

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 14, 2010****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-36550 - APPLICANT/OWNER: CLARK COUNTY****SCHOOL DISTRICT**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. Conformance to the conditions for Variance (VAR-36906), 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 11/02/2009, except as amended by conditions herein.
4. A Waiver from Landscape and Buffer requirements is hereby approved, to allow a zero-foot landscape buffer along the east perimeter where eight feet is the minimum required.
5. An Exception from Landscape and Buffer requirements is hereby approved to allow zero parking fingers where six are the minimum required.
6. An Exception from Landscape and Buffer requirements is hereby approved to allow zero trees where 22 trees are the minimum required.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
8. 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.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

Public Works

11. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing public improvements adjacent to this site damaged during construction shall be repaired at the applicant's expense to the satisfaction of the City of Las Vegas Department of Public Works.
12. Submit an Encroachment Agreement for all landscaping and private improvements, if any, in the Mayflower Lane public right-of-way adjacent to this site prior to occupancy of this site.
13. 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.
14. 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to add an additional parking lot, which will accommodate 22 regular space parking spaces. Also, one new van accessible parking space will be added to the existing parking lot on the western portion of the subject site. There are a total of 51 existing regular parking spaces and two van accessible parking spaces on the subject site. Eighty parking spaces with four van accessible parking spaces are located on the parcel to the south. The applicant has submitted a cross access parking agreement, which allows for shared parking. This agreement allows compliance with Title 19 parking requirements for the Public School, Primary use. The Waiver and Exceptions are not appropriate due to the adjacent residences to the east, therefore; denial of the subject application is recommended. If denied, the subject portion of the site would remain undeveloped.

ISSUES

- A Waiver of the Perimeter Landscape Buffer Requirements to allow a zero-foot landscape buffer along the east perimeter where eight feet is required.
- New chain-link fencing is being provided around portions of the new parking-lot.
- The use of chain-link fencing instead of a required six to eight-foot block was has necessitated the need for Variance (VAR-36906).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
There is no change of ownership history on the subject site.	
1959	The County Assessor's Office indicates a construction year of 1959.
03/12/70	The City Council approved a Rezoning (Z-0012-70) from C-V (Civic) to R-1 (Single Family Residential) generally located on the west side of Falcon Lane between Mayflower Lane and Alta Drive. The Planning Commission and staff recommended approval of the request.
04/18/05	A Code Enforcement case (#28918) was processed for an excessively loud intercom system at 408 Upland Boulevard. The case was closed on 04/19/05.
01/14/09	The Planning Commission will consider a related Variance (VAR-36906) to allow an existing chain link fence where a six-foot to eight-foot screen wall is required along the east property line on a portion of a 5.31 acre site at 408 Upland Avenue. Staff is recommending denial of the request.

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<i>Related Building Permits/Business Licenses</i>	
There are no related business licenses on the subject site.	
07/30/92	A Building Permit (#92154895) was issued for a fire alarm at 408 Upland Boulevard. The permit was finalized on 08/10/92.
<i>Pre-Application Meeting</i>	
10/29/09	The following items were discussed at the pre-application meeting: • The existing Public School, Primary with associated parking. • Waivers required as no additional landscaping is being proposed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	
<i>Field Check</i>	
11/12/09	A field check was completed on the indicated date. Planning and Development found the following items: • Planning and Development staff identified the existing Public School, Primary with associated parking. • Planning and Development staff noted the undeveloped portion of the site to be developed into a parking lot as well as well maintained and fenced with chain-link.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	5.31 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Public School, Primary	PF (Public Facilities)	C-V (Civic)
North	Single Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
South	Church	PF (Public Facilities)	R-1 (Single Family Residential)
East	Single Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)

<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			
A-O Airport Overlay District (175 Feet)	X		Y

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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 19.12, the following landscaping standards apply

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/ 6 Spaces	6 Trees	Zero Trees	N
Buffer:				
Min. Trees				
North property line	1 Tree/ 20 Linear Feet	5 Trees	Zero Trees	N
South property line	1 Tree/ 30 Linear Feet	Existing	Existing	N/A
West property line	1 Tree/ 20 Linear Feet	Existing	Existing	N/A
East property line	1 Tree/ 20 Linear Feet	17 Trees	Zero Trees	N
TOTAL		22 Trees	Zero Trees	N
Min. Zone Width				
North property buffer	15 Feet		15 Feet	Y
South property buffer	Existing		Existing	N/A
West property buffer	Existing		Existing	N/A
East property buffer	8 Feet		Zero Feet	N
Wall Height	6-8 Feet adjacent to residential		Existing Six-Foot Chain-link	N

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	
Public School, Primary	30 classrooms	Three spaces per classroom	90	4	153	7	Y
TOTAL			90		153		Y

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Waivers and Exceptions		
Request	Requirement	Staff Recommendation
Zero-foot buffer along the east perimeter buffer	Eight-foot buffer along the east perimeter	Denial
Zero parking fingers	One parking finger every six parking spaces, which equals six parking fingers	Denial
To allow zero trees in the perimeter landscape buffers	22 trees required in the landscape buffer	Denial

ANALYSIS

- **Site Plan and Access**

Red Rock Elementary school is located on a 5.31 acre site at 408 Upland Boulevard. Title 19 requires three parking spaces for each classroom. There are a total of 30 classrooms at the Public School, Primary. Ninety parking spaces are required for the Public School, Primary use.

The applicant is proposing to add an additional parking lot, which will accommodate 22 regular parking spaces. Also, one new van accessible parking space will be added to the existing parking lot on the western portion of the subject site. There are a total of 51 existing regular parking spaces and two van accessible parking spaces on the subject site. Eighty parking spaces with four van accessible parking spaces are located on the parcel to the south. The applicant has submitted a cross access parking agreement, which allows for shared parking. This agreement allows compliance with Title 19 parking requirements for the Public School, Primary use.

The overall site is accessed from Upland Boulevard and Mayflower Lane. The current parking areas are accessed from Upland Boulevard. The proposed parking area will be accessed from Mayflower Lane. Both streets are indicated as 80-foot Local Streets.

- **Landscaping and Waivers**

The applicant is proposing a 22-space parking lot, which is located at the northeast portion of a 5.31 acre site. The majority of the landscaping on the subject site is existing and was installed with the completion of the existing Public School, Primary. The proposed parking lot requires a eight-foot landscape buffer to the east and a 15-foot buffer to the north. Also, trees at 20 feet on-center are required within these buffer areas. The applicant fails to comply with Title 19.12 Landscape and Buffer Standards by proposing landscaping adjacent to the residences to the east and adjacent to Mayflower Lane. The Waiver and exceptions are not appropriate due to the adjacent residences to the east, therefore; denial of the subject application is recommended.

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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;

The existing chain link fencing is incompatible with adjacent residential developments to the east of the subject site. The lack of a six to eight-foot block wall fails to adequately protect the adjacent single-family homes from the visual and aural impacts of the proposed parking lot.

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;

Title 19.12.075 Wall Standards requires that, for commercial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. An associated Variance (VAR-36906) has been submitted and must be approved along with this request.

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

The subject site is accessed from Mayflower Lane, which is indicated as a 35-foot Local Street. Mayflower Lane will adequately serve the proposed parking lot.

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

The applicant has failed to provide any perimeter landscaping, which includes trees and shrubs on the subject site.

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 existing chain-link fence is unsightly and fails to adequately screen adjacent residences from the visual and aural impacts of the proposed parking lot.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 669

APPROVALS 0

PROTESTS 0