

DS #

4512

DS INDEX:

APN:

138-02-101-015

PROJECT: LONE MOUNTAIN SENIOR APARTMENTS

SUBMITTAL

5TH



CITY OF LAS VEGAS INTER-OFFICE MEMORANDUM		DATE: April 14, 2011
TO: Land Development Services Department of Public Works		FROM: Albert Sung, P.E. Flood Control Project Engineer Department of Public Works
SUBJECT:	Drainage Study for: Update # 2 to the Lone Mountain Senior Apartments	
Cross Streets:	Lone Mountain & Rainbow	Ovation Development
File Number:	F:\Depot\DSMemos\DS4512E.ZNAE.doc	Bart Anderson, P.E., DevCo
Parcel Number:	13802101015	CCRFC
Zoning Action:	NEW SDR-41043, SUP-41039	
FEMA Flood Zone	YES ☒ NO	
Proposed Storm Drain	YES NO ☒	

HISTORY	DATE RECEIVED	DATE REVIEWED	COMMENTS	REVIEW FEES	FEES PAID Transaction #
1 st Submittal	11/24/2010 & Supplemental 11/29/2010	12/7/2010	Not Approved	\$400.00	158043: \$400
2 nd Submittal	12/21/2010	01/03/2011	Conditional Approval	\$400.00	159673: \$400
3 rd Submittal	1/25/2011	2/3/2011	CCRFC Conc. Recv'd	N/C	N/C
4 th Submittal	2/7/2011 & Supplemental 2/23/2011	3/3/2011	Not Approved	\$100	162205: \$100
5th Submittal	4/14/2011 &	4/14/2011	Conditionally Approved	\$400	166635: \$400
TOTAL FEES (LDDRS):				\$1,300.00	----

REMARKS: Update # 2 provides the new SDR 41043 and SUP 41039 approvals.

Submittal # 4 Updated the site. The Site Plan has been modified and the development area is reduced in size. A small portion of this site is located in a FEMA Special Flood Hazard Area, Zone AE. No changes to the Flood Zone are proposed.

The Drainage Study for the subject project has been reviewed and:

	is approved subject to conformance to all City standards and the following conditions:
	must be resubmitted or supplemented including the following:
X	is conditionally approved subject to Clark County Regional Flood Control District concurrence.
	is conditionally approved subject to Clark County Department of Development Services concurrence.
	is conditionally approved subject to FEMA approval of CLOMR.

1. The Updated Drainage Study is required to obtain Clark County Regional Flood Control District concurrence for the revised site improvements. Flood Control will not recommend FEMA review and approval based upon the revised site plan and the reduced flood zone impacts. No structures are proposed within the FEMA Flood Zone.
2. The provided HEC-RAS analysis has made adjustments to the Mannings n-values. Flood Control takes no exception to these revisions as there are appropriate based upon a more detailed review and analysis.

3. This site is adjacent to an ongoing CCRFCD Master Plan facility. The Gowan Outfall – Lone Mountain Branch project has begun construction and the Gowan Outfall project proposes to install a storm drain lateral with a 12.5-foot DM drop inlet on the south side of Lone Mountain Road immediately east of this development. Continue to coordinate the site construction with the Gowan Outfall – Lone Mountain Branch project through Engineering Design; contact Gina Venglass @ 229-6790.
4. The engineer has provided a table on the grading plans that shows the quantity estimate of all drainage improvements within Public Drainage Easements. All drainage improvements within Public Drainage Easements must be bonded and inspected.
5. This site accepts offsite flows and conveys them through the site. The provided "Public Drainage Easement to be Privately Maintained" is shown on the plans. The proposed easement includes the 100-year flood zone within the project site. Public drainage easements must be recorded by separate document prior to the final acceptance of the improvement plans.

NOTE: Please be advised that all land surface area disturbances over 1 acre or any area adjacent to a water way must submit to the *Nevada Division of Environmental Protection* a "Notice of Intent" to discharge that certifies a stormwater pollution prevention plan has been developed and is maintained on site; for inclusion in the Stormwater General Permit No. NVR100000. A phased construction unit in a contiguous subdivision is considered under construction until all stripped or disturbed surface areas have been covered by paving, building construction or planting. For more information, including forms and applications see <http://ndep.nv.gov/bwpc/storm01.htm> or call (775) 687-9429.

NOTE: This drainage study assumes that the project will be constructed in one phase. If improvement plans are submitted to break the project into separate phases, a drainage study update will be required for each phase addressing the interim condition.

