

**AGENDA MEMO**

**PLANNING COMMISSION DATE: SEPTEMBER 11, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SDR-28853 - APPLICANT/OWNER: PARAMOUNT FUND II, LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION:**                      **APPROVAL**, subject to:

***Planning and Development***

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12379) shall be required, if Approved.
2. Site Development Plan Review (SDR-12380) and Variance (VAR-12382) shall be expunged, if approved.
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 development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 07/01/08, except as amended by conditions herein.
5. A Waiver of Title 19.08 Building Placement and Orientation Standards requiring corner lots to be oriented to the corner and to the street fronts is hereby approved, to allow placement of the buildings as depicted on the site plan date stamped 07/01/08.
6. Recordation of a reversionary parcel map or administrative joining consolidating the three adjoining parcels adjacent to Leggett Road (APNs 125-28-801-014, 016, and 018) on the site prior to issuance of any building or grading permits

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7. 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; compliance with all Title 19.10 parking lot landscaping standards and all Title 19.12 landscaping requirements. Nine landscape fingers and nine additional trees shall be added to the parking lot area.
8. 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. For all developments/projects.
9. 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).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Wall design and height shall conform to Title 19.12.075.
13. 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.
14. 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.

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**Public Works**

15. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
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. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the depth of the driveways accessing this site from Ann Road and Leggett Road. The parking spaces within the driveway alignment on Leggett Road are to be removed or relocated.
18. All landscaping and private improvements 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.
19. Turning movements at driveway accessing Ann Road may be restricted in the future if determined by the City Traffic Engineer.
20. Site development to comply with all applicable conditions of approval for ZON-12379 and all other subsequent site-related actions.

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

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a 29,700 square-foot, four-building office complex on 3.21 acres located on the northwest corner of Ann Road and Leggett Road. The proposed development is similar to a previously approved development on the site, (SDR-12380), which was for a 21,750 square-foot single story office development with an associated Variance (VAR-12382) for residential adjacency.

The current proposal includes a request for Waivers from the Title 19.08 Building Placement Orientation standards, and the Title 19.10 Parking Lot Landscape Standards. The Building Placement Waiver request assists in further buffering adjacent residential development to possible impacts from this proposed development. The proposed development will reduce the intensity from the previous approval, as a Variance for the Residential Adjacency Standard has not been requested as part of this application; therefore, staff recommends approval of this request.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
06/07/06	The City Council approved a request for a General Plan Amendment (GPA-12378) from L (Low Density Residential) to an O (Office) land use designation. The Planning Commission and staff recommended denial
06/07/06	The City Council approved a request for a Rezoning (ZON-12379) from R-E (Residence Estates) to P-R (Professional Office and Parking) District, a Site Development Plan Review (SDR-12380) for and a Variance (VAR-12382) from Residential Adjacency Standards on the subject site. The Planning Commission recommended approval and staff recommended denial
12/21/06	The Planning Commission approved a request for a Tentative Map (TMP-17943) for a proposed one-lot commercial subdivision on the subject site. Staff recommended approval.
10/11/07	The Planning Commission tabled a request for a Site Development Plan Review (SDR-22239) for a proposed one-story 32,750 square-foot office development on the subject site. Staff recommended denial.
07/16/08	The City Council Approved Three Extension of Time requests (EOT-28307, EOT-28309, EOT-28308) for a Rezoning from R-E (Residence Estates) to P-R (Professional Office and Parking) District, a Variance (VAR-12382) from Residential Adjacency Standards and a Site Development Plan Review (SDR-12380) for a 21,750 square-foot office development. The Planning Commission and Staff Recommended approval.

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<b>Related Building Permits/Business Licenses</b>	
There are no relevant building permits or business licenses for this undeveloped site.	
<b>Pre-Application Meeting</b>	
06/18/08	Requirements of the Site Development Plan Review application were explained to the applicant.
<b>Neighborhood Meeting</b>	
No meeting is required, nor was one held.	

