



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 2, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-27497 - APPLICANT: THE TAPESTRY GROUP, INC. -
OWNER: CITY OF LAS VEGAS, ET AL.

THIS ITEM WAS HELD IN ABEYANCE FROM THE JUNE 18, 2008 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILWOMAN TARKANIAN.

**** CONDITIONS ****

The Planning Commission (6-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for General Plan Amendment (GPA-27135), Rezoning (ZON-27496), and Vacation (VAC-27747) if approved.
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, date stamped 04/24/08, landscape plan, date stamped 04/18/08, and building elevations, date stamped 03/25/08, except as amended by conditions herein.
4. A Waiver from LVMC 19.08.060 is hereby approved, to allow a residential adjacency setback of 50 feet where 70 feet is required to meet the 3:1 Proximity Slope standard at the below-grade elevation depicted on the 3:1 Proximity Slope exhibit, date stamped 04/23/08.
5. An Exception from LVMC 19.10.010(J)(11) is hereby approved, to allow no parking lot landscape fingers in the parking areas where a landscape finger with one, 24-inch box tree per finger would be required for every six parking spaces location.
6. The minimum distance between buildings shall be ten (10) feet.
7. 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. The accessible spaces, including two (2) van accessible spaces, must be reconfigured to comply with Title 19.10.010(K) Figure 4. Any adjustments to the number of parking spaces must be indicated and the total number of spaces provided must meet or exceed the minimum parking standards for the Multi-Family Residential use as outlined in Title 19.04. Further, to be verify compliance with the open space requirements of Title 19.06.040(G), the revised site plan shall tabulate and adequately delineate the various components that make up the open space.

8. 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.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. 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.
11. 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).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. 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.
15. 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.
16. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.

17. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
18. The required Multi-Use, Non-Equestrian Transportation Trail shall be constructed as specified by the Public Works Department for the Bonanza Trail Phase 1A project and meet the dimensional standards as outlined in condition 36.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

20. Dedicate 60 feet of right-of-way adjacent to this site for the north side of Westcliff Drive, 25 feet of right-of-way adjacent to this site for the west side of the unnamed public street on the east edge of this site including the necessary right-of-way for a cul-de-sac terminus, 40 feet of right-of-way adjacent to the east side of Tenaya Way, and a 25 foot radius on the northwest corner of Westcliff Drive and the unnamed public street on the east side of this site prior to the issuance of any permits. In addition, grant a multi-use, non-equestrian trail easement for the Bonanza Trail acceptable to the City Engineer or his designee.
21. Submit a Petition of Vacation for those portions of Bureau of Land Management (BLM) grant N-41255 easements and any other City of Las Vegas easements located within the boundary of this site in conflict with this site plan. The Order of Vacation shall record prior to the recordation of a map for this site or the issuance of any permits, whichever may occur first.
22. This project may not encroach into any Nevada Department of Transportation (NDOT) jurisdiction; otherwise the applicant shall coordinate with NDOT to ensure that appropriate dedication procedures are undertaken prior to the approval of any construction drawings, the issuance of any permits, or the recordation of a map that includes such property. Provide proof acceptable to the City Engineer that all property developed with this action is free of any NDOT encumbrances; otherwise provide copies of recorded easements.
23. Coordinate with the City Surveyor to determine the appropriate mapping method for this site; comply with the recommendations of the City Surveyor.
24. Remove all substandard public street improvements, if any, on all adjacent public streets and replace with new improvements meeting current City Standards concurrent with on-site development activities.