END OF REMARKS
PBJ

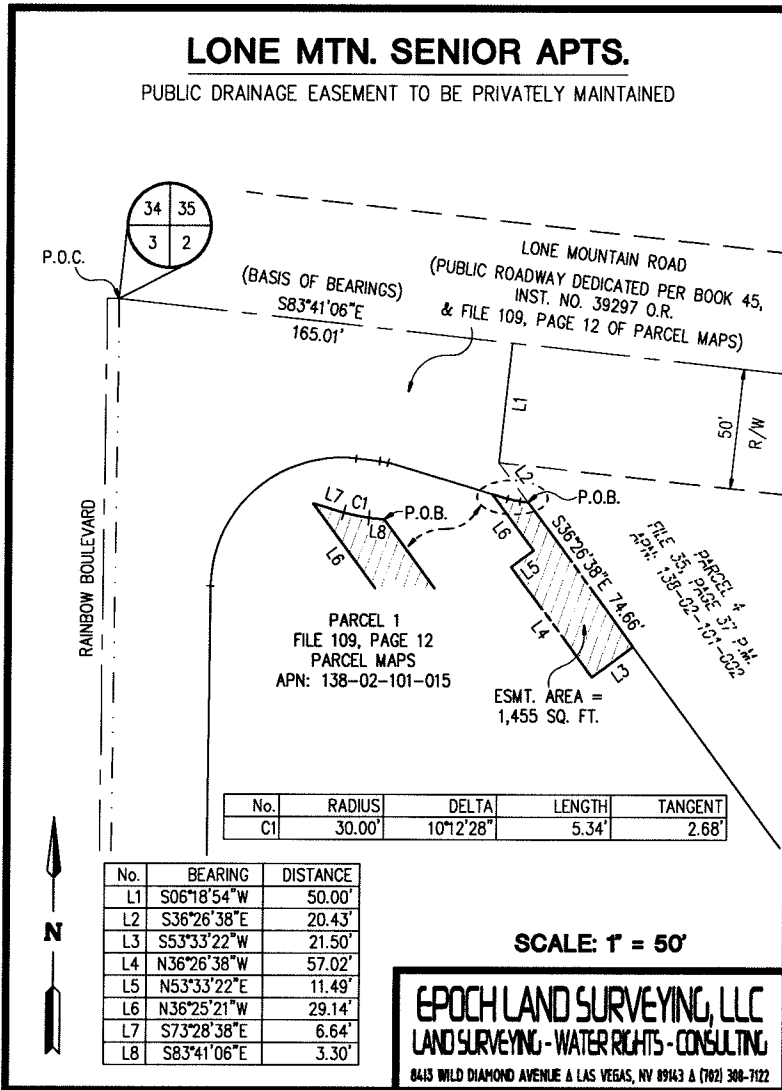
T/R/S: T20S/R60E/S02
AREA L02

4/6/11

Esmt Okay PJ

LONE MTN. SENIOR APTS.

PUBLIC DRAINAGE EASEMENT TO BE PRIVATELY MAINTAINED



Epoch Land Surveying, LLC

W.O.# 07-005
File: 005_SDesmt 02.docx
April 6, 2011
By: TLH
Checked By: TH

EXHIBIT "A"

EXPLANATION: Property description for a Public Drainage Easement to be Privately Maintained at the "Lone Mountain Senior Apartments".

BASIS OF BEARINGS:

The Basis of Bearing for this survey is the northerly line of the Northwest Quarter (NW 1/4) of Section 2, Township 20 South, Range 60 East, M.D.M., City of Las Vegas, County of Clark, State of Nevada, which bears South 83°41'06" East, as per map recorded in Book 139, Page 33 of Plats in the Office of the County Recorder of said County.

Being a portion of Parcel 1 in the City of Las Vegas, County of Clark, State of Nevada as per map recorded in File 109, Page 12 of Parcel Maps in the Office of the County Recorder of said County, situated in the North Half (N 1/2) of the Northwest Quarter (NW 1/4) of Section 2, Township 20 South, Range 60 East, M.D.M.

COMMENCING at the northwest corner of said Section 2;

Thence along the northerly line thereof, South 83°41'06" East, 165.01 feet;

Thence departing said line, South 06°18'54" West, 50.00 feet to the northwest corner of Parcel 4 per File 35, Page 37 of Parcel Maps;

Thence along the southwesterly line thereof, South 36°26'38" East, 20.43 feet to the northeast corner of said Parcel 4, said point also being the **POINT OF BEGINNING**;

Thence along the northeasterly line thereof, South 36°26'38" East, 74.66 feet;

Thence departing said line, South 53°33'22" West, 21.50 feet;

Thence North 36°26'38" West, 57.02 feet; Thence North 53°33'22" East, 11.49 feet;

Thence North 36°25'21" West, 29.14 feet the southerly right-of-way line of Lone Mountain Road as dedicated per said File 109, Page 12 of Parcel Maps;

Thence along said line the following three (3) courses:

South 73°28'38" East, 6.64 feet to a point of curvature;

Thence easterly, along the arc of a curve to the left, concave northerly having a radius of 30.00 feet, through a central angle of 10°12'28", an arc distance of 5.34 feet;

Epoch Land Surveying, LLC

W.O.# 07-005
File: 005_SDesmt 02.docx
April 6, 2011
By: TLH
Checked By: TH

Thence South 83°41'06" East, 3.30 feet to the POINT OF BEGINNING.

Said parcel contains 1,455 sq. ft., more or less

"The above described parcel of land represents a portion of said Parcel 1, and is not intended for inclusion in a document conveying fee ownership. To do so is a violation of state law and or local ordinance."

END OF DESCRIPTION

UPDATE #2 TO THE
TECHNICAL DRAINAGE STUDY
FOR
LONE MOUNTAIN SENIOR APARTMENTS

W.O. #2010017
April 13, 2011

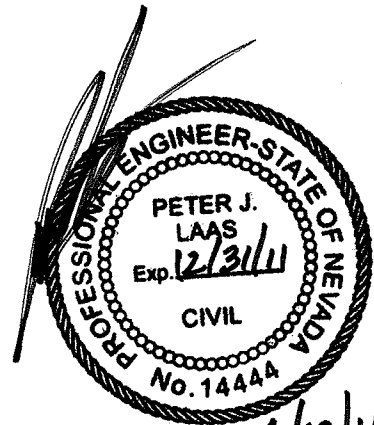
Prepared for:

OVATION DEVELOPMENT
6021 S. Fort Apache Road, Suite 100
Las Vegas, Nevada 89148
Phone: (702) 990-2350

Prepared by:

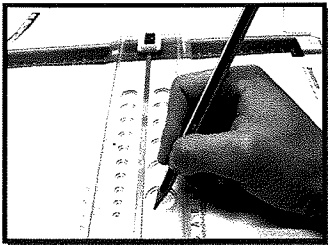
Impulse

Civil Engineering & Planning
625 Dinard Way
North Las Vegas, NV 89031
Phone: 702-308-7115 · Fax: 702-478-8535

