

**AGENDA MEMO - PLANNING****PLANNING COMMISSION MEETING DATE: APRIL 9, 2013****DEPARTMENT: PLANNING****ITEM DESCRIPTION: APPLICANT/OWNER: PALOMINO TONOPAH ASSOCIATES, LLC**

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-48398	Staff recommends DENIAL, if approved subject to conditions:	

**** CONDITIONS ****

SDR-48398 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 landscape plan date stamped 02/19/13, except as amended by conditions herein.
- 3.An Exception from the Las Vegas Medical District Plan is hereby approved, to allow zero trees along the south perimeter landscape buffer where 14 trees are required.
- 4.An Exception from the Las Vegas Medical District Plan is hereby approved, to allow zero trees along the east perimeter landscape buffer where six are required.
- 5.An Exception from the Las Vegas Medical District Plan is hereby approved, to allow seven trees along the north perimeter landscape buffer where 14 trees are required.
- 6.An Exception from the Las Vegas Medical District Plan is hereby approved, to allow seven trees along the west perimeter landscape buffer where nine trees are required.

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7. An Exception from Title 19.08.110 is hereby approved, to allow zero parking lot shade trees, where nine are required.
8. 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.
9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
10. 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 of providing all the required shade trees.
11. 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.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Dedicate 25 feet of right-of-way adjacent to this site for Truluck Lane prior to the issuance of any permits.
14. 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.
15. Submit an Encroachment Agreement for landscaping and private improvements, if any, in the Truluck Lane public right-of-way prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements in the public right-of-way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (229-4836).

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant has made extensive changes to the approved landscaping at 2020 Palomino Lane without obtaining the proper permits. The applicant now comes before the City to request five Exceptions to the required landscaping plan that was originally approved for the project. These Exceptions all pertain to the number of 24-inch box trees required. The lack of trees provides no shade for pedestrians along the east and south sides of the property as required in the Las Vegas Medical District Plan. Over two dozen trees were removed from this property and not replaced, creating a major change in the overall aesthetic of the project. Staff recommends denial, as the intent of the Las Vegas Medical Plan to provide a comfortable pedestrian environment is not being met. If denied, the applicant would be required to replace all the trees that were originally approved with this project in 1986.

ISSUES

- The applicant changed existing landscaping to drought tolerant landscaping approximately five years ago without replacing the required trees. During a standard inspection a notice was given to replace the previously approved landscaping or amend the Site Development Plan Review.
- Five Exceptions for reduced perimeter and parking lot trees are requested with this application. Staff does not support these requests.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
03/11/85	The City Council approved a request for Rezoning (Z-0011-85) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for a proposed medical building at 2120 Palomino Lane. Staff recommended approval.
11/20/85	The City Council approved a request for Rezoning (Z-0076-85) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) north of Palomino Lane between Truluck Lane and Tonopah Drive. Staff recommended approval.
08/06/86	The City Council approved a request for Rezoning (Z-0049-86) from R-1 [(Single Family Residential) Under Resolution of Intent to P-R (Professional Office and Parking)] and P-R (Professional Office and Parking) to P-R (Professional Office and Parking) north of Palomino Lane between Truluck Lane and Tonopah Drive. Staff recommended approval.

YK

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<i>Most Recent Change of Ownership</i>	
01/08/03	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
10/28/86	A Building Permit (#2337-1) was issued for landscaping at 2020 Palomino Lane.

<i>Pre-Application Meeting</i>	
01/23/13	Staff met with the applicant and reviewed the requirements for a Site Development Plan Review application in order to modify the previously approved landscaping of the property. The applicant stated that the landscaping was changed to drought tolerant plants as part of the Water Districts conservation efforts.

