



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MAY 8, 2012

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: THE BOYER COMPANY - OWNER: CITY PARKWAY V, INC.

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-44908	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SDR-44908 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. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/22/12, except as amended by conditions herein.
3. A Waiver from Title 19.08 is hereby approved, to allow a zero foot landscape buffer along a portion of the east perimeter where a minimum of eight feet is required.
4. An Exception from Title 19.08 is hereby approved, to allow seven trees along the east perimeter landscape buffer where 12 are required.
5. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to create a new legal lot. The mapping action shall be completed and recorded prior to the issuance of any building permits.
6. 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 03/22/12. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

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7. 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.
8. These Conditions of Approval shall be affixed to the cover sheet of any 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. 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: to add an additional four 24-inch box trees and 16 five-gallon shrubs to the south perimeter landscape buffer.
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. Prior to or at the time of submittal for any building permit, the applicant shall provide written verification by the FAA and/or the Clark County Department of Aviation of the following:
 - Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Clark County Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Clark County Department of Aviation;
 - No Building Permit or other construction permit shall be issued for any structure greater than 35 feet above the surface of land that, based upon the FAA's 7460 airspace determination (the outcome of filing the FAA Form 7460-1) would (a) constitute a hazard to air navigation, (b) would result in an increase to minimum flight altitudes during any phase of flight (unless approved by the Department of Aviation), or (c) would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.
 - Applicant is advised that FAA's airspace determinations are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments.
 - Applicant is advised that the FAA's airspace determinations include expiration dates and that the separate airspace determinations will be needed for construction cranes or other temporary equipment.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

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Public Works

13. Construct all incomplete half-street improvements (sidewalk) on Tenaya Way adjacent to this site concurrent with development of this site. Additionally, construct a raised median island, as approved by the City Traffic Engineer, in Tenaya Way creating right in/out access at the proposed driveway accessing this site from Tenaya Way.
14. In accordance with code requirements of Title 13.16 and 13.56, remove all substandard improvements and replace with new improvements meeting current City Standards as directed by the City Engineer 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.
15. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
16. All private improvements and landscaping 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.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed models.
18. No trees or vegetation over three feet tall shall be allowed within 20 feet of the east property line, which is an existing public sewer easement per Plat Book 38, Page 91.
19. A Record of Survey Map and deed transfer is required to create the proposed parcel limits prior to the issuance of any permits for this site.
20. 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 or the submittal of any construction drawings, 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

This is a request to build a new 38-bed, 33,515 square foot Convalescent Care Facility/Nursing Home on Tenaya Way in the Las Vegas Technology Park. This is a permitted use in the C-PB (Planned Business Park) district. Staff supports the requested application with conditions. If denied, no building permits could be issued without a new Site Development Plan Review application being reviewed and approved.

ISSUES

- The Department of Public Works will require a raised median that will prevent left turns from southbound traffic on Tenaya Way onto the project site in order to accommodate the proposed driveway location.
- A new legal lot is being created and separated from the existing one lot commercial subdivision.
- A Waiver is required to allow a zero-foot landscape buffer along a portion of the east perimeter where eight feet is required. Staff supports this request due to the unique shape of the parcel.
- An Exception is required to allow 7 perimeter trees where 12 are required along the east. Staff supports this request due to the additional trees included throughout the site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
08/15/84	The City Council approved Annexation (A-0015-84) of the site as part of a larger 1,000 acre request south of Cheyenne Avenue and west of Lorenzi Boulevard under Ordinance #3143. Staff recommended approval. Effective date of 12/06/84.
11/20/85	The City Council approved a Rezoning (Z-0068-85) to C-PB (Planned Business Park) District for this site as part of a larger request. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
06/07/05	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
No relevant permits or business licenses are on file for this site.	

<i>Pre-Application Meeting</i>	
03/13/12	Staff reviewed the Site Development Plan Review application requirements with the applicants. Traffic indicated that the proposed driveway was not acceptable. Staff agreed to work with the applicant to find an alternative.

