



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 15, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APTS I, LLC AND JIMMY LEE

THESE ITEM WERE HELD IN ABEYANCE FROM THE JULY 21, 2010 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
GPA-37599	Staff recommends APPROVAL.	
ZON-37600	Staff recommends APPROVAL.	GPA-37599
SUP-37601	Staff recommends APPROVAL, subject to conditions:	GPA-37599 ZON-37600
SDR-37602	Staff recommends APPROVAL, subject to conditions:	GPA-37599 ZON-37600 SUP-37601

** CONDITIONS **

SUP-37601 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Senior Citizen Apartments use, except as amended herein.
2. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-37599), Rezoning (ZON-37600) and Site Development Plan Review (SDR-37602) 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.

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4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.
5. A Waiver from Title 19.04.010 is hereby approved to allow apartments on the ground floor where none are permitted.
6. A Waiver from Title 19.04.010 is hereby approved to allow a primary resident or guest entryway in conjunction with commercial uses where entryways to the apartments must be independent of ground floor commercial uses.
7. A Waiver from Title 19.04.010 is hereby approved to allow a front elevation that does not highlight the difference in uses.
8. Sign and record a deed restriction with language determined to be satisfactory by the City Attorney which restricts the use of the site to an age-restricted community for those persons 55 years of age or older, to the full extent of the law.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-37602 CONDITIONS

Planning and Development

1. Approval of General Plan Amendment (GPA-37599), Rezoning (ZON-37600), and approval of and conformance to the conditions of approval for Special Use Permit (SUP-37601) shall be required, 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, floor plan, and building elevations date stamped 03/08/10, and the landscape plan date stamped 03/26/10, except as amended by conditions herein.
4. An Exception from Title 19.10.010 is hereby approved to allow eight parking lot trees where 27 are required.

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5. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.
6. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.
7. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
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. The technical landscape plan shall include the following changes from the conceptual landscape plan: the trees within the south and east perimeter landscape buffers shall be at least 24-inch box in size.
9. 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.
10. 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).
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. Air conditioning units shall not be mounted on rooftops.
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.

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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. 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.
17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. Dedicate appropriate right-of-way for a bus turnout (where such does not exist) on Lone Mountain Road adjacent to this site, and grant a multi-use non-equestrian trail easement for all portions of the required trail outside the Lone Mountain Road public right of way concurrent with development of this site.
19. Construct all incomplete half-street improvements on Lone Mountain Road and Rainbow Boulevard adjacent to this site, including the bus turnout in accordance with Standard Drawing #234.3, and the multi-use non-equestrian trail west of the Lone Mountain Road driveway in accordance with Multi-Use Non-Equestrian Trail Standards and conditions as amended herein concurrent with development of this site.
20. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
21. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sewer to the southern edge of this development in Rainbow Boulevard concurrent with development of this site. 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.
22. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Gowan Outfall, Lone Mountain Branch project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer. We note that the proposed driveway as shown on the site plan may conflict with the future storm drain drop inlet per CLV Gowan Outfall, Lone Mountain Capital Improvement Project.

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23. 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.
24. Provide proof that emergency access through the crash gate shown on this site plan and the adjoining parcel to the south will be perpetually persevered prior to the issuance of any permits.
25. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
26. 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 or submittal of any construction drawings, 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site consists of two undeveloped lots totaling 3.02 acres at the southeast corner of Rainbow Boulevard and Lone Mountain Road. This is a request for a Site Development Plan Review (SDR-37602) for a proposed 152-unit, three story Senior Citizen Apartment Complex. The applicant is proposing to Rezone (ZON-37600) both sites from C-2 (General Commercial) to C-1 (Limited Commercial), as a Senior Citizen Apartment use is not permitted in the current C-2 (General Commercial) zoning designation. A Special Use Permit (SUP-37601) has been submitted to allow a Senior Citizen Apartment use in the proposed C-1 (Limited Commercial) zoning district. The Special Use Permit must be approved to allow the use in the C-1 (Limited Commercial) zoning designation. Also, an associated General Plan Amendment (GPA-37599) has been submitted to change the general plan land use designation of one lot from GC (General Commercial) to SC (Service Commercial). The applicant is requesting, as part of this review, Waivers of the Minimum Special Use Permit Requirements for a Senior Citizen Apartment use. Staff can support the requested Waivers, as they are minor in nature, and will have a minimal impact on the adjacent properties; therefore, staff is recommending approval. If these applications are denied, the site will remain undeveloped.