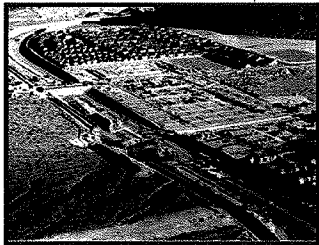


4/12/11

$$I = \int F \cdot dt$$



Civil Engineering



Land Planning



Flood Control



Utilities

Impulse

Civil Engineering & Planning

625 Dinard Way
North Las Vegas, NV 89031

PHONE 702-308-7115

FAX 702-478-8535

April 13, 2011

City of Las Vegas
Public Works – Flood Control
333 North Rancho Drive
Las Vegas, Nevada 89107

**Re: Update #2 to the
Lone Mountain Senior Apartments
Technical Drainage Study**

Submitted for your approval is Update #2 to the **Technical Drainage Study for Lone Mountain Senior Apartments** a proposed 1.77 acre senior affordable apartment development. The site is in a FEMA Special Flood Hazard, Zone AE as shown on Community Panel Number 32003C2155E and is not adjacent to any Clark County Regional Flood Control District (CCRFCDD) Master Planned Facilities according to the CCRFCDD Master Plan Update, Figure F-19. CCRFCDD concurrence is required. A copy of this study will be provided to CCRFCDD after approval from the City of Las Vegas.

If you have any questions or require additional information, please call me at (702) 308-7115.

Sincerely,
IMPULSE CIVIL ENGINEERING



Peter J. Laas, P.E.
Principal

$$I = \int F \cdot dt$$

HYDROLOGIC CRITERIA AND DRAINAGE DESIGN MANUAL

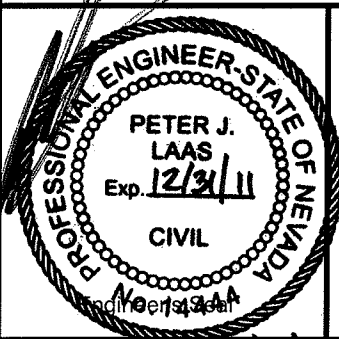
DRAINAGE STUDY INFORMATION FORM

Name of Development: Lone Mountain Senior Apartments Date: April 12, 2011Location of Development: a) Descriptive (Cross Streets) North/South: Rainbow West: Lone Mountain
b) Sect. 02 Town 20S Range 60EName of Owner Ovation Development Assessors Parcel No.: 138-02-101-015Telephone No.: (702) 990-2390 Facsimile No.: (702) 990-2391Address: 6021 S. Fort Apache Road, Suite 100
Las Vegas, Nevada 89148Contact Person - Name: Pete Laas, P.E. Telephone No.: (702) 308-7115Firm: Impulse Civil EngineeringAddress: 625 Dinard Way, North Las Vegas, NV 89031

Type of Land Development/ Land Disturbance Process:

☐	Rezoning	☐	Subdivision Map	☐	Clearing and Grading Only
☐	Parcel Map	☐	Planned Unit Development	☐	Other (Please specify below)
☐	Large Parcel Map	☒	Building Permit	☐	

1. Total Owned Land Area: At Site: 3+/- acres Being Developed/Disturbed: 3+/- acres
2. Is a portion or all of the subject property located in a designated FEMA Flood Hazard Area? YES NO
3. Is the property bordered or crossed by an existing or proposed Clark County Regional Flood Control District Master Planned Facility? YES NO
4. Proposed type of development (Residential, Commercial, etc.)? Multi-Family Residential
5. Approximate upstream land area which drains to the subject site? 0 Acres
6. Has the site drainage been evaluated in the past? YES NO If yes, please identify documentation: City of Las Vegas Neighborhood Flood Control Master Plan, Technical Drainage Study for Lone Mountain Senior Apartments, Gowan Outfall Lone Mountain Branch, Rancho to Decatur
7. If known, please briefly identify the proposed discharge point (s) of runoff from the site:
The proposed discharge points are into public streets, Rainbow Avenue and Lone Mountain Road
8. Briefly describe your proposed schedule for the subject project: A.S.A.P.



Submit this form as part of the required drainage study to the local entity which has jurisdiction over the subject property. This form may provide sufficient information to serve as the Conceptual Drainage Study.

* Review and concurrence of the Clark County Regional Flood Control District is required.

Local Entity File No. _____

Revision	Date

REFERENCE: 4/12/11

STANDARD FORM 1

The purpose of this study is to update the drainage study for Lone Mountain Senior Apartments (CLV# 4512). The original update to the study has not been approved because the SDR conditions of approval have not been obtained. This study provides the conditions of approval and updates the grading plan. In an effort to comply with staff requirements, a small portion of the site has been revised. The specific area is the southeast corner, where the parking has been reconfigured. The reconfiguration of the parking has no effect on the drainage concepts, patterns, or intent of the original design. The conclusions presented in Update #1 still hold and are as follows:

5.0 CONCLUSIONS AND RECOMMENDATIONS

1. The site is located within a Special Flood Hazard Area. CCRFCD concurrence is required prior to final signature on the improvement plans.
2. The development of this site has no impact on the Clark County Regional Flood Control District Flood Control Master Plan Update. The site is not adjacent to a CCRFCD facility.
3. The finished floor elevation was established as follows:
 - The base flood elevation established based on the effective model at STA 108+07 = 2319.46 plus 1.5'. $FF_{min} = 19.46 + 1.5' = 20.96$.
 - The base flood elevation established based on the proposed model at STA 108+07 = 2318.74 plus 1.5'. $FF_{min} = 18.74 + 1.5' = 20.24$.
 - Twice the depth of flow in Lone Mountain Road based on local flows from CP-2, $Q_{100} = 45$ cfs, $D_{100} = 0.84'$, $2 \cdot D_{100} = 1.68'$ ($F_L = 18.59$, $FF_{min} = 20.27$).
 - Twice the of flow in Lone Mountain Road based on Ultimate flows Mohave based on the Gowan Outfall Lone Mountain Branch study, $Q_{100} = 240$ cfs, $D_{100} = 1.13'$, $2 \cdot D_{100} = 2.26'$ ($F_L = 18.59$, $FF_{min} = 20.85$).
 - Six inches above the adjacent top of curb, $TC = 20.68 + 0.5' =$
 $FF_{min} = 21.18$, **So the minimum finished floor = 21.18.**
5. The grading plan is included in the pocket in the back of this report.

