

**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
ON THIS ITEM WHICH IS NOW APPEARING
BEFORE THE CITY COUNCIL**

November 21, 2023

Department of Community Development

Current Planning Section

495 S. Main Street

Las Vegas, NV 89101

Justification Letter

Dear Commission Members,

I have decided to keep the property as a duplex on parcel 139-26-411-001 located at 1001 E Bonanza Rd. Las Vegas Nevada 89101.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Brodie Lesourd', with a long horizontal flourish extending to the right.

Brodie Lesourd

(406) 589-6549

Submitted after Final Agenda
Date: 11/30/2023 Items: 49a-49c



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2023

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: BRODIE LESOURD

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0178-GPA1	Staff recommends APPROVAL.	
23-0178-ZON1	Staff recommends APPROVAL.	23-0178-GPA1
23-0178-SDR1	Staff recommends DENIAL, if approved subject to conditions:	23-0178-GPA1 23-0178-ZON1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 187 (by City Clerk)

PROTESTS 1

APPROVALS 0

**** CONDITIONS ****

23-0178-SDR1 CONDITIONS

Planning

1. Approval of a General Plan Amendment (23-0178-GPA1) and Rezoning (23-0178-ZON1) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/01/23, except as amended by conditions herein.
4. A Waiver from Title 19 Appendix F. Downtown Las Vegas Interim Development Standards and Title 19.06 is hereby approved, to allow an eight-foot solid fence in the front yard setback area along 11th Street where five feet with a two-foot solid base is the maximum allowed
5. A Waiver from Title 19.12 is hereby approved, to allow zero parking stalls where four are required.
6. A Waiver from Title 19.06 is hereby approved, to allow a zero-foot perimeter landscape buffers along the northern, eastern, and western property lines.
7. A Waiver from Title 19.06 is hereby approved, to allow a five-foot perimeter landscape buffers along Bonanza Road.
8. An Exception from Title 19.06 is hereby approved, to allow six, 24-inch box perimeter landscape buffer trees where 16 are required.
9. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division.
10. An automatic fire suppression system (fire sprinklers) shall be required.
11. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

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12. All utility or mechanical equipment shall comply with the provisions of the Interim Downtown Las Vegas Development Standards, unless approved by a separate Waiver.
13. A revised site plan and floor plan shall be submitted to and approved by the Department of Community Development, prior to the time application is made for a building permit, to reflect the changes herein. Required connectivity shall be provided between unit one and unit three, and between unit two and unit four, to result in a Residential, Duplex.
14. 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, which 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.
15. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
16. 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.
17. Prior to the submittal of a building permit application, the applicant shall meet with Department of Community Development 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.
18. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

19. Per Title 13.12, dedicate 10 feet of right-of-way for Bonanza Road and a 25-foot radius at the northeast corner of Bonanza Road and 10th Street prior to final inspection, or concurrent with a mapping action for this site, whichever may occur first.
20. The existing fence / gate within the 10th Street right-of-way shall be removed and relocated outside of the existing right-of-way prior to issuance of a final inspection for this site.

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21. In accordance with Section 2.2 of the City's Vision Zero Action Plan, the sidewalk adjacent to this site shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement needed to complete this requirement.
22. Any new driveway on 10th Street must be a minimum of 6 feet from the right-of-way radius.
23. Landscape and maintain all unimproved right-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
24. Submit a License Agreement for landscaping and private improvements with the exception of the wall on 10th Street, in the 10th Street and Bonanza Road public rights of way, prior to the issuance of permits for these improvements. If requested by the City, the applicant shall remove property within the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (229-4836).

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a General Plan Amendment, Rezoning, and Site Development Plan Review to convert an existing one-story residence into a two-story, residential duplex development with an active rooftop deck over an existing detached garage at 1001 East Bonanza Road.

REVISIONS

- After being recommended for denial at the 08/08/23 Planning Commission, this application request has been modified to request two residential units rather than the originally requested four. Staff has revised conditions to accommodate this change.

ISSUES

- This application is the result of a Code Enforcement case (#CE22-05756) for the block wall on the north, east and south side of the property being raised without a permit, as well as no permit for the detached garage, room addition on the east side of the property, or for the new siding at 1001 East Bonanza Road. The unpermitted structures predate the most recent change in ownership. This case has yet to be resolved.
- The subject site is located within Area 2 of the Downtown Las Vegas Overlay - Cashman District. Pursuant to Title 19 Appendix F.C.2, deviations from development standards that support City goals and expressed in the Vision 2045 Downtown Las Vegas Master Plan may be waived by the City Council in conjunction with a Site Development Plan Review.
- A General Plan Amendment from PF (Public Facility) to M (Medium Density Residential) is requested. Staff supports this request.
- A Rezoning is requested from P-R (Professional Office and Parking) to R-3 (Medium Density Residential). Staff supports this request.
- A Waiver of Title 19.06.110 has been requested to allow an eight-foot solid fence (five feet of solid fence above a three retaining wall) in the front setback area where five feet with a two-foot solid base is the maximum height allowed in the R-3 (Medium Density Residential) zoning district. Staff does not support this request.
- A Waiver of Title 19.12. has been requested to allow zero parking spaces where four spaces are required. Staff does not support this request.
- A Waiver of Title 19.06.110 has been requested to allow five-foot-wide perimeter landscape buffers where 10 feet is required along the south property line; to allow a zero-foot-wide perimeter landscape buffers where six feet is required along the north and east interior property lines; to allow a zero-foot-wide perimeter landscape buffer where ten feet is required along the west/ front property line. Staff does not support this request.