25. Construct half-street improvements on the unnamed public street on the east edge of this site, including those portions of the proposed cul-de-sac bulb adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. At the discretion of the City Engineer, the roadway improvements north of the gated entry drive into this site, including the cul-de-sac bulb, may be deferred, provided that the entrance allows emergency service vehicles to turn around, and a Covenant Running with Land agreement is submitted for all such improvements so deferred, with appropriate termination improvements, such as barricades, constructed at the temporary terminus.
26. A minimum of two lanes of asphalt pavement on the major access street(s) adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.
27. The driveway on Tenaya Way shall be constructed with an emergency crash gate. The crash gate shall be located at the back of sidewalk.
28. A traffic queuing analysis for the proposed gated driveway must be submitted to and approved by the City Traffic Engineer prior to the issuance of any permits, submittal of any construction drawings or the submittal of a Map for this site. If the traffic queuing analysis is not approved, this driveway shall either not be gated, or shall be redesigned to meet Standard Drawing #222a requirements. If the analysis is approved, submit an application for a deviation from Standard Drawing #222a for this substandard gated driveway accessing this site from the unnamed public street in the Rock Springs Drive alignment. If the driveway requires modifications, a revised site plan shall be submitted to the Planning and Development Department.
29. All 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.

30. Extend public sewer in then unnamed road on the east edge of this site to the northern edge of this site at a size, depth and location acceptable to the Collection System Planning section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
31. Coordinate with the Las Vegas Valley Water District (LVVWD) to determine adequate access requirements for the existing well site. Provide documentation from LVVWD to the City of Las Vegas Development Coordination Section that this condition has been satisfied and all necessary access rights in favor of the LVVWD have been established prior to the issuance of any permits or recordation of a map for this site, whichever may occur first.
32. Contact the City Engineers Office at 229-6272 to coordinate the development of this project with the Tenaya Way Overpass at Summerlin Parkway project which plans full street pavement replacement of Tenaya Way, the Bonanza Trail Phase 1A project, and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
33. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
34. 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.
35. Site development to comply with the Disposition and Development Agreement approved November 21, 2007.
36. Coordinate with the City Engineer Design Division to ensure that the trail constructed by the developer along the northern edge of this site matches the cross section of the trail west of this site constructed by the City with the Bonanza Trail Phase 1A public improvement project, being a 12-foot wide concrete path bordered by two-foot wide decomposed granite shoulders on each side.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 252-unit multi-family residential development intended as affordable (workforce) housing on 13.2 acres between the Summerlin Parkway and Westcliff Drive, east of Tenaya Way. The project proposes to carve out a portion the two parcels that will be purchased from the Bureau of Land Management (BLM). The applicant indicates this will be an apartment complex consisting of 15 buildings of 10-, 24- and 30-unit configurations.

The applicant is requesting a waiver to allow deviations from residential adjacency standards. While this type of deviation is usually a variance, Title 19.08.060 allows multi-family developments that are intended to meet the objectives of the General Plan for increased affordable housing to waive this standard. Approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/08/04	A request for a General Plan Amendment (GPA-3366) to amend a portion of the Southwest Sector Map of the General Plan from ROW (Right-of-Way) to M (Medium Density Residential) on 12.33 acres located on the north side of Westcliff Drive, approximately 600 feet east of Tenaya Way was pulled prior to the Planning Commission meeting.
01/12/06	A request for a General Plan Amendment (GPA-10522) to amend a portion of the Southwest Sector Map of the General Plan from ROW (Right-of-Way) to M (Medium Density Residential) on 12.33 acres located on the north side of Westcliff Drive, approximately 600 feet east of Tenaya Way was withdrawn prior to the Planning Commission meeting.
05/22/08	The Planning Commission recommended approval of companion items GPA-27135, ZON-27496 and VAC-27747 concurrently with this application. The Planning Commission voted 6-1/vq to recommend APPROVAL (PC Agenda Item #17/rts).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to the proposed development.	
<i>Pre-Application Meeting</i>	
02/06/08	A pre-application meeting was held and elements of this application were discussed. A number of Public Works related issues, questions about the trail, access to the Las Vegas Valley Water District site and submittal requirements were discussed.

