City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-19675 - APPLICANT/OWNER: LUIS ROJAS

THIS ITEM WAS HELD IN ABEYANCE FROM THE JUNE 6, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-2/gt/sd vote) recommends APPROVAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-20397), Variance (VAR-20398) and Variance (VAR-20399) if approved.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 02/06/07 except as amended by conditions herein.

4. A Waiver from Title 19.12.040 is hereby approved, to allow zero feet of landscaping on the south and east property lines and six feet, six inches of landscaping on the north property line.

5. 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.

6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

7. 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).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. 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.

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. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from 8th Street.

14. Landscape and maintain all unimproved rights-of-way, if any, on Bonneville Avenue and Eighth Street adjacent to this site. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

15. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Bonneville Avenue and Eighth Street public rights-of-way adjacent to this site prior to occupancy of this site.

16. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

17. Site development to comply with all applicable conditions of approval for ZON-19675 and all other subsequent site-related actions.

** STAFF REPORT **

PROJECT DESCRIPTION

The purpose for this Site Development Plan Review for a proposed 5,376 square-foot office building and a waiver of the perimeter landscape buffer standards to allow a four-foot landscape buffer on the corner side where a 15 foot landscape buffer is required, a zero-foot landscape buffer on the side and rear yards where an eight foot landscape buffer is required, provide six perimeter landscape buffer trees where nine trees are required, and provide zero parking lot trees where two trees are required.

A related Rezoning (ZON-20397) to rezone the property from R-1 (Single-family Residential) to P-R (Professional Office & Parking), and related Variances (VAR-20398 & VAR-20399) to allow eight parking spaces where 18 parking spaces are required and to allow a 50-foot lot width where 60 feet is required, allow a 60% lot coverage where 50% lot coverage is allowed, a side yard setback of zero feet where eight feet is required, a rear yard setback of 13.33 feet where 15 feet is required, and a corner setback of 6.5 feet where 15 feet is required will be heard concurrently with this application.

The applicant is attempting to significantly overdevelop this parcel with a building that doesn't meet setbacks, landscaping standards, parking standards, and is proposing a modernist building in the Las Vegas High School Historic District.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
09/25/05	The City Council accepted a withdrawal without prejudice of a Variance (VAR-6937) to allow a five-foot setback where residential adjacency standards require 105 feet, a Variance (VAR-6938) to allow 24 parking spaces where 43 spaces are required, and a Site Development Plan Review (SDR-6934) for a 12,857 square-foot office building, and a Rezoning (ZON-7254) of this property and the adjacent two parcels to the south from R-1 (Single-family Residential) to P-R (Professional Office & Parking). These applications were for the two adjacent parcels to the south. Staff recommended approval of the Rezoning and denial of the Variances and Site Development Plan Review. The Planning Commission recommended approval of all applications.
04/12/07	The Planning Commission recommended approval of companion items zon-20397; VAR-20398 and VAR-20399 concurrently with this application. The Planning Commission voted 4-2/gt/sd to recommend APPROVAL (PC Agenda Item #69/jk).
Related Building Permits/Business Licenses	
11/19/04	Demolition permit 31045-R-04 was approved by Planning & Development and by Building & Safety.

Pre-Application Meeting	
01/5/07	At the pre-application meeting the applicant was informed about the setback and landscape requirements for the proposed development. The applicant was also informed about the parking requirements and was asked by Public Works to revise their parking layout to meet ADA requirements.
Neighborhood Meeting	
A pre-application meeting is not required for this application type, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	0.16 ac

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Undeveloped*	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
North	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
South	Undeveloped & Single-family Residential	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
East	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)
West	Office	MXU (Mixed-Use – Downtown Redevelopment Plan Area)	R-1 (Single-Family Residential District)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size			
Min. Lot Width	60	50	N
Min. Setbacks • Front • Side • Corner • Rear	 20 8 15 15	 20 Zero 6.5 13.33	 N N N N
Min. Distance Between Buildings	N/A	N/A	N/A
Max. Lot Coverage	50%	60%	N
Max. Building Height	2 Stories/35 Feet	2 Stories/ 34 Feet, 2 Inches	Y
Trash Enclosure	50 Feet From Residential	7.33 Feet	N/A*
Mech. Equipment	Screened	Screened	Y

* This property is adjacent to R-1 zoned, MXU Master Planned [(Mixed-Use – Downtown Redevelopment Plan Area)] Offices to the east.

Pursuant to Title 19.12, the following development standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Tree/6Spaces	2 Trees	Zero	N
Buffer: Min. Trees	1 Tree/20Linear Feet	9 Trees	6 Trees	N
TOTAL		11 Trees	6 Trees	N
Min. Zone Width	15 Feet & 8 Feet		Zero Feet, 6.5 Feet, & 15 Feet	N*
Wall Height	N/A		N/A	N/A

* The proposed development meets the required landscape buffer width only along the Eighth Street frontage.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Office	5,376 sq. ft.	1:300	17	1	7	1	N
TOTAL (including handicap)			18		8		
Loading Spaces							
Percent Deviation (VAR only)			55% Parking Deviation				

ANALYSIS

<u>HPO Recommendation SDR – 19675 802 Bonneville</u>

DENIAL

<u>Background</u>

The subject site includes a parcel within the Las Vegas High School Historic District, which was listed on the National Register of Historic Places. The National Register is the United States' official list of historic places worthy of preservation because they are historically, architecturally, or archeologically significant. The National Register listing recognizes the significance of properties and districts within a community, and provides a limited degree of protection from the effects of federally funded, licensed, or permitted activities.

