



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: JUDITH PENA

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
GPA-37567	Staff recommends DENIAL.	
ZON-37568	Staff recommends DENIAL.	GPA-37567
VAR-37570	Staff recommends DENIAL, if approved subject to conditions:	GPA-37567 ZON-37568
VAR-37976	Staff recommends DENIAL, if approved subject to conditions:	GPA-37567 ZON-37568 VAR-37570
SDR-37569	Staff recommends DENIAL, if approved subject to conditions:	GPA-37567 ZON-37568 VAR-37570 VAR-37976

** CONDITIONS **

VAR-37570 CONDITIONS

Planning and Development

1. Approval of General Plan Amendment (GPA-37567) and Rezoning (ZON-37568), and approval of and conformance to the Conditions of Approval for Variance (VAR-37976) and Site Development Plan Review (SDR-37569) shall be required, if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

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3. 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.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

VAR-37976 CONDITIONS

Planning and Development

1. Approval of General Plan Amendment (GPA-37567) and Rezoning (ZON-37568), and approval of and conformance to the Conditions of Approval for Variance (VAR-37570) and Site Development Plan Review (SDR-37569) shall be required, if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. 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.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-37569 CONDITIONS

Planning and Development

1. Approval of General Plan Amendment (GPA-37567) and Rezoning (ZON-37568), and approval of and conformance to the Conditions of Approval for Variances (VAR-37570 and VAR-37976) 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.

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3. All development shall be in conformance with the site plan and landscape plan date stamped 05/11/10, and building elevations date stamped 04/20/10, except as amended by conditions herein.
4. A Waiver from 19.12.040(A) is hereby approved, to allow a zero-foot landscape buffer along portions of the east and south perimeter where 15 feet is required, and a zero-foot landscape buffer along portions of the north and west perimeter where eight feet is required.
5. An Exception from Title 19.10.010(J) is hereby approved, to allow zero trees in parking lot planter islands where three trees and islands are required.
6. An Exception from Title 19.12.040(B) is hereby approved, to allow four trees in perimeter buffers where 11 trees are required.
7. 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.
8. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.
9. 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.
10. 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.
11. 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).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

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14. 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.
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. 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. Relocate the existing “pan” style driveway on Bruce Street to the north in accordance with the approved Site Plan.
19. 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The site consists of an existing 1,890 square-foot single-family residence at 222 South Bruce Street. The applicant proposes to convert this site into a professional office. The front and side yards are paved with asphalt, and a seven-foot tall detached accessory structure is located in the rear yard. The site currently contains minimal landscaping, but several new trees are proposed to be added along the perimeter. Four parking spaces are proposed. Staff recommends denial for several reasons: the proposed commercial land use designation and zoning district required for the conversion are inappropriate and incompatible with surrounding existing land use and zoning designations; the property is not suited for commercial use and the property cannot meet parking or residential adjacency requirements. If denied, the site would remain a single-family residence.

ISSUES

- A General Plan Amendment (GPA-37567) to change the existing land use designation from L (Low Density Residential) to O (Office) on this site is required for approval of the proposed professional office.
- A Rezoning (ZON-37568) to change the existing zoning classification from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on this site is required for approval of the proposed office.
- Variances from Title 19 are needed for approval of the proposed office to allow four parking spaces where seven are required (43% deviation from standards) and to allow a four-foot residential adjacency matching setback where five feet is the minimum setback required (20% deviation).
- Professional offices are not common in this area, which is primarily residential.
- A patio in the rear yard was previously enclosed without a building permit.
- Driveways from Bruce Street and Lewis Avenue currently serve the site. As proposed on the site plan, only the access from Bruce Street will lead to parking spaces and the access from Lewis Avenue will not allow for circulation around the east side of the site.
- Prior to current ownership of the property there were numerous complaints and code enforcement actions regarding this site. All issues at present have been closed by Code Enforcement.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
03/01/95	The City Council denied a request to amend (GPA-0058-94) a portion of the Downtown Redevelopment Section of the General Plan from L (Low Density Residential) to SC (Service Commercial) on the subject property. The Planning Commission and staff recommended denial.
03/01/95	The City Council denied a request to Rezone (Z-0160-94) the subject property from R-1 (Single Family Residential) to C-1 (Limited Commercial). The Planning Commission and staff recommended denial.
11/16/00	The Planning Commission accepted the applicant's request to withdraw without prejudice a Special Use Permit (U-0180-00) for the proposed conversion of a 1,890 square-foot residence to a church on the subject property.

