



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 8, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TMP-27498 - APPLICANT: ACACIA CAPITAL CORPORATION

- OWNER: PECCOLE RANCH 9-B, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-27284).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions (CC&R), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements (DPMR) as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

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Public Works

6. The Final Map for this site shall include a note stating All areas not occupied by a building are a Public Drainage Easement to be Privately Maintained by the Homeowners Association.
7. Site Visibility Restriction Zones (SVRZ) adjacent to public streets shall be indicated on civil improvement plans, not on the Final Map, and shall include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as "Privately Maintained".
8. Site development to comply with all applicable conditions of approval for Site Development Plan Review (SDR27284) and all other applicable subsequent site-related actions.
9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivisionrelated construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Tentative Map for the conversion of a 404-unit apartment complex to a condominium development on 17.57 acres located at 9599 West Charleston Boulevard. This map is to replace the original Tentative Map (TMP-10987) which was approved on the subject site on 02/09/06 and expired on 02/09/08. Thus, the Final Map which was submitted but never recorded also expired. A Site Development Plan Review for this site was approved by the Planning Commission on 04/24/08. Staff recommends approval of the Tentative Map.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/15/89	The City Council approved a Reclassification of Property (Z-0139-88) from N-U (Non-urban) to R-3 (Medium-Density Residential) as a part of a larger request. The Planning Commission and staff recommended approval on 01/12/89.
04/19/94	The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0139-88(12)] for proposed apartments on the southwest corner of Charleston Boulevard and Apple Drive
01/04/06	The City Council approved a request for a Site Development Plan Review (SDR-8987) for the conversion of an existing 404-unit apartment project to a condominium development on 17.57 acres adjacent to the southwest corner of Charleston Boulevard and Apple Drive. The Site Development Plan review expired 01/04/08 without an Extension of Time.
02/09/06	The Planning Commission approved a request for a Tentative Map (TMP-10987) for a 404-unit condominium development on 17.57 acres located at 9599 West Charleston Boulevard. The Tentative Map expired on 02/09/08.
05/24/06	A Final Map (FMP-13783) was submitted for comments to the Planning Department. Comments were sent to the applicant 06/27/06 requesting revisions and a final Mylar submittal. No action has taken place on this submittal since this date and the map expired when the Tentative Map expired.
04/24/08	The Planning Commission approved a request for a Site Development Plan Review (SDR-27284) for the conversion of an existing 404-unit apartment complex to a condominium development on 17.57 acres at the southwest corner of Charleston Boulevard and Apple Drive.

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<i>Related Building Permits/Business Licenses</i>	
06/19/95	A building permit was issued for Garage Building #5 (#95379976), Garage Building #6 (#95379977), Garage Building #7 (#95379978), Garage Building #8 (#95379979), Garage Building #9 (#95379980), Garage Building #10 (#95379981) and Garage #12 (#95379983). The permits received final approval on 02/21/96.
06/19/95	A building permit was issued for Garage Building #11 (#95379982) and Garage Building #4 (#95379975). The permits received final approval on 04/29/96.
06/19/95	A building permit was issued for Building #14 (#95379952) Building #16 (#95379954) and Building #17 (#95379955). The permits received final approval on 07/24/96.
06/19/95	A building permit was issued for Building #22 (#95379960), Building #24 (#95379962), Building #26 (#95379964), Building #27 (#95379965). Building #28 (#95379966), Building #29 (#95379967) and Garage Building #3 (#95379974). The permits received final approval on 08/14/96.
06/19/95	A building permit (#95379963) was issued for Building #25. The permit received final approval on 08/29/96.
10/25/95	Building permits (#95880797 and #95880798) were issued for two pools and spas. The permits expired 04/05/97.
10/30/95	A building permit (#95881030) was issued for Building #2. The permit received final approval on 02/14/96.
11/01/95	A building permit (#95881165) was issued for Building #18. The permit received final approval on 06/26/96.
11/01/95	A building permit (#95881168) was issued for Building #15. The permit was received final approval on 06/11/96.
11/01/95	Building permits (#95881172, #95881171 and #95881170) were issued for Buildings #11, 12 and 13. The permits received final approvals on 05/20/96.
11/02/95	A building permit was issued for Building #19 (#95881337) and Building #21 (#95881335). The permits received final approval on 06/25/96.
11/15/95	A building permit (#95389146) was issued for a fire alarm system. The permit expired 04/05/07.
11/21/95	A building permit (#95882758) was issued for Building #18. The permit received final approval on 06/18/96.
02/21/96	A building permit (#96391753) was issued for a maintenance building. The permit received final approval on 10/17/96.
03/22/96	A building permit (#96005578) was issued for a pool bath house. The permit received final approval on 09/27/96.
03/28/96	A wall permit (#96006094) was issued for pilasters and columns. The permit expired 04/05/97.
05/09/96	A wall permit (#96009390) was issued for pilasters and columns. The permit expired 04/05/97.

