

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 5, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-21998 - APPLICANT/OWNER: WORLD WELLNESS GROUP, LLC

**** CONDITIONS ****

The Planning Commission (4-2/ds/bg vote) and staff recommend DENIAL.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-22867) 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, building elevations and floor plans date stamped: 9/25/07, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow:
 - a. No landscape buffer along a 96-foot portion of the north perimeter.
 - b. No landscape buffer along the east property line.
5. An exception to Title 19.10.010J11 to allow one five-foot wide parking lot landscape island with a 24-box tree where six landscape islands are required.
6. The Billboard located at the southwest end of the subject site shall be removed.
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.
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 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.
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. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southeast corner of Valley View Boulevard and Sirius Avenue prior to the issuance of any permits. Contact the Right-of-Way section of the Department of Public Works for assistance in the preparation of the document. This dedication shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent improvements located within the area being requested for dedication.
15. 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.
16. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
17. 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.
18. Landscape and maintain all unimproved rights-of-way, if any, 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.

19. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review to add a three-story, 2,430 square-foot (gross) addition to an existing two-story Office building located at 3100 South Valley View Boulevard. The applicant is seeking to develop a 3,650 square-foot Medical Clinic on the first level with the upper two levels serving as a 4,460 square-foot Medical Office for a total gross floor area of 8,110 square-feet. The applicant has requested a Waiver to the Title 19.12 Landscaping standards with this site review to allow no landscape buffer along a 96 foot portion of the north perimeter and to allow no landscape buffer along the east property line.

Also, an associated request for a Variance (VAR-22867) to allow 29 parking spaces where 42 are required accompanies this Site Development Review. This Site Development Plan Review, and the associated Variance (VAR-22867), have been revised from the original request to show a 8,110 square-foot building with 29 parking spaces provided where 42 parking spaces were required where as the previous design proposal showed a 9,970 square-foot building with 26 spaces provided where 46 where required.

Due to the requested Waivers and Variance, staff recommends denial of the Site Development Plan Review as these applications are self-imposed hardships.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
9/19/07	The City Council approved a request for a Rezoning of 0.39 acres from the C-1 (Limited Commercial) Zoning District to the M (Industrial) Zoning District. The planning Commission and Staff recommended approval.
8/23/07	This Site Development Plan Review request and an associated Variance request (VAR-22867) were tabled in order to provide revisions showing a 1,373 square foot reduction in gross floor area and increased provision of three parking spaces.
11/08/07	The Planning Commission recommended denial of companion item VAR-22867 concurrently with this application. The Planning Commission voted 4-2/ds/bg to recommend DENIAL (PC Agenda Item #16/mh).
<i>Related Building Permits/Business Licenses</i>	
There are no active building permits or business licenses at 3100 South Valley View Boulevard.	
<i>Pre-Application Meeting</i>	
7/11/07	A Pre-application meeting was held with staff to revisit the previous submittals SDR-21998 and VAR-22867 and to discuss the requirements for a Rezoning of the subject property to the M (Industrial) Zoning District.

<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
7/23/07	A field check was to the site was made with the following observations: <ul style="list-style-type: none"> • Vacant building with 32 parking spaces located on site. • Billboard located at the southwest corner of the property.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.39 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office Building	LI/R (Light Industrial/Research)	M (Industrial)
North	Auto Shop & Storage	LI/R (Light Industrial/Research)	M (Industrial)
South	Offices & Retail	LI/R (Light Industrial/Research)	C-1 (Limited Commercial)
East	Office Building	LI/R (Light Industrial/Research)	M (Industrial)
West	Office Building	Clark County	Clark County

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (200 feet)	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following standards apply for the M (Industrial) Zoning District:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 feet	112 feet	Y
Min. Setbacks			
• Front	10 feet	13 feet	Y
• Side	10 feet	19 feet	Y
• Corner	10 feet	17 feet	Y
• Rear	0 feet	33 feet	Y
Trash Enclosure	Enclosed & covered	Enclosed & covered	Y
Mech. Equipment	Screened from public view	Screened from public view	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	6 Trees/Space	5 Trees	1 Tree	N
Buffer:				
Min. Trees	1Tree/ 30 Linear Feet	17 Trees	13 Trees	N
TOTAL		22 Trees	14 Trees	N
Min. Zone Width	0 feet along interior lot, 10 feet along ROW		0 feet along ROW	N*
Wall Height	8 Feet		8 Feet (existing)	Y

**The applicant has requested a Waiver to the Title 19.12 standards to allow no landscape buffer along the east property line as there is an expectation to merge this lot under a commercial subdivision in the future.*

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Medical Clinic	3,650 sq. ft.	1: 200 sq. ft for first 2,000 sq. ft.; 1:250 sq. ft thereafter	17	2			

Medical Office	4,460 sq. ft.	1: 200 sq. ft for first 2,000 sq. ft.; 1:175 sq. ft thereafter	25				
SubTotal			42		27	2	
TOTAL (including handicap)			42		29		N
Percent Deviation					31 %*		

*The previous submittal provided 26 spaces where 48 were required for a 46% deviation.

Waivers and Exceptions		
Request	Requirement	Staff Recommendation
No landscape buffer along a 96 foot portion of the north perimeter	10-foot wide landscape buffer	Denial
No landscape buffer along the east property line	10-foot wide landscape buffer	Denial
One five-foot wide parking lot landscape island with a 24-box tree	Six five-foot wide landscape islands with 24-box trees	Denial

ANALYSIS

- **Zoning/Use**

The proposed Medical Clinic and Office is an acceptable use per the LI/R (Light Industrial/Research) General Plan designation and within the M (Industrial) zoning district. The requested Rezoning to the M (Industrial) Zoning District was recently approved by City Council as the current C-1 (Limited Commercial) Zoning District did not conform to the General Plan.