ISSUES

- The site currently consists of two parcels and must be remapped to combine these lots so that no lot line extends through any structure prior to issuance of building permits.
- The applicant is requesting a Waiver of minimum use requirements to allow apartments on the ground floor where none are permitted.
- The applicant is requesting a Waiver of minimum use requirements to allow a primary resident or guest entryway in conjunction with commercial uses.
- The applicant is requesting a Waiver of minimum use requirements to allow a front elevation that does not highlight the difference in uses.
- The applicant is requesting an Exception to allow eight parking lot trees where 27 are required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/05/63	The Board of Commissioners approved a request for Annexation (A-0003-63) of 150 acres of land generally located on the south side of Gowan Road, between Tonopah Highway and Decatur Boulevard. Planning Commission and staff recommended approval.

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04/02/03	The City Council approved a General Plan Amendment (GPA-1363) to change portions of the Centennial Hills Sector Plan and the Southwest Sector Map from GC (General Commercial), SC (Service Commercial) and DR (Desert Rural) to GC (General Commercial), O (Office), PF (Public Facility), ML (Medium-Low Density Residential) and DR (Desert Rural) on property located on, or in close proximity to, both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road. Planning Commission and staff recommended approval.
02/18/04	The City Council approved a General Plan Amendment (GPA-3484) to change a portion of the Centennial Hills Interlocal Land Use Plan from SC (Service Commercial) to M (Medium Density Residential) on 17.80 acres adjacent to the east side of Rainbow Boulevard, approximately 350 feet south of Lone Mountain Road. Planning Commission was unable to reach a supermajority. Staff recommended approval.
02/18/04	The City Council approved a Rezoning (ZON-3486) from R-E (Residence Estates) and C-2 (General Commercial) to R-3 (Medium Density Residential) on 17.80 acres adjacent to the east side of Rainbow Boulevard, approximately 350 feet south of Lone Mountain Road. Planning Commission and staff recommended approval.
02/18/04	The City Council approved a request for a Site Development Plan Review SDR -3490) for a 426 unit residential development on 17.80 acres adjacent to the east side of Rainbow Boulevard, approximately 350 feet south of Lone Mountain Road. Planning Commission and staff recommended approval.
01/13/05	The Planning Commission approved a request for a Variance (VAR-5548) to allow a zero-foot rear yard setback where three feet is required for accessory structures and to eliminate the required six-foot wide landscape planter and trees in the location of the accessory structures in conjunction with a multi-family residential development adjacent to the east side of Rainbow Boulevard, approximately 350 feet south of Lone Mountain Road. Staff recommended denial.
03/02/05	The City Council approved a Petition to Vacate (VAC-5721) a portion of the south half of Red Coach Avenue between Painted Desert Drive and Rancho Drive. Planning Commission and staff recommended approval.
03/04/05	A Parcel Map (PMP-5221) was released for recordation by staff for 3 lots on property located on the southeast corner of Rainbow Boulevard and Lone Mountain Road. The parcel map was recorded on 03/10/05.
04/22/10	The Planning Commission (5-0 vote) recommended APPROVAL of companion items GPA-37599, ZON-37600, SUP-37601 and SDR-37602 concurrently (PC Agenda Item #23-26/gk).

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<i>Most Recent Change of Ownership</i>	
09/03/04	A deed was recorded for a change in ownership at APN 138-02-101-015
03/03/09	A deed was recorded for a change in ownership at APN 138-02-101-002.

<i>Related Building Permits/Business Licenses</i>
There are no related building permits or licenses at the subject site.

