



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: AUGUST 9, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: SOK J. LIM - OWNER: JWB NEVADA
INVESTMENT SERIES C, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-41771	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SDR-41771 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. Prior to issuance of a building permit, the applicant shall provide a letter from the service provider that approves the continuation of curb side trash pickup once the subject site is converted to commercial use.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/21/11, except as amended by conditions herein.
4. A Waiver from 19.08.050 is hereby approved, to allow landscape buffer widths of seven feet along the west perimeter where 15 feet is required and zero feet along a portion of the north and south perimeter where five feet is required.
5. 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.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

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7. 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. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan: add four 5-gallon sized shrubs for each required tree in the landscape planters.
8. 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).
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.08.040.
10. 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.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. Remove all substandard improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. The existing "pan" style driveway may remain.
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. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements, if any, in the Jones Boulevard public right-of-way adjacent to this site.

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15. Contact the Capital Project Management Section of the Department of Public Works at 229-6272 to coordinate the development of this project with the Jones and Valley View Corridor Improvements” project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
16. 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 drainage ways as recommended.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The property at 404 South Jones Boulevard contains a vacant Single Family, Detached dwelling. The request is to convert the existing Single Family, Detached dwelling to a Tutoring Center. The proposed development is compatible and harmonious with the adjacent P-R (Professional Office and Parking) Zoned properties located at the north and south of the site. The requested Waivers can be supported by staff, as the building will maintain the appearance of a single-family residence and is harmonious with the adjacent single-family residence to the east and west. Therefore, staff recommends approval of this request. If this application is denied, the property will remain as a single-family residence.

ISSUES

- A Site Development Plan Review approval is necessary to convert the existing property from Single Family Residential use to Commercial use.
- Waivers of the perimeter landscape buffer are requested by the applicant, as part of this review, to allow a seven-foot perimeter landscape buffer to the west where 15 feet is required and to allow zero-foot perimeter landscape buffer on a portion of the north and south perimeter landscape buffers where five feet is required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/01/91	The City Council approved a request for Rezoning (Z-0026-91) from R-1 (Single Family Residential) to P-R (Professional Offices and Parking at 344 South Jones Boulevard as part of a larger request. The Planning Commission and staff recommended denial.

<i>Most Recent Change of Ownership</i>	
04/29/11	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
05/09/61	A building permit (#4385) was issued for a Single Family Dwelling at 404 South Jones Boulevard. The permit was finalized on 07/05/61.

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<i>Pre-Application Meeting</i>	
04/26/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Site Development Plan Review for a Residential Conversion to a Tutoring Center use. The topics included: • Tutoring Center use conditional use regulation number 3 requires instructional services must be provided with a pupil/instructor ratio no greater than 2 to 1. If this condition could not be met a Special Use Permit is required for approval if the pupil/instructor ratio is greater than 2 to 1. A possible application for parking variance is needed since the pupil/instructor would be greater than 2 to 1. • Waivers are required for the perimeter landscape buffer widths.

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

Field Check	
06/07/11	A site visit by staff noted that the existing residence is currently vacant.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.13

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Single Family, Detached	O (Office)	P-R (Professional Office and Parking)
North	Office	O (Office)	P-R (Professional Office and Parking)
South	Office	O (Office)	P-R (Professional Office and Parking)
East	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Church/House of Worship	L (Low Density Residential)	R-1 (Single Family Residential)

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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 (175 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	7,411 SF	Y
Min. Lot Width	60 Feet	61 Feet	Y
Min. Setbacks			
• Front	20 Feet	30 Feet	Y
• Side (North)	7 Feet	7 Feet	Y
• Side (South)	7 Feet	7 Feet	Y
• Rear	15 Feet	52 Feet	Y
Max. Lot Coverage	50 %	23 %	Y
Max. Building Height (measured from midpoint)	35 Feet	13 Feet	Y
Trash Enclosure	Screened	Curb side pickup	Y
Mech. Equipment	Screened	None	N*

*Pursuant to Title 19.14.030 (B) the existing structure is non-conforming.

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	1 Trees	1 Trees	Y
• South	1 Tree / 30 Linear Feet	2 Trees	2 Trees	Y
• West	1 Tree / 20 Linear Feet	1 Trees	1 Trees	Y
TOTAL PERIMETER TREES		4 Trees	4 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	2 Trees	4 Trees	Y

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LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	5 Feet	Zero Feet	N	
• South	5 Feet	Zero Feet	N	
• West	15 Feet	7 Feet	N	

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

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Tutoring Center	Four Staff	One space per staff	4				
	Eight Students	One space for every five students	2				
TOTAL SPACES REQUIRED			6		8		Y
Regular and Handicap Spaces Required			5	1	7	1	Y

Waivers		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Five-foot landscape buffer along the north and south perimeter buffer.	Zero feet	Approval
15-foot landscape buffer adjacent to right-of-way.	Seven feet	Approval

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ANALYSIS

The request is to convert the existing Single Family, Detached residence to a Tutoring Center. The property is located within the A-O (Airport Overlay) District with a 175-foot height restriction. The proposed conversion will not affect the overlay district, as the building height would remain the same.

The subject property complies with all Title 19 requirements, with the exception of required landscaping. Pursuant to Title 19.08.050, within the P-O (Professional Office) zoning district, the perimeter landscape buffer of 15 feet must be provided along the public right-of-way and a landscape buffer of five feet shall be provided on interior property lines where building setbacks prevail. The site plan depicts a seven-foot landscape buffer along Jones Boulevard, which is an eight-foot deviation from the standard, a zero-foot landscape buffer along a portion of the south property line, which is a five-foot deviation from the standard and a zero-foot landscape buffer along the north property line, which is a five-foot deviation from the standard. Staff can support the requested Waivers, as the development will be compatible with existing P-R (Professional Office and Parking) Zoned properties to the north and south. The submitted landscape plan indicates only 16 shrubs provided for this project. A condition has been added to revise the landscaping plan upon the submittal for a building permit to require four shrubs for every required tree in the landscape planter.

The existing residence contains a one-car garage and the garage will be converted as part of the proposed Tutoring Center. Furthermore, the building will maintain the appearance of a single family residence and will be compatible with the existing adjacent residential properties to the east and west. Staff recommends approval of this request with conditions.

FINDINGS (SDR-41771)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 development will be compatible with existing P-R Zoned properties to the north and south. As the building will maintain the appearance of a single family detached dwelling, the site will be compatible with the existing adjacent single-family residential properties to the east and west.

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;

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The development of professional offices on this site is encouraged, as the property has been zoned for such use and is consistent with its O (Office) General Plan designation. The proposed development does not meet the perimeter landscape buffer requirements for the north, south and west perimeters. The applicant has requested waivers of these requirements, which are consistent with other converted properties along Jones Boulevard.

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

The site will have access to Jones Boulevard, an 80-foot Secondary Collector on the Master Plan of Streets and Highways, which is adequate to provide access to serve the proposed use. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic. The rear parking lot can be accessed an alley located north of the subject property. The same alley can be accessed from Alta Drive from the south.

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

Building and landscape materials are appropriate for the area and the City of Las Vegas.

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 and design characteristics are consistent with the single-family residences in the area and are harmonious and compatible with development in the area.

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

The site will be subject to inspection by the City and will not compromise the health, safety, and welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

30

NOTICES MAILED

381

APPROVALS

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PROTESTS

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