

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: AUGUST 27, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - SDR-34463 - APPLICANT/OWNER: EVA AND ANDREW FRANK**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to the Conditions of Approval for Rezoning (Z-0042-74) 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, landscape plan, and building elevations, date stamped 05/12/09, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 Perimeter Landscape Buffer standards is hereby approved, to allow a zero-foot landscape buffer along the west perimeter where 10 feet is required, and a zero-foot buffer along portions of the north and east perimeters where six feet is required.
5. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the two existing parcels. The mapping action shall be completed and recorded prior to issuance of any building permits for the site.
6. The trash enclosure shall comply with all minimum requirements of Title 19.08 for screening, gates and a roof or trellis.
7. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to or at the time application is made for a building permit, to depict the extension of the sidewalk to the public right-of-way along Willow Trail.
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: 24-inch box size trees shall be provided along all site perimeters at the rate of one tree for every 20 lineal feet. For every required tree, four, five-gallon shrubs shall also be provided.

August 27, 2009 - Planning Commission Meeting

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. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Coordinate with the City Surveyor to determine whether an Administrative Joining or other map is necessary; comply with the recommendations of the City Surveyor.
17. 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.
18. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed street section on Willow Trail and project driveways prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

19. Submit an application to the Land Development section of the Department of Public Works for a deviation from standards for the non-standard street section design for Willow Trail prior to the issuance of permits. If a deviation is not approved, Willow Trail shall be redesigned to meet current City Standards.
20. 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.
21. Grant a Pedestrian Walkway Easement for the sidewalk located outside of the public right-of-way along Willow Trail prior to the issuance of any permits for this site.
22. 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.
23. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
24. Landscape and maintain all unimproved rights-of-way, if any, on Willow Trail and Melody Lane adjacent to this site.
25. Submit an Encroachment Agreement for all landscaping, if any, located in the Willow Trail and Melody Lane public rights-of-way adjacent to this site prior to occupancy of this site.
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, submittal of any construction drawings or the submittal of a Map subdividing this site, 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. We note that this site lies within a FEMA Flood Zone AO.

SDR-34463 - Staff Report Page One
August 27, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site includes an existing apartment complex located at 1774 Willow Trail, and an existing single-family residence located at 3900 Melody Lane. The applicant is proposing to add a two-story, nine unit apartment building, enlarge an existing building without adding any units to it, and demolish the single-family residence to provide additional parking for the site. A pool area is proposed for the northeast corner of the site as an added amenity for the residents. If denied, the apartments and single-family residence will remain as they are.

ISSUES

- The applicant is requesting Waivers of the Perimeter Landscape Buffer standards along portions of the west, north and east perimeters. Staff can support these requests as they are minor in nature, and are necessary to provide the proposed pool area and for handicap accessibility.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/02/74	The Board of City Commissioners approved a Rezoning (Z-0042-74) from R-E (Residence Estates) to R-3 (Medium Density Residential) for property generally located on the east side of Willow Trail between Melody Lane and Spring Road.
04/10/98	A deed was recorded for a change of ownership for 1774 Willow Trail.
05/30/08	A deed was recorded for a change of ownership for 3900 Melody Lane.
06/25/09	The Planning Commission held in abeyance a request for a Site Development Plan Review (SDR-34463) for the addition of a two-story, nine-unit apartment building with Waivers of the perimeter landscape buffer standards to allow a zero-foot buffer along the west perimeter where 10 feet is required and zero-foot buffers along portions of the north and east perimeters where six feet is required on 0.72 acres at 1774 Willow Trail and 3900 Melody Lane.

<i>Related Building Permits/Business Licenses</i>	
c. 1961	Original construction year for apartments located at 1774 Willow Trail.
c. 1975	Original construction year for a single-family residence located at 3900 Melody Lane.

SDR-34463 - Staff Report Page Two
August 27, 2009 - Planning Commission Meeting

<i>Pre-Application Meeting</i>	
04/28/09	A pre-application meeting was held to discuss the following issues: • The proposed development will require that the properties be remapped as a single parcel. • Waivers are required for landscape buffers along Willow Trail (10 feet minimum) and along interior lot lines (six feet required). • Trees (minimum 24 box size) are required along perimeters at 20 feet on-center. Four, 5-gallon shrubs are required for each required tree. • Handicap spaces are required to meet Title 19.10 standards. • Mechanical equipment must be screened.

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required for this application. The item was held in abeyance at the 06/25/09 Planning Commission meeting to allow the applicant to hold a meeting.