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05/13/97	A wall permit (#97009751) was issued for a 2,035-foot long 6-foot high wall and a 445-foot long 2-foot high retaining wall. The permit expired 09/05/98.
09/02/97	A wall permit (#97018166) was issued for a 260-foot long 6-foot high wall and a 150-foot long 2-foot high retaining wall. The permit expired 09/05/98.
04/21/99	A building permit (#99007636) was issued for fire damage repair at unit #2013. The permit received final approval 06/07/99.
<i>Pre-Application Meeting</i>	
02/27/08	Applicant advised Site Development Plan Review (SDR-8987) expired 01/04/08 and Tentative Map (TMP-10987) expired on 02/09/08. Staff discussed requirements for submittal new applications.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
04/03/08	Staff visited the site and the site was found to be a developed multi-family rental property with mature landscape in most areas.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	17.57

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Apartment Complex	M(Medium Density Residential)	R-3 (Medium Density Residential)
North:	Charleston Boulevard / Single-family Residential	ML(Medium Low Density Residential)	R-PD7 (Residential Planned Development-7 Units Per Acre)
South:	Single-family Residential	ML(Medium Low Density Residential)	R-PD7 (Residential Planned Development-7 Units Per Acre)
East:	Apple Drive / Retail	SC(Service Commercial)	C-1 (Limited Commercial)
West:	Retail	SC(Service Commercial)	C-1 (Limited Commercial)

The site is located within the Southwest Sector of the Master Plan with a M (Medium Density) land use designation, which allows for developments with up to 25.49 units per acre. The existing R-3 (Medium Density Residential) zoning district is consistent with the Master Plan, and the proposed condominium conversion is a permitted use in this district.

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<i>Special Area Plan</i>		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>

LHM

Special Purpose and Overlay Districts		X	N/A
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

The subject site is not located within any special zone or district.

ANALYSIS

The site is located within the Southwest Sector of the Master Plan with a M (Medium Density Residential) land use designation, which allows for developments with up to 25.49 units per acre. This development has a density of 23 units per acres and is in compliance with the General Plan. The existing R-3 (Medium Density Residential) zoning district is consistent with the Master Plan, and the proposed condominium conversion is a permitted use in this district.

The submitted site plan indicates access to the subject site is from two existing driveways which front on to Charleston Boulevard and Apple Drive. The site contains 29 residential buildings, 12 garage structures and one clubhouse building with three centralized outdoor pools. Ample parking stall are provided for each building throughout the site.

A multi-family residential development is appropriate for this area and is compatible with the surrounding present and future land use designations. This conversion request had been previously approved and remains in compliance with the General Plan and Title 19; therefore, staff is recommending approval of this item.

FINDINGS

•General information

The Tentative Map is for the conversion of an existing 404-unit apartment complex to condominiums on 17.57 acres located at 9599 West Charleston Boulevard. The complex consists of 180 one-bedroom units, 192 two-bedroom units, and 32 three-bedroom units. The site receives access from Charleston Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways, and Apple Drive, an 80-foot collector.

•Cross Section

The apartment conversion to a condominium development has existing six-foot perimeter block walls. Along the south east boundary a six foot wrought iron fence is used on top of a retaining wall which varies in height from two to four feet. A 10-foot

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wide valley gutter provides a buffer area between the complex and the commercial center to the west. The cross sections have been provided indicating existing retaining walls.

•Trails

There are no trails, which impact the subject site.

•Special Conditions of Approval (SDR-27284)

1. An additional twenty (20) 24-inch box trees shall be planted within existing irrigated landscape areas, subject to the approval of the Planning and Development Department.
2. All trash enclosures shall meet the standards of LVMC Title 19.08
3. Handicap parking space must be provided in accordance with LVMC Title 19.10.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT

SENATE DISTRICT

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0