



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 11, 2018

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: EMA HOLDINGS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
VAR-74812	Staff recommends APPROVAL, subject to conditions:	
SDR-74813	Staff recommends APPROVAL, subject to conditions:	VAR-74813

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

NOTICES MAILED 533 - VAR-74812 and SDR-74813

PROTESTS 0 - VAR-74812 and SDR-74813

APPROVALS 3 - VAR-74812 and SDR-74813

**** CONDITIONS ****

VAR-74812 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-74813) shall be required, if approved.
2. Conformance to the approved conditions for Rezoning (Z-0078-70).
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.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-74813 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0078-70 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, date stamped 10/17/18, except as amended by conditions herein.

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4. The site plan shall be revised and approved by the Department of Planning staff, prior to the time application is made for civil plans or building permits, to reflect the provision of two unimpeded parking spaces per each proposed mobile home lease space.
5. 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.
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.
8. 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.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. Correct all American's with Disabilities Act (ADA) deficiencies on the sidewalks and driveways adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant Public Pedestrian Access Easements if "pan" style driveways remain.
11. 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.
12. 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 or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review to add two spaces that do not meet the minimum lot size requirements to an existing 11-space Mobile Home Park at 4221 Stewart Avenue.

ISSUES

- The applicant has requested a Variance (VAR-74812) to allow two 2,600 square-foot lots where 4,000 square feet is the minimum allowed within the R-MHP (Residential Mobile/Manufactured Home Park) zoning district.

ANALYSIS

The Planning Commission approved Variance (VAR-49174) and Site Development Plan Review (SDR-49173) to allow the addition of two 2,600 square-foot lots within the subject Mobile Home Park on June 11, 2013. Both entitlements were granted a two-year Extension of Time (EOT-59659 and EOT-59733) by the Planning Commission on August 11, 2015. As the previously approved entitlements were never acted on and have since expired, the applicant now requests to reinstate them.

Per previous Zoning Ordinance [Title 19.08.040(C)(3)], the R-MHP (Residential Mobile/Manufactured Home Park) zoning district has five specialized district standards. This proposal is in compliance with all those standards with the exception of the provided minimum space size of 4,000 square feet. The applicant is requesting a Variance to allow the space size to be reduced from the required 4,000 square-foot minimum to 2,600 square feet. These spaces will occupy what are the unused open space areas within the existing Mobile Home Park.

The proposed project is in conformance with the density requirements for the ML (Medium Low Density Residential) General Plan designation. The R-MHP (Residential Mobile/Manufactured Home Park) zoning district is one of the congruent zoning districts for the ML designation that allows up to a maximum of 8.49 units per acre. The subject 1.7-acre site can accommodate up to 14 units. The proposed two-lot expansion of the existing 11-space mobile home park is still within the allowable density for the site. The lots shown along the east property line are 50 feet wide and 52 feet deep where the previous published version of Title 19.08 requires lots in the R-MHP (Residential Mobile/Manufactured Home Park) zoning district to be 45 feet wide.

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Per the current version of Title 19.06.130, the required parking for a Manufactured Home or Mobile Home is two unimpeded spaces per dwelling unit. The applicant has not provided a space fit analysis for the proposed mobile homes that will occupy the proposed spaces; therefore, staff has placed a condition of approval to provide a site plan showing conformance with this requirement prior to review of civil plans or the issuance of building permits for either a modular or mobile home.

The Las Vegas Valley Water District (LVVWD) has commented that the subject parcel is currently served by LVVWD for domestic water, but the service does not have the required backflow prevention per NAC 445A.67195. Civil plans will need to be submitted to LVVWD for domestic meter sizing and backflow retrofit. Southern Nevada Water Authority Regional Connection Charges will be assessed for the two additional spaces.

Site access will remain unchanged to the existing Mobile Home Park. The Department of Public Works – Transportation Engineering Division commented that this project will add approximately 10 trips per day on Stewart Avenue, Sandhill Road, and Lamb Boulevard. Currently, Stewart Avenue is at about 55 percent of capacity, Sandhill Road is at about 20 percent of capacity and Lamb Boulevard is at about 79 percent of capacity. With this project, these capacities are expected to remain unchanged. Based on Peak Hour use, this development will add into the area roughly 1 additional car, or about one every sixty minutes.

Per the previous Zoning Ordinance 19.12, a residential district requires a six-foot wide minimum zone depth adjacent to the right-of-way zone, with one 24-inch box tree planted every 30 feet on center. The landscape plan approved under the previous plot plan review (Z-0078-70) shows a mixture of 10-gallon Italian Cypress trees and five-gallon Juniper shrubs. Since the initial planting the landscaping has died and been removed; there currently is no landscaping provided. The applicant is proposing to add eight 24-inch box Modesto Ash trees along the southern property line. Staff supports this proposal, as the previous plant species were inappropriate and the current proposal will provide a significant improvement in shade to the pedestrian environment along Stewart Avenue.

Staff supports the requested Site Development Plan Review and associated Variance for reduced trailer space size, as the proposal remains within the residential density allowed by the General Plan, the proposed space sizes are equivalent in size with the 11 existing spaces, and the landscaping will provide aesthetic improvements along Stewart Avenue. If denied, the applicant will not be allowed to lease the two proposed trailer spaces.

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FINDINGS (VAR-74812)

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.”