<i>Neighborhood Meeting</i>	
03/11/08	A neighborhood meeting was held at the Rainbow Library, 3150 North Buffalo Drive. Forty-four members of the public, seven representatives of the applicant, and staff members from the Planning and Development Department and City Council Office attended. The majority of persons in attendance indicated opposition to the project. Those in attendance had the following comments and concerns: • Park promised, • Already too many apartments, • They dont want Section 8, • Enforceability of income standards, • Traffic generation, • Delay of the overpass, • Crime, • Effect on property values.
05/19/08	A neighborhood meeting has been scheduled at the Rainbow Library, 3150 North Buffalo Drive for 6:00 PM. Staff has requested that the applicant hold a follow-up neighborhood meeting to present the most recent site plan and application submittal.

<i>Field Check</i>	
03/07/08	The Department of Planning and Development conducted a site visit that found that the site is mostly undeveloped; however, there is a paved drive and a number of wooden utility poles on-site. There is temporary chain link fencing around the perimeter of the site. Some trash and debris had collected on the site, mainly at the edges.

<i>Details of Application Request</i>			
<i>Site Area</i>			
Gross Acres	13.2 (Project Area)	15.25 (Rezoning Area)	27.5 (Total Parcel Area)

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ROW (Right-of-Way) Proposed: M (Medium Density Residential) and PF (Public Facilities)	U (ROW) [Undeveloped (Right-of-Way) General Plan Designation] Proposed: R-PD19 (Residential Planned Development 19 Units Per Acre) and C-V (Civic)

	Utility Installation, Other Than Listed (LVVWD Well)	PF (Public Facilities) Proposed: M (Medium Density Residential) and PF (Public Facilities)	C-V (Civic) Proposed: R-PD19 (Residential Planned Development 19 Units Per Acre) and C-V (Civic)
North	Summerlin Parkway	ROW (Right-of-Way)	ROW (Right-of-Way)
South	Single Family, Attached	M (Medium Density Residential)	R-PD16 (Residential Planned Development 16 Units per Acre)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Undeveloped Proposed: Church/House of Worship (SDR-15747)	SC (Service Commercial)	U (SC) [Undeveloped (Service Commercial) General Plan Designation]
	Financial Institution, General	SC (Service Commercial)	C-1 (Limited Commercial)
West	Multi-Family Residential	M (Medium Density Residential)	R-PD24 (Residential Planned Development 24 Units per Acre)
	Single Family, Attached	M (Medium Density Residential)	R-PD16 (Residential Planned Development 16 Units per Acre)
	Single Family, Detached	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)

<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 (200 Feet)	X		Y
Trails	X		Y *
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment		X	n/a
Project of Regional Significance		X	n/a

- * While the depicted trail deviates from the Exhibit 1 of the Master Plan Transportation Trails Element; it is in compliance with the approved trail engineering designed for this section of trail by the City's Public Works Department.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.040(C)(4), the development standards for a project shall be established by the approval of an R-PD District and the approved Site Development Plan as described in Subchapter 19.18.050. Development standards shall include minimum front, side and rear setbacks, maximum building heights, wall and fence design and heights, parking standards, landscaping and other design and development criteria. Any future development will require review for determination of appropriate development standards.

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

<i>Standard</i>	<i>Proposed</i>
Min. Lot Size	574,992 Square Feet
Min. Lot Width	318 Feet
Min. Setbacks • Front (Westcliff Drive) • Side (Adjacent to R-PD16) • Side (Adjacent to R-CL) • Side [Adjacent to U(SC)] • Corner Side (Tenaya Way) • Corner (Unnamed Public Roadway) • Rear (Summerlin Parkway)	20 Feet 10.33 Feet 50 Feet 10.25 Feet 87.5 Feet 15 Feet 30 Feet
Max. Lot Coverage	n/a
Max. Building Height	3 Stories (40.92 Feet)

Pursuant to Title 19.08.060, the following residential adjacency standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	70 Feet	50 Feet	N *
Adjacent development matching setback	10 Feet	50 Feet	Y
Trash Enclosure	50 Feet	>50 Feet	Y

- * As a part of this review, a waiver of the Residential Adjacency Standards has been requested that would allow a residential adjacency setback of 50 feet where 70 feet would be required to meet the 3:1 Proximity Slope Calculation based on the grade difference indicated on the 3:1 Proximity Slope exhibit, date stamped 04/23/08. If approved, the waiver will grant relief from the City standards.

