



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 16, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-27964 - OWNER: CITY OF LAS VEGAS - APPLICANT:
ALPHA OMEGA STRATEGIES

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-28101), Special Use Permit (SUP-28102) and Site Development Plan Review (SDR-27965) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 640 parking spaces where 696 parking spaces are required for a proposed 11-story, 416-unit Senior Citizen Apartment development with 56,150 square feet of commercial and 47,700 square feet of Government Facilities (fire station). This request constitutes an approximate 8% deviation from the current parking standards.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/24/61	The Board of City Commissioners approved a zoning reclassification (Z-0018 -61) from R-1 (Single Family Residential) to C-1 (Limited Commercial) and R-3 (Medium Density Residential) for approximately 18.3 acres generally located at the southwest corner of Vegas Drive and Decatur Boulevard. The Planning Commission recommended approval.
07/30/70	The Final Map (Decatur Gardens Unit 1) for a proposed 16-unit condominium development located generally at the south west corner of Laurelhurst Drive and Vegas Drive recorded at the Clark County Records office.
11/17/82	The Board of City Commissioners approved a Tentative Map (Shalimar Gardens Condominiums) for a 64-unit condominium development located generally on the west side of Laurelhurst Drive and the south side of Westmoreland Drive, west of Decatur Boulevard. The City Planning Commission recommended approval.
06/12/08	The Planning Commission will consider an associated Special Use Permit (SUP-28101) for proposed Senior Citizen Apartments; a Special Use Permit (SUP-28102) to allow a 10-story 135-foot building where 105 feet is the maximum height allowed in the Airport Overlay District; and a Variance (VAR-27964) to allow 640 parking spaces where 696 spaces are required. Staff is recommending approval.
05/19/04	Code Enforcement Case # 15146 A black Acura abandoned on commercial property located at 1501 N Decatur Boulevard. Case closed on 06/03/04.
11/01/04	Code Enforcement Case # 23453 Graffiti on condo buildings; Refrigerators in the courtyard to deny access to minors at 1513 Laurelhurst Drive. Case closed 11/04/04.
06/19/05	Code enforcement Case # 31477 - An illegal vendor operating at 1501 N Decatur Boulevard. The Case was closed 06/25/05.
10/17/05	Code Enforcement Case # 35370 An illegal vehicle repair business was operating out of a home at 1513 Laurelhurst Drive. Case was closed 11/30/05.
12/10/05	Code enforcement Case # 36848 - An illegal car washes operating at 1501 N Decatur Boulevard. The Case was closed 12/11/05.

07/16/06	Code enforcement Case # 44540 - An illegal car washes operating at 1501 N Decatur Boulevard. The Case was closed 07/16/06.
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03/20/07	Code Enforcement Case # 51401 An illegal carwash operation, homeless people and goose droppings on city lot at 1501 N Decatur Boulevard. The Case was closed on 04/03/07.
07/14/07	Code enforcement Case # 55717 - An illegal car washes operating at 1501 N Decatur Boulevard. The Case was closed 07/14/07.
04/12/08	Code enforcement Case # 64409 - An illegal car washes operating at 1401 and 1507 N Decatur Boulevard. The Case was closed 05/10/08.
05/19/08	Code enforcement Case # 65435 - An illegal car washes operating at 1401 and 1507 N Decatur Boulevard. The Case is still open.
06/12/08	The Planning Commission recommended approval of companion items SUP-28101, SUP-28102 and SDR-27965 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #9/ng).
<i>Related Building Permits/Business Licenses</i>	
02/07/01	A demolition permit (#01002063) was issued for the removal of Wonder World Shopping Center. The permit was finalized on 02/20/01.
07/26/04	A demolition permit (#04018530) was issued for the removal of a condominium building at 1501 Laurelhurst Drive. The permit was finalized on 08/17/04.
07/26/04	A demolition permit (#04018531) was issued for the removal of a condominium building at 1509 Laurelhurst Drive. The permit was finalized on 08/17/04.
<i>Pre-Application Meeting</i>	
04/25/08	An informal pre-application conference was held. The overall project was discussed. Follow up conversations were required to facilitate a complete submittal of all necessary applications.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required for this application nor was one held.	
<i>Field Check</i>	
05/22/08	The subject site was found to devoid of any structures. The parking lot and parking lot lighting remains from the previous use of the site. The area where the buildings used to exists is now a dirt area, which is fenced off by chain link fencing (no permits found for the fences).

