

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 17, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-36345 - APPLICANT/OWNER: JUSTO SATARAY**

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

1. Conformance to the conditions for Rezoning (ZON-3678).
2. Site Development Plan Review SDR-12619 shall be expunged.
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 and building elevations date stamped 11/25/09, and landscape plan date stamped 12/02/09, except as amended by conditions herein.
5. 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 issuance of a building permit.
6. A Waiver from Title 19.12.040(A) is hereby approved, to allow a zero-foot landscape buffer along a portion of the north perimeter where six feet is required; a zero-foot landscape buffer along portions of the south and east perimeter where eight feet is required; and a six-foot landscape buffer along a portion of the west perimeter where 15 feet is required.
7. A Waiver from Title 19.12.040(F) is hereby approved, to allow a zero-foot landscape buffer between the back of curb and the sidewalk along Lamb Boulevard where a minimum five-foot landscape buffer is required.
8. An Exception from Title 19.12.040(B) is hereby approved, to allow six trees within perimeter landscape buffers where 15 trees are the minimum required.
9. An Exception from Title 19.10.010(J)(11) is hereby approved, to allow zero trees and zero landscape islands within the parking area where two trees are required.

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

Public Works

17. Coordinate with the Building and Safety Department to determine if existing lot lines are in conflict with the new proposed structure. If it is determined that a mapping or other lot consolidation is required, coordinate with the City Surveyor to determine the most appropriate lot consolidation method. If no mapping is required, then record a Joint Access Agreement between the two parcels comprising this Site Plan.
18. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.

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19. 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. The existing “pan” style driveways may remain.
20. Contact the City Engineer’s Office at 229-6272 to coordinate the development of this project with the Lamb/Pecos Bus Turnout project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
21. 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.
22. 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The current site consists of an existing 1,296 square-foot Medical Office on the north half and a 1,480 square-foot single family dwelling on the south half. The two portions are proposed to be redeveloped into one site with a 3,256 square foot Medical Office connected by a 480 square-foot addition. The site requires rezoning of the south half to P-R (Professional Office and Parking) to accommodate low-intensity commercial uses. The proposed site conforms to Title 19 Commercial Development Standards and parking standards. Due to the size of the site, landscaping cannot be provided to Title 19 standards. Staff recommends approval of the site as proposed along with the requested landscape waivers and exceptions, subject to conditions. If denied, the site would remain as is and approval of a new Site Development Plan Review would be required prior to development of the site.

ISSUES

- The two existing lots must be remapped to combine into a single lot prior to the issuance of building permits.
- A joint access agreement between the owners of the properties at 220 and 224 North Lamb Boulevard has been signed and has been in effect since 2006, allowing for unrestricted access between the two properties and allowing traffic to safely exit from the site. However, there is no evidence that the agreement has been recorded.
- The site allows for one-way circulation around the building. An oversized vehicle parking in one of the proposed front yard parking spaces may potentially impede access to rear parking spaces due to a narrow access lane.
- Perimeter landscape waivers are required along all sides of the development, and exceptions of the tree spacing and parking lot landscaping requirements are also requested.
- The proposed development is not consistent with Title 19.12.040(F), which requires “any sidewalk along arterial streets one hundred feet and wider to be separated from the back of the street curb by a minimum five-foot wide landscape buffer.” The applicant has requested a waiver of this standard. Staff can support the request, as the existing sidewalk is part of a fully improved right-of-way and is located at the back of curb for this site and the adjacent properties.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
1962	The City Council approved a Rezoning (Z-0117-62) to R-1 (Single Family Residential) on properties located on the east side of Lamb Boulevard, south of Stewart Avenue, including the lots at 216 and 220 North Lamb Boulevard.
05/17/00	The City Council approved a request for a General Plan Amendment (GPA-0004-00) to amend the land use designation from L (Low Density Residential) to O (Office) on approximately 6.53 acres on the east side of Lamb Boulevard, south of Stewart Avenue, including the lots at 216 and 220 North Lamb Boulevard. The Planning Commission and staff recommended approval.
04/07/04	The City Council approved a Rezoning (ZON-3678) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on 0.16 acres at 220 North Lamb Boulevard. The Planning Commission and staff recommended approval.
04/05/06	The City Council approved a request for an Extension of Time (EOT-11858) of a previously approved Rezoning (ZON-3678) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at 220 North Lamb Boulevard.
06/07/06	The City Council approved a Site Development Plan Review (SDR-12619) for the conversion of an existing single family residence to an office use and a waiver of the perimeter landscaping requirements on 0.17 acre at 220 North Lamb Boulevard. The Planning Commission and staff recommended approval. A request for a Variance (VAR-12617) for a reduction in required parking on the site was struck by the Planning Commission.
12/17/09	The Planning Commission will consider a related request for a Rezoning (ZON-36347) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at 216 North Lamb Boulevard.
<i>Related Building Permits/Business Licenses</i>	
12/27/07	A building permit (#07003360) was issued for a tenant improvement remodel for a medical office conversion at 220 North Lamb Boulevard. A final inspection was completed on 07/17/08.
01/31/08	A building permit (B-106646) was issued for mechanical work related to the medical office conversion permit (#07003360) at 220 North Lamb Boulevard. A final inspection was completed 05/28/08.
05/06/08	A building permit (B-111299) was issued for a city-design masonry wall in the rear and left side of the property at 220 North Lamb Boulevard. A final inspection was completed 05/29/08.
08/20/08	A business license (Q07-01568) was issued for a medical practice at 220 North Lamb Boulevard. The license remains active.
08/20/08	A business license (C14-00545) was issued for a medical clinic at 220 North Lamb Boulevard. The license expired 10/15/09 for unpaid bills older than 75 days.

