

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JULY 24, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - SDR-28121 - APPLICANT:  
NEVADA H.A.N.D., INC. - OWNER: THE CITY OF LAS VEGAS**

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**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: APPROVAL, subject to:*****Planning and Development***

1. 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.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/20/08, except as amended by conditions herein.
3. An Exception from Title 19.12 is hereby approved, to allow 70 trees in the landscape buffer area where 100 trees are required.
4. The minimum distance between buildings shall be 10 feet.
5. 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.
6. 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.
7. 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).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

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9. Air conditioning units shall not be mounted on rooftops.
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. 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. All existing public improvements adjacent to this site damaged during construction shall be repaired at the applicants expense to the satisfaction of the City of Las Vegas Department of Public Works.
15. Site Visibility Restriction Zones (S.V.R.Z.) adjacent to public streets shall be indicated on civil improvement plans, not on Final Maps, 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".
16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a 144-Unit Multi-Family residential development on 4.86 acres on the south side of Owens Avenue, approximately 850 feet west of Main Street. The site was recently granted entitlements to Amend (GPA-24441) a portion of the Southeast Sector Plan of the General Plan from M (Medium Density Residential) to H (High Density Residential) and a Rezoning (ZON-24442) from R-MHP (Residential Mobile/Manufactured Home Park) to R-5 (Apartment). Note: This item was modified from its initial request of 144 units to 150 units and properly renotified pursuant to Title 19.18.

The redevelopment of this parcel with a quality multi-family product will be an enhancement to the area, as well as carry out the policy intentions of the Neighborhood Revitalization Strategy Area. Therefore, staff recommends approval.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
08/12/03	A citation was issued (#2307) by Code Enforcement for Unit 30 of 15 W. Owens for a tarp hanging between two trailers. Another citation was issued (#2344) for Unit 83 of 15 West Owens for trash and debris in their yard. The citation was resolved on 09/04/03.
08/13/03	A citation was issued (#2403) by Code Enforcement for Unit 19 of 15 West Owens for the boarding and padlocking of the mobile home. The citation was resolved on 09/18/03.
08/26/03	A citation was issued (#3318) by Code Enforcement for Unit 59 of 15 West Owens for illegal construction. The citation was resolved on 01/22/04.
10/16/03	A citation was issued (#5651) by Code Enforcement for Unit 17, Unit 72, Unit 73, Unit 76, Unit 90, and Unit 55 of 15 West Owens for units that have broken windows, plumbing, electrical and weak floor problems. The citation was resolved on 03/23/04.
1/27/04	A citation was issued (#9167) by Code Enforcement for the mobile home park at 15 West Owens for broken sewer lines with water flowing all over. The citation was resolved on 03/18/05.
04/28/04	The City Council in a special session approved a Motion that the City Attorney is ordered to institute a legal action in any court of competent jurisdiction to abate, remove or enjoin the nuisance or nuisances at the Sky Vue Mobile Home Park at 15 West Owens, Las Vegas, Nevada, and take appropriate legal action regarding the same.

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11/27/07	City Council approved to Amend a portion of the Southeast Sector Plan of the General Plan (GPA-24441) from M (Medium Density Residential) to H (High Density Residential) and a Rezoning (ZON-24442) from R-MHP (Residential Mobile/Manufactured Home Park) to R-5 (Apartment) on 4.86 acres on the south side of Owens Avenue, approximately 840 feet west of Main Street.
06/26/08	Planning Commission approved an Abeyance for this item as the applicant needed more time to revise their site plan and properly renotify. The item will be heard on 07/24/08 Planning Commission Meeting.
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no building licenses or permits that pertain to this site.	
<b><i>Pre-Application Meeting</i></b>	
05/05/08	A pre-application meeting was held with the applicant. The applicant informed staff that they had received entitlements for a General Plan and Rezoning for this site and were ready to submit a site development plan review for an apartment complex. The applicant was then informed in detail of the submittal requirements.