6. This site is designed to be safe from the current FIS flow for Ranch Drive and effective FEMA SFHA Zone AE.
7. At this time, the project will need to go through the SDR process. We have zoning and the site reduces the area of disturbance from the previously approved project.
8. The design of this project does not negatively impact adjacent or downstream properties.
9. The design of this project has no affect on the corrected effective water surface elevation.
10. The proposed project is still safe from the effective, corrected effective, and proposed water surface elevations.

The conditions of approval are included in Appendix A, at the rear of this study. The grading plans and section sheet are provided in the map pocket located at the rear of this study.

APPENDIX A

Conditions of Approval

$$I = \int F \cdot dt$$



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
DEVELOPMENT SERVICES CENTER
333 NORTH RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NEVADA 89106

VOICE 702.229.6301
FAX 702.474.0352
TTY 702.386.9108
www.lasvegasnevada.gov

April 13, 2011

Ms. Janet Goyer
Lone Mountain Apts I, LLC
6021 South Fort Apache Road, Suite #100
Las Vegas, Nevada 89148

**RE: VAR-41197 - VARIANCE RELATED TO SUP-41039 AND SDR-41043
PLANNING COMMISSION MEETING OF APRIL 12, 2011**

Dear Ms. Goyer:

Your request for a Variance TO ALLOW 56 PARKING SPACES WHERE 57 ARE REQUIRED on 1.77 acres at the southeast corner of Rainbow Boulevard and Lone Mountain Road (APN 138-02-101-015), C-1 (Limited Commercial) Zone, Ward 6 (Ross), was considered by the Planning Commission on April 12, 2011.

The Planning Commission voted to **APPROVE** your request, subject to the following:

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-41039) and Site Development Plan Review (SDR-41043) 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 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. 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.
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.



Ms. Janet Goyer
VAR-41197 - Page Two
April 13, 2011

This action by the Planning Commission on **April 12, 2011** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision as allowed by code or there is a review action filed by the City Council within the same time period. For additional information on appeals or review requests please access <http://www.lasvegasnevada.gov/CheckStatus/DevelopmentApp.htm>, or contact the Department of Planning and Development at 702.229.6301 after **April 25, 2011**. No building permits or business licenses related to these items shall be issued prior to the expiration of the required ten day waiting period, or until any filed appeal is resolved pursuant to LVMC Title 19.18.

Sincerely,



Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

SG:clb

cc: Ms. Janet Goyer
Ovation Development
6021 South Fort Apache Road, Suite #100
Las Vegas, Nevada 89148

Mr. Pete Laas
Impulse Engineering
625 Dinard Way
Las Vegas, Nevada 89113



LAS VEGAS CITY COUNCIL

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MAYOR

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ELIZABETH N. FRETWELL
CITY MANAGER

April 13, 2011

Ms. Janet Goyer
Lone Mountain Apts I, LLC
6021 South Fort Apache Road, Suite #100
Las Vegas, Nevada 89148

**RE: SUP-41039 - SPECIAL USE PERMIT RELATED TO VAR-41197 AND
SDR-41043
PLANNING COMMISSION MEETING OF APRIL 12, 2011**

Dear Ms. Goyer:

Your request for a Major Amendment of a previously approved Special Use Permit (SUP-37601) FOR A 75-UNIT SENIOR CITIZEN APARTMENT COMPLEX WHERE A 152-UNIT SENIOR CITIZEN APARTMENT COMPLEX WAS APPROVED at the southeast corner of Rainbow Boulevard and Lone Mountain Road (APN 138-02-101-015), C-1 (Limited Commercial) Zone, Ward 6 (Ross), was considered by the Planning Commission on April 12, 2011.

The Planning Commission voted to **APPROVE** your request, subject to the following:

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-41197) and Site Development Plan Review (SDR-41043) shall be required.
2. Conformance to the approved conditions for Special Use Permit (SUP-37601), except as amended herein.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
DEVELOPMENT SERVICES CENTER
333 NORTH RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NEVADA 89106

VOICE 702.229.6301
FAX 702.474.0352
TTY 702.386.9108
www.lasvegasnevada.gov

Ms. Janet Goyer
SUP-41039 - Page Two
April 13, 2011

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

This action by the Planning Commission on **April 12, 2011** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision as allowed by code or there is a review action filed by the City Council within the same time period. For additional information on appeals or review requests please access <http://www.lasvegasnevada.gov/CheckStatus/DevelopmentApp.htm>, or contact the Department of Planning and Development at 702.229.6301 after **April 25, 2011**. No building permits or business licenses related to these items shall be issued prior to the expiration of the required ten day waiting period, or until any filed appeal is resolved pursuant to LVMC Title 19.18.

Sincerely,



Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

SG:clb

cc: Ms. Janet Goyer
Ovation Development
6021 South Fort Apache Road, Suite #100
Las Vegas, Nevada 89148

Mr. Pete Laas
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625 Dinard Way
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CITY MANAGER

April 13, 2011

Ms. Janet Goyer
Lone Mountain Apts I, LLC
6021 South Fort Apache Road, Suite #100
Las Vegas, Nevada 89148

**RE: SDR-41043 - SITE DEVELOPMENT PLAN REVIEW RELATED TO
VAR-41197 AND SUP-41039
PLANNING COMMISSION MEETING OF APRIL 12, 2011**

Dear Ms. Goyer:

Your request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 75-UNIT SENIOR CITIZEN APARTMENT COMPLEX WITH WAIVERS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG PORTIONS OF THE SOUTH AND EAST PERIMETERS WHERE SIX FEET IS REQUIRED on 1.77 acres at the southeast corner of Rainbow Boulevard and Lone Mountain Road (APN 138-02-101-015), C-1 (Limited Commercial) Zone, Ward 6 (Ross), was considered by the Planning Commission on April 12, 2011.