<i>Pre-Application Meeting</i>	
03/01/10	The following items were discussed at the pre-application meeting: • A Site Development Plan Review is required for the proposed 152-unit Senior Citizen Apartment complex. • An exception of the parking lot landscaping is required. • A Special Use Permit for a Senior Citizen Apartment use is required in the C-1 (Limited Commercial) zoning district. • A zone change will be required, as a Senior Citizen Apartment use is not permitted in the current C-2 (General Commercial) zoning designation. In turn, a General Plan amendment is required. • A parking variance can be avoided by using up to 30% of the parking spaces as compact spaces.

<i>Neighborhood Meeting</i>	
03/22/10	A neighborhood meeting was held on Monday, March 22nd at 6:12 PM in the Tivoli Apartments Clubhouse at 4650 North Rainbow Boulevard, Las Vegas. Two members from the applicant attended the meeting along with one staff member from the Ward 6 City Council office and one member of the Planning and Development staff. Three members of the public attended the meeting. The applicant described the project, and noted that they were requesting the following two waivers: No commercial on the ground floor of the building and a reduction in parking lot landscaping. The following questions were raised by the public: • A question was raised as to whether the units would be handicap accessible; the applicant responded that the building would meet ADA requirements, but only the required number of units would be fully accessible. • A question was raised about construction staging. The applicant responded that most of the staging would be done on site, but may need to look for an adjacent vacant parcel for any additional staging area. Those members of the public who attended expressed general support for the project as proposed.

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Field Check	
03/18/10	Staff conducted a field check on the indicated date and noted a well maintained undeveloped lot.

Details of Application Request	
Site Area	
Net Acres	3.02

Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	SC (Service Commercial)	C-2 (General Commercial)
		GC (General Commercial)	
North	Parking Lot	SC (Service Commercial)	C-2 (General Commercial)
South	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Convenience Store	GC (General Commercial)	C-2 (General Commercial)
West	Government Facility (Fire Station)	PF (Public Facility)	C-V (Civic)

Master Plan Areas	Yes	No	Compliance
Master Plan Area	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District – 175 Feet	X		Y
Trails – Multi-Use Non Equestrian	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	293 Feet	Y
Min. Setbacks			
• Front (West)	20 Feet	30 Feet	Y
• Side (South)	10 Feet	10 Feet	Y
• Corner (North)	15 Feet	29 Feet	Y
• Rear (East)	20 Feet	60 Feet	Y
Max. Lot Coverage	50%	27%	Y
Max. Building Height	N/A	3 Stories, 37 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated w/ a Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet-165	9 Trees	9 Trees	Y
• South	1 Tree / 20 Linear Feet-330	15 Trees	15 Trees	Y
• South	1 Tree / 20 Linear Feet-127	7 Trees	7 Trees	Y
• East	1 Tree / 20 Linear Feet-330	15 Trees	15 Trees	Y
• West	1 Tree / 20 Linear Feet-270	14 Trees	14 Trees	Y
TOTAL PERIMETER TREES		60 Trees	60 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	27 Trees	8 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	10 Feet		29 Feet	Y
• South	6 Feet		10 Feet	Y
• South	6 Feet		8 Feet	Y
• East	6 Feet		8 Feet	Y
• West	10 Feet		30 Feet	Y
Wall Height			6 Feet	Y

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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	152 units	.75 spaces per unit	109		110		Y
TOTAL SPACES REQUIRED			114		115		Y
TOTAL (With Handicapped)			109	5	110	5	Y

Waivers		
Requirement	Request	Staff Recommendation
Per Title 19.04, 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 ground floor.	To allow apartments on the ground floor where none are permitted.	Approval
Per Title 19.04, the primary resident or guest entryway to the apartments must be independent of ground floor commercial uses.	To allow a primary resident or guest entryway in conjunction with commercial uses.	Approval
Per Title 19.04, 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.	To allow a front elevation that does not highlight the difference in uses.	Approval

Exceptions		
Requirement	Request	Staff Recommendation
1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces, or 27 Trees	8 Trees	Approval

ANALYSIS

The subject site consists of two undeveloped lots totaling 3.02 acres at the southeast corner of Rainbow Boulevard and Lone Mountain Road. One lot has a general plan designation of GC (General Commercial) while the other has an SC (Service Commercial) designation. Both have a zoning designation of C-2 (General Commercial). The applicant is proposing to construct a three-story, 37-foot high building, which will contain 152 Senior Citizen Apartment units. The 152 units will be offered in one bedroom and two bedroom options. The two parcels must be remapped to consolidate the lots prior to issuance of building permits.