Pursuant to Title 19.12, the following landscaping standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Typical Requirement</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree / 6 Spaces	44 Trees *	25 Trees	n/a
Buffer:				n/a
Min. Trees	1 Tree / 20 Linear Feet	107 Trees	97 Trees	
	1 Tree / 30 Linear Feet	77 Trees	77 Trees	n/a
TOTAL		228 Trees	328 Trees **	n/a
	15 Feet - ROW		15 Feet	n/a
Min. Zone Width	6 Feet Interior Lot Lines		6 Feet	n/a
Wall Height	6 Feet		8 Feet	n/a

* Parking is provided for 448 vehicles, but only 264 spaces are uncovered surface parking spaces. This calculation is based only on the open parking lot spaces.

** There is enhanced 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 19.06.040 (G), the following open space standards apply:

<i>Open Space</i>						
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
		<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
13.2 acres	19.09 du/ac	31.5%	4.16 Acres	31.5%	4.2 Acres *	Y

* The appropriate tabulation will need to be verified at the time of permitting to ensure compliance with these requirements as the current drawings do not adequately delineate the various components that make up the open space.

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential	90 One (1) Bedroom Units	1.25 Spaces / Unit	112 Spaces	1 Space			

	144 Two (2) Bedroom Units	1.75 Spaces / Unit	252 Spaces	3 Spaces			
	18 Three (3) Bedroom Units	2 Spaces / Unit	36 Spaces	1 Space			
	252 Units	1 Space / 6 Units	42 Spaces	2 Spaces			
SubTotal			436 Spaces	7 Spaces	436 Spaces	12 Spaces	Y
TOTAL (including handicap)			443 Spaces		448 Spaces		Y

Waivers		
Request	Requirement	Staff Recommendation
To allow a residential adjacency setback of 50 feet.	70 Feet (to meet Proximity Slope at grade difference)	Approval

ANALYSIS

The subject properties are located within the boundaries of the Southwest Sector Map of the General Plan. A proposed General Plan Amendment (GPA-27135), if approved, would allow M (Medium Density Residential) and PF (Public Facilities) land use designations. The PF (Public Facilities) designation portion of this request will allow the swap of 0.57 acres of existing PF (Public Facilities) to M (Medium Density Residential) for 0.66 acres of ROW (Right-of-Way) to PF (Public Facilities) in connection with an existing Las Vegas Valley Water District well site. The primary purpose of this amendment is to create a project site with an M (Medium Density Residential) designation. The proposed designation allows a variety of multi-family units such as -plexes, townhouses, and low-density apartments. This category allows up to 25.49 units per acre. The project proposes a 252-unit multi-family residential development intended as affordable (workforce) housing, between the Summerlin Parkway and Westcliff Drive, east of Tenaya Way. The proposed development is in compliance with the proposed M (Medium Density Residential) General Plan designation.

