



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: SEPTEMBER 13, 2016

DEPARTMENT: PLANNING

**ITEM DESCRIPTION: APPLICANT: NATHAN STRAGER - OWNER: DAVID J TRUST
WILLDEN, ET AL**

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAR-65923	Staff recommends DENIAL, if approved subject to conditions:	
SUP-65924	Staff recommends DENIAL, if approved subject to conditions:	VAR-65923
SDR-65925	Staff recommends DENIAL, if approved subject to conditions:	VAR-65923 SUP-65924

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 25

NOTICES MAILED 132 – VAR-65923 and SUP-65924
132 – SDR-65925

APPROVALS 0 – VAR-65923 and SUP-65924
0 – SDR-65925

PROTESTS 0 – VAR-65923 and SUP-65924
0 – SDR-65925

**** CONDITIONS ****

VAR-65923 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-65924) and Site Development Plan Review (SDR-65925) shall be required, if approved.
2. 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.
3. 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.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-65924 CONDITIONS

Planning

1. The alternative parking demand analysis date stamped 08/02/16 is hereby approved. The alternative parking standard is valid for the duration of the Banquet Facility and General Personal Service [Instructional Arts Studio (Dance Studio)] uses at this site. The alternative parking standard shall expire when the uses cease to operate on the site.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-65923) and Site Development Plan Review (SDR-65925) shall be required.

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3. 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.
4. 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.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-65925 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-65923) and Special Use Permit (SUP-65924) shall be required, if approved.
2. 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.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 08/02/16, except as amended by conditions herein.
4. The trash enclosures shall be constructed in accordance with Title 19.08.
5. All mechanical and electrical equipment shall be screened in accordance with Title 19.08.
6. In accordance with Title 19.08, a six to eight-foot tall perimeter wall shall be constructed along the south property line adjacent to the existing residential properties.
7. A Waiver from Title 19.08 is hereby approved, to allow zero-foot landscape buffers along the east, west, and south property line.

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8. An Exception from Title 19.08 is hereby approved, to allow five trees in the north perimeter landscape buffer where a total of 43 trees are required in the north, south, east, and west perimeter landscape buffers; to provide landscape islands with trees and shrubs at the end of two rows of parking where a landscape island with trees and shrubs are required at the end of each row of parking; and to provide eight landscape trees within the parking lot where 16 was the minimum required.
9. 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.
10. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
11. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the two existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
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. 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: four (4), five-gallon shrubs for every required tree.
13. 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. A Parcel Map, such as PMP-66184, shall record prior to the issuance of permits for the purpose of combining the two lots which this development encompasses.
16. Grant a Public Pedestrian Access Easement for any sidewalk outside the public right-of-way prior to issuance of permits for this site.

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17. Correct all American's with Disabilities Act (ADA) deficiencies on the sidewalks adjacent to this site, if any, in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site.
18. Remove the proposed tree from the existing public sewer easement granted by 755:714370 and 755:714375. Alternatively, prior to the issuance of any permits, vacate a portion of this easement as it is no longer needed beyond the existing public sewer manhole.
19. Maintain drivable access to the existing sewer manhole located within the onsite sewer easement. No buildings, trees or landscaping over 3-feet tall shall be allowed within the easement.
20. 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.
21. Landscape and maintain all unimproved rights-of-way adjacent to this site. 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.
22. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all driveways or other private improvements in the West Sahara Avenue public right-of-way, if any, adjacent to this site prior to constructing any improvements within NDOT jurisdiction.
23. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, 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 applicant has proposed a 7,800 square-foot commercial building with a 1,000 square-foot outdoor patio to house a Banquet Facility and an Instructional Arts Studio (Dance Studio) on a vacant, undeveloped lot located at 4545 West Sahara Avenue.

ISSUES

- A Variance has been requested to allow a zero-foot side setback where ten feet is required. Staff does not support the request.
- A Special Use Permit has been requested for an Alternative Parking Standard to allow 47 parking spaces where 54 parking spaces is the minimum required. Staff does not support the request.
- The applicant has requested a Waiver to allow zero-foot landscape buffers along the east, west, and south property lines where eight feet is required. Staff does not support the request.
- An Exception is required to allow for no perimeter trees along the east, west, and south property lines; and to allow a reduced number of parking lot islands and trees. Staff does not support the request.