Staff supports the requested Variance, as the applicant is requesting two additional trailer spaces that are consistent in size with the other 11 existing trailer spaces. The location of the proposed spaces are within the unoccupied northeast and southeast corners of the property, and will have no detrimental impact on the trailer park residents or the adjacent neighboring multi-family uses. Staff finds that a unique circumstance has been presented, in that the requirements listed in the previous Title 19.08 are addressing the development standard with language regarding the mapping of a proposed lot, which is not what the applicant is proposing. The applicant will be retaining a single mapped lot for all 13 proposed lease spaces. Therefore, staff finds that this request is not preferential in nature, and is within the realm of NRS Chapter 278 for the granting of this particular Variance request.

FINDINGS (SDR-74813)

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;**

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The sizes of the proposed spaces are compatible with the properties to the north and east, as they are consistent in size with the other 11 existing lease spaces. With the approval of Variance (VAR-74812), the proposed spaces for the existing Mobile/Manufactured Home Park will be compatible with the surrounding area.

2.The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;

The addition of the two spaces to the existing trailer park is still within the acceptable residential density limits for the ML (Medium Low) General Plan Designation. However, the proposed spaces do not conform to the minimum development standards for the R-MHP zoning district for space size, as made evident by the requested Variance (VAR-74812). However, staff finds that the proposed landscaping along Stewart Avenue will provide a needed improvement to the pedestrian environment.

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

Site access will remain unchanged as the proposed spaces will occupy the unused northeast and southeast corners of the mobile home park.

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

Insufficient information has been submitted to evaluate the building and landscape materials for the individual spaces, as there are no mobile homes proposed with this request. The proposed landscaping along Stewart Avenue provides a suitable improvement from the previously specified Italian Cypress and Junipers trees.

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;

Insufficient information has been submitted to evaluate the building and landscape materials, as there are no mobile homes proposed with this request.

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

The proposed development will be subject to the building permitting requirements and inspections prior to occupancy; therefore, the development will not compromise the public health, safety or welfare.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
02/12/71	The Planning Commission approved a request for a Rezoning and Plot Plan Review (Z-0078-70) from the R-E (Residence Estates) zoning district to the R-T (Trailer Residence) zoning district for a proposed Mobile Home Park on property generally located on the north side of Stewart Avenue between Lamb Boulevard and the northerly prolongation of Prince Lane.
06/11/13	The Planning Commission approved a request for a Site Development Plan Review (SDR-49173) to add two spaces to an existing 11-space mobile home park on 1.7 acres at 4221 Stewart Avenue. Staff recommended approval.
	The Planning Commission approved a request for a Variance (VAR-49174) to allow two 2,600 square-foot spaces where a minimum 4,000 square-foot space is required on 1.7 acres at 4221 Stewart Avenue. Staff recommended approval.
08/11/15	The Planning Commission approved a request for an Extension of Time (EOT-59733) for Site Development Plan Review (SDR-49173) to add two spaces to an existing 11-space mobile home park on 1.7 acres at 4221 Stewart Avenue. Staff recommended approval.
	The Planning Commission approved a request for an Extension of Time (EOT-59659) for a Variance (VAR-79174) to allow two 2,600 square-foot spaces where a minimum 4,000 square-foot space is required on 1.7 acres at 4221 Stewart Avenue. Staff recommended approval.

<i>Most Recent Change of Ownership</i>	
08/20/12	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
10/23/12	A business license (#T04-00049) was issued for a Mobile Home Park at 4221 Stewart Avenue. The license is listed as inactive as of 11/28/15.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.70

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Pre-Application Meeting	
10/16/18	Staff conducted a pre-application with the applicant where the submittal requirements and deadlines were reviewed for a proposed Variance and Site Development Plan Review.

Neighborhood Meeting
A Neighborhood meeting was not required, nor was one held.

Field Check	
11/01/18	Staff conducted a routine field check and found an existing mobile home park. No issues were noted.

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Mobile Home Park	ML (Medium Low Density Residential)	R-MHP (Residential Mobile/Manufactured Home Park)
North	Multi-Family Residential	M (Medium Density Residential)	R-PD16 (Residential Planned Development – 16 Units per Acre)
South	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Church	L (Low Density Residential)	R-1 (Single Family Residential)

Master and Neighborhood Plan Areas	Compliance
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	4,000 SF	2,600 SF	*N
Min. Lot Width	45 Feet	50 Feet	Y

*The applicant has requested the subject Variance in order to allow a reduced lot size.

<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
ML (Medium Low Density Residential)	8.49 units per acre	7.64 units per acre

Pursuant to Z-0078-70, the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer Trees: • South	One 10-Gallon Italian Cypress / 10 Linear Feet	18 Trees	8 Trees	*Y
TOTAL PERIMETER TREES		18 Trees	8 Trees	*Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width • South	5 Feet		5 Feet	Y

*The applicant has provided seven 24-inch box shade trees within the existing planter where the previous landscaping had 18 10-gallon Italian Cypress trees. Staff finds that this proposal meets the applicable landscape requirements found in the previously published version of Title 19.12.

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

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	
Manufactured Home or Mobile Home	2 Units	2 Unimpeded Spaces per dwelling Unit					
TOTAL SPACES REQUIRED			4		4		
Regular and Handicap Spaces Required			4	-	4	-	*Y

**A Condition of Approval has been placed requiring the provision of two unimpeded parking spaces on each proposed lease space prior the submittal of civil plans.*