There is a Rezoning (ZON-27496) which proposes to change the sites zoning from U (ROW) [Undeveloped (Right-of-Way) General Plan Designation] and C-V (Civic) to R-PD19 (Residential Planned Development 19 Units Per Acre) and C-V (Civic). The proposed R-PD19 (Residential Planned Development 19 Units Per Acre) zoning district is intended to provide maximum flexibility to permit imaginative and innovative residential design and to utilize land for the

development of residential communities which are planned and developed with appropriate amenities to establish a clear sense of community. It is intended to promote the enhancement of residential amenities by means of an efficient consolidation and utilization of open space, separation of pedestrian and vehicular traffic and homogeneity of use patterns. Portions of an R-PD (Residential Planned Development) development may have a higher or lower density than permitted by the General Plan if the overall density for the entire development is in compliance with the General Plan. The maximum density permitted in an R-PD (Residential Planned Development) district is a function of the location and land use designation. The density of this proposed multi-family residential development intended as affordable (workforce) housing is 19.09 dwelling units per acre, thus it has been designated an R- PD19 (Residential Planned Development 19 Units Per Acre) development. The proposed 252-unit multi-family residential development is permissible in an R-PD19 (Residential Planned Development 19 Units Per Acre) zoning district which is compatible with the proposed M (Medium Density Residential) General Plan designation.

Further, for the C-V (Civic) zoning district portion of the Rezoning (ZON-27496) the proposed development is swapping a 0.5 acre portion of the site area with the Las Vegas Valley Water District in connection with an existing well site. To do this, the southern 0.5 acres of the well site currently zoned as C-V (Civic) would, by this action, change to R-PD19 (Residential Planned Development 19 Units Per Acre) in exchange for a 0.5 acre portion of the site immediately northwest that is zoned U (ROW) [Undeveloped (Right-of-Way) General Plan Designation]. This will allow the Las Vegas Valley Water District to maintain a site of sufficient size to meet their needs while providing a more contiguous site for the proposed development. The proposed C-V (Civic) zoning district is consistent with the PF (Public Facilities) designation proposed as a part of a companion General Plan Amendment (GPA-27135).

The site is within the North Las Vegas Airport Overlay Map portion of the A-O (Airport Overlay) District. The proposed maximum height of the three-story building, 41 feet, is well within the height limitation of 200 feet for this area.

The site encompasses two parcels with proposed buildings built at or across the lot lines. The project proposes to carve out a portion the two parcels that will be purchased from the Bureau of Land Management (BLM) to create the 13.2 acre site for this development. A condition has been added to the Public Works portion of this review that requires the applicant to coordinate with the City Surveyor to determine the appropriate mapping method for this site.

- **Site Plan**

The site lies on the north side of Westcliff Drive, approximately 590 feet east of Tenaya Way. The site is currently two, mainly underdeveloped parcels with the Summerlin Parkway-U.S. 95 Interchange occupying a portion of the northern parcel.

The proposed multi-family residential development requires 443 parking spaces. The submitted site plan indicates 448 spaces will be provided, including 12 handicap spaces designated. The accessible spaces presented do not reflect the dimensional requirements

of Title 19.10.010, which requires dual access aisles for handicap spaces. A condition has been included as a part of this review that requires a revised site plan be submitted to the Planning and Development Department prior to the issuance of any building permits that depicts compliance with Title 19.10.010(K) Figure 4. Carports and garages are used to cover or enclose 184 of the spaces.

There are no minimum separation distance requirements in Title 19 that apply to the proposed multi-family residential use. However, there are minimum building separation standards that typically apply to multi-family residential uses and the proposed site plan meets this development standard. The submitted site plan calls for building separations of greater than the typical 10 feet.

The site is subject to the Residential Adjacency Standards due to the R-CL (Single Family Compact-Lot) residential development to the southwest of this property. The Proximity Slope uses a 3:1 calculation for determining what the distance from a protected property to a building on the subject site may be. The proposed buildings are two and three stories and approximately 30 to 41 feet in height. Per the 3:1 slope requirement this would necessitate a residential adjacency setback of 90 to 123 feet. The nearest proposed building is proposed at 30 feet high and is only 50 feet from the property line of the protected property; therefore, a waiver has been requested.