Properties listed on the National Register do not fall under the jurisdiction of the city of Las Vegas HPC design review process whereby the HPC approves or disapproves major changes that are planned for the district.

Although this property has been demolished, the Planning & Development Department strongly encourages contextual designs for new development within this neighborhood because the district is listed on the National Register. Planning Staff has worked closely with the Historic Preservation Commission (HPC) to identify the significant architectural and streetscape elements that define the unique character of the district. The typical character-defining elements include one-story, residential homes built from the early 1930s through the 1940s. The styles of the original homes are typically early Revival styles such as Tudor, Spanish and Colonial, and several Ranch style examples.

Historic Significance

The demolished house, 802 E. Bonneville Avenue was a two-story Mission Revival style apartment building constructed in 1931. This building was considered a "contributing element," meaning, it retained its architectural integrity and context within the historic neighborhood.

802 E. Bonneville Avenue opened as the Butte Duplex, and aroused considerable attention in August of 1931; the Las Vegas Age devoted a full page to its opening. Dr. J. W. Butte authorized its construction. The first floor apartment was his home, and the second floor was a rental unit. The apartments had wood floors, and the fireplace in Mr. Butte's home had a fireplace built with Yosemite stone. The building was designed and built by the Hampton Brothers.

This was one of many rental properties built to take advantage of the housing shortage with the building of Boulder Dam, and very few remain today.

Recent reviews by the Nevada State Historic Preservation Office have suggested that the Las Vegas High School Historic District is at risk for losing its recognition by the National Register due to significant inappropriate new development. If this were to occur, the financial opportunities and incentives provided to business owners for rehabilitation of their buildings would be lost. Because of this, the Planning & Development Department and the Historic Preservation Officer (HPO) strongly encourage sensitive and contextual design within the neighborhood to preserve its historic character and integrity, with the priority being to preserve the original homes in their original state.

The proposed project includes a new building designed in a contemporary style that is incompatible with the existing historic neighborhood for the following reasons:

- The relatively flat façade has little variation in terms of noticeably recessed planes or celebrated entrance that would provide a more residential appearance.
- The contemporary design of the building is not compatible with existing historic styles of the Las Vegas High School neighborhood.

It is for these reasons that the Historic Preservation Officer recommends denial of this request.

Prior Applications:

A similar request was withdrawn on a prior group of applications for the adjacent two parcels to the south at the City Council. The prior applications were variances for residential adjacency, reduced parking, rezoning to P-R (Professional Office & Parking), and a site development plan review for a 12,857 square-foot office. The proposal was for an office building with a Spanish Mediterranean, Style building, which is more in character with the older buildings in this neighborhood than the building proposed in this application.

Site Plan:

The proposed development occupies 60% of the lot, where a maximum lot coverage of 50% is permitted. With the exception of the front setback, the building proposed in this development does not meet the minimum setbacks per Title 19.08. The applicant proposes to reduce the side yard setback to zero feet where eight feet is required. The rear yard and corner setbacks are 13.33 feet and 6.5 feet respectively where a 15-foot setback is required.

In addition to the reduced setbacks, the proposed development is seeking waivers of the side, rear, and corner perimeter landscape buffer requirements analogous with and in one case greater than (east landscape buffer) the requested setback variances. The majority of the parking stalls will be covered parking below the elevated office building. The applicant is also proposing to locate three parking spaces that back onto an alley.

Landscape Plan:

The landscape plans show 25-foot Date Palm Trees for the required trees, the ground cover will include Frasers Photinia, Indian Hawthorn, Trailing Lantana, and Crape Myrtle. The proposed landscaping also includes a turf area between the curb and the detached sidewalk, which is planned to be xeriscaped.

Elevation Plan:

The elevation plan shows modernist building with hard, asymmetrical building with a light bronze/silver glazing on store front window panels along the Bonneville Avenue street frontage. The south elevation is shown as a sand colored stucco finish with grout lines to provide some articulation to the building façade. The Eighth Street frontage has an articulation of windows and stucco. The rear elevation is similar to the Eighth Street frontage in its articulation; however there are fewer windows on the east elevation.

Floor Plan:

The floor plans show the first floor of the building is composed of a covered parking area with some storage areas and an entrance lobby. The entirety of the second floor is dedicated to a reception area, lobby, restrooms, break and copy rooms and offices.

FINDINGS

The following findings must be made for an SDR:

1. **The proposed development is compatible with adjacent development and development in the area;**

   Due to the number of variances and waivers of development standards the proposed development is not compatible with the surrounding 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 proposed development is not consistent with the General Plan, Title 19 or the Design Standards for the City of Las Vegas in that the building proposed by the applicant is out of context with buildings in the area. Moreover, the proposed site is being over built as is evidenced by the number of variances and waivers necessary for this development to occur.

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

   While Bonneville Avenue and Eighth Street may not be impacted by the proposed development, the applicant proposes to have three parking spaces back onto a dedicated alley.

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

   While the landscape materials are appropriate for the area, the building materials are inappropriate because they would locate a modernist designed building within the Las Vegas High School Historic District which is dominated by early Revival styles such as Tudor, Spanish and Colonial, and several Ranch style homes and residential office conversions.

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 design characteristics of the proposed building within the context of the Las Vegas High School Historic District are unsightly, undesirable and obnoxious. The placement of a building with a modernist design would create an aesthetically unbalanced environment that is incompatible and not harmonious with the existing buildings in the area.

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

   Approval of this building would harm the general welfare of the area by locating a building within a Historic District which would create an unbalanced atmosphere in the area.

PLANNING COMMISSION ACTION

The applicant indicated the roll-up doors would be open screen mesh.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 191 by Planning Department

APPROVALS 1

PROTESTS 1