



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: CLARK COUNTY LEGAL SERVICES PROGRAM

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-41023	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SDR-41023 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with all applicable conditions of approval for Site Development Plan Review (SDR-39457) and all other site-related actions, except as amended by conditions herein.
3. All development shall be in conformance with the building elevations, date stamped 02/23/11 except as amended by conditions herein.
4. Trash enclosure gates shall not open into the alley right-of-way.
5. 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 03/02/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

YK

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6. 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 Department of Building and Safety.
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a major modification to a previously approved Site Development Plan Review (SDR-39457) project that will entail the destruction of the existing office building and the construction of a proposed 48-foot tall, four-story, 112-space parking garage. This is the second phase of this project. There are three significant changes to note in this submittal: first, the addition of another half level increasing the height from 33 feet to 49 feet; second, the addition of 20 parking spaces; and third, the addition of another vehicle entrance off of the public alley on the west side of the garage. Since the proposed project would decrease the intensity of a previously approved parking variance by 16% and is in substantial compliance with previously approved entitlements, staff is recommending approval. If the application is denied, the proposed parking garage would have to be built as previously approved.

ISSUES

- A Site Development Plan Review (Major) is required since the project height and building area have increased by more than ten percent.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/94	The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. The Planning Commission recommended approval on 12/10/94.
11/05/08	The City Council approved a Site Development Review Plan (SDR-29445) for a 39,000 Square Foot Office Building, Variance (VAR-29446) to allow 84 parking spaces where 130 are required and Variance (VAR-29447) to allow a 10-foot front yard setback where 20 feet is required, a five-foot side yard setback where 10 feet is required, a zero-foot corner side setback where 15 feet is required a zero-foot rear yard setback where 20 feet is required, and to allow approximately 83% lot coverage where 50% is the maximum allowed on 0.71 acres at the northwest corner of Charleston Boulevard and 8th Street. The Planning Commission recommended Approval, and Staff recommended denial.

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10/21/10	The Planning Commission approved a Site Development Review Plan (SDR-39457) and Variance (VAR-39458) to allow a 10-foot side yard setback where 20 feet is required, a zero-foot side yard setback where 10 feet is required, a six-foot corner side yard setback where 15 feet is required, a five-foot rear yard setback where 20 feet is required and to allow 82% lot coverage where 50% is the maximum allowed for a parking garage on 0.71 acres at the northwest corner of Charleston Boulevard and 8th Street. Staff recommended denial.
10/21/10	The Planning Commission approved a Site Development Review Plan (SDR-39098), Variances (VAR-39100) and (VAR-39099) to allow a 10-foot front yard setback where 20 feet is required, a five-foot side yard setback where 10 feet is required, and a 10-foot corner side yard setback where 15 is required and to allow zero parking spaces where 118 parking spaces are on 0.71 acres at 721 East Charleston Boulevard. Staff recommended denial.

Most Recent Change of Ownership

11/15/07	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

06/30/94	A Building Permit (#94338242) was issued for an interior remodel at 800 South 8 th Street. The permit was finalized on 07/22/94.
08/09/99	A Building Permit (#99015816) was issued for interior demolition. The permit was finalized on 10/26/99.
11/03/99	A Building Permit (#99021186) was issued for tenant improvement at 800 South 8 th Street. The permit was finalized on 02/04/00.
11/08/99	A Building Permit (#99021463) was issued for tenant improvement at 800 South 8 th Street. The permit was finalized on 02/07/00.
12/28/99	A Building Permit (#99024534) was issued for a sign at 800 South 8 th Street. The permit was finalized on 02/15/00.
05/21/01	A Building Permit (#L-3747-01) was issued for a non-work certificate of occupancy at 721 East Charleston Boulevard.