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- An Exception of Title 19.06.040.F.8 has been requested, to allow six, 24-inch box trees within the west, north, and east perimeter landscape buffers where 16, 24-inch box trees are required. Staff does not support this request.
- The submittal documents date stamped 06/01/23 note certain information that is not a part of this entitlement review and which will be determined through the building permitting process by the Department of Community Development, Building and Safety Division, including, but not limited to, the governing codes and fire sprinkler requirements.

ANALYSIS

The subject site is currently designated PF (Public Facilities) and zoned P-R (Professional Office and Parking). The P-R zoning district is designed to be a transitional zone to allow low intensity administrative and professional offices. These uses are characterized by a low volume of direct daily client and customer contact. The site is proposed to be rezoned R-3 (Medium Density Residential) with a General Plan Amendment to be redesignated as MXU (Mixed Use) General Plan Designation. The purpose of the R-3 District is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The MXU designation allows for a range of residential and commercial zoning districts. As the M (Medium Density Residential) zoning designation, which allows up to 25.5 dwelling units per acre residential density is one of the permitted General Plan designations nested within MXU, the proposed density of 9.09 dwelling units per acre conforms to the General Plan. The Residential Duplex use is allowed by-right in the R-3 (Medium Density Residential) zoning district.

The subject parcel is included in the City of Las Vegas 2050 Master Plan within an area called the Downtown North Las Vegas District. The subject parcel is also included in the Vision 2045 Downtown Las Vegas Master Plan within the Cashman District. The Cashman District has traditionally been the home of historical and cultural assets of the city, and a significant hub of government employment. However, it suffers from a lack of resident population and enough programming to consistently interest the community at large, and the district needs improved housing stock. The proposed two-unit Residential Duplex supports this objective.

The existing building is 14 feet tall measured to the top of the roof ridgeline, and will cover approximately 27-percent of the 0.22 acre site. The proposed conversion adds 243 square feet additional living space, and removes a Concrete Masonry Unit (CMU) wall that currently runs between the two buildings. The applicant is proposing to convert the existing one-story residence into a two-unit Residential Duplex which will activate the rooftop of the existing detached garage resulting in a two-story, two-unit development. The rooftop deck will be 733 square feet, over the existing footprint of the detached garage. The second story will be a rooftop patio area, activating the roof atop a nine-foot tall ground floor with a fence enclosing that rooftop area, as shown on the submitted Building Elevation drawings date stamped 06/01/23.

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The applicant has requested Waivers to allow an eight-foot tall solid fence (five feet of solid fence above a three foot retaining wall) in the front setback area where five feet with a two-foot solid base is the maximum allowed. In addition, the applicant has requested Waivers to allow a five-foot wide perimeter landscape buffer where 10 feet is required along the south property line, a zero-foot-wide perimeter landscape buffers where six feet is required along the north and east interior property lines, and a zero-foot wide perimeter landscape buffer where ten feet is required along the west property line. The applicant has requested an Exception of required perimeter planting materials to allow six, 24-inch box trees within the west, north, and east perimeter buffer where 20, 24-inch box trees are required. The primary tree species being utilized is 24-inch box "Queen Palm" trees, which is listed on the Southern Nevada Regional Plan Coalition Regional Plant List. Although it is included on that list, the Queen Palm trees is not considered to be the most-appropriate planting in Southern Nevada, due to their poor environmental tolerances, nor do they provide any shade.

The submitted site plan date stamped 06/01/23 depicts a paved parking area that has the capacity for six parking spaces that would back into the public right-of-way on 10th Street. Per 19.08.110(C)(1)(a) development standards, a vehicle may not enter the right-of-way in a reverse motion. A significant portion of that driveway is in the right-of-way and will be subject to the approval of a license agreement. The six parking spaces cannot be considered acceptable parking spaces as they do not meet Title 19 development standards, and as a result, the applicant is requesting a Waiver to provide zero parking spaces, where four parking spaces are required by Title 19.12.010 for a Residential Duplex.

The Clark County School District projects that approximately one additional elementary, middle, and high school students will be generated by the proposed development on this site. Of the three levels of schools serving the area (Squires Elementary, Smith Middle School and Rancho High School), Rancho High School is over capacity for the 2022-2023 school year at approximately 27 percent over capacity.

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Although the proposal represents much needed housing within the Downtown Las Vegas Cashman district area, staff finds that the requested Waivers of required fence standard, parking spaces, landscape buffers and Exceptions of required planting materials further reinforce the unsuitability of the proposed development with the surrounding area. Therefore, staff recommends denial of the Site Plan Development Review. The General Plan Amendment and Rezoning applications, however, demonstrate compatibility with the surrounding land uses and zoning districts, and staff recommends approval of the General Plan Amendment and Rezoning.