The Planning Commission voted to **APPROVE** your request, subject to the following:

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-41197) and Special Use Permit (SUP-41039) shall be required, if approved.
2. Site Development Plan Review (SDR-37602) shall be expunged.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan and landscape plan, date stamped 03/15/11, and building elevations date stamped 02/24/11, except as amended by conditions herein.

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
DEVELOPMENT SERVICES CENTER
333 NORTH RANCHO DRIVE
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LAS VEGAS, NEVADA 89106

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www.lasvegasnevada.gov



5. A Waiver from 19.12.040(A) is hereby approved, to allow a zero-foot perimeter landscape buffer along portions of the east and south property lines where six feet is required.
6. An Exception from Title 19.10.010(J.11) is hereby approved, to allow zero landscape islands and one tree within the parking area where one island and eight trees are required.
7. An Exception from Title 19.08.040(B) is hereby approved, to allow 13 trees within the perimeter buffer along the south property line where 17 trees are required.
8. An Exception from Title 19.08.040(B) is hereby approved, to allow trees within the west perimeter buffer to be aligned to the eastern edge of the buffer where they are required to be planted in the center of the buffer.
9. 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 03/15/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.
10. 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.
11. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
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.
13. 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).

14. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
16. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
17. 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.
18. A Comprehensive Construction Staging Plan shall be submitted to the Department of Planning Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
19. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
20. Sign and record a deed restriction with language determined to be satisfactory by the City Attorney which restricts the use of the site to an age-restricted community for those persons 55 years of age or older, to the full extent of the law.
21. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

22. Grant a multi-use non equestrian trail easement for all portions of the required trail outside the Lone Mountain Road public right-of-way concurrent with development of this site.
23. Construct all incomplete half-street improvements on Lone Mountain Road and Rainbow Boulevard adjacent to this site and construct the multi-use non-equestrian trail west of the Lone Mountain Road driveway in accordance with Multi-Use Non-Equestrian Trail Standards and conditions as amended herein concurrent with development of this site. Extend widened pavement east to eliminate the potential for a "saw tooth" condition on Lone Mountain Road concurrent with the on site development activities.
24. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
25. The driveway to Lone Mountain Road shall be an exit only. The proposed exit gate shall be signed exit only to prevent vehicles from attempting to enter the site from Lone Mountain Road and shall be set back a sufficient distance so as not to impede any pedestrian access on Lone Mountain road. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right of way and non-equestrian trail easement.
26. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Gowan Outfall, Lone Mountain Branch project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer. We note that the proposed driveway as shown on the site plan may conflict with the future storm drain drop inlet per CLV Gowan Outfall, Lone Mountain Capital Improvement Project.
27. 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.

Ms. Janet Goyer
SDR-41043 - Page Five
April 13, 2011

28. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
29. 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 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.

This action by the Planning Commission on **April 12, 2011** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision as allowed by code or there is a review action filed by the City Council within the same time period. For additional information on appeals or review requests please access <http://www.lasvegasnevada.gov/CheckStatus/DevelopmentApp.htm>, or contact the Department of Planning and Development at 702.229.6301 after **April 25, 2011**. No building permits or business licenses related to these items shall be issued prior to the expiration of the required ten day waiting period, or until any filed appeal is resolved pursuant to LVMC Title 19.18.

Sincerely,



Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

SG:clb

cc: Ms. Janet Goyer
Ovation Development
6021 South Fort Apache Road, Suite #100
Las Vegas, Nevada 89148

Mr. Pete Laas
Impulse Engineering
625 Dinard Way
Las Vegas, Nevada 89113

*City of Las Vegas***AGENDA MEMO - PLANNING****PLANNING COMMISSION MEETING DATE: APRIL 12, 2011****DEPARTMENT: PLANNING****ITEM DESCRIPTION: APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APARTMENTS I, LLC****** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAR-41197	Staff recommends APPROVAL, subject to conditions:	
SUP-41039	Staff recommends APPROVAL, subject to conditions:	VAR-41197
SDR-41043	Staff recommends APPROVAL, subject to conditions:	VAR-41197 SUP-41039

**** CONDITIONS ******VAR-41197 CONDITIONS****Planning**

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-41039) and Site Development Plan Review (SDR-41043) 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 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. 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.
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.

Conditions Page Two
April 12, 2011 - Planning Commission Meeting

SUP-41039 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-41197) and Site Development Plan Review (SDR-41043) shall be required.
2. Conformance to the approved conditions for Special Use Permit (SUP-37601), except as amended herein.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
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.

SDR-41043 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-41197) and Special Use Permit (SUP-41039) shall be required, if approved.
2. Site Development Plan Review (SDR-37602) shall be expunged.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/15/11, except as amended by conditions herein.
5. A Waiver from 19.12.040(A) is hereby approved, to allow a zero-foot perimeter landscape buffer along portions of the east and south property lines where six feet is required.