<b>Field Check</b>	
07/10/08	Staff conducted a field check and noted that the subject location is presently undeveloped with a small amount of trash, debris and weeds on the site. The site is partially secured by a temporary chain link fence that was noted to have political signs and real estate advertising signs displayed on it. No permit was found for the fence.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	3.21 acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	O (Office)	R-E (Residence Estates) under Resolution of Intent to P-R (Professional Office and Parking)
North	Single-Family Residential	L (Low Density Residential)	R-E (Residence Estates)
South	Single-Family Residential	ML (Medium Low Density Residential)	R-PD5 (Residential Planned Development 5 Units per Acre)
East	Commercial Center	L (Low Density Residential)	C-2 (General Commercial)
West	Undeveloped and Single-Family Residential	L (Low Density Residential)	R-E (Residence Estates) and R-1 (Single Family Residential)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>			
Centennial Hills Sector Plan	X		Y
Northwest Open Space	X		Y
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
		X	N/A

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Trails		X	N/A
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

## DEVELOPMENT STANDARDS

### Per Title 19.08 Development Standards

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	3.21 acres	Y
Min. Lot Width	60 feet	295 feet	Y
Min. Setbacks			
• Front	20 feet	66 feet	Y
• Side	5 feet	69 feet	Y
• Corner	15 feet	94 feet	Y
• Rear	15 feet	82 feet	Y
Min. Distance Between Buildings	N/A	20 feet	Y
Max. Lot Coverage	50%	21%	Y
Max. Building Height	2 stories of 35 feet, lesser of the two	20 feet	Y
Trash Enclosure	Screened, 50-foot setback from residential	90-foot setback from residential, Screened	Y
Mech. Equipment	Screened	Screened	Y

### Per 19.08.060 Development Standards

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	60 feet	82	Y
Trash Enclosure	50-foot setback, Screened	90-foot setback, Screened	Y

### Per Title 19.12, the following landscape requirements 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	23 trees	15 trees	N*
Buffer: Trees North	1 Tree - 20 Feet	15	19	Y

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South	1 Tree - 20 Feet	14	14	Y
East	1 Tree - 20 Feet	24	24	Y
West	1 Tree - 20 Feet	24	24	Y
<b>TOTAL</b>		77	81	Y
Min. Zone Width	8 Feet		15 Feet	Y
Wall Height	6 Feet		6 feet	Y

\*A condition has been added requiring compliance with Title 19.12 landscape 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 Parking Ratio</b>	<b>Required Parking</b>		<b>Provided Parking</b>		<b>Compliance</b>
			Regular	Handi-capped	Regular	Handi-capped	
			Office	29,700 S/F	1/300 S/F	95	
Compact Spaces					9**		
<b>SubTotal</b>					133	6	
<b>TOTAL</b>			99		139		Y

\*Including two van accessible handicapped parking spaces

\*\* Title 19.10 allows for up to 30% of the total spaces provided to be compact, the requested amount is within allowable limits at 15%.

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
A Waiver of Title 19.08 Commercial Development Standards is requested to allow the buildings to be set back from the corner.	Corner lot developments to orient buildings to the project front.	Approval, the proposed site design will reduce any potential effects to the abutting residential uses which could result with a concentrated parking area at the rear of the property.
<b>Exception</b>		
Title 19.10.010 parking lot landscaping standards require 1 landscape finger island per six parking spaces. The proposed development is deficient by nine landscaped fingers.	1 landscaped finger for every six parking spaces	Denial, a condition has been added requiring compliance with Title 19.10 parking lot landscape requirements.

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## **ANALYSIS**

This is a request for a Major Site Development Plan Review for a 29,700 square-foot, four building single-story office complex on 3.21 acres located on the northwest corner of Ann Road and Leggett Road. The proposed development is similar to a previously approved Site Development Plan Review (SDR-12380), which was for a 21,750 square-foot single-story office development.

The proposed office development will provide a buffer between an existing commercial retail development and single-family homes to the north and west of the subject site. In addition, the proposed development provides a 30-foot landscape buffer where a 20-foot buffer is required along the northern and western boundary that abuts single-family homes. This development is compatible with the development in the area, as well as has no associated Variances; therefore, staff recommends approval.