Per Title 19.04, a Senior Citizen Apartment use is not permitted within the C-2 (General Commercial) zoning district. The applicant is proposing to rezone (ZON-37600) each parcel to C-1 (Limited Commercial), as the use is permitted within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. To remain consistent with the proposed zone change, the applicant has submitted an associated General Plan Amendment (GPA-37599). The general plan amendment will change the designation of the lot to SC (Service Commercial). Staff can support the requested zone change and subsequent general plan amendment, as the proposed C-1 (Limited Commercial) zoning district and SC (Service Commercial) general plan designation will serve as an adequate buffer from the existing residentially zoned properties to the south and C-2 (General Commercial) zoned properties to the north, thus further protecting the existing residences from the more intense uses typically allowed in the C-2 (General Commercial) zoning district.

Approval of the proposed zone change and associated general plan amendment will permit a Senior Citizen Apartment use at the subject site with approval of a Special Use Permit. The applicant has submitted an associated Special Use Permit (SUP-37601) to allow a Senior Citizen Apartment use within a C-1 (Limited Commercial) zoning district. The proposed Senior Citizen Apartment units will be housed within all three floors of the proposed three-story building with the first floor also containing the supporting commercial use. The applicant is requesting Waivers of the minimum special use requirements to allow apartments on the ground floor where none are permitted, a resident or guest entryway in conjunction with commercial uses, and a front elevation that does not highlight the difference in uses.

The applicant has submitted a request for a Site Development Plan Review (SDR-37602) to construct the three-story, 152-unit Senior Citizen Apartment complex. The site complies with all Title 19 requirements with the exception of required landscaping. Per Title 19.12.040, the required trees along the perimeter landscape buffers must be at least 24-inch box in size. The proposed landscape plan, date stamped 03/26/10, shows 15-gallon deciduous trees along the south and east perimeter landscape buffers. A condition of approval has been added requiring a revised landscape plan illustrating 24-inch box deciduous trees along all perimeter landscape buffers.

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Per Title 19.10.010 Parking Lot Landscape Standards, one 24-inch box tree shall be planted for every six uncovered parking spaces and within each landscape island. The applicant is requesting an Exception to allow eight 24-inch box deciduous trees where 27 trees are required. Staff can support the requested Exception request, as the development will provide adequate landscaping and screening mechanisms to diminish the visual impact of the parking lot.

The overall site is accessed by Lone Mountain Road, designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways. It is noted that a multi-use transportation trail is required along the south side of Lone Mountain Road. The applicant is providing the 10-foot wide bi-directional concrete path, as well as the five feet of landscaping on either side of the path. A bus turnout lane located adjacent to the site requires a variation to the trail design along a portion. The Master Plan Transportation Trails Element states that when adjacent to a bus turnout lane, the 10-foot wide bi-directional concrete path is allowed to abut the right-of-way without a landscape buffer. A general plan amendment to amend the Transportation Trails Element is not required, as the applicant is proposing an acceptable variation outlined by the Master Plan Transportation Trails Element.

The location of Senior Citizen Apartments at the subject property will serve as an appropriate buffer between the existing residences to the south and the properties zoned C-2 (General Commercial) to the north. The building has been appropriately scaled to break the massing of the building. Staff finds that the subject location is appropriate for Senior Citizen Apartments; therefore, approval of this request is recommended.

FINDINGS (GPA-37599)

Section 19.18.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1.The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

The intensity of the proposed General Plan Amendment to SC (Service Commercial) is compatible with the surrounding land uses to the east, west and south. The SC (Service Commercial) land use designation of the subject property will create an appropriate buffer between existing residentially zoned properties to the south and more intense commercially zoned properties to the north.

