



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: SHARON ROTH

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
ROC-36960	Staff recommends APPROVAL, subject to conditions:	
SDR-36959	Staff recommends APPROVAL, subject to conditions:	ROC-36960

** CONDITIONS **

ROC-36960 CONDITIONS

Planning and Development

1. Conditions 3 and 5 of Rezoning (ZON-3474) shall be deleted.
2. Conformance to the Conditions of Approval for Rezoning (ZON-3474) and all other subsequent site-related conditions of approval, except as amended herein.

SDR-36959 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Review of Condition (ROC-36960) shall be required, if approved.
2. Conformance to the Conditions of Approval for Rezoning (ZON-3474), except as amended herein.

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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, landscape plan, and building elevations, date stamped 08/24/10, except as amended by conditions herein.
5. A Waiver from Title 19.12.040(A) is hereby approved, to allow landscape buffer widths of six feet along the west perimeter where 15 feet is required and zero feet along portions of the north and south perimeters where five feet is required.
6. An Exception from Title 19.12.040(B) is hereby approved, to allow eight perimeter trees where 15 trees are required.
7. An Exception from Title 19.10.010(J) is hereby approved, to allow three parking lot trees where four trees are required.
8. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 08/24/10. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.
9. 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.
10. Prior to the time application is made for a building permit, a revised site plan shall be submitted to and approved by the Planning and Development Department indicating a perimeter wall along the south property line in conformance to Title 19.12 standards.
11. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
12. 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.
13. 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).

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14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
15. 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.
16. 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.
17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. 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.
19. If on-street parking is not already prohibited adjacent to this site, submit a written request to the City Traffic Engineer to eliminate on-street parking on Jones Boulevard adjacent to this site.
20. Landscape and maintain all unimproved right-of-way, if any, on Jones Boulevard adjacent to this site prior to the issuance of any permits. 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.
21. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all driveways or other private improvements in the Jones Boulevard public right-of-way adjacent to this site prior to constructing any improvements within NDOT jurisdiction.
22. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor 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 subject site, located at 708 North Jones Boulevard, contains an existing single-family dwelling. A Site Development Plan Review (SDR-36959) for conversion of the dwelling to a 1,770 square-foot medical office was previously tabled by the Planning Commission at the applicant's request. The original plan has been revised to reduce the size of the proposed medical office to 1,380 square feet, increase the parking provided and increase the width of perimeter landscape buffers. Waivers of perimeter landscape requirements will still be required; however, the site will have improved access and circulation and additional trees on the perimeter have been provided. The waivers can be supported, since the reduction in buffer width is the result of providing a parking lot that conforms to Title 19 standards and applies to only a portion of the affected perimeters. The revised site will be compatible with adjacent residential development. For these reasons, staff recommends approval of the Site Development Plan Review. If denied, the site will remain a single-family dwelling with a residential use.

Accompanying the proposed Site Development Plan Review is a request for a Review of Condition, also previously tabled by the Planning Commission, to delete Condition of Approval Numbers 3 and 5 of a previously approved Rezoning (ZON-3474). These conditions require a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis for nine properties along Jones Boulevard (600-804 North Jones Boulevard). However, only two of the properties were hard-zoned to P-R (Professional Office and Parking) as a result of the action. The Resolution of Intent to rezone for the other properties subsequently expired on 02/18/08. The structures on these properties remain single-family residences, and a new Rezoning and Site Development Plan Review would be required to convert any of the residences to a commercial use. In addition, a plan that was previously submitted to meet Conditions 3 and 5 is not consistent with existing building locations and site conditions. Although staff recommended denial of a similar request in 2004 when the Resolution of Intent to rezone was still valid for all the affected properties, staff is now recommending approval (with conditions) of the associated Review of Condition for the reasons stated above. If the Review of Condition request is denied, Condition Numbers 3 and 5 of ZON-3474 will remain valid.

ISSUES

- Approval of a request for a Review of Condition (ROC-36960) to delete Condition of Approval Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) is necessary for approval of an associated Site Development Plan Review (SDR-36959) for the proposed conversion of an existing single-family residence to a 1,380 square-foot medical office.