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

<i>Field Check</i>	
03/29/12	Staff visited the site and found a clean, undeveloped parcel.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.7

<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	Undeveloped	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
North	Hospital	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
South	Offices, Medical or Dental	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
East	Undeveloped	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
West	Offices, Medical or Dental	LI/R (Light Industry/Research)	C-PB (Planned Business Park)

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Master Plan Area	Yes	No	Compliance
Technology Center	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
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 Development Standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	261 Feet	Y
Min. Setbacks			
• Front	20 Feet	40 Feet	Y
• Side	10 Feet	15 Feet	Y
• Corner	20 Feet	N/A	N/A
• Rear	15 Feet	15 Feet	Y
Max. Lot Coverage	50%	29%	Y
Max. Building Height	Six stories or 100 feet	1 Story, 21 feet	Y
Trash Enclosure	Screened, gated	Screened, gated	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	14 Trees	18 Trees	Y
• South	1 Tree / 30 Linear Feet	13 Trees	9 Trees	N
• East	1 Tree / 30 Linear Feet	12 Trees	7 Trees	N
• West	1 Tree / 30 Linear Feet	8 Trees	10 Trees	Y
TOTAL PERIMETER TREES		47 Trees	44 Trees	N
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	18 Trees	22 Trees	Y

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LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet	10 Feet	Y	
• South	8 Feet	10 Feet	Y	
• East	8 Feet	0 Feet	N	
• West	15 Feet	25 Feet	Y	

<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>
Tenaya Way	Secondary Collector	Master Plan of Streets and Highways	80	Y

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

<i>Parking Requirement</i>							
<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	
Convalescent Care Facility/ Nursing Home	33,515 SF	1:6 beds, plus for each employee on largest shift, plus 3 for medical	49				
TOTAL SPACES REQUIRED			49		59		Y
Regular and Handicap Spaces Required			47	2	56	3	Y

<i>Waiver</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
To provide an eight-foot landscape buffer along interior lot lines adjacent to commercial property.	To allow a zero-foot landscape buffer along a portion of the east perimeter.	Approval

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<i>Exception</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Provide 12 24" box trees in the east perimeter landscape buffer area.	To provide seven 24" box trees in the east perimeter landscape buffer area.	Approval

ANALYSIS

The applicant is proposing to build a new 38-bed Convalescent Care Facility to meet the needs of patients that have had hip and knee replacement surgery at the adjacent hospital. This facility is designed to meet all development standards established for the C-PB (Planned Business Park) zoning district with the exception of a minor Waiver of the east perimeter landscape buffer width. Staff supports the request due to the unique shape of the parcel and the minor nature of the request. Currently, this site is part of a one lot commercial subdivision. However, the applicant is requesting to create a separate legal lot, which will require the development to install the north and east perimeter landscape buffers. A condition has been added to address the remapping issue.

The proposed driveway location is not ideal due to the slight curve in the Tenaya Way right-of-way and the numerous existing driveways in the area. To reduce cross traffic congestion, staff is requiring a raised median on Tenaya Way to be installed along the project's frontage. This would prevent left turns from southbound Tenaya way traffic. A condition has been added to address this concern.

Comments received from the Clark County Department of Aviation included the following:

Federal Aviation Regulations (Title 14, Part 77) require that the Federal Aviation Administration (FAA) be notified before the construction or alteration of any building or structure greater than 200 feet in height (§ 77.13(a)(1)) or that will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of any airport runway greater than 3,200 feet in length (§ 77.13 (a)(2)(i)). Such notification allows the FAA to determine what impact, if any, the proposed development will have upon navigable airspace, and allows the FAA to determine whether the development requires obstruction marking or lighting.

The proposed development will exceed the 100:1 notice requirement for the North Las Vegas Airport (VGT). Therefore, as required by 14 CFR Part 77, the FAA must be notified of the proposed construction or alteration.

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A condition of approval has been added to address this issue.

The proposed Convalescent Care Facility/Nursing Home use is permitted in the C-PB (Planned Business Park) district. An Exception has been requested to reduce the required number of east side perimeter trees by five. Staff supports this request since additional trees are being provided on the site adjacent to the east perimeter. The overall number of trees provided is greater than the minimum required along the perimeter.

FINDINGS (SDR-44908)

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 as conditioned will be compatible with development in the Las Vegas Technology Center.

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 consistent with the Light Industry/Research category policies of the General Plan and the zoning regulations of the C-PB (Planned Business Park) zoning district as conditioned.

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

Principal access to the site will be Tenaya Way, designated a Secondary Collector (80-foot right-of-way) per the Master Plan of Streets and Highways. This street has adequate capacity to serve the proposed development.

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

The building and landscape materials are appropriate for the area and are harmonious with the surrounding developments.

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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As conditioned, the proposed elevations are appropriate for the intended use and present a development that will be compatible with the surrounding area.

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

The proposed development will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 227

APPROVALS 2

PROTESTS 0