Field Check	
05/21/09	A field check was conducted by staff. An existing apartment complex and single-family residence in good condition were observed.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.72 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Apartments and Single-Family Residence	M (Medium Density Residential)	R-3 (Medium Density Residential)
North	Multi-Family Residences	GC (General Commercial)	C-2 (General Commercial)
South	Single-Family Residence and a Church	RN Rural Neighborhood - Clark County	R-E (Rural Estates, Residential District) - Clark County
East	Multi-Family Residences	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Multi-Family Residences	M (Medium Density Residential)	R-3 (Medium Density Residential)

SDR-34463 - Staff Report Page Three
August 27, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (70 Feet)			
Trails			
Rural Preservation Overlay District			
Development Impact Notification Assessment			
Project of Regional Significance			

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF	31,363 SF	
Min. Lot Width	N/A	72 Feet	
Min. Setbacks • Front • Side • Rear	20 Feet 5 Feet 20 Feet	120 Feet 5 Feet 26 Feet	
Min. Distance Between Buildings	10 Feet	13 Feet	
Max. Building Height	Lesser of 2 Stories or 35 Feet	2 Stories / 26 Feet	
Trash Enclosure	Screened, Gated, w/ Roof or Trellis	Not Indicated	
Mech. Equipment	Screened	Not Indicated	

Pursuant to Title 19.10 and 19.12, the following standards 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 Uncovered Spaces	1 Tree	1 Tree	
Buffer:				
• North	1 Tree / Linear Feet	4 Trees	3 Trees	
• South	1 Tree / Linear Feet	7 Trees	6 Trees	
• East	1 Tree / Linear Feet	10 Trees	8 Trees	
• West	1 Tree / Linear Feet	14 Trees	11 Trees	
TOTAL		35 Trees	27 Trees	

SDR-34463 - Staff Report Page Four
August 27, 2009 - Planning Commission Meeting

Min. Zone Width			
• North	Feet	Zero Feet	
• South	Feet	15 Feet	
• East	Feet	Zero Feet	
• West	Feet	Zero Feet	
Wall Height	None Required	Not Indicated	

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	
Apartments	18 Units (One Bedroom)	1.25 / Unit, plus 1 / 6 Units	26		24	2	
TOTAL			26		26		

Waivers		
Requirement	Request	Staff Recommendation
A 10-foot landscape buffer along the public right-of-way (south and west perimeters).	A zero-foot landscape buffer along the west perimeter.	
A six-foot landscape buffer along interior lot lines (north and east perimeters).	A zero-foot buffer along portions of the north and east perimeters.	

ANALYSIS

As proposed, this in-fill project will combine an existing apartment site and a single-family residential site into an expanded apartment complex, with the two properties remapped to create a single parcel. The single-family residence will be removed to provide the majority of parking for the apartments off of Melody Lane, with additional spaces provided on the property adjacent to Willow Trail. One of the existing buildings will be expanded to the north, with the extra space added to the existing units; no additional units will be created by the expansion of the existing building. A new apartment building consisting of nine units will be added to the site, as well as a pool area at the northeast corner of the site. The additions to the site meet all development standards of Title 19, including setbacks, parking and design standards.

SDR-34463 - Staff Report Page Five
August 27, 2009 - Planning Commission Meeting

The proposed site does not meet the minimum landscape standards of Title 19.12 as it is deficient in the number of perimeter trees and the shrubs that are required. A condition has been added to require that the site shall meet the minimum standards of Title 19.12.

The applicant is requesting a Waiver of the Title 19.12.040 Perimeter Landscape Buffer standards for portions of the west, north and east perimeters. Along the west perimeter, the Waiver will allow parking to be provided adjacent to the right-of-way, with a reduced landscape buffer between the parking spaces and the proposed building. Along the north and east perimeters, the Waiver will apply to the portions of the site occupied by the pool area (approximately 52 feet along the north and 38 feet along the east perimeter) and a portion adjacent to the parking lot for handicap accessibility (approximately 42 feet along the east perimeter). Staff can support the request as it is minor in nature, and the landscaping provided, as conditioned, will be adequate for the development.

FINDINGS

The following findings must be made for a Site Development Plan Review:

- 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.

- 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 development is consistent with the General Plan and Title 19, with the exception of the request for a Waiver of the perimeter landscape buffer standards. The request is minor in nature and will not negatively impact the surrounding land uses.

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

The site is accessed from Melody Lane, with secondary access from Willow Trail. Both are designated as Local Streets by the Master Plan of Streets and Highways, and will provide adequate access to the site. Site access and circulation will not negatively impact adjacent roadways and neighborhood traffic.

SDR-34463 - Staff Report Page Six
August 27, 2009 - Planning Commission Meeting

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, as conditioned, are also appropriate for the area and the city.

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 proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 139

APPROVALS 0

PROTESTS 4