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	13.36
Net Acres	11.28

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	SC (Service Commercial) & M (Medium density Residential)	C-1 (Limited Commercial) & R-3 (Medium Density Residential)
North	Individual Commercial Establishments	SC (Service Commercial) & M (Medium Density Residential)	C-1 (Limited Commercial)
South	Commercial Shopping Center & Single Family Residences	SC (Service Commercial) & L (Low Density Residential)	C-1 (Limited Commercial) & R-1 (Single Family Residential)
East	Bureau of Land Management Offices & City Park (Ed Fountain Park)	PF (Public Facilities) & PR-OS (Parks/ Recreation/Open Space)	C-V (Civic)
West	Single Family Residences	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			
Redevelopment Plan Area	X		Y
Special Districts/Zones	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District	X		N*
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y**

* The proposed height of the Senior Citizen Apartments, 135 feet, exceeds the height limitation of 105 feet for this area established by the North Las Vegas Airport Overlay Map portion of the A-O (Airport Overlay) District. A Special Use Permit (SUP-28102) has been submitted pursuant to Title 19.06.080 and if approved would grant relief from the height limitation.

** Pursuant to Ordinance No. 5227, the project under review outlines a project that meets the threshold that defines a Project of Significant Impact as outlined in the ordinance for a development that generates an Average Daily Traffic (ADT) over 6,250 daily trips and is located within a half mile of another jurisdiction (Clark County). The applicant has prepared and submitted an impact report as required by the Ordinance for referral to affected agencies. As of 05/29/08, no comments have been received regarding this application.

DEVELOPMENT STANDARDS

Pursuant to Title 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	
Senior Citizen Apartments	416 Units	.75 :Unit	312		288	4	N*
Government Facility	47,700 SF	1 : 300	159		138	3	N*
Shopping Center	56,150 SF	1 : 250	225		196	11	N*
SubTotal	103,850 SF / 416 Units		682	14	622	18	N*
TOTAL (including handicap)			696		640		N*
Loading Spaces	56,150 SF	3 Spaces at 50,000 SF + 1 Space for each added 100,000 SF	4 Spaces		4 Spaces		Y

** The proposed total number of parking spaces constitutes an 8% reduction from the required number of parking.*

The site plan depicts a total of 640 parking spaces, including 18 handicap parking spaces of which 11 are van accessible. Of the 640 parking spaces, 113 spaces are being provided on a lot adjacent to the western alignment of Laurelhurst Drive. As such, an off-site parking agreement will be required and in turn the associated Site Development Plan Review (SDR-27965) application will be conditioned to reflect said requirement.

ANALYSIS

This is a request for a Variance to allow 640 parking spaces where Title 19.04.010 requires a total of 696 parking spaces. The proposed development consists of an 11-story, 416-unit Senior Citizen Apartment development with 56,150 square feet of commercial and 47,700 square feet of Government Facilities (fire station). The overall development will require a Variance (VAR-27964) to allow for an approximate 8% deviation from the current parking standards. Staff is in support of this deviation as it is minor in nature for the proposed use.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.

Additionally, Title 19.18.070L states:

Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.

Evidence of a unique or extraordinary circumstance has been presented, in that the predominate use of the site generates less vehicle traffic than is anticipated, as well as the shared access agreement with the commercial property to the south would alleviate any parking concerns if one were to arise. Therefore, staff is recommending approval of this Variance application.

PLANNING COMMISSION ACTION

There were two speakers in favor of the application at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 34

SENATE DISTRICT 4

NOTICES MAILED 798 by City Clerk

APPROVALS 4

PROTESTS 1