- **Waiver**

There is a waiver requested to allow a deviation from the residential adjacency standard. While, this type of deviation is usually a variance, Title 19.08.060 allows multi-family developments that are intended to meet the objectives of the General Plan for increased affordable housing to waive this standard. The Housing Element of the Master Plan defines affordable housing as housing that does not exceed 30 percent of a households income. The waiver would allow a residential adjacency setback of 50 feet where 70 feet would be required to meet the 3:1 Proximity Slope standard based on the grade difference indicated on the 3:1 Proximity Slope exhibit, date stamped 04/23/08. Should the final engineering and grading plans determine that the proposed 30-foot high building will not be sufficiently below the grade of the protected property in conformance with the 3:1 Proximity Slope exhibit and standard, then an amendment to this review must be approved to allow an alternative waiver request before any permits may be issued. Approval of this waiver request is recommended.

- **Landscape Plan**

The landscape plan depicts appropriate landscape buffers around the perimeter of this site. There is adequate buffering area along all of the property lines. Additional trees have been depicted within the various open space areas as well as around many on the buildings. Due to much of the parking being enclosed or covered parking there is limited parking lot landscaping.

- **Trail**

The required Multi-Use (Non-Equestrian) Transportation Trail is provided at the north of this site. The trail deviates from the standard drawing (Exhibit 1 of the Master Plan Transportation Trails Element); however, is in compliance with the approved trail engineering designed for this section of trail that was to be developed by the City's Public Works Department prior to the submittal of this request.

- **Elevations/Floor Plan**

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 and caramel country ledgerstone. The buildings are a mix of two and three stories (30 to 41 feet) that use balconies and accent trims to accentuate the appearance of the building facades. There is a one-story maintenance building as well as a community clubhouse that complements the residential buildings and will house the mailboxes, offices, and community exercise and computer rooms. Due to the height of the residential building at the lower southwest corner of the site and its proximity to the R-CL (Single Family Compact-Lot) zoned property, a waiver of the residential adjacency standards has been requested.

The floor plans show that the residential units will range from approximately 599 to 1,472 square feet of interior living space with area available on each unit's patio or balcony. There is a mix of one, two, and three bedroom units with each multiple bedroom unit having multiple bathrooms. Additionally, each unit has a kitchen, dining and living room areas and laundry room provided.

This site development plan review has been submitted in conjunction with a proposed General Plan Amendment (GPA-27135) to change the land use designation to M (Medium Density Residential) and PF (Public Facilities), Rezoning (ZON-27496) to change the zoning to R-PD19 (Residential Planned Development Nineteen Units Per Acre) and C-V (Civic) zoning districts, and Vacation (VAC-27747) to vacate portions of the right-of-way grants at the perimeter of the site.

The proposed multi-family residential development is appropriate for this area development and is consistent with the objectives of the General Plan. Due to the compatibility of this development with the surrounding present and future land use designations, staff is recommending approval of this site development plan review request with the requested waiver.

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 proposed development is compatible with adjacent development in the surrounding area. There is an existing townhouse development that is approximately 16 units per acre immediately to the south and west of the project area and a multi-family condominium development that is approximately 24 units per acre on the west side of Tenaya Way. In addition to similar densities, these developments are also multi-storied and offer similar amenities (pool, open space, carports/garages) to the proposed 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 proposed site plan is in compliance with the proposed General Plan designation of M (Medium Density Residential) and proposed zoning of R-PD19 (Residential Planned Development Nineteen Units Per Acre) on the development site. Staff is recommending approval of the requested waiver for a deviation of residential adjacency standard.

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

The subject site will receive access from an unnamed street, a 50-foot wide local street, which should be adequate to support the proposed use. The unnamed street is accessed off of Westcliff Drive and serves as an access point for a limited number of parcels, including the subject 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 multi-family residential developments.

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.

PLANNING COMMISSION ACTION

The Planning Commission considered the requirement for a Development Agreement for landscape maintenance and a transit incentive program. Also, the applicant indicated that 32 units would be built to be adaptable for the handicapped.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 964 by Planning Department

APPROVALS 1

PROTESTS 68