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<i>Pre-Application Meeting</i>	
09/16/09	A pre-application meeting was held with the applicant's representative. The following topics were discussed: • Waivers for landscaping would be required along all applicable property lines; • Rezoning of the lot at 216 North Lamb Boulevard to P-R (Professional Office and Parking) would be required; • Remapping of the two lots to combine into a single lot would be required; • An exception of parking lot landscaping standards would need to be requested; • A copy of the Joint Access Agreement between the owners of the properties at 220 North Lamb Boulevard and 224 North Lamb Boulevard would be required at time of submittal; • Location of the required ADA accessible route to the right-of-way; • Final inspection of the medical office (this was found to have been completed in July 2008).
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
11/12/09	A field check was performed at the subject location. Staff made the following observations: • The site contains two structures on two lots; • An existing professional office is located on the northern lot and a single family residence is located on the southern lot; • The southern lot contains a large palm tree in the front yard with no other landscaping; • There are stuccoed walls with wrought iron and an opening for an iron roll gate located in the front yard of the residential lot.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.35

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office, Medical	O (Office)	P-R (Professional Office and Parking)
	Single Family Residential	O (Office)	R-1 (Single Family Residential)
North	Office, Other than Listed	O (Office)	P-R (Professional Office and Parking)

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South	Single Family Residential	O (Office)	R-1 (Single Family Residential)
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family Residential (Townhouses)	ML (Medium-Low Density Residential)	R-PD11 (Residential Planned Development – 11 Units per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
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 apply to the proposed site:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	15,120 SF	N/A
Min. Lot Width	60 feet	126 feet	Y
Min. Setbacks			
• Front	20 feet	35 feet	Y
• Side	5 feet	6 feet	Y
• Corner	15 feet	N/A	N/A
• Rear	15 feet	38 feet	Y
Max. Lot Coverage	50%	22%	Y
Max. Building Height	Lesser of 2 stories/35 feet	One story/16.5 feet	Y
Trash Enclosure	Walled, screened, with roof or trellis	Curbside pickup	Y
Mechanical Equipment	Screened	Screened	By condition

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<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope setback	49.5 feet from protected property to south	63 feet	Y
Adjacent development matching setback	5 feet	14 feet	Y

Pursuant to Title 19.12, the following landscaping standards apply to the subject proposal:

<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 – 24” box tree/ 6 Spaces	2 trees	Zero trees	N
Buffer:				
Min. Trees (east, south)	1 tree/20 linear feet	10 trees	5 trees	N
Min. Trees (west, north)	1 tree/30 linear feet	5 trees	1 tree	N
TOTAL		17 trees	6 trees	N
Min. Zone Width (Lamb Blvd. ROW)	15 feet		6 feet from back of sidewalk	N
Min. Zone Width (north P.L.)	6 feet		Zero feet	N
Min. Zone Width (south and east P.L.)	8 feet		Zero feet	N
Min. Zone Width (between curb and sidewalk)	5 feet		Zero feet	N
Wall Height	6-8 feet along east and south PL		6 feet along east and south PL	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	
Office, Medical	3,262 SF	1 space per 200 SF up to 2,000 SF; 1 space per 175 SF there -after	17	1	17	1	Y
TOTAL	3,262 SF		18		18		Y

Waivers		
Requirement	Request	Staff Recommendation
Title 19.12.040(A) – Minimum 6' landscape buffer along north perimeter	Zero feet along portion	Approval
Title 19.12.040(A) – Minimum 8' landscape buffer along south and east perimeter	Zero feet along portions	Approval
Title 19.12.040(A) – Minimum 15' landscape buffer along west perimeter	6 feet along portion	Approval
Title 19.12.040(F) – Minimum 5' landscape buffer between the back of curb and the sidewalk along Lamb Boulevard	Zero feet	Approval