- **Site Plan**

The site plan shows a three-story Medical Clinic an Office building with a 3,650 square-foot building foot print providing approximate 7% lot coverage. The building is appropriately located 25 feet east of Valley View Boulevard and is oriented towards Sirius Avenue on the north to function primarily as a corner building. There is a rooftop sculpture garden accessed from the third floor only with a 13-foot high tensile shading device.

The applicant has requested a Variance (VAR-22867) to allow 29 parking spaces where Title 19.04 requires a total of 42 parking spaces. Due to the increase in the existing building size and the lot constraints, staff is unable to support this request as the applicant has created a self-imposed hardship. As the Variance is required for approval to this Site Development Plan Review request, staff must recommend denial to this review as well.

- **Landscape Plan**

The proposal is deficient in landscaping at the north and east perimeters of the site. As the applicant has stated that they seek to remap the subject site with the two associated parcels in the future, the east property lot line will not require an eight-foot wide landscape buffer upon removal of the interior lot lines.

In calculating the total provided trees, the provided landscape island along the east property line cannot be counted towards the required amount of perimeter landscaping per the landscape requirements as listed in Title 19.10.010(J)11.c.iv.

- **Waiver Requests**

A Waiver to the Title 19.12 Landscape and Buffer Standards has been requested for two areas of the subject site that the applicant states are unable to meet the requirements. The applicant is requesting that since there is anticipation to remap this site with the two parcels to the east it would not make sense to install a landscape buffer only to remove it when the eastern property line disappears.

The second area that is landscape-deficient is located along a 96-foot portion of the north property line. The applicant states that no landscaping is being provided at this area of the site in order to maintain site visibility at the curb cut that exits onto Valley View.

- **Elevations**

The selected materials shown on the elevations are appropriate for the proposed Medical Clinic and Office Building and comply with the Title 19.08 Design Standards. Offset earth-tone stucco panels provide a visual breakup of the façade with an ornamental metal lattice located along Valley View Boulevard.

- **Floor Plans**

The provided floor plans are typical of a Medical Clinic and Office. The first level operates as a 3,650 square-foot clinic with six individual exam rooms, two trauma rooms, a triage area, an x-ray room, a lab, two doctors offices, and a nurses station. An 810 square foot area located at the south end of the building serves as the entry/reception area, elevator lobby, and insurance outtake. The second and third levels are listed as lease space with over 4,460 square feet available and are served by a single reception area on the second floor. Vertical circulation is provided by an internal stairway and elevator at the southern end of the building with an additional external stair well that serves the first two floors at the north end of the building.

FINDINGS

The following findings must be made for an SDR:

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

Staff has deemed the proposed design of the office building as incompatible with adjacent development due to the Variance (VAR-22867) from the Title 19.04 parking requirements and Waiver of Title 19.12 landscape requirements required to facilitate this development.

The applicants justification for requesting the landscape Waiver is to provide cohesive development of the neighboring properties to the east. As the three properties will eventually be recorded as a single commercial subdivision, the current lot lines will no longer require a landscape buffer to the adjacent property to the east.

- 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 requested Medical Clinic and Medical Offices use is consistent with the LI/R (Light Industrial/Research) General Plan designation as the related M (Industrial) Zoning District allows for the Medical Clinic and Office use.

The design of the office building, however, does not comply with the Parking and Landscape Standards as listed in Title 19.10 and Title 19.12. The applicant has requested a Variance (VAR-22867) to allow for the shortage of 13 parking spaces and a Waiver with this application to allow reductions in the required landscape buffer widths.

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

The subject site is accessed from Sirius Avenue, a 50-foot wide Local Street. The applicant has removed two curb cuts, one at the west of the site exiting onto Valley View Boulevard and the other at the northeast of the site exiting onto Sirius Avenue, at a suggestion made during the pre-application meeting by the Department of Public Works. The applicant has provided a copy of the recorded cross-access agreement which allows access from the two properties to the east. With the anticipated remapping of the three parcels under common ownership and the provided cross-access agreement, staff believes that adequate access will be provided.

The applicant has also noted that the proposed office is within 150 feet from bus stop and is designed to accommodate walk-in customers from the nearby multi-family housing located to the west of Valley View Boulevard.

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

The applicant has selected building materials that are appropriate for the industrially-zoned area and the proposed medical office use. A series of offset earth-tone stucco-clad panels placed behind a large lattice screen along the west provide a modern-looking update to the current slump-stone office building. The east elevation/main entrance has a large, metal clad, solid screen wall that curves seamlessly over, continuing as a functioning roof.

The proposal is deficient in landscape materials at the north and east perimeters of the site. As the applicant has stated that they seek to remap the subject site with the two associated parcels in the future, the lot line at the west of the property will not require an eight-foot wide landscape buffer upon removal of the interior lot lines.

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 Medical Clinic and Office Building, as proposed, provides a modern update to the existing two-story office building. An extra story is being proposed to the south end of the building and will install a new elevator and stairwell, providing circulation for the additional first two levels to the existing floors. The third floor 810 square-foot office area is located over the new construction area and provides the only access to a rooftop garden located over the second floor roof. Balconies have been provided at the second and third floors at the south end of the building. The overall design characteristics of the proposed building provide an orderly and aesthetically pleasing environment to the existing location.

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

The proposed Medical Clinic and Office Building will be subject to reviews for building permits, business licensing, and health inspections prior to final occupancy, and adequate measures will be taken to protect public health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 10

SENATE DISTRICT 7

NOTICES MAILED 93 by Planning Department

APPROVALS 1

PROTESTS 0