<i>Most Recent Change of Ownership</i>	
10/07/09	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
c. 1952	The existing single-family dwelling was constructed.
07/27/98	A building permit was issued for a CLV-design patio cover at 222 South Bruce Avenue. A final inspection was completed on 12/16/98.

<i>Pre-Application Meeting</i>	
12/16/09	A pre-application meeting was held with the applicant, where the following points were discussed: • Requirements for submittal of a General Plan Amendment to change the General Plan from L to O, a Rezoning application to change the zoning from R-1 to P-R, a Site Development Plan Review to convert the house to an office use, and a Variance for parking; • The applicant's representative claimed that the property had been previously used as a church and that the front and side yards were paved; • A landscape plan will need to be submitted; • A parking analysis would be required on the site plan; • The applicant requested zero-foot landscape buffers on all property lines where 15 feet is required on the east and south property lines and eight feet is required on the north and west property lines.

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12/16/09	- The justification letter needs to be revised to include the correct size of the lot (0.16 acres) and correct parcel number (139-35-413-100). - Traffic Engineering will not approve the parking layout as currently designed; Title 13 does not allow vehicles to back out of a driveway on a commercial lot.
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Neighborhood Meeting

03/23/10	A neighborhood meeting was held at 5:30 p.m. at the East Las Vegas Community Senior Center Conference Room, located at 250 North Eastern Avenue, Las Vegas. Two representatives of the applicant and one staff member attended. No members of the public attended.
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Field Check

03/15/10	A visit to the subject site was conducted, in which the following items were noted: - The site consists of a single-family dwelling; - The entire front and side yards are paved. The asphalt is cracked or damaged in some areas. There are no parking stripes painted on the asphalt; - There are curb cuts on both Bruce Street and Lewis Avenue; - There is a narrow landscape planter abutting the east side of the dwelling containing several shrubs, a palm and an evergreen tree in good condition.
04/22/10	During a second visit to the subject site, weeds were found growing in the landscape planter internal to the site and also in the existing asphalt located in the front yard.

Details of Application Request**Site Area**

Net Acres	0.16
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Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

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South	Pet Shop	L (Low Density Residential)	P-R (Professional Office and Parking)
East	Multi-Family Residential (Apartments)	MXU (Mixed Use)	C-2 (General Commercial)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	Yes	No	Compliance
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails (Pedestrian Path – constructed)	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

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

Standard	Required/Allowed (P-R)	Provided	Compliance
Min. Lot Size	N/A	0.16 ac	N/A
Min. Lot Width	60 Feet	73 Feet	Y
Min. Setbacks • Front (Lewis Avenue) • Side • Corner Side (Bruce Street) • Rear	20 feet 5 feet 15 feet 15 feet	32 feet 4 feet 28 feet 14 feet	Y Y* Y Y*
Max. Lot Coverage	50%	27%	Y
Max. Building Height	Lesser of 2 Stories/35 Feet	Single story / 9.33 feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Curbside pickup	By Condition
Mech. Equipment	Screened	Not indicated	By Condition

*Per Title 19.08.050(C), a development in the P-R (Professional Office and Parking) District which is a conversion from an existing residential structure may maintain the existing setbacks.

Pursuant to Title 19.08.060, the following Residential Adjacency Standards apply to the proposed development:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	N/A	4 Feet	N/A
Adjacent development matching setback	5 Feet	4 Feet	N (20% deviation)
Trash Enclosure	50 Feet	Curbside pickup	By condition

Pursuant to Title 19.12, the following landscape standards apply to the proposed development:

<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>		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	3 Trees	1 Tree	N
• South	1 Tree / 30 Linear Feet	1 Tree	0 Trees	N
• East	1 Tree / 20 Linear Feet	3 Trees	0 Trees	N
• West	1 Tree / 20 Linear Feet	4 Trees	3 Trees	N
TOTAL PERIMETER TREES		11 Trees	4 Trees	N
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	3 Trees	0 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		0 Feet	N
• South	15 Feet		0 Feet	N
• East	15 Feet		0 Feet	N
• West	8 Feet		0 Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential		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, Other Than Listed	1,890 sf	1:300 sf GFA	7		4		N
TOTAL SPACES REQUIRED			7		4		N
TOTAL (With Handicapped)			6	1	3	1	N
Percent Deviation			43%				