Conditions Page Three
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6. An Exception from Title 19.10.010(J.11) is hereby approved, to allow zero landscape islands and one tree within the parking area where one island and eight trees are required.
7. An Exception from Title 19.08.040(B) is hereby approved, to allow 13 trees within the perimeter buffer along the south property line where 17 trees are required.
8. An Exception from Title 19.08.040(B) is hereby approved, to allow trees within the west perimeter buffer to be aligned to the eastern edge of the buffer where they are required to be planted in the center of the buffer.
9. 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 03/15/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.
10. 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.
11. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
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.
13. 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).
14. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
16. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property

lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

Conditions Page Four

April 12, 2011 - Planning Commission Meeting

17. 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.
18. A Comprehensive Construction Staging Plan shall be submitted to the Department of Planning Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
19. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
20. Sign and record a deed restriction with language determined to be satisfactory by the City Attorney which restricts the use of the site to an age-restricted community for those persons 55 years of age or older, to the full extent of the law.
21. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

22. Grant a multi-use non equestrian trail easement for all portions of the required trail outside the Lone Mountain Road public right-of-way concurrent with development of this site.
23. Construct all incomplete half-street improvements on Lone Mountain Road and Rainbow Boulevard adjacent to this site and construct the multi-use non-equestrian trail west of the Lone Mountain Road driveway in accordance with Multi-Use Non-Equestrian Trail Standards and conditions as amended herein concurrent with development of this site. Extend widened pavement east to eliminate the potential for a "saw tooth" condition on Lone Mountain Road concurrent with the on site development activities.
24. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

Conditions Page Five

April 12, 2011 - Planning Commission Meeting

25. The driveway to Lone Mountain Road shall be an exit only. The proposed exit gate shall be signed exit only to prevent vehicles from attempting to enter the site from Lone Mountain Road and shall be set back a sufficient distance so as not to impede any pedestrian access on Lone Mountain road. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right of way and non-equestrian trail easement.
26. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Gowan Outfall, Lone Mountain Branch project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer. We note that the proposed driveway as shown on the site plan may conflict with the future storm drain drop inlet per CLV Gowan Outfall, Lone Mountain Capital Improvement Project.
27. 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.
28. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
29. 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 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.

Staff Report Page One
April 12, 2011 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

A three-story, 75-unit Senior Citizen Apartment complex is proposed on 1.77 acres of undeveloped land at the southeast corner of Rainbow Boulevard and Lone Mountain Road. This project is being scaled back from the 152-unit Senior Citizen Apartment complex previously approved, which included this site and the parcel to the east of the subject site. Because the project is redesigned to function on a smaller, irregularly shaped site, a parking variance, a perimeter landscape buffer waiver and several exceptions have been requested, which staff can support. The complex as proposed is compatible with existing development in the area and remains aesthetically similar to what was previously approved. Staff therefore recommends approval of all requests with conditions. If denied, the approval for a 152-unit Senior Citizen Apartment will remain until its expiration.

ISSUES

- A Major Amendment of the previously approved Special Use Permit (SUP-37601) for a Senior Citizen Apartment complex is required, pursuant to Title 19.18.060. The number of units is proposed to be reduced by more than 50 percent, and the project is limited to only one of the two parcels for which it was approved. The original waivers approved as part of this action will be retained.
- If this request is approved, the previously approved Site Development Plan Review (SDR-37602) will be expunged, as the project is proposed to be limited to a smaller site than the one previously approved.
- A Waiver of Title 19.12.040(A) is required to allow a zero-foot wide landscape buffer at two points along the south and east perimeters where six feet is required. Staff can support this waiver, since additional buffer area is included along the southeast corner of the site adjacent to provided parking spaces.
- An Exception of Title 19.10.010(J.11) is required to allow no landscape islands and one tree within the parking area where one island and eight trees are required. Staff can support this request, as the spacing of the uncovered parking spaces does not warrant the practical placement of islands and trees, and additional trees would obstruct access to the trash enclosure.
- An Exception of Title 19.12 is required to allow 13 trees within the perimeter buffer along the south property line where spacing requires 17 trees. Staff supports this waiver, as the buffer area must narrow to allow for adequate driveway width and throat depth.
- An Exception of Title 19.12 is also required to allow trees within the west perimeter buffer to be aligned to the eastern edge of the buffer where they are required to be planted in the center of the buffer. Staff can support this exception, as an NV Energy easement disallows trees in the center of the proposed buffer area due to existing overhead power lines.

Staff Report Page Two

April 12, 2011 - Planning Commission Meeting

- A multi-use non-equestrian trail is approved for the south side of Lone Mountain Road adjacent to the north side of the subject site. A bus turnout is also located adjacent to the site along Lone Mountain Road. The trail path and landscaping on the interior side of the path will be provided by the applicant; however, the landscaping on the street side of the path cannot be provided, due to the provision of the bus turnout. The Transportation Trails Element of the Las Vegas 2020 Master Plan allows for the path to encroach to the edge of the trail in this instance without the provision of landscaping.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/05/63	The Board of Commissioners approved a request for Annexation (A-0003-63) of approximately 150 acres of land generally located on the south side of Gowan Road, between Tonopah Highway (now Rancho Drive) and Decatur Boulevard. The Planning Commission and staff recommended approval. The annexation became effective on 06/14/63.
04/02/03	The City Council approved a General Plan Amendment (GPA-1363) to change portions of the Centennial Hills Sector Plan and the Southwest Sector Map from GC (General Commercial), SC (Service Commercial) and DR (Desert Rural) to GC (General Commercial), O (Office), PF (Public Facility), ML (Medium-Low Density Residential) and DR (Desert Rural Density Residential) on property located on, or in close proximity to, both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road. The Planning Commission and staff recommended approval.
03/10/05	A Parcel Map (PMP-5221) for three residential lots on 20.39 acres located on the southeast corner of Rainbow Boulevard and Lone Mountain Road was recorded.
11/17/10	The City Council approved a General Plan Amendment (GPA-37599) to amend the land use designation from GC (General Commercial) to SC (Service Commercial) on 1.25 acres adjacent to the south side of Lone Mountain Road, approximately 120 feet east of Rainbow Boulevard. The Planning Commission and staff recommended approval.
	The City Council approved a Rezoning (ZON-37600) from C-2 (General Commercial) to C-1 (Limited Commercial) on 3.02 acres at the southeast corner of Lone Mountain Road and Rainbow Boulevard. The Planning Commission and staff recommended approval.
	The City Council approved a Special Use Permit (SUP-37601) for a Senior Citizen Apartment use with Waivers to allow apartments on the ground floor where none are permitted, a primary resident or guest entryway in conjunction with commercial uses and a front elevation that does not highlight the difference in uses at the southeast corner of Lone Mountain Road and Rainbow Boulevard. The Planning Commission and staff recommended approval.