<b><i>Neighborhood Meeting</i></b>	
09/26/07	A neighborhood meeting was be held on Wednesday, September 26, 2007 at 5:30 p.m at Las Vegas Arts Center, Dance Studio 1, 947 Lake Mead Boulevard., Las Vegas, Nevada. No members of the public attended the meeting. The applicant and city staff (1 Planning and Development and 2 Ward 5 staff) remained until 6:00pm. This meeting was held for the General Plan Amendment (GPA-24441) and Rezoning (24442) requests that were later approved by City Council on 11/27/07.
06/24/08	A neighborhood meeting for Sky View Pines was held on Tuesday, June 24 <sup>th</sup> at 6:00 p.m. at Horizon Crest Family Apartments located at 11 West Owens Avenue, Las Vegas, NV 89030. One member from city staff (Neighborhood Services), one representative of the applicant and two members of the public were in attendance. The two members of the public were interested in seeing the site plan, which they had no comments or concerns.

<b><i>Field Check</i></b>	
06/05/08	A field check was made on site. The site is currently vacant with evidence of the sites prior use being a mobile home park. The site is littered with debris and broken bottles. There are social provider services to the east and west of the site.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	4.86

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	H (High Density Residential)	R-5 (Apartments)
North	Offices	Downtown Business Area - North Las Vegas	R-2 (Two Family) North Las Vegas
South	Las Vegas Indian Colony (Mobile Home Units)	ML (Medium Low Residential)	C-V (Civic)
East	Shelter, apartments	H (High Density Residential)	C-V (Civic)
West	Group Quarters Facility (Salvation Army)	M (Medium Density Residential)	M (Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Downtown North Land Use Plan	X		Y
<b>Special Districts/Zones</b>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.08, the following development standards are proposed:*

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	7,000 SF	211,702 SF	Y
Min. Lot Width	Unlimited	365 Feet	Y
Min. Setbacks			
• Front	10 Feet	10 Feet	Y
• Side	5 Feet	15 Feet	Y
• Corner	5 Feet	N/A	N/A
• Rear	20 Feet	72 Feet	Y
Min. Distance Between Buildings	10 Feet	10 Feet	Y
Max. Building Height	5 stories or 55 feet	3 stories, 38.75 feet	Y
Trash Enclosure	Screened, enclosed	Screened, enclosed	Y

Mech. Equipment	Screened	Screened	Y
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*Pursuant to Title 19.12, the following landscape 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	43 Trees	43 Trees	Y
Buffer: Min. Trees	1 Tree/ 20 Linear Feet	100 Trees	70 Trees	Y
<b>TOTAL</b>		143 Trees	184 Trees*	Y*
Min. Zone Width (Adjacent to R.O.W)	10 Feet		10 Feet	Y
Min. Zone Width (Adjacent to Interior)	6 Feet		6 Feet	Y
Wall Height	8 Feet		N/A	N/A

*\*There is landscaping within the open space areas and around the building proposed for this development in addition to the typical landscaping required within the buffer areas and for the site.*

*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	
Multi-Family	One-Bedroom Unit 96	1.25 Space / Unit	120				Y
	Two Bedroom Unit 36	1.75 Space / Unit	63				Y
	Three Bedroom Unit - 18	2.00 Space / Unit	36				Y
Guest	150 Units	1 Space / 6 Units	25				Y
<b>SubTotal</b>			237	7	244	7	Y
<b>TOTAL</b>			244		251		Y

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Exception		
Request	Requirement	Staff Recommendation
70 trees in the landscape buffer area	100 trees are required at 1 per 20 linear feet in the landscape buffer area	Approval

## ANALYSIS

- **Zoning**

The subject site is located on the Southeast Sector Map of the General Plan. Depending on the location of the parcel, the H (High Density Residential) category allows development such as multi-family plexes, townhouses, high-density apartments, and high-rise residential. This category allows over 25.5 or more units per acre.

The R-5 (Apartment) is intended to allow for the development of high density multi-family units within the downtown urban core and in other high intensity areas suitable for high density residential development. The R-5 (Apartment) District is consistent with the policies of the High Density Residential category of the General Plan.