ANALYSIS

The applicant has proposed a 7,800 square-foot commercial building with a 1,000 square-foot outdoor patio. The 24-foot tall single-story structure has been designed to house a Banquet Facility and a Dance Studio. Positioned on the far north end of the subject site, the applicant has requested a Variance to allow a zero-foot setback for the west side of the building where ten feet is required, and a Waiver to provide no landscape buffers along the east, west, and south property lines where a minimum of eight feet is required. Landscape buffers provide noise mitigation and minimize the impact a commercial project has on an existing residential development. Directly adjacent to the proposed site on the south is an existing residential development. Not providing the required landscape buffer along the south perimeter exposes this existing residential neighborhood to parking lot traffic and errant lighting and noise. Landscape buffers are required in order to mitigate these impacts on residents that abut commercial development. In addition, constructing a building next to a retaining wall while providing no landscape buffers along the east and west property lines adjacent to existing commercial developments does not nurture the intent of commercial development standards set forth by Title 19 which states, “to encourage sensitive design and planning of commercial and industrial development which enhances compatibility between the built environment and the natural environment and it will not negatively impact the use and enjoyment of adjacent and neighboring

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properties.” Staff finds the proposed development to be too intense for the subject site and will negatively impact the existing commercial developments to the east and west, and the existing residential neighborhood to the south. Staffs finds the subject site to be overdeveloped and is recommending denial of the side setback Variance, the Alternative Parking Standard (Special Use Permit), and the Site Development Plan Review with Waivers and Exceptions.

The proposed floor plan includes a 2,250 square-foot banquet room with a 616 square-foot performance platform in the northern portion of the building. The banquet portion of the facility has access to a 1,000 square-foot outdoor patio located on the front elevation of the proposed building. The banquet area also includes a sound and lighting room, a bar with bar storage, and an office. Restrooms have been centrally located between the proposed Banquet Facility and the Dance Studio with access provided for to both uses. The remaining northern portion of the building is dedicated to the dance studio. The dance studio consists of three instructional rooms, a lobby, a small storage area, and a multi-purpose room. Primary access to both the Banquet Facility and Dance Studio is from the east façade of the building. Separate entryways are dedicated for each use.

In lieu of the traditional landscape islands parallel to the parking spaces, the applicant has proposed an alternative island option that includes diamond shaped landscape islands positioned in the center of two rows of parking spaces. Title 19.08.110 states, “...alternative landscape island configurations may be approved as part of a Site Development Plan Review provided the design achieves the planting requirements...” The proposed alternative landscape island configuration does not achieve the required planting requirements as the subject site is required to provide 16 trees in the parking lot where the applicant has only proposed half, or eight trees for the entire parking lot. Staff does not support this request and is recommending denial of this request.

As a result of the requested landscape buffer Waiver, and requested Exception of required landscape parking lot islands and associated trees and shrubs, the proposed site is severely deficient in required landscape buffers, islands, and trees. The applicant is requesting to plant a total of 13 trees where 59 trees are required throughout the site. The lack of landscape materials contributes to the heat island effect felt here in the valley, and creates an environment that lacks visual interest and is unsightly.

The applicant is requesting the approval of a Special Use Permit (SUP-65924) for an Alternative Parking Standard—Parking Demand Analysis. According to Title 19, “Where the unique operation of a particular use creates a lesser parking demand than the parking requirements otherwise applicable under this Subsection and LVMC Chapter 19.12, an alternative parking standard for the use may be established in conjunction with the submittal of a Parking Demand Analysis. In order to qualify for consideration, a Parking Demand Analysis must be signed and sealed by a professional traffic engineer, must document the weekday and weekend peak parking demand for the proposed use(s) for the site, and must provide justification for the alternative parking standard. The request for an alternative parking standard pursuant to this Subparagraph:

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- Shall follow the process for a Special Use Permit application under LVMC 19.16.0110, to the extent the process can be made applicable.
- May be approved as requested, or as modified, and may be made subject to conditions if the Planning Commission or City Council, as the case may be, determines that approval of the alternative parking standard is warranted.

One of the purposes and intent of Title 19 is “to prevent the impacts of both overcrowding of land and undue concentrations of population...” Staff finds the proposed development is too intense for the subject site and will result in an overbuilt site with insufficient parking and little to no landscaping. For this reason staff is recommending denial of this application and the associated applications as well.

FINDINGS (VAR-65923)

In accordance with the provisions of Title 19.16.140(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 19.16.140(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 proposing to construct a building on the property line. Alternative site design would allow conformance to the Title 19 requirements for side setbacks in the C-1 (Limited Commercial) zone. 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. Staff is recommending denial of this request.

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FINDINGS (SUP-65924)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1.The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

With a zero-foot side setback for the proposed building, and a parking lot that does not meet the minimum requirements of Title 19.12 for the proposed uses, staff finds the proposed land uses will not be able to be conducted in a harmonious or compatible manner with the existing surrounding land uses.

2.The subject site is physically suitable for the type and intensity of land use proposed.

The subject site is not physically suitable for the type and intensity of land use proposed as evidenced by the side setback Variance, Special Use Permit for an Alternative Parking Standard, the Waivers for zero-foot landscape buffers, and the Exception requested for required landscape and buffer trees. The applicant's design proposal is too intense for the subject site, which would result in a site that will be overbuilt.