Staff Report Page Three
April 12, 2011 - Planning Commission Meeting

11/17/10	The City Council approved a Site Development Plan Review (SDR-37602) for a proposed three-story, 37-foot tall, 152-unit Senior Citizen Apartment complex on 3.02 acres at the southeast corner of Lone Mountain Road and Rainbow Boulevard. The Planning Commission and staff recommended approval.
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Most Recent Change of Ownership

09/03/04	A deed was recorded for a change in ownership on APN 138-02-101-015.
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Related Building Permits/Business Licenses

There are no building permits or business licenses pertaining to the subject site.

Pre-Application Meeting

02/16/11	A pre-application meeting was held, where requirements for submittal of applications for a Special Use Permit and Site Development Plan Review were discussed. The key issues discussed included the following: • A major amendment of the previously approved Special Use Permit will be required, as the project will be limited to a smaller site and the number of units will be reduced beyond 50 percent of the approved units. • The previously approved Site Development Plan Review will be expunged. • A Waiver of the perimeter landscape buffer standards is required where parking spaces encroach into the required landscape buffer area. • Exceptions are required for missing parking lot landscape islands and trees, and also trees missing from the perimeter buffer areas due to utility installations. • Based on the plans shown at the meeting, vehicular access and onsite circulation may be difficult, especially for refuse and delivery vehicles; these vehicles cannot turn around on the site, while smaller vehicles would only be able to turn around only if there is at least one vacant space at the end of the parking row. Traffic Engineering requested that a turnaround be provided on the site or that access to Lone Mountain Road be designated as egress only. • Two of the parking spaces as shown on the plans are not functional. • Access to fire hydrants must be provided.
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Neighborhood Meeting

A neighborhood meeting is not required, nor was one held.

Staff Report Page Four
 April 12, 2011 - Planning Commission Meeting

<i>Field Check</i>	
03/03/11	A field check was conducted on the site. The site is vacant and free of trash and debris. A chain link fence is located along the west property line and encloses a portion of the interior. A fire hydrant is located at the corner of the site near the street intersection.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.77

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
North	Parking Lot (accessory to Hotel/Casino)	SC (Service Commercial)	C-2 (General Commercial)
South	Multi-Family Residential (Condominiums)	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
West	Government Facility (Fire Station)	PF (Public Facilities)	C-V (Civic)
	Undeveloped	PR-OS (Parks/Recreation/Open Space)	U (Undeveloped)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175 Feet)	X		Y
Trails (Multi-Use Non-Equestrian Trail)	X		Y
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

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 April 12, 2011 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	1.77 acres	N/A
Min. Lot Width	100 Feet	130 Feet	Y
Min. Setbacks			
• Front (Lone Mountain Road)	20 Feet	23 Feet	Y
• Side	10 Feet	39 Feet	Y
• Corner	15 Feet	30 Feet	Y
• Rear	20 Feet	59 Feet	Y
Max. Lot Coverage	50 %	40 %	Y
Max. Building Height	N/A	35 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened	By condition
Mech. Equipment	Screened	Screened	Y

Standard	Previously Approved (SUP-37601)	Proposed (SUP-41039)	Change
Building size	137,391 SF	74,259 SF	-46.0%
Number of units	152	75	-50.7%
Residential density	51 du/ac	42.4 du/ac	-16.9%
Building height	37 feet	35 feet	-5.4%

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	3 Trees	8 Trees	Y
• South	1 Tree / 20 Linear Feet	17 Trees	13 Trees	N
• East	1 Tree / 30 Linear Feet	12 Trees	19 Trees	Y
• West	1 Tree / 30 Linear Feet	9 Trees	10 Trees	Y
TOTAL PERIMETER TREES		41 Trees	50 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	8 Trees	1 Tree	N

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April 12, 2011 - Planning Commission Meeting

LANDSCAPE BUFFER WIDTHS			
Min. Zone Width			
• North	10 Feet	10 Feet	Y
• South	6 Feet	0 Feet	N
• East	6 Feet	0 Feet	N
• West	10 Feet	25 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential	Existing 6-foot wall along south PL	Y

Street Name	Functional Classification of Street(s)	Governing Document	Street Width (Feet)	Compliance with Street Section
Lone Mountain Road	Primary Arterial	Master Plan of Streets and Highways	100	Y
Rainbow Boulevard	Secondary Collector	Master Plan of Streets and Highways	90	Y

Pursuant to Title 19.04 and 19.10, 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
Senior Citizen Apartments	75 units	0.75 spaces per unit	57			
TOTAL SPACES REQUIRED			57		56	N
Regular and Handicap Spaces Required			54	3	53	3
Percentage Deviation					2%	N
Compact Spaces Allowed			17		17	Y

Waivers		
Requirement	Request	Staff Recommendation
Title 19.12.040(A): A six-foot wide perimeter landscape buffer	To allow a zero-foot wide buffer along portions of the east and south property lines	Approval

Staff Report Page Seven
April 12, 2011 - Planning Commission Meeting

<i>Exceptions</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
<u>Title 19.12.040(B)</u> : Trees shall be spaced on center of landscape buffer	To allow trees within the west perimeter buffer to be aligned with the east edge of the buffer	Approval
<u>Title 19.12.040(B)</u> : Trees shall be spaced a min. 20 feet apart within south perimeter buffer area (17 trees)	To allow 13 trees within the south perimeter buffer	Approval
<u>Title 19.10.010(J.11)</u> : One landscape island and eight trees within the parking area	To allow zero islands and one tree	Approval

ANALYSIS

The proposed development is located within the Airport Overlay District with a 140-foot height restriction, with which the development is in conformance. No other special plan areas or overlay districts apply to this site.