Waivers		
Requirement	Request	Staff Recommendation
Title 19.12.040(A): 15-foot landscape buffer on east and south perimeters	0 feet for a portion	Denial
Title 19.12.040(A): 8-foot landscape buffer on north and west perimeters	0 feet for a portion	Denial

Exceptions		
Requirement	Request	Staff Recommendation
Title 19.10.010(J): 3 trees in parking lot planter islands	0 trees	Denial
Title 19.12.040(B): 11 trees in perimeter buffers	4 trees	Denial

ANALYSIS

The subject site is located in a neighborhood north of Charleston Boulevard and west of Bruce Street that dates back to 1942, and was at that time exclusively residential. Over time, the properties along Charleston, a 100-foot wide Primary Arterial, were appropriately converted to uses of a limited commercial nature. With a few exceptions, the parcels north of the properties facing Charleston remain residential properties. The proposed conversion of a residential dwelling to a professional office is out of character with what is still a predominantly residential neighborhood, and therefore it is recommended that the accompanying General Plan Amendment and Rezoning requests be denied. There are no indications at this time, such as an increase in traffic along Bruce Street, that this property would be appropriate to convert to a commercial use.

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The building is to be converted from a single-family residence for professional office use. The anticipated business hours will be from 8:00 a.m. to 5:00 p.m. Monday through Friday. The existing front and corner side yards are completely paved with asphalt. Driveways from Bruce Street and Lewis Avenue currently serve the site. As all parking is to be located in the corner side yard along Bruce Street, the driveway from Lewis Avenue is not needed and that frontage could be potentially landscaped to meet current landscape buffer requirements. The existing driveway from Bruce Street is proposed to be shifted to the north to prevent vehicles from backing out into the right-of-way and to minimize other conflicts when entering and exiting a parking space.

As the site is proposed, only four parking spaces can be accommodated where seven spaces are required, based on the size of the main structure. This circumstance illustrates how this site, which is less than 7,000 square feet in area, is inappropriate for a conversion to a commercial property and justifies the recommendation for denial of the related variance (VAR-37570).

As the site is configured, the side yard is adjacent to existing single-family residential property, which is protected from commercial uses by both a 3:1 setback-to-height slope limitation and a matching setback limitation. The proposed office meets the 3:1 slope requirement, as Title 19 allows buildings to be located at the required setback if they are less than or equal to 15 feet in height. Title 19 also allows the current setbacks to remain after conversion to commercial property, as the existing building was approved with these setbacks and the footprint has not expanded beyond those setbacks. However, Title 19.08.060 also requires the commercial building to be set back at least as far from the common property line as is required for the protected single-family property. In this case, the proposed office is set back approximately four feet where a five-foot setback is required. Again, the deviation from code illustrates the incompatibility of the site for conversion to a commercial use and staff therefore recommends denial of this variance (VAR-37976).

In addition to the parking, the site as proposed cannot accommodate the required amount of landscaping and landscape buffer width, due to the parking and circulation layout and the size of the main structure. A three-foot wide buffer is provided along the portion of the rear yard adjacent to three parking spaces where a minimum of eight feet is required; this buffer serves to separate the parking area from the adjacent single-family residence to the north. One tree and several shrubs with groundcover are proposed for screening. The sides of the property adjacent to rights-of-way do not provide any landscaping except on the corner, where one tree and several shrubs with groundcover are proposed. A three-foot buffer is provided along a portion of the west perimeter up to the front of the building, and contains palm trees, which are not appropriate for shade or screening. The waivers associated with the landscaping layout are not acceptable and denial is recommended.

The current site contains a seven-foot tall, 120 square-foot detached accessory structure that does not have a building permit associated with it. The plans indicate that this structure will be removed when the main structure becomes an office. Part of the main structure, however, was added when the rear patio was enclosed, and there is no building permit associated with this construction. A condition of approval will require all necessary building permits to be obtained and final inspections to be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

FINDINGS (GPA-37567)

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 O (Office) General Plan designation is not compatible with existing lower-intensity L (Low Density Residential) designations to the north, south and west of the subject property.