- **General Plan and Zoning**

The General Plan designates the project site as an O (Office) land use designation and the overlying zoning designation is R-E (Residence Estates). The site is currently under a Resolution of Intent to a P-R (Professional Office and Parking) zoning district.

Under the General Plan designation of O (Office) permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations.

The P-R (Professional Office and Parking) zoning district is intended to allow for offices uses in an area which is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices. These uses are characterized by a low volume of direct daily client and customer contact. To decrease the impact to adjacent residential uses, single family structures should be retained or new development in the P-R district should be constructed to maintain a residential character. The P-R District (Professional Office and Parking) is consistent with the O (Office) category of the General Plan.

The proposed office uses are consistent with the General Plan land use designation and with the P-R (Professional Office and Parking) zoning district. The proposed P-R office development will help buffer existing residential uses from commercial uses, along the eastern alignment of Leggett Road.

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- **Site Plan**

The proposed site plan depicts four single-story office buildings totaling 29,700 square feet of office space. Access to the site will be provided via a 32-foot driveway fronting Ann Road and a single 34-foot driveway fronting Leggett Road. The driveway on Ann Road will be a right-in, right-out driveway only. The buildings will be positioned within the center of the lot with 20-foot spacing between the structures, and a landscaped courtyard area will be provided between the buildings.

A Waiver of Title 19.08 Commercial Development Standards has been requested by the applicant, which requires corner lot developments to orient buildings to the project front. The proposed site design proposes clustering and centralizing the buildings and distribution of parking along the perimeter of the property. Staff recommends approval of the Waiver as the proposed site design will reduce any potential effects to the abutting residential uses, which could result with a concentrated parking area at the rear of the property.

- **Parking**

Per Title 19.04, the proposed office requires a total of 99 parking spaces. The project will provide 139 parking spaces, which includes six handicapped spaces (with two van accessible spaces) and nine compact spaces. A Waiver has been requested from Title 19.10 Parking Lot Landscape Standards to allow a deviation from the number of required landscape islands/fingers as 23 are required and only 14 are provided. A Condition has been added requiring compliance.

- **Landscaping**

Commercial land uses are subject to the Perimeter Landscape Buffer standards of Title 19, which requires a site design that provides planter areas with associated plant material and trees. Pursuant to Title 19.12.040, required buffer zones widths along public Rights-of-Way are 15-feet and 8-feet along interior lot lines. The project adequately meets these requirements with 15-foot buffers along Ann Road and Leggett Road, and interior 30-foot buffers along the west and north property lines. Trees and associated spacing pursuant to Title 19 requires the placement of one tree spaced every 20 linear feet within planters along the public Rights-of-Way and one tree spaced every 20 feet within buffers adjacent to residential. The street front perimeter buffer will include a total of 36 trees along Ann Road and Leggett Road which will include Heritage Oak, Palo Verde, and Chitalpa Trees. The 30-foot landscape buffers on the northern and western property line, which abut single family homes, will contain Mondell Pine, Chitalpa and Desert Willow trees. The interior buffers will include Mondell Pine, Chitalpa, Sweet acacia, Palo Verde and date palm.

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In addition, the project includes a landscaped courtyard with pedestrian pathways providing interior connectivity between office structures. The courtyard will be planted with five, 36-inch box Mondell pine trees. Additionally the following mix of plants and shrubs will be provided; star jasmine; Burford Holly; Little John; and Yew Podocarpus; Sago Palm.

The applicant has attempted to position the buildings on the site in a way to mitigate potential impacts to the adjacent single-family homes. A landscaped 30-foot buffer has been added along the north and western perimeters of the site to increase buffering to the adjacent residential properties.

Currently, a portion of the west property line and all of the north property line are developed with block walls and wood rail fencing ranging in height from 3 feet to approximately 15 feet. A 6-foot tall screen wall is proposed along the west and north property lines. Approval of this project has been conditioned to ensure the wall design and the height conforms to Title 19.12.070.