3.Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.

Sahara Avenue is a 100-foot Primary Arterial as defined by the Master Plan of Streets and Highways. Sahara Avenue is adequate in size to meet the requirements of the proposed uses.

4.Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

The General Plan serves as a guideline and framework for the zoning and regulatory provisions of Title 19. With respect to the Land Use Element of the General Plan, there are goals, objectives and provisions for use categories and density ranges, but also for the achievement of other planning objectives such as appropriate mixing and buffering of uses to ensure overall compatibility. The approval of an Alternative Parking Standard does not support the minimum requirements of Title 19, which are the minimum requirements adopted for the promotion of the public health, safety and general welfare.

5.The use meets all of the applicable conditions per Title 19.12.

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The combined minimum parking requirements for the proposed Banquet Facility and the General Personal Service [Instructional Arts Studio (Dance Studio)] exceed what is available on the proposed site plan, and does not meet the minimum parking requirements set forth by Title 19.12 resulting in a request for an Alternative parking Standard.

FINDINGS (SDR-65925)

In order to approve a Site Development Plan Review 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;

If approved, The proposed development would have a zero-foot setback to the west, and provide no perimeter landscape buffers for the existing commercial developments to the east and west. The applicant has also requested a Waiver to allow for a zero-foot landscape buffer adjacent to existing detached single family residences to the south. The applicant has proposed to abut customer parking directly adjacent to the rear yard walls of these single family residences. In addition, the applicant has requested numerous Exceptions to allow for a total of 13 trees through the entire site, where a minimum of 59 trees is required. Trees play an important role in mitigating noise and light to adjacent neighboring properties, both commercial and residential. The proposed development is not compatible with the existing adjacent development in the area.

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 not consistent with Title 19 as evidenced by the need for a side setback Variance, an Alternative Parking Standard (Special Use Permit), and numerous Waivers and Exceptions in order to provide little to no landscaping along the perimeters of the subject site and in the parking lot.

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

Site access is provided by Sahara Avenue, a 100-foot Primary Arterial as defined by the Master Plan of Streets and Highways, and provides adequate site access. Site circulation is limited, as vehicular traffic is unable to continuously flow through the site and exit.

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

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The applicant has proposed to construct the building out of split-face charcoal gray CMU with dark burgundy stucco and wood plank accents. For landscape materials, the applicant has proposed the Desert Willow and Texas Honey Mesquite tree, with Silver Cloud Texas Sage, Desert Cassia, and a Rosemary hedge for shrubbery. All of which are appropriate materials for a desert climate.

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 proposed site and landscape plan does not depict an aesthetically pleasing environment as the applicant has proposed to overbuild the subject site and provide the residents of Las Vegas a development consisting of a building surrounded by asphalt. The applicant has proposed to install a total of 13 trees throughout the entire site where a minimum of 59 trees is the minimum required by Title 19. In addition, constructing a building on the property line and providing for no landscape buffers to the east or west does not create an environment where this development will be harmonious or compatible with the existing commercial to the east and west of the subject site. The subject site also abuts a residential neighborhood to the south, where the applicant has requested to provide no landscape buffer for these residents to the south as well, providing them no buffer from light and sounds of a parking lot escaping the subject site and invading their residential neighborhood. The residents who directly abut the subject site will have customer parking adjacent to their rear yard walls.

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

If approved, the proposed development would be subject to building permit review and regular inspections during the construction phase; protecting the health, safety and general welfare of the public.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/04/04	Code Enforcement processed a complaint (#15978) for a vacant lot containing trash and debris, and weeds at 4545 West Sahara Avenue. The case was resolved on 07/06/04.
06/02/06	Code Enforcement processed a complaint (#42785) for a vacant lot containing trash and debris, and vagrant camps at 4545 West Sahara Avenue. The case was resolved on 12/18/09.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/20/07	Code Enforcement processed a complaint (#52389) for graffiti at 4545 West Sahara Avenue. The case was resolved on 04/25/07.
03/28/13	Code Enforcement processed a complaint (#126905) for graffiti at 4545 West Sahara Avenue. The case was resolved on 04/04/13.
11/12/14	Code Enforcement processed a complaint (#148040) for a vacant lot containing trash and debris, and a television at 4545 West Sahara Avenue. The case was resolved on 12/02/14.
04/09/15	Code Enforcement processed a complaint (#152974) for graffiti on the block walls at 4545 West Sahara Avenue. The case was resolved on 06/27/15.