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

<i>Field Check</i>	
02/28/13	Staff visited the site and found a well maintained and landscaped medical office complex. The lack of trees was noticeable along the east and south perimeters.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.58

<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	Medical Office	LVMD [(Las Vegas Medical District) P-O (Professional Office)]	PD (Planned Development)
North	Medical Office	LVMD [(Las Vegas Medical District) P-O (Professional Office)]	PD (Planned Development)

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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>
South	Medical Office	LVMD [(Las Vegas Medical District) P-O (Professional Office)]	PD (Planned Development)
East	Hospital	LVMD [(Las Vegas Medical District) MD-2 (Major Medical)]	PD (Planned Development)
West	Medical Office	LVMD [(Las Vegas Medical District) P-O (Professional Office)]	PD (Planned Development)

<i>Master Plan Areas</i>	<i>Compliance</i>
Las Vegas Medical District	N
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (175 Feet)	N/A
Live/Work Overlay District	N/A
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to approved building plans date stamped 10/06/86, the following standards apply:

<i>Landscaping and Open Space Standards</i>			
<i>Standards</i>	<i>Required Trees</i>	<i>Provided</i>	<i>Compliance</i>
Buffer Trees:			
• North	14 Trees	7 Trees	N
• South	14 Trees	0 Trees	N
• East	6 Trees	0 Trees	N
• West	9 Trees	7 Trees	N
TOTAL PERIMETER TREES	43 Trees	14 Trees	N
Parking Area Trees	9 Trees	0 Trees	N

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<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>
Truluck Lane	N/A	N/A	55	N/A
Palomino Lane	N/A	N/A	60	N/A
Tonapah Drive	N/A	N/A	55	N/A

<i>Exceptions</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
To install 14 landscape buffer trees along the north perimeter.	To install 7 landscape buffer trees along the north perimeter.	Denial
To install 14 landscape buffer trees along the south perimeter.	To install zero landscape buffer trees along the south perimeter.	Denial
To install 6 landscape buffer trees along the east perimeter.	To install zero landscape buffer trees along the east perimeter.	Denial
To install 9 landscape buffer trees along the west perimeter.	To install 7 landscape buffer trees along the west perimeter.	Denial
To install 9 trees in the parking lot area.	To install zero trees in the parking lot area.	Denial

ANALYSIS

The applicant removed dozens of trees from the property and did not replace them, creating a much different aesthetic than originally approved for the site. The applicant is requesting approval of their actions, after-the-fact. The existing landscaping does not meet the requirements of the Las Vegas Medical Plan. The lack of trees is especially noticeable along the south and east perimeters adjacent to the sidewalks. Due to the high pedestrian traffic in the area and that the pedestrians tend to be seniors and/or people with medical conditions; shading the sidewalks with trees is especially important.

The applicant justifies the request by claiming that trees would distract from the award winning building. There are several award winning buildings in Las Vegas that also have the required number of landscape perimeter trees without distracting from the building. Staff recommends that the required number of perimeter landscape and parking lot trees required by the current Las Vegas Medical Plan be required. This would require one 24-inch box tree every 20-feet on center within the perimeter landscape buffers. This is very similar to what was originally approved for the site.

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Staff cannot justify having no perimeter landscape buffer trees in such a high pedestrian traffic area. The landscaping was removed without obtaining the proper entitlements and does not meet the minimum standards of the Las Vegas Medical Plan; therefore, staff recommends denial.

FINDINGS (SDR-48398)

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;

This is an existing medical office building that is compatible with adjacent development.

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 development is consistent with the General Plan, but requires five Exceptions to the required number of perimeter landscape buffer and parking lot trees. The project does not meet the Las Vegas Medical Plan landscape standards.

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

Circulation of the site does not have a negative impact on adjacent streets.

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

The landscape materials are not appropriate for the area in that they are lacking the minimum required number of perimeter trees. This lack of trees does not conform to the goals and objectives of either the Las Vegas Medical District Plan or the Conservation Element of the General Plan.

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 lack of perimeter landscape and parking lot trees creates an undesirable appearance and is not harmonious with surrounding streetscape and landscape aesthetics.

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

The applicant will be required to obtain proper permits for all work completed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 48

NOTICES MAILED 106

APPROVALS 0

PROTESTS 0