards are necessary to accommodate the proposed site plan, if approved. Approval of the waivers will allow access to parking in the rear that would otherwise not be available on site. Parking on Jones Boulevard, although not part of the required parking calculation, is prohibited. Exceptions to the design standards regarding the location of mechanical equipment can be allowed, as the units will be adequately screened.

- **Elevations**

Once converted into a commercial office building, the structure will be two stories tall and 18.67 feet to the top of a proposed parapet. The building meets residential adjacency standards from properties to the west and east. Stone veneer screens hiding existing rooftop air conditioning units will be visible from the north and east elevations. The existing exterior siding will be covered by a new colored stucco finish and will feature a three-foot natural stone base on the west elevation to add visual interest. Windows will be added on the north elevation to meet commercial design standards. Existing asphalt roof shingles will be retained, necessitating a waiver of the design standards.

- **Floor Plans**

The floor plans indicate a receptionist area, waiting room, counseling room and restroom on the entry level, an office and storage area in the basement, and additional counseling rooms/offices on the second level. Interior stairways provide access between floors.

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;**

If approved, the proposed development will be compatible with existing office developments to the north and south. With implementation of conditions of approval, the site will be compatible with remaining adjacent single-family residential properties to the east and west.

- 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 development of professional offices on this site is encouraged, as the property has been zoned for such use and is consistent with its O (Office) General Plan designation. However, the site as proposed cannot conform to current parking standards for a Medical Office use. Several Commercial Design Standards from Title 19.08 and landscape standards from Title 19.12 and 19.10 also require waivers or exceptions as the plan is currently proposed. Due to the constraints of the property and the location of the existing house, the waiver requests are acceptable, if this review is approved.

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

The proposed driveway from Jones Boulevard will require Nevada Department of Transportation approval prior to the issuance of a Certificate of Occupancy. Additionally, the site does not have internal access to and from abutting properties to the north and south. This does potentially affect the flow of traffic along Jones Boulevard. The access to rear parking is 12 feet wide and will be serving at least seven parking spaces; this is another potential safety issue.

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

The applicant is making an effort to comply with the Zoning Code by replacing existing exterior materials with stucco and stone. These materials will increase compatibility with existing offices adjacent to the subject site. Landscape materials are appropriate and should include five-gallon shrubs in required ratios to the trees provided.

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 proposed elevation plans for this project will create an aesthetically pleasing environment that will be harmonious and compatible with the professional offices along the Jones Boulevard professional office corridor.

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

With regular inspections for building permits and business licenses, the public health, safety and general welfare will be safeguarded.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 392 by Planning Department

APPROVALS 0

PROTESTS 0