2.The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

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The C-1 (Limited Commercial) zoning designation allowed by the proposed General Plan Amendment will create a land use that is harmonious and compatible with the surrounding area. The proposed SC (Service Commercial) land use designation and proposed C-1 (Limited Commercial) zoning district is compatible with the existing adjacent land uses and zoning districts.

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

Access to the site is provided by Lone Mountain Road, a 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways. The subject property is located within an area of the City where all utilities, fire and police services are currently in place and available. Therefore, there are adequate facilities available to accommodate the uses and densities permitted by the proposed General Plan Amendment.

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

The proposed amendment meets the following Policies of the 2020 Master Plan:

POLICY 2.1.1: That mixed-use residential/commercial developments occur on sites currently occupied by declining commercial centers or vacant land.

POLICY 2.1.3: That urban hubs at the intersections of primary roads, containing a mix of residential, commercial and office uses, be supported.

POLICY 2.2.1: That any higher density or mixed-use development which is adjacent to lower density residential development incorporate appropriate design, transition, or buffering elements which will mitigate adverse visual, audible, aesthetic and traffic impacts.

POLICY 2.2.2: That senior citizens' and assisted living housing be encouraged to develop, both to meet the needs of the community residents who wish to age in place in their neighborhoods, and as a means of increasing residential densities in these areas.

FINDINGS (ZON-37600)

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

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The proposed Rezoning is in conformance with the proposed SC (Service Commercial) General Plan designation. The SC (Service Commercial) category allows for low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The project site proposes development that can accommodate the range of uses identified and is in compliance with the existing and proposed General Plan category.

2.The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The uses allowed on the subject property by the proposed C-1 (Limited Commercial) zoning district will be compatible with the surrounding R-3 (Medium Density Residential) and C-2 (General Commercial) zoned parcels. The proposed C-1 (Limited Commercial) zoning designation will provide an adequate buffer between the two adjacent zoning designations.

3.Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

The Rezoning will enable the development of the site as a Senior Citizen Apartment complex. The proposed C-1 (Limited Commercial) zoning district is appropriate for the subject site and the proposed SC (Service Commercial) General Plan designation.

4.Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

The site is accessed by Lone Mountain Road, a 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways, which is adequate to serve the requirements of the zoning district.

FINDINGS (SUP-37601)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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.

The proposed Senior Citizen Apartments can be conducted in a manner that is harmonious and compatible with existing surrounding land uses and with future surrounding land uses. The proposed use will act as an appropriate buffer between the existing residences to the south and the properties zoned C-2 (General Commercial) to the north.

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

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

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.

Access to the site is provided by Lone Mountain Road, a 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways. The roadway is adequate in size to meet the requirements of the proposed use.

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 site will be subject to permitting, inspections and licensing by the City of Las Vegas, and will not compromise the health, safety, and welfare, or the overall objectives of the General Plan.

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

The proposed Senior Citizen Apartments use is consistent with the requirements of LVMC Title 19.04, with the exception of the requested waivers to allow apartments on the ground floor where none are permitted, a resident or guest entryway in conjunction with commercial uses, and a front elevation that does not highlight the difference in uses.

FINDINGS (SDR-37602)

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 and development in the area. In particular, the development will provide a buffer between the existing residences to the south and the existing commercial development to the north.

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;

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The proposed development is consistent with the proposed General Plan of SC (Service Commercial) and Title 19, with the exception of the requested Exception regarding parking lot landscaping standards. The request is minor in nature and will not negatively impact the surrounding area.

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

Access to the site is provided by Lone Mountain Road, a 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways. Site access and circulation will not negatively impact adjacent roadways and neighborhood traffic.

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

The building materials are appropriate for the area and the city. Landscape materials are also appropriate with the exception of the proposed 15-gallon trees located along the south and east perimeter landscape buffers. A condition of approval has been added requiring a revised landscape plan to illustrate 24-inch box trees, as required by Title 19.12.

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 unsightly or obnoxious, and will be compatible with development in the area.

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

The site will be subject to permitting, inspections and licensing by the City of Las Vegas, and will not compromise the health, safety, and welfare of the public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

14

NOTICES MAILED

78 (By City Clerk)

APPROVALS

2

PROTESTS

2