



## AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 16, 2008  
DEPARTMENT: PLANNING AND DEVELOPMENT  
ITEM DESCRIPTION: SDR-25276 - APPLICANT/OWNER: INVESTMENT SOLUTIONS, INC.

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

The Planning Commission (4-1/se vote) and staff recommend DENIAL.

#### Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-25278) and Variance (VAR-25277) shall be required.
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, landscape plan, and building elevations, date stamped 10/23/07, except as amended by conditions herein.
4. A Waiver from the Title 19.08.050(D).2.e.iii Building Placement and Orientation is hereby approved, to allow:
  - a. To orient the building away from the corner and street fronts of Red Coach Avenue and Balsam Street.
5. 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:
  - a. The addition of one handicapped parking space in compliance with the standards as listed in Title 19.10.010(G).
  - b. The provision of one screened, enclosed trash area that complies with the standards as listed in Title 19.08.050(E).4.b and Title 19.08.060
6. 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. The technical landscape plan shall include the following changes from the conceptual landscape plan:

- a. Provide a minimum 24-inch box evergreen or deciduous tree where two 3-gallon shrubs are shown in the provided parking lot landscape island.
7. 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.
8. 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).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
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. Construct all incomplete half-street improvements, including transition paving, on Red Coach Avenue and Balsam Street 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the southern boundary of this site prior to construction of hard surfacing (asphalt or concrete).

15. Extend public sewer in Red Coach Avenue to the western 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.
16. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
17. All private improvements and 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.
18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

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

**PROJECT DESCRIPTION**

This application is a request for a Site Development Review for a proposed two-story, 23,941 square-foot office building. The subject site is located on a 1.04 acre site generally located at the southeast corner of Red Coach Avenue and Balsam Street on property that maintains the O (Office) General Plan Land Use Designation. The proposed Office use is a permissible use upon approval of the accompanying Rezoning (ZON-25278) to the O (Office) Zoning District. Although this proposal has provided both surface and subterranean parking, the applicant is requesting a Variance (VAR-25277), as the site provides only 56 parking spaces where 80 spaces are required.

Because this proposal does not conform to the Title 19.08.050 Commercial Development Standards due to the overbuilding of the site, the shortage of provided off-street parking, and the building placement, staff recommends denial of this Site Development Plan Review request.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
12/20/07	<p>The Planning Commission recommended approval of ZON-25278 and denial of companion item VAR-25277 concurrently with this application.</p> <p>The Planning Commission voted 4-1/se to recommend DENIAL (PC Agenda Item #20/mh).</p>
<i>Related Building Permits/Business Licenses</i>	
There are no Building Permits or Business Licenses recorded against this property.	
<i>Pre-Application Meeting</i>	
10/01/07	A pre-application meeting was held with staff regarding the Rezoning and Site Development Review for a 1.04 acre parcel to develop an office building. Staff recommended completing a Variance request for a parking deficiency, as the applicant was unable to secure a shared parking agreement with the neighboring church.
<i>Neighborhood Meeting</i>	
11/15/07	<p>The applicant held a neighborhood meeting at the Cimarron Rose Community Center located at 5591 N. Cimarron Road, Las Vegas, Nevada on Thursday, November 15, 2007 at 6:00 pm. The meeting was attended by 11 people and the following questions and comments were made:</p> <ul style="list-style-type: none"> <li>• Widen Red Coach Avenue.</li> <li>• Two-story office but only one company in the building.</li> <li>• Will they close Balsam Street at Lone Mountain Road?</li> <li>• Construction anticipated in six to nine months.</li> </ul>

	<ul style="list-style-type: none"><li>• Why require landscaping with drought?</li><li>• No traffic on Balsam Street.</li></ul>
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<b>Field Check</b>	
11/15/07	A field check was performed by staff with the following observations: <ul style="list-style-type: none"> <li>• Undeveloped one acre lot located adjacent the rear of a church.</li> <li>• Unincorporated rural one-acre lots across the Red Coach Avenue and Balsam Street on the north and west.</li> <li>• Existing six-foot screen wall along side property line adjacent to church.</li> <li>• Generally flat lot with no discernible change in grade.</li> </ul>

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	1.04

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	O (Office)	U (Undeveloped)
North	Single Family Residence	O (Office)	Unincorporated Clark County
South	Undeveloped	O (Office)	U (Undeveloped)
East	Church	O (Office)	U (Undeveloped)
West	Single Family Residence	O (Office) Unincorporated Clark County	Unincorporated Clark County

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

- **A-O (Airport Overlay) District**

The proposed two-story office building has a finished height of 35 feet. Staff finds that this proposal will not adversely affect the 175-foot height restriction placed by the Airport Overlay District.