Exceptions		
Requirement	Request	Staff Recommendation
Title 19.10.010(J)(11) – Two minimum 5' wide landscape islands within parking area with minimum of one tree per island	Zero landscape islands with zero trees	Approval
Title 19.12.040(B) – Minimum 15 trees within perimeter buffers	6 trees within perimeter buffers	Approval

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ANALYSIS

The site consists of two properties that will be joined to allow for construction of a single building with an Office, Medical use. Currently, the northern property contains an existing 1,296 square-foot professional office. The southern property contains a 1,180 square-foot single family residence with a 300 square-foot garage. A 480 square-foot addition linking the two existing structures is proposed. The southern property must be rezoned to P-R (Professional Office and Parking) in order to accommodate the proposed medical office addition. A companion Rezoning request (ZON-36347) has been submitted for review. The existing residence would be altered to create a similar appearance to the existing medical office. According to the applicant's justification letter, the owner of the subject property also operates an existing office in North Las Vegas in addition to the existing medical office at 220 North Lamb Boulevard.

The proposed site with the combined structure meets Title 19 Commercial Development and Residential Adjacency Standards. Parking requirements are satisfied by provision of 16 onsite parking spaces and two garage spaces. Access is provided to the site by the two existing driveways on Lamb Boulevard. One-way circulation proceeds counterclockwise around the proposed building, with vehicles exiting the property onto Stewart Avenue through the corner property at 224 North Lamb Boulevard. An existing two-car garage on the northern portion of the site also has access from Lamb Boulevard and to the corner lot. A joint access agreement between the owners of the properties at 220 and 224 North Lamb Boulevard has been submitted to the Planning and Development Department, which allows one-way traffic to proceed northward through the adjacent lot and exit onto eastbound Stewart Avenue. The Department of Public Works notes that the onsite one-way circulation may cause a conflict where the traffic passes between the building and one of the proposed front yard parking stalls. If an oversized vehicle parks there, it could restrict the use of the 12-foot wide corridor and block access to the rear parking area.

The size and type of commercial use does not necessitate provision of a trash enclosure. Republic Services has submitted a letter to Planning and Development stating that it will continue to provide curbside refuse pickup service to the subject properties.

Waivers of perimeter landscaping and arterial streetscaping and exceptions of parking lot and perimeter tree and shrub requirements are needed for approval of the site as proposed; however, reduced landscaping is necessary to accommodate site circulation and site visibility along Lamb Boulevard. As Lamb Boulevard is improved to its fullest extent, the requirement for a detached sidewalk and landscape buffer is inappropriate at this location. Overall, the site design is improved from the previous office proposal, which did not contain any landscaping in parking areas and very little on the perimeter. Staff therefore recommends approval of these waivers and exceptions.

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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;

A portion of the proposed site requires rezoning to P-R (Professional Office and Parking); however, this area is suited for professional office development and these types of uses are anticipated by the General Plan. Adequate screening at the perimeters will ensure compatibility with adjacent residential uses to the south and east. The combined structure, though larger than typical homes along the Lamb Boulevard corridor, will maintain a residential architectural character.

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 site, with approval of a request to rezone the lot at 216 North Lamb Boulevard to P-R (Professional Office and Parking), will be in conformance with the existing O (Office) General Plan land use designation on the site. Waivers of perimeter landscaping and arterial streetscaping are required for approval of the site as proposed; however, reduced landscaping is necessary to accommodate site circulation and site visibility from Lamb Boulevard. Overall, the site is improved from the previous office proposal, which did not contain any landscaping in parking areas and very little on the perimeter. The site meets or exceeds other Title 19 commercial development standards.

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

Two existing driveways will continue to provide access to the site from Lamb Boulevard; most potential customers will use the southern driveway to enter the property. A joint access agreement dated 10/31/06 between the owners of the properties at 220 and 224 North Lamb Boulevard allows one-way traffic to proceed northward through the adjacent lot and exit onto eastbound Stewart Avenue. The Department of Public Works notes that the one-way circulation may cause a conflict where the traffic passes between the proposed building and one of the proposed front yard parking stalls. If an oversized vehicle parks in one of those spaces, it could restrict the use of the 12-foot wide corridor and block access to the rear parking area. A city traffic analysis indicates that the proposed development would add approximately one vehicle every nine minutes to the area, and customer traffic entering the site is minimal, reducing the risk of circulation conflicts.

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

Building materials consist of painted stucco and composite shingle roofing, with multi-paneled glass. Landscape materials include Mondale Pine, Sweet Acacia and various palm trees along with a variety of shrubs along portions of the perimeter. These materials are appropriate for this area and for 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 were designed to maintain the existing residential character of the area. No windows are proposed on the south side of the building facing existing residences. The building meets residential adjacency standards.

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

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NOTICES MAILED 467

APPROVALS 2

PROTESTS 0