It is noted that a multi-use transportation trail is required along the south side of Lone Mountain Road adjacent to this site. The site plan depicts the required 10-foot wide bi-directional concrete path, as well as five feet of landscaping on either side of the path except where adjacent to a required bus turnout lane. The Transportation Trails Element of the Las Vegas 2020 Master Plan states that when adjacent to a bus turnout lane, the 10-foot wide concrete path is allowed to abut the right-of-way without an intervening landscape buffer. A general plan amendment to amend the Transportation Trails Element is therefore not required. The Department of Public Works will require dedication of an easement for all portions of the trail outside of the right-of-way concurrent with site development.

Access to the site is provided by a driveway at Rainbow Boulevard with an exit only to Lone Mountain Road. The gate restricted entry previously approved has been removed from the site plan. Circulation continues around the perimeter of the site, with covered parking available to the north and west of the access drive. Six additional parking spaces are also available at the southeast corner of the site. The parking and circulation layout is adequate, given the irregular shape of the site.

In regards to the use of the property, despite the reduction in area, the building size and number of units have also reduced, allowing for a decrease in density from 51 dwelling units per acre to about 42 dwelling units per acre. The height of the apartment building also decreased slightly, from 37 feet to 35 feet. The use will still be exclusively residential and retain the previously approved waivers to eliminate the ground-level commercial component. The use will continue to be appropriate for this site and compatible with the adjacent land uses.

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There are several deficiencies in the development for which a variance, waiver and exceptions are required. The site can safely provide no more than 56 parking spaces as designed. A hardship has been demonstrated in that the additional space necessary to meet the required number would have been provided given a more rectilinear site. The landscape waiver stems from the necessary provision of parking at the southeast corner of the site. Staff supports this waiver, since additional buffer area is provided along the southeast corner of the site adjacent to the parking spaces. The landscape exceptions are necessary to honor an existing power line easement along Rainbow Boulevard and to allow for safer ingress to the site. Landscape islands, though required, are not practical, given the locations of parking canopies and the trash enclosure.

The proposed elevations for the Senior Citizen Apartments have changed slightly, but have retained the same color scheme and overall character established by the Site Development Plan Review (SDR-37602) approval. The exterior staircase shown on the previously approved east elevation has been enclosed on the proposed elevation. The same one and two bedroom floor plans as were previously approved are proposed.

FINDINGS (VAR-41197)

In accordance with the provisions of Title 19.18.070(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 19.18.070(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."

The proposed site is triangularly shaped, which only allows for a limited number of parking spaces to be provided along the perimeter of the building. The reduction of required parking by a single space represents only a two percent deviation from the requirement and will allow for the safest configuration of parking spaces at the southeast corner of the site. A hardship has therefore been demonstrated that is not preferential and is within the realm of NRS Chapter 278 for granting of Variances.

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FINDINGS (SUP-41039)

In order to approve a Special Use Permit application, per Title 19.18.060 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.**

The proposed Senior Citizen Apartment use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses and with future surrounding land uses. The proposed use will be an appropriate buffer between the existing multi-family residences to the south and the commercial properties to the north and east.

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

The site is suitable for the reduced density Senior Citizen Apartment complex, as compared to the previously approved complex. Access and circulation have been altered to accommodate the shape of the site and to increase safety.

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.**

Lone Mountain Road and Rainbow Boulevard are both built to capacity and are adequate in size to meet the requirements of the Senior Citizen Apartment use.

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 site will be subject to permitting, inspections and licensing by the City of Las Vegas, and will not compromise the health, safety, and welfare, or the overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

The proposed Senior Citizen Apartment use is consistent with the requirements of LVMC Title 19.04, except for those requirements that were waived per the approval of SUP-37601, which included allowing apartments on the ground floor where none are permitted, a resident or guest entryway in conjunction with commercial uses, and a front elevation that does not highlight the difference between residential and commercial uses.

Staff Report Page Ten
April 12, 2011 - Planning Commission Meeting

FINDINGS (SDR-41043)

In order to approve a Site Development Plan application, per Title 19.18.050 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 is compatible with adjacent development and development in the area. In particular, the development will provide a buffer between the existing residences to the south and the existing commercial development to the north.

- 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 consistent with the proposed SC (Service Commercial) General Plan designation. A Variance to allow a reduction in the amount of required parking, a minimal landscape waiver and several landscape exceptions are necessary for approval of this site, which staff supports. The proposed development is in conformance with all other Title 19 requirements.

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

Site access is provided by a driveway at Rainbow Boulevard with an exit only to Lone Mountain Road. The parking and circulation layout is adequate, given the irregular shape of the site, and will not negatively impact the adjacent roadways.

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

The building elevations and landscape materials are similar to those previously approved for this site and remain appropriate for this area of the city.

- 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 are not unsightly or obnoxious, and will be compatible with development in the area.

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

The site will be subject to permitting, inspections and licensing by the City of Las Vegas, and will not compromise the health, safety, and welfare of the public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 46

APPROVALS 0

PROTESTS 0

** Duplicate Receipt **

City of Las Vegas

Development Services Center

731 South Fourth Street

Las Vegas, NV 89101

04/14/2011 09:08 Trn 166633
Cashier 970040

PRJ Permit # D84512-1 \$400.00

Subtotal \$400.00

Total \$400.00

PAID BY CHECK \$400.00
CHECK # 1007
DATE 04/14/11 \$400.00

For questions related to this receipt call

702-222 6251