- **Las Vegas 2020 Master Plan**

The site is located within the Neighborhood Revitalization Strategy Area of the 2020 Master Plan, which contains policies that encourage infill development.

Goal 2 of the Neighborhood Revitalization section in the Las Vegas 2020 Master Plan: *Mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation.*

Objective 2.1 of the Neighborhood Revitalization Strategy Area: *To focus residential reinvestment on transitional sites within the central city area at densities that support mass transit usage.*

Policy 2.1.2: *That development on vacant or underutilized lots within existing residential neighborhoods should be sensitive in use and design to surrounding neighborhoods.*

The surrounding parcels are a combination of C-V (Civic) and M (Industrial) zoning with shelters, social service providers, and mobile home parks as the prominent uses. The redevelopment of this parcel with a quality multi-family product will be an enhancement to the area, as well as carry out the policy intentions of the Neighborhood Revitalization Strategy Area.

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- **Site Plan**

The site plan shows five three-story apartment buildings and a recreational facility comprised of 150 units in total situated in the center of the parcel with the parking located along the periphery around each building. The only ingress and egress to the site is a 36-foot wide driveway, which receives access from Owens Avenue, a 100-foot Primary Arterial as designated in the Master Plan Streets and Highways. This will be adequate to handle the level of traffic anticipated for this site.

The applicant is required to provide 244 parking spaces per Title 19.10 Parking Standards for one, two and three unit apartments, which total 150 units. The applicant has provided 251 parking spaces, including seven handicap accessible spaces. These meet Title 19.10 requirements for parking.

- **Landscaping**

Landscaping is provided within the planter areas adjacent to the property lines, within common areas, and within the parking lot. A total of 184 trees consisting of 24-inch box Chitalpa and 15-inch box Thornless Texas Honey Mesquite have been proposed throughout the site. Title 19.12 - Perimeter Landscape Buffer standards require one tree per 20 linear feet in the buffer area for a Residential (Multi-Family) development. The applicant provides 70 trees in the buffer area where 100 trees are required, which does not meet the standard. The applicant has requested an Exception to this standard as the applicant provides an additional 73 trees throughout the site. Staff finds this request acceptable.

- **Elevations/Floor Plan**

The applicant has provided three separate bedroom unit types in various sizes for the 150 unit apartment development. There are 96, one-unit bedrooms with bath at approximately 853 square feet in size with a 99 square-foot patio. There are 36, two-unit bedrooms with two baths at approximately 1,130 square feet in size with a 101 square-foot patio and storage area. Lastly, there are 18, three-unit bedrooms with two baths at approximately 1,225 square feet in size with a 102 square-foot patio and storage area.

The materials and design of the building exteriors will match through out the proposed multi-family residential development. Materials used include a complimentary color palette of desert neutrals. The buildings are three stories (38.75 feet) in height and use balconies and accent trims to accentuate the appearance of the building facades. There is a one-story recreational building with a pool.

## 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;**

The site is located among social service providers to the west of the proposal and apartments, which are similar to this proposal, to the east of the proposal. This proposed development is compatible with the 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;**

The redevelopment of this parcel with a quality multi-family product will be an enhancement to the area, as well as carry out the policy intentions of the Neighborhood Revitalization Strategy Area.

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

Owens Avenue, designated as a 100-foot wide Primary Arterial on the Master Plan of Streets and Highways, provides adequate access to the site.

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

The building and landscape materials are appropriate for the area and the city. Plant selection is a mix of trees and shrubs that are approved, drought resistant species.

- 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 building elevations depict design and materials that will provide an aesthetically acceptable building and are compatible with the neighboring

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

The proposed development will not impact public health, safety or welfare since the development will be subject to the International Building Code and City inspections during construction.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9**

**ASSEMBLY DISTRICT 6**

**SENATE DISTRICT 4**

**NOTICES MAILED 64**

**APPROVALS 3**

**PROTESTS 1**