- **Elevations**

The four buildings that are depicted are placed centrally on the site placed approximately 20 feet apart with a landscaped courtyard between the buildings. The proposed structures are 20 feet in height with low pitched tile roofs, stone facade accents and a stucco finish. Large glass windows with occasional shutter accents offer more of a residential look to the buildings. The proposed color palette for the site will include dark brown and beige stucco, with a dark reddish brown roof tile, while the proposed windows have a faint low glare light blue tint and slate grey metal frame.

- **Waivers**

A Waiver of Title 19.08 Commercial Development Standards has been requested by the applicant, which requires corner lot developments to orient buildings to the project front. The proposed site design depicts the clustering and centralizing of the buildings, as well as the distribution of parking along the perimeter of the property. The applicant offers the reasoning that this will reduce the amount of parking adjacent to the abutting single-family homes, thus reducing potential impacts upon those properties. Additionally there is a request for an exception of the Title 19.10.010 parking lot landscaping requirement. The proposed development is deficient by nine landscaped finger islands and is not in compliance with the Title 19.10 standard and a condition has been added requiring compliance. Staff recommends approval of the building placement Waiver as the proposed site design will reduce potential negative impacts to the abutting residential uses, which could result from a concentrated parking area at the rear of the property.

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- **Title 19.04.070 Use Restriction for P-R District**

All Uses in the P-R District shall conform to the following:

1. No products shall be stored, displayed or sold on the premises.
2. No trucks, vans or other commercial vehicles shall be stored or parked on the property overnight.
3. No service shall be performed upon a client except those related to the services of the medical profession including dentists, opticians, optometrists, chiropractors, etc.
4. Services shall not include the production or repair of any goods except as an incidental use to the permitted service.
5. Instructional services must be limited to a two to one pupil/instructor ratio provided, however, in connection with instructional services to be provided at a physicians office, the Director of the Department of Planning and Development may approve a higher pupil/instructor ratio upon a showing that sufficient off-street parking is available for the number of pupils anticipated. Equipment used for instructional purposes must be stored within the building.
6. There shall be no mixed residential and commercial use of any property and in the event there is an existing residential use on the property, no commercial use of the property shall be permitted until the residential use has permanently ceased.
7. No use or business activity shall remain open to the public for business between the hours of 9:00 p.m through 7:00 a.m. All exterior lighting, except for security lighting, shall be turned off.

The proposed development complies with all of the Title 19.04.070 requirements and staff recommends approval.

## **FINDINGS**

The following findings must be made for an SDR:

1. **The proposed development is compatible with adjacent development and development in the area;**

This development will buffer existing single-family residential properties and the proposed elevations have been designed with a residential character. The landscape buffers provided exceed the requirement by Code and all trash enclosures meet setback requirements. The proposed development is compatible with the adjacent residential and commercial property.

**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 project will be consistent with the O (Office) General Plan land use designation and the Resolution of Intent to a P-R (Professional Office and Parking) zoning district. Regarding the request for a Waiver of Title 19.08 Building Orientation, staff supports the request. The request is not inappropriate for the site as it will disperse parking around the site rather than clustering all of the parking adjacent to the single-family homes to the north and west of the subject site. The Exception of parking lot landscaping is not supported by staff as the development can easily be altered to meet the parking lot landscaping requirements. A condition has been added requiring a revised landscaping plan that complies with all title 19.10 parking lot landscaping requirements.

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

The subject site is located at the northwest corner of Ann Road and Leggett Road. Ann Road is designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways and Leggett Road is designated as a 60-foot Collector Street. Both roadways have adequate capacity to accommodate vehicle trips associated with the development.

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

The proposed building and landscape materials are similar to those used in adjacent commercial properties and appropriate for and compatible with the surrounding 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 building elevations are not out of character in that they provide a good transition between the commercial developments in the area and the abutting residential properties. The proposed elevations have a residential character and appearance. Building setbacks are adequate, and the provided landscape buffers ensure that the proposed development is harmonious and compatible with the surrounding development in the area.

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

Construction of the proposed development is subject to the International Building Code, and City of Las Vegas inspection to ensure that public health, safety and welfare are not compromised as a result of this proposed development.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 452

**APPROVALS** 1

**PROTESTS** 5