

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: SEPTEMBER 24, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-35518 - APPLICANT/OWNER: GARETH J. SPICER**

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

1. 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.
2. All development shall be in conformance with the floor plan date stamped 08/07/09 and the site plan and landscape plan date stamped 08/28/09, except as amended by conditions herein.
3. A Waiver from Title 19.12.040 is hereby approved, to allow a ten-foot wide landscape buffer along the west property line where fifteen feet is required and to allow a zero-foot wide landscape buffer along a portion of the north property line where five feet is required.
4. An Exception from Title 19.12.040 is hereby approved, to allow a stone walking path within the north and south perimeter landscape buffers where trees, shrubs, and groundcover is required.
5. 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.
6. 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.
7. 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).

SDR-35518 - Conditions Page Two
September 24, 2009 - Planning Commission Meeting

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. 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.
11. 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.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; comply with the recommendations of the City Surveyor.
14. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
15. If on-street parking is not already prohibited adjacent to this site, submit a written request to the City Traffic Engineer to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of any permits.
16. Landscape and maintain all unimproved rightofway on Jones Boulevard adjacent to this site. Alternatively, hard surface all unimproved right-of-way on Jones Boulevard if allowed by the Planning and Development Department and/or required by the Nevada Department of Transportation prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.

SDR-35518 - Conditions Page Three
September 24, 2009 - Planning Commission Meeting

18. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
- 19 Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

SDR-35518 - Staff Report Page One
September 24, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for the proposed conversion of an existing 1,688 square-foot single-family residence to an Office with Waivers of the Title 19.12.040 Perimeter Landscape Buffer Standards to allow a ten-foot landscape buffer along the west perimeter where 15 feet is the minimum required and a zero-foot landscape buffer along a portion of the north perimeter where five feet is the minimum required at 708 South Jones Boulevard. The applicant is also requesting, as part of the review, an Exception to allow a stone walking path within the north and south perimeter landscape buffers.

The proposed development is compatible and harmonious with the adjacent P-R (Professional Office and Parking) zoned properties located north of the site. Furthermore, the requested Waivers can be supported, as the building will maintain the appearance of a single-family residence and is harmonious with the adjacent single-family residences to the south, east and west. Therefore, staff is recommending approval of this request. If this application is denied, the site will remain as a single-family residence.

ISSUES

- The applicant is requesting a Waiver to allow a ten-foot landscape buffer along the west perimeter where fifteen feet is required.
- The applicant is requesting a Waiver to allow a zero-foot landscape buffer along a portion of the north perimeter where five feet is required.
- The applicant is requesting an Exception to allow two stone walking paths along portions of the north and south landscape buffer perimeters where not permitted.
- Entitlements for P-R (Professional Office and Parking) zoning and conversion of the residence to an office were approved in 2005; however they were not exercised and expired in 2007. Despite not being exercised, licenses were obtained for several businesses at this location.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
02/05/02	A deed was recorded for a change in ownership at 708 South Jones Boulevard.
04/06/05	The City Council approved a Rezoning (ZON-5769) request for a zone change from R-1 (Single-Family Residential) zone to P-R (Professional Office and Parking). The Planning Commission and staff recommended approval. Rezoning (ZON-5769) expired on 04/06/07.

SDR-35518 - Staff Report Page Two
September 24, 2009 - Planning Commission Meeting

04/06/05	The City Council approved a Site Development Plan Review (SDR-5770) for a 1,688 square-foot commercial use at 708 South Jones Boulevard. Planning Commission recommended approval. Staff recommended denial. Site Development Plan Review (SDR-5770) expired on 04/06/07.
05/17/06	The City Council approved a General Plan Amendment (GPA-12156) request to amend a portion of the Southeast and a portion of the Southwest Sector Plan of the General Plan from SC (Service Commercial), L (Low Density Residential), and M (Medium Density Residential) to O (Office). The Planning Commission and staff recommended approval.
07/01/09	Ordinance #6046 was approved by City Council to amend the official zoning map atlas of the City of Las Vegas, changing the zoning of the site from R-1 (Single-Family Residential) to P-R (Professional Office and Parking).
<i>Related Building Permits/Business Licenses</i>	
09/29/04	A business license (M13-03096) for computer sales and service was issued at 708 South Jones Boulevard. The business license is still active.
12/19/05	A building permit (#730771) for a freestanding sign was approved.
05/04/09	The Business Licensing department approved a home occupation business license (BUSLIC 12169) for a maid service at 708 South Jones Boulevard.
05/04/09	The Business Licensing department approved a home occupation business license (BUSLIC 12170) for a maid service at 708 South Jones Boulevard.
<i>Pre-Application Meeting</i>	
07/27/09	The Planning and Development Department met with the applicant and reviewed the requirements for a Site Development Plan Review application. • Waivers and exceptions for landscaping were discussed. • On-site parking requirements were discussed for the intended use. • Public Works, Fire and Traffic concerns were also discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	

<i>Field Check</i>	
08/20/09	A field check was performed by staff at the subject property and found an existing office use. The site was well maintained with the exception of the following: • No landscaping in the front or side yard set backs. • No parking lot striping

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.15

SDR-35518 - Staff Report Page Three
September 24, 2009 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-Family Residence	O (Office)	P-R (Professional Office and Parking)
North	Office	O (Office)	P-R (Professional Office and Parking)
South	Single-Family Residence	O (Office)	R-1 (Single-Family Residential)
East	Single-Family Residence	L (Low Density Residential)	R-1 (Single-Family Residential)
West	Single Family Residence	L (Low Density Residential)	R-1 (Single-Family Residential)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following development standards shall apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	6,406 SF	Y
Min. Lot Width	60 Feet	64 Feet	Y
Min. Setbacks			
• Front	20 Feet	27 Feet	Y
• Side	5 Feet	6.2 Feet	Y
• Side	5 Feet	7.10 Feet	Y
• Rear	15 Feet	28 Feet	Y
Max. Lot Coverage	50%	26%	Y
Max. Building Height	2 Stories or 35 Feet	12 Feet	Y
Trash Enclosure	Y	Alley Pick-up	Y