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

The proposed O (Office) designation, if approved, would allow rezoning to a P-R (Professional Office and Parking) or O (Office) zoning district. These districts are not compatible with the existing R-1 (Single Family Residential) zoning districts and single-family residential uses that occupy the surrounding lots.

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

Adequate transportation and utility facilities are existing in the area that would accommodate the commercial uses allowed by the proposed O (Office) land use designation.

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

One of the stated goals of the Las Vegas Redevelopment Area is “to eliminate and prevent the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Redevelopment Area in accord with the Master Plan, the Redevelopment Plan and local codes and ordinances.” Amendment of the General Plan to allow commercial uses on this site could potentially increase the spread of blight into an existing single family residential neighborhood, as it may encourage other owners of properties along Bruce Street to convert to commercial uses, thereby inviting additional traffic, noise and criminal activity to this area. Rehabilitation of the property would require numerous variances and waivers from local codes. Allowance of incompatible uses and structures in the Redevelopment Area is not permitted by the Redevelopment Plan (IV.F.8).

FINDINGS (ZON-37568)

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.

With approval of the associated General Plan Amendment to O (Office), the proposed rezoning to the P-R (Professional Office and Parking) District will conform to the General Plan for this site.

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 proposed office use and other uses allowed by the P-R (Professional Office and Parking) District will not be compatible with existing residential uses in all four directions from the subject site and the residential zoning districts located to the north, south and west of the subject site.

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

Although Bruce Street is an 80-foot Secondary Collector, there has been no trend of commercial growth along Bruce Street between Charleston Boulevard and Fremont Street that would indicate the need for rezoning of parcels along that street. There has not been an increase in traffic on Bruce Street. The existing C-2 (General Commercial) properties on the east side of Bruce contain residential uses.

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.

Access to the site is provided by Bruce Street, an 80-foot right-of-way, and Lewis Avenue, a 48-foot wide local street that only has 24 feet of paving. Since most traffic to the site will be accessing the property from Bruce Street, these facilities will be adequate to meet the requirements of the proposed P-R (Professional Office and Parking) District.

FINDINGS (VAR-37570)

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.18.070(L) states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by converting a single-family residence to an office when the site cannot support the required number of parking spaces for this use. Conversion of a residence on a larger site would allow for conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (VAR-37976)

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.18.070(L) states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by converting this site from a residential use to a commercial use when the existing building is closer to protected property than code allows. A site that is adjacent to property with an existing commercial use would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SDR-37569)

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 professional office development is not compatible with adjacent single family residential development. The encroachment of commercial uses in a predominantly residential area is strongly discouraged, and there has been no indication that this site is no longer valuable containing a single-family residential dwelling.

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;

As the intended use of the subject property is changing, the proposed development requires a General Plan Amendment to change the existing land use designation from L (Low Density Residential) to O (Office), which is not supported. Policy 2.2.1 of the Las Vegas 2020 Master Plan calls for adequate design, transition or buffering elements to mitigate the effects of redevelopment on lower density residential development. Waivers are needed from perimeter landscape requirements on all sides of the development, an exception from parking lot landscaping requirements is required, and variances for parking and residential adjacency are needed to allow the project to proceed. The waiver requests reduce or eliminate the intended purpose of the required buffers and do not allow for an adequate transition from commercial to low density residential development.

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

Access to the site is provided by Bruce Street, an 80-foot right-of-way, and Lewis Avenue, a 48-foot wide local street that currently only has 24 feet of paving. The existing driveway from Bruce Street is proposed to be shifted to the north to prevent vehicles from backing out into the right-of-way and to minimize other conflicts when entering and exiting a parking space. Vehicles entering the site from Bruce Street but exiting onto Lewis or vice-versa must cross van-accessible loading areas, creating circulation conflicts if the Lewis Avenue access is to remain. Traffic to this site is expected to be minimal and should not negatively impact neighborhood traffic.

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

Building and landscaping materials are to remain as they are at present, with the exception of additional California Pepper trees along the south and north perimeter of the property, and the addition of palm trees along the property's west side. The palm trees are inappropriate for use as screening materials from adjacent residential development, and shade trees are recommended.

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 features are compatible with other single-family residential dwellings in the area. No changes are proposed to the exterior, other than paint color, which is proposed to switch to an earthen palette.

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

The conversion of the existing residence to a professional office will require all necessary permits and inspections in order to protect the public's health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 189

APPROVALS 3

PROTESTS 2

CONCERNS 1