**DEVELOPMENT STANDARDS**

***Pursuant to Title 19.08.050, the following standards apply to the O (Office) Zoning District:***

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Width	100 feet	150 feet	Y
Min. Setbacks			
• Front	20 feet	60 feet	Y
• Side	5 feet	25 feet	Y
• Corner	15 feet	61 feet	Y
• Rear	15 feet	33 feet	Y
Max. Lot Coverage	50%	26%	Y
Max. Building Height	Lesser of 35 feet or two stories	35 feet	Y
Trash Enclosure	Screened and enclosed	Not shown	N*
Mech. Equipment	Screened from public ROW	Not shown	N*

*\*This Site Development Plan Review has been conditioned for approval to meet the Title 19.08.050 Standards for the provision of enclosed trash area and screened mechanical equipment.*

***Pursuant to Title 19.08.060, the following standards apply:***

<b>Residential Adjacency Standards</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
3:1 proximity slope	105 feet	150 feet	Y
Adjacent development matching setback	50 feet	61 feet	Y
Trash Enclosure	50 feet from residential property	Not shown	N*

*\*This Site Development Plan Review has been conditioned for approval to meet the Title 19.08.050 Standards for the provision of enclosed trash area.*

***Pursuant to Title 19.12, the following Landscape and Buffer standards apply:***

<b><i>Landscaping and Open Space Standards</i></b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Parking Area	1 Tree/ 6 Spaces	4 Trees	3 Trees	N*
Buffer:				
Min. Trees	1 Tree/ 20 Linear Feet	43 Trees	31 Trees	N
<b>TOTAL</b>		47 Trees	34 Trees	N
Min. Zone Width	15 feet along ROW 8 feet along interior perimeter		15 feet 10 feet	Y
Wall Height	6 Feet		6 feet - existing	Y

*\*Condition #6 has been placed requiring adding one 24-inch box tree to a provided parking lot landscape finger where two three-gallon shrubs are shown.*

**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>Parking Ratio</b>	<b>Required</b>		<b>Provided</b>		<b>Compliance</b>
			<b>Parking</b>		<b>Parking</b>		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other Than Listed	23,941	1:300 SF GFA	76	4*	53	3	N
<b>TOTAL</b> (including handicap)			80 spaces		56 spaces		N
Percent Deviation					30%		N*

\*A related Variance request (VAR-25277) for the parking deficiency accompanies this Site Development Plan Review.

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
To orient the building away from the corner and street fronts of Red Coach Avenue and Balsam Street.	Buildings on corner lots should be oriented to the corner and the street fronts.	Denial

**ANALYSIS**

- **Land Use and Zoning**

This subject site is located on 1.04 acres that currently maintains the O (Office) General Plan Land Use Designation. Staff has recommended approval of the related Rezoning (ZON-25278) request, as the intended Office, Other than Listed use complies with both the O (Office) General Plan Land Use Designation and the affiliated O (Office) Zoning District. The scope of this proposal, however, has been determined too intense, due to the requested Variance (VAR-25277) from the required amount of parking for an Office, Other than Listed use. Therefore, staff recommends denial.

- **Site Plan**

The site depicts a 23,941 square-foot office building located at the southeast corner of Red Coach Avenue and Balsam Street. The development, as proposed, does not provide adequate parking; an associated Variance (VAR-25277) has been requested to address the 30% deviation from the required amount of parking. The provided site plan does not show an adequate amount of handicapped parking spaces. The provided site plan shows the building placement not in compliance with the intent of Title 19.08.050. The building

is located away from the corner and street front, while the surface parking lot is placed along the public rights-of-way. Staff recommends denial of this Site Development Plan Review and the related Variance (VAR-25277), as the proposal is overdeveloped and not in compliance with the Commercial Development Standards listed in Title 19.08.050.

- **Landscape Plan**

The proposed landscaping meets the requirements listed in Title 19.12. by providing the required amount of trees in the appropriately sized landscape buffers. A condition has been placed requiring that a 24-inch box deciduous or evergreen tree be placed in the one landscape finger island located in the surface parking lot where two shrubs are shown.

- **Elevations**

The provided elevations show a substantial amount of west-facing glazing. This design will create more solar glare on the neighboring residential properties and incur higher-than-normal energy costs from the heat gain.

- **Floor Plan**

The provided floor plans show two separate levels of open-floor, spec office space. One elevator located at the northern end of the building serves the entire office building and is accessed from the garage level. Two stairwells are located at the north and south end of the building. There are no restrooms shown on the provided floor plans.

## **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;**

Although the proposed Office use conforms to the future land use of the subject site, the scope, design, and layout of this specific proposal does not meet the Commercial Development Standards or Parking Requirements. Therefore, staff recommends denial of this proposed Site Development Plan Review (SDR-25276) and the accompanying Variance (VAR-25277).

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 proposed two-story, 23,941 square-foot Office building does not comply to the Title 19.08.050 Commercial Development Standards for building placement or orientation. Staff has conditioned the addition of one 24-inch box tree.

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

The subject site is accessed by Red Coach Avenue and Balsam Street, both categorized as 60-foot wide Local Streets by the Master Plan of Streets and Highways. Considering the accompanying Variance to allow 56 parking spaces where 80 spaces are required on a 1.04 acre site, the proposed development will place a burden on the streets that primarily function as residential streets. Therefore, staff recommends denial of this request.

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

The building materials shown in the provided elevations and materials board and the proposed landscaping materials are typical of office developments located throughout the City. However, there is concern regarding the amount of west-facing glazing that may present a negative impact on the immediate area.

**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 provided building elevations demonstrate design characteristics that do not comply with the Title 19.08 Commercial Design Standards. Additional concern is raised regarding the significant amount of west-facing glazing that may present an undesirable or obnoxious glare condition towards the residential property to the west.

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

The proposed 23,941 square-foot office building will be subject to the required reviews for Building Permits and a final inspection prior to the issuance for a Certificate of Occupancy, and therefore will not compromise the health, safety and general welfare.

**PLANNING COMMISSION ACTION**

There was one neighbor in opposition of this application.

**ASSEMBLY DISTRICT**      37

**SENATE DISTRICT**      3

**NOTICES MAILED**      108 by City Clerk

**APPROVALS**      1

**PROTESTS**      1