SDR-35518 - Staff Report Page Four
September 24, 2009 - Planning Commission Meeting

Pursuant to Title 19.12.040, the following development standards shall apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree / 6 Spaces	2 Trees	2 Trees	Y
Buffer:				
Min. Trees				
North	1 Tree / 30 Linear Feet	4 Trees	3 Trees	N
South	1 Tree / 20 Linear Feet	5 Trees	5 Trees	Y
East	1 Tree / 20 Linear Feet	3 Trees	Zero Trees	N
West	1 Tree / 20 Linear Feet	3 Trees	1 Tree	N
TOTAL		17 Trees	11 Trees	N
Min. Zone Width				
North	5 Feet		Zero Feet	N
South	5 Feet		6.2 Feet	Y
East	8 Feet		Zero Feet	N
West	15 Feet		Zero Feet	N
Wall Height	6-8 Feet		6 Feet	Y

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	
Office	1,688 SF	1:300	6	1	6	1	
TOTAL			7		7		Y

Waivers		
Request	Requirement	Staff Recommendation
A zero-foot landscape buffer along the west perimeter.	15 Feet	Approval
A zero-foot landscape buffer along a portion of the east perimeter.	8 Feet	Approval
A zero-foot landscape buffer along a portion of the north perimeter.	5 Feet	Approval

SDR-35518 - Staff Report Page Five
September 24, 2009 - Planning Commission Meeting

Exception		
Request	Requirement	Staff Recommendation
A stone walking path within the north and south side landscape buffers.	19.12.040(B) Shrubs and groundcover shall be installed in all landscape areas.	Approval

ANALYSIS

The site complies with all Title 19 requirements with the exception of required landscaping. Per Title 19.12, a perimeter landscape buffer of 15 feet must be provided adjacent to all street right-of-way and a buffer of five feet shall be provided on interior property lines where building setbacks prevail. The site plan depicts a 10-foot landscape buffer along a street right-of-way, which is a five foot deviation from the standard, and a zero foot landscape buffer along a portion of the north property line, which is also a five-foot deviation from the standard. The applicant is also requesting, as part of the review, an Exception to allow a stone walking path within the north and south perimeter landscape buffers where shrubs and groundcover are required. Staff can support the Waiver and Exception requests, as the development will be compatible with existing P-R (Professional Office and Parking) zoned properties to the north. Furthermore, the building will maintain the appearance of a single family residence and will be compatible with the existing adjacent residential properties to the south, east, and west. The landscape plan indicates the use of plant material that is appropriate in size and type for the surrounding area, including 24-inch box Chaste, 24-inch box size Aleppo Pine, and 24-inch box Shoestring Acacia trees and five-gallon shrubs including India Hawthorn, Tam Juniper, and Photinia.

A previous Site Development Plan Review (SDR-5770) and Rezoning (ZON-5759) were approved by City Council on 04/06/05 for the conversion of a 1,688 square-foot Single-Family Residence to an Office and rezoning from R-1 (Single-Family Residential) to P-R (Professional Office and Parking), however, these entitlements were not exercised before they expired on 04/06/07. On 07/01/09, the City Council approved Ordinance #6046 and changed the zoning of the property from R-1 (Single-Family Residential) to P-R (Professional Office and Parking). Therefore, approval of a Site Development Plan Review and the acquisition of all required building permits are currently required to convert the structure into an office use.

Access to the site is from the existing 24-foot wide driveway on Jones Boulevard and the existing alleyway at the east perimeter of the property. One ADA van accessible parking space is accessed from Jones Boulevard while six standard parking spaces are accessed from the rear alley. While the rear of the property features parking spaces which back directly into the alley this treatment has been deemed acceptable by the Department of Public Works and mirrors that of adjacent and nearby P-R conversions on the east side of Jones Boulevard.

SDR-35518 - Staff Report Page Six
September 24, 2009 - Planning Commission Meeting

Residential Adjacency Standards are not applicable, as buildings less than 15 feet in height are not subject to Residential Adjacency Standards. The elevations indicate a 12-foot tall building. The structure was built as a single-family dwelling. The elevations will remain relatively unchanged with a few minor upgrades. Thus, the elevations and materials are appropriate and harmonious with the surrounding neighborhood.

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;

The proposed development will be compatible with existing P-R Zoned office developments to the north. As the building will maintain the appearance of a single family detached dwelling the site will be compatible with existing adjacent single-family residential properties to the south, east and west.

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 development of professional offices on this site is encouraged, as the property has been zoned for such use and is consistent with its O (Office) General Plan designation. The proposed development does not meet the perimeter landscape buffer requirements for the north and west perimeters. The applicant has requested waivers and an exception for these conditions, which are consistent with other converted offices along Jones Boulevard.

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

The site will have access to Jones Boulevard, a 100-foot Primary Arterial on the Master Plan of Streets and Highways, which is adequate to provide access to serve the proposed use. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

Building and landscape materials are appropriate for the area and the City of Las Vegas.

SDR-35518 - Staff Report Page Seven
September 24, 2009 - Planning Commission Meeting

- 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 elevations and design characteristics are consistent with the single-family residences 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 inspection by the City and will not compromise the health, safety, and welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 340

APPROVALS 2

PROTESTS 0