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- A Waiver of Title 19.12.040 perimeter landscape buffer requirements has been requested to allow a six-foot buffer along the west perimeter (Jones Boulevard) where 15 feet is required and zero-foot buffers along portions of the north and south perimeters where five feet is required. Staff recommends approval of the waiver.
- An Exception from Title 19.12.040(B) is needed to allow eight perimeter trees where 15 trees are required. Staff recommends approval of the Exception.
- An Exception from Title 19.10.010(J) is needed to allow three parking lot trees where four trees are required. Staff recommends approval of the Exception.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
02/18/04	The City Council approved a General Plan Amendment (GPA-3388) to O (Office) and a Rezoning (ZON-3474) to P-R (Professional Office and Parking) at 600-804 North Jones Boulevard. The Planning Commission and staff recommended approval.
10/20/04	The City Council denied a request for a Review of Condition (ROC-5250) for Condition Number 3 of an approved Rezoning (ZON-3474) which required a comprehensive site plan, including all lots, to be submitted for approval by the Planning and Development Department and the Department of Public Works prior to the issuance of a certificate of occupancy for any of the lots involved in the rezoning to allow the lots to submit site development plan reviews on an individual basis at 600 to 804 North Jones Boulevard. Staff recommended denial.
04/20/05	The City Council approved Ordinance #5760, which amended the zoning map by changing the zoning designations of multiple parcels of land. Included in this action were 708 and 800 North Jones Boulevard, which were part of Rezoning (ZON-3474).
04/05/06	The City Council approved a request for an Extension of Time (EOT-11905) of an approved Rezoning (ZON-3474) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at 600-804 North Jones Boulevard. Staff recommended approval. The rezoning subsequently expired on 02/18/08.
10/05/06	The Planning Commission approved a request for a Site Development Plan Review (SDR-15703) for a 1,364 square-foot conversion of a residence to an office and a Waiver of perimeter landscape requirements on 0.19 acres at 800 North Jones Boulevard. Staff recommended approval. SDR-15703 expired on 10/05/08, as it had not been exercised within two years of approval.

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01/28/10	The Planning Commission voted to abey this item and its associated requests for a Variance (VAR-36958) to allow four parking spaces where nine are required and a Review of Condition (ROC-36960) to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis at 708 North Jones Boulevard. Staff had recommended approval of ROC-36960 and denial of VAR-36958 and SDR-36959.
02/25/10	The Planning Commission tabled Variance (VAR-36958), Review of Condition (ROC-36960) and Site Development Plan Review (SDR-36959) at the applicant's request.
04/15/10	Code Enforcement processed a case (89138) concerning high weeds in the front yard at 708 North Jones Boulevard. The case was closed by Code Enforcement on 05/12/10.
06/12/10	Code Enforcement processed a case (91597) concerning continual yard sales at 708 North Jones Boulevard. The case was closed by Code Enforcement on 06/27/10.
10/21/10	The Planning Commission will consider a Review of Condition (ROC-36960) to delete Condition Numbers 3 and 5 of a previously approved Rezoning (ZON-3474) which required a comprehensive site development plan to illustrate the location of joint driveways, joint parking and access agreements, a consistent landscaping plan and a traffic impact analysis; and a Site Development Plan Review (SDR-36959) for the proposed conversion of a single-family residence to a 1,770 square-foot Office, Medical with waivers of perimeter landscape buffer requirements at 708 North Jones Boulevard.

<i>Most Recent Change of Ownership</i>	
09/25/09	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
c. 1964	A single-family residence was constructed at 708 North Jones Boulevard.
04/13/06	A building permit (63497) was issued for a water heater at 708 North Jones Boulevard. A final inspection was completed on 05/12/06.

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<i>Pre-Application Meeting</i>	
08/04/10	A follow-up meeting was held with the applicant to discuss a new design for the site. The applicant had until 08/25/10 to remove the previously tabled items and submit revised plans. • Only the Review of Condition and Site Development Plan Review applications will be going forward; the Variance is no longer needed, as the applicant can now provide the required number of parking spaces on site. • The proposed building will be reduced in size, allowing for parking requirements to be met and perimeter landscape buffers to be widened. • Adjacent property owners have shown no interest in providing common access to this site through the rear portion of their properties. • NDOT approval of the proposed driveway and right-of-way encroachments will be required.

<i>Neighborhood Meeting</i>
A neighborhood meeting is not required, nor was one held.

<i>Field Check</i>	
09/16/10	A field check was conducted on the site. The subject site contains a single-family dwelling in good condition. The dwelling contains a rooftop air conditioning unit. Weeds were growing in the front yard. The block wall along the south side of the property was damaged. An existing 30 to 40-foot tall palm tree is planted in front of the house adjacent to the driveway.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.19

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Single Family Dwelling, Detached	O (Office)	P-R (Professional Office and Parking)
North	Single Family Dwelling, Detached	O (Office)	P-R (Professional Office and Parking)
South	Single Family Dwelling, Detached	O (Office)	R-1 (Single Family Residential)

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East	Single Family Dwelling, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Dwelling, Detached	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			
A-O (Airport Overlay) District (140 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	8,265 SF	N/A
Min. Lot Width	65 Feet	65 Feet	Y
Min. Setbacks			
• Front	20 Feet	48 Feet	Y
• Side	5 Feet	7 Feet	Y
• Rear	15 Feet	46 Feet	Y
Max. Lot Coverage	50 %	17 %	Y
Max. Building Height	Lesser of 2 Stories or 35 Feet	1 story/13 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Curbside pickup	Y
Mech. Equipment	Screened	Not indicated	By condition

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

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	15 Feet/1 Story	13 Feet/1 Story	Y
Adjacent development matching setback	5 Feet 15 Feet	5 Feet 15 Feet	Y
Trash Enclosure	50 Feet	Curbside pickup	Y