Pre-Application Meeting

02/16/11	Staff reviewed the proposal with the applicant and the requirements for a Major Amendment to an approved Site Development Plan Review application were provided.
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Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.	
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<i>Field Check</i>	
03/03/11	Staff visited the site and found no outstanding issues.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.98

<i>Surrounding Property</i>	<i>Existing Land Use</i>	<i>Planned Land Use</i>	<i>Existing Zoning</i>
Subject Property	Parking Lot/Office	C (Commercial)	C-1 (Limited Commercial)
North	Offices	C (Commercial)	C-1 (Limited Commercial)
South	Mary Dutton Park	PF (Public Facilities)	C-V (Civic)
	Offices	C (Commercial)	P-R (Professional Office and Parking)
East	Financial Institution, General (with Drive-Through)	C (Commercial)	C-2 (General Commercial)
West	Offices, Medical or Dental	C (Commercial)	C-1 (Limited Commercial)

<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			
Live/Work Overlay District	X		N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Las Vegas Redevelopment Plan	X		Y
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.010, the following development standards are proposed:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	31,052 SF	N/A

YK

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Min. Lot Width	100 feet	142 feet	Y
Min. Setbacks			
• Front (north property line)	20 feet	6 feet	Y*
• Side (west property line)	10 feet	5 feet	Y
• Corner (east property line)	15 feet	10 feet	Y
• Rear (south property line)	20 feet	0 feet	Y
Max. Lot Coverage	50%	82%	Y
Max. Building Height	N/A	32 feet	N/A
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

- Per approved Variance (VAR-39458)

Pursuant to Title 19.12 the following development standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/ 6 Spaces	N/A	0 Trees	N/A
Buffer:				
Min. Trees				
(Front: north property line)	1 Tree/20 Linear Feet	5 Trees	0 Trees	Y*
(Corner: east property line)	1 Tree/20 Linear Feet	9 Trees	0 Trees	Y
(Side: west property line)	1 Tree/30 Linear Feet	12 Trees	0 Trees	Y
(Rear: north property line)	1 Tree/30 Linear Feet	5 Trees	0 Trees	Y
TOTAL		28 Trees	0 Trees	Y
Min. Zone Width				
(Front: north property line)	15 Feet		0 Feet	Y
(Corner: east property line)	15 Feet		0 Feet	Y
(Side: west property line)	8 Feet		0 Feet	Y
(Rear: south property line)	8 Feet		0 Feet	Y

- Per approved Site Development Plan Review (SDR-39454)

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Garage	N/A	N/A	0	0	106	6	
TOTAL			0		112		Y
Loading Spaces			0		0		Y

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<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Charleston Boulevard (Primary Arterial)	Master Plan of Streets and Highways	100	Y
8 th Street	N/A	80	Y
Gass Avenue	N/A	70	Y

ANALYSIS

Previously approved Variances and Waivers for reduced setbacks, maximum lot coverage and perimeter landscape buffers remain with the parcel and have not changed with this proposal. A Major Amendment is required, as the height of the structure and building area has increased by more than ten percent.

A new entrance/exit has been added for access to the alley located on the west side of the property. This addition will improve traffic movement and access throughout the project. The additional 20 parking spaces that will be provided will reduce the intensity of the existing parking Variance (VAR-29446) for the overall project. The additional height will only have a slight change to the aesthetics of the structure.

As the additional parking spaces provided reduces the intensity of the parking Variance, and the structure is in substantial compliance with previously approved entitlements, staff is therefore recommending approval.

FINDINGS (SDR-41023)

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 project is compatible with the area as it will add additional parking spaces to the proposed adjacent office building and does not increase intensity of the use. It is also in substantial compliance with previously approved entitlements.

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 project is in conformance with the General Plan and Title 19 requirements with the exception of previously approved Variances and Waivers.

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

Adequate site access is provided from Eighth Street, an 80-foot right-of-way and a 20-foot wide public alley.

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

Building materials are appropriate for the area. Previously approved Waivers were granted from Title 19.10 Landscape and Buffer Standards.

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 materials and aesthetics are harmonious and compatible with the area.

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

The proposed plan will not impact public health, safety or welfare since the development will be subject to City inspections during construction of the addition, as well as routine business license inspections for any commercial activities.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 34

NOTICES MAILED 270

APPROVALS 1

PROTESTS 0