<i>Most Recent Change of Ownership</i>	
12/16/13	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
08/24/04	A demolition building permit (#25740) was issued for 4545 West Sahara Avenue. The permit received its final inspection on 10/08/04.
03/23/05	A demolition building permit (#38868) was issued for 4545 West Sahara Avenue. The permit expired on 09/23/05.

<i>Pre-Application Meeting</i>	
06/21/16	Staff conducted a pre-application meeting where the submittal requirements for a Variance, Special Use Permit, and Site Development Plan Review were discussed.

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

<i>Field Check</i>	
08/04/16	Staff performed a routine field check where a vacant, undeveloped lot was observed. The subject site was secured with chain link topped with barbed wire. Graffiti was observed along the interior of the rear wall.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.83

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<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	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Restaurant	MXU (Mixed Use)	C-1 (Limited Commercial)
	Liquor Establishment (Tavern)		
	General Retail Store, Other Than Listed		
South	Single Family Residential, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	General Personal Service	MXU (Mixed Use)	C-1 (Limited Commercial)
	Laundry, Self-Service		
	General Retail Store, Other Than Listed		
	Employment Agency		
	Liquor Establishment (Tavern)		
	Massage Establishment		
East	General Personal Service	MXU (Mixed Use)	C-1 (Limited Commercial)
	Office, Other Than Listed		
	General Retail Store, Other Than Listed		

<i>Master Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
No Applicable Special Purpose or Overlay Districts	N/A

<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area – Redevelopment Area 2	N*
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y

**Goal and Objective Number Two (2) of the City of Las Vegas Redevelopment Plan for Redevelopment Area 2 states, “to achieve an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for attainment of the objectives of the Redevelopment Plan.” The lack of required landscape buffers, parking lot landscape islands, and the required trees and shrubs for each do not support Goal and Objective Number Two (2) for Redevelopment Area 2.*

DEVELOPMENT STANDARDS

Pursuant to 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	10 Feet	15 Feet	Y
• Side	10 Feet	0 Feet	N*
• Corner	10 Feet	N/A	N/A
• Rear	20 Feet	190 Feet	Y
Max. Lot Coverage	50 %	22 %	Y
Max. Building Height	63 Feet**	24 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Not Addressed	Y***
Mech. Equipment	Screened	Not Addressed	Y***

**The applicant has requested a Variance to allow for a zero-foot side setback where ten feet is required.*

***Residential Adjacency Standards*

****The applicant did not indicate on the plans whether or not the trash enclosure will be screened, gated, with a roof or trellis, and whether or not if the mechanical is screened. A Condition of Approval has been added to ensure compliance with Title 19.*

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 / 20 Linear Feet	4 Trees	5 Trees	Y
• South	1 Tree / 20 Linear Feet	5 Trees	0 Trees	N*
• East	1 Tree / 20 Linear Feet	17 Trees	0 Trees	N*
• West	1 Tree / 20 Linear Feet	17 Trees	0 Trees	N*
TOTAL PERIMETER TREES		43 Trees	5 Trees	N*
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	16 Trees	8 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		15 Feet	Y
• South	8 Feet		0 Feet	N**
• East	8 Feet		0 Feet	N**
• West	8 Feet		0 Feet	N**
Wall Height	6 to 8 Feet Adjacent to Residential		Not Indicated	Y***

*The applicant is requesting an Exception to provide 13 trees where 59 trees are required in the landscape buffer areas and parking lot.

**The applicant is requesting a Waiver to allow for a zero-foot landscape buffer along the east, west, and south property line where eight feet landscape buffers are required.

***Staff observed an existing wall along the south property line, adjacent to residential, but was unable to confirm the wall height due to the subject being secured with chain link fencing. A Condition of Approval has been added to ensure compliance with Title 19.08.

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways	100	Y

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Pursuant to Title 19.08 and 19.12, 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	
Banquet Facility	3,700 SF	1:100	37				
General Personal Studio (Instructional Arts Studio-Dance Studio)	4,100 SF	1:250	17				
TOTAL SPACES REQUIRED			54		47		N*
Regular and Handicap Spaces Required			51	3	45	2	N*
Percent Deviation			13%				

**The applicant is requesting an Alternative Parking Standard (SUP-65924) to allow 47 parking spaces where 54 are required.*

Waivers		
Requirement	Request	Staff Recommendation
Eight-foot landscape buffer along the east, west, and south property line.	Zero-foot landscape buffer along the east, west, and south property line.	Denial

Exceptions		
Requirement	Request	Staff Recommendation
A total of 43 trees are required for the landscape buffers.	To provide five trees in the north perimeter landscape buffer.	Denial
Landscape islands shall be provided for at the end of each row of parking spaces.	To provide landscape islands at the end of two rows of parking where there are seven rows of parking.	Denial
A total of 16 trees are required for the parking lot landscape islands.	To provide eight trees in the parking lot landscape islands.	Denial