Pursuant to Title 19.10 and Title 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>		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	5 Trees	2 Trees	N
• South	1 Tree / 20 Linear Feet	5 Trees	3 Trees	N
• East	1 Tree / 20 Linear Feet	3 Trees	3 Trees	Y
• West (Jones)	1 Tree / 20 Linear Feet	2 Trees	Zero Trees	N
TOTAL PERIMETER TREES		15 Trees	8 Trees	N
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	4 Trees	3 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	5 Feet		Zero Feet	N
• South	5 Feet		Zero Feet	N
• East	8 Feet		34 Feet	Y
• West	15 Feet		6 Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential		2-6 Feet	N

<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Street Width (Feet)</i>	<i>Compliance with Street Section</i>
<i>Jones Boulevard – Secondary Collector</i>	Master Plan of Streets and Highways	80	Y

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Pursuant to Title 19.04 and 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	1,380 SF	1 space/200 SF GFA	7		7		Y
TOTAL SPACES REQUIRED			7		7		Y
Regular and Handicap Spaces Required			6	1	6	1	Y

Waivers		
Requirement	Request	Staff Recommendation
<u>19.12.040(A) Landscape Buffer Zones:</u> A 15-foot wide landscape buffer along the west property line and 5-foot buffers along the north and south property lines	6-foot buffer along the west property line and zero-foot buffers along portions of the north and south property lines	Approval

Exceptions		
Requirement	Request	Staff Recommendation
<u>19.12.040(B) Perimeter Tree Spacing:</u> 15 perimeter trees	8 perimeter trees	Approval
<u>19.10.010(J) Parking Lot Design:</u> 4 parking lot trees	3 parking lot trees	Approval

ANALYSIS

Access to the site is from a two-way driveway on Jones Boulevard. Circulation is limited to the parking lot located at the front of the site, which provides the required number of spaces per Title 19.04 and 19.10.

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The plan previously presented to the Planning Commission has been revised to remove the existing side-loaded garage, thereby allowing space on the site to provide an adequate number of parking spaces for the medical office use. The elevations have been altered accordingly; where the garage portion was removed, a new façade has been designed and the roof style is flat with a parapet. The proposed single-story, 13-foot tall office will still retain a residential appearance that is compatible with the existing adjacent residences.

As proposed, the development meets or exceeds Title 19 commercial development and residential adjacency standards, with the exception of landscape buffering, parking lot landscaping and tree spacing requirements. Given the difficulty of meeting code requirements on a small lot and the fact that the applicant is providing a parking lot and access that meets Title 19 requirements, staff recommends approval of the waiver and exceptions of these requirements. Per Title 19.12, a six to eight-foot tall perimeter screen wall shall be constructed between a commercial property and a property used or zoned for residential purposes. A condition has been added requiring a revised site plan to be submitted to and approved by the Planning and Development Department indicating a decorative perimeter wall of at least six feet in height along the south property line. The wall may be no higher than five feet in the front yard area. Other existing walls on the site comply with Title 19.12 requirements.

With regard to the Review of Conditions, although staff recommended denial of a similar request in 2004 when the Resolution of Intent to Rezone was still valid for all the affected properties, staff is now recommending approval of the associated Review of Condition due to the expiration of the Resolution of Intent to Rezone for seven of the nine parcels, and the limited applicability of the conditions for the remaining two parcels. It is noted that the residential property to the north (800 North Jones Boulevard) is currently hard-zoned P-R (Professional Office and Parking), but a Site Development Plan Review (SDR-15703) to convert the residence to a commercial office expired in 2008.

As a general note, The Department of Public Works would prefer to see adjacent property owners work together to present multi-lot conversions with common access drives and common parking areas wherever possible, as cooperative redevelopment efforts allow for greater flexibility in the design of site access, parking and landscaping. The department has no comments on the deletion of Condition Number Three, and notes that Condition Number Five requiring a Traffic Impact Analysis was recommended for a larger area that contemplated the joint use of nine separate parcels. Since only one of the parcels is being considered with Site Development Plan Review (SDR-36959), the Department of Public Works has no objection to this request provided all other conditions imposed on this site by Rezoning (ZON 3474) and all other subsequent site related conditions of approval are ultimately complied with.

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FINDINGS (SDR-36959)

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 medical office is compatible with adjacent properties designated in the city's General Plan for office uses. The site's location on Jones Boulevard makes it attractive for commercial uses. The scale of development, however, is in keeping with the rest of this predominantly residential neighborhood.

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 Title 19 standards with the exception of perimeter and parking lot landscaping requirements. Staff recommends approval of a perimeter buffer waiver and exceptions of parking lot and perimeter landscaping requirements on the site. A condition of approval has been added requiring the applicant to provide a perimeter wall along the south property line in conformance with Title 19.12 requirements.

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

Access to the site is provided by a driveway to Jones Boulevard, which is adequate for the proposed development.

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

The building materials are appropriate for the area and will maintain a residential appearance for the site. The landscape materials, as conditioned, are appropriate for the 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;

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The proposed building elevations will retain a residential appearance that is compatible with the surrounding development.

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 26

NOTICES MAILED 354

APPROVALS 0

PROTESTS 0