



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JULY 16, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SUP-28101 - OWNER: CITY OF LAS VEGAS - APPLICANT:**  
**ALPHA OMEGA STRATEGIES**

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### **\*\* CONDITIONS \*\***

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

#### **Planning and Development**

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Senior Citizen Apartment use, including parking requirements.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-28102), Variance (VAR-27964) and Site Development Plan Review (SDR-27965) shall be required.
3. 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.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

This is a request for a Special Use Permit to allow Senior Citizen Apartments within a C-1 (Limited Commercial) zoning district. The proposed development will be composed 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). Half of the ground floor of the Senior Citizen Apartment building will be occupied by the fire station and the other half by Senior Citizen Apartments. Therefore, a Waiver of Title 19.04.010 will be required for this application, as it states In the case of a multi-floor structure, the apartments themselves must be located above the ground floor, but access and entryways and community rooms must be located on the ground floor.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;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.
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07/16/06	Code enforcement Case # 44540 - An illegal car washes operating at 1501 N Decatur Boulevard. The Case was closed 07/16/06.
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 VAr-27964, SUP-28101 and SDR-27965 concurrently with this application.  The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #22/pl).
<b><i>Related Building Permits/Business Licenses</i></b>	
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.
<b><i>Pre-Application Meeting</i></b>	
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.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required for this application nor was one held.	
<b><i>Field Check</i></b>	
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).

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
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>
<b>Special Area Plan</b>			
Redevelopment Plan Area	X		Y
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District	X		N*
<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		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:*

<b>Parking Requirement</b>							
<b>Use</b>	<b>Gross Floor Area or Number of Units</b>	<b>Required</b>			<b>Provided</b>		<b>Compliance</b>
		<b>Parking Ratio</b>	<b>Parking</b>		<b>Parking</b>		
			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*
<b>SubTotal</b>	103,850 SF / 416 Units		682	14	622	18	N*
<b>TOTAL (including handicap)</b>			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. An associated parking Variance (VAR-27964) will be heard along with this application.

**ANALYSIS**

•**Zoning**

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as SC (Service Commercial) within the General Plan. The SC category allows for low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The SC (Service Commercial) category may also allow mixed-use development with a residential component where appropriate. The proposed Senior Citizen Apartment is in

conformance with the SC (Service Commercial) land use designations.

•Use

Senior Citizen Apartments are permitted within a C-1 (Limited Commercial) zoning district by means of a Special Use Permit, pursuant to Title 19.04.010. Senior Citizen Apartments are defined by Title 19 as, an apartment house or other multi-family dwelling in which each unit is occupied by at least one person fifty-five years of age or older, or in which the units are intended and operated for occupancy by persons fifty-five years of age or older. The term includes an apartment house or other multi-family dwelling that qualifies as housing for older persons under the provisions of Federal law, including without limitation housing developments that:

(1) Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and

(2) Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons fifty-five years of age or older to the extent allowed by applicable State of Federal law.

•Conditions

Title 19.04.010 lists the following conditions for the Senior Citizen Apartments use.

1. For any development that is over three stories in height:
  - a. The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.
  - b. Rooflines and façade elements shall be articulated in order to break down the apparent massing of the structures.
2. The use shall be developed and operated only in connection with ground-level nonresidential development. In the case of a multi-floor structure, the apartments themselves must be located above the ground floor, but access ways, entryways and community rooms may be located on the ground floor.
3. The primary resident or guest entryway to the apartments must be independent of ground floor commercial uses, and must be directly accessible from and oriented to a street.
4. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

5. For any development that, in accordance with LVMC 19.08.050, is allowed to exceed the maximum lot coverage provisions set forth in that Section, all landscape buffer requirements, and all minimum setback requirements for the C-1 District, shall be met.

•**Waivers**

The applicant will require a Waiver of Special Use Permit Requirement #2, as half of the ground floor of the proposed Senior Citizen Apartment building will be occupied by apartments and the other half by the proposed government facility (fire station). Staff is in support of this Waiver as the proposed use will further the goals of the Las Vegas Master Plan 2020, in achieving attainable affordable senior citizen housing.

**FINDINGS**

The following findings must be made for a Special Use Permit:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

With implementation of the proposed conditions associated with companion the Site Development Plan Review (SDR-27965), the proposed use can be operated in a manner compatible with the existing uses and the projected uses for the surrounding area.

- 2. The subject site is physically suitable for the type and intensity of land use proposed.**

With the approval of the associated Site Development Plan Review (SDR-27965), Special Use Permit (SUP-28102) and Variance (VAR-27964) the site will be physically suitable for the proposed Senior Citizen Apartment use.

- 3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

The subject site will receive vehicular access from Decatur Boulevard, a 100-foot primary arterial. The off-site parking lot and apartment open space will be accessed via Laurelhurst Drive, a 60-foot local street. Pedestrian access will be from both Laurelhurst Drive and Decatur Boulevard. The commercial lot is proposing cross access with the commercial site to the south and will require a cross access agreement. Therefore, the street or highway facilities will be adequate in size to facilitate the site.

- 4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

The approval of the Special Use Permit and associated Waiver will further the goals of the Las Vegas Master Plan 2020, in achieving attainable affordable senior citizen housing. In addition, the proposed use will be reviewed by both Federal and State agencies to insure compliance with current senior citizen and affordable housing codes.

**5. The use meets all of the applicable conditions per Title 19.04.**

With the granting of a Waiver of Special Use Permit Requirement #2 to allow some apartment units to be located on the ground floor, the use will be in compliance with Title 19.04.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**ASSEMBLY DISTRICT** 34

**SENATE DISTRICT** 4

**NOTICES MAILED** 362 by City Clerk

**APPROVALS** 4

**PROTESTS** 1