FINDINGS (23-0178-GPA1)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

The density and intensity of the proposed General Plan Amendment designation MXU (Mixed-Use) is the same as the existing land use designation that exists south of Bonanza abutting the subject site, and is compatible with the surrounding land use designations.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

The General Plan Amendment is compatible with the existing surrounding land uses and zoning districts.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

The transportation and recreation facilities are adequate for the proposed density.

4. **The proposed amendment conforms to other applicable adopted plans and policies.**

The subject site is located within Area 2 of the Downtown Las Vegas Overlay - Cashman District. The proposed density allowed by MXU (Mixed Use) designation is encouraged in the Cashman District and within the City.

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FINDINGS (23-0178-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

If approved, the proposed R-3 (Medium Density Residential) zone is consistent with the proposed MXU (Mixed-Use) land use designation of the General Plan.

2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The allowed uses in the R-3 (Medium Density Residential) zone are compatible with the surrounding area and the surrounding zoning districts.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

As depicted in the Vision 2045 Downtown Las Vegas Master Plan, the proposed additional housing and diversity of housing types is encouraged in the Cashman District to meet the current and emerging market demand for housing.

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

The subject site is accessed by 10th Street, an 80-foot wide Local Street subject to Title 13. The subject site also has frontage on Bonanza Road, an 80-foot wide Major Collector as defined by the Master Plan of Streets and Highways. Both right-of-ways are adequate in size to meet the requirements of the proposed Residential Duplex.

FINDINGS (23-0178-SDR1)

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;

Staff has determined that due to the requested Waivers of required fence standards, parking spaces, landscape buffers, as well as Exceptions of required planting materials, the proposed development is not compatible with adjacent development in the area.

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

The Waivers requested as a part of this application are inconsistent with Appendix F Interim Downtown Las Vegas Development Standards for Area 2.

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

The subject site is accessed by 10th Street. 10th Street is designated as an 80-foot wide Local Street subject to Title 13 regulations. The subject site also has frontage on Bonanza Road, an 80-foot wide Major Collector subject to the Master Plan of Streets and Highways.

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

While the proposed Queen Palm trees are included in the Southern Nevada Water Authority and Southern Nevada Regional Planning Coalition Regional Plant List, they do not provide shade and are inappropriate for landscape buffers.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposed building elevations and materials are not unsightly, undesirable, or obnoxious in appearance, but the lack of landscape buffer depth, lack of appropriate shade trees, and zero parking space make the proposed development incompatible with the area.

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

The lack of handicapped parking is in conflict with the 2050 City of Las Vegas Master Plan's goal of improved accessibility for those less able.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Code Enforcement, etc.</i>	
06/06/73	The City Commission approved a Rezoning (Z-0042-73) for the subject property from R-3 (Medium Density Residential) to P-R (Professional Office) at 1005 and 1007 East Bonanza Road (prior to the current address, 1001 East Bonanza Road).
06/13/74	The City entered into an agreement (A22-00095) with the former property owner to defer the installation of street lighting.
01/28/20	A Code Enforcement Case (#CE20-00460) was processed for non-permitted structures at 1001 East Bonanza Road. The case was resolved on 02/26/20.
08/29/22	A Code Enforcement Case (#CE22-04758) was processed for work done without a permit at 1001 East Bonanza Road. The case was resolved on 09/19/22.
10/26/22	A Code Enforcement Case (#CE22-05756) was processed for the block wall on the north, east, and south side of the property being raised without a permit, as well as no permit for the detached garage, room addition on the east side of the property, or for the new siding that was added to the dwelling at 1001 East Bonanza Road. This case has yet to be resolved and is pending permit applications as necessary.
07/25/23	<p>The Planning Commission at a special meeting voted (5-0) to HOLD IN ABEYANCE the following Land Use Entitlement project requests on 0.22 acres at 1001 East Bonanza Road (APN 139-26-411-001), Ward 5 (Crear).</p> <p>23-0178-GPA1 - GENERAL PLAN AMENDMENT - FROM: PF (PUBLIC FACILITY) TO: MXU (MIXED USE)</p> <p>23-0178-ZON1 - REZONING - FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: R-3 (MEDIUM DENSITY RESIDENTIAL)</p> <p>23-0178-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED CONVERSION OF AN EXISTING ONE-STORY SINGLE-FAMILY DWELLING TO A TWO-STORY, FOUR-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF APPENDIX F DOWNTOWN LAS VEGAS INTERIM DEVELOPMENT STANDARDS</p>

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Related Relevant City Actions by Planning, Fire, Code Enforcement, etc.	
08/08/23	<p>The Planning Commission voted (6-1-0) to recommend APPROVAL of the following Land Use Entitlement project requests on 0.22 acres at 1001 East Bonanza Road (APN 139-26-411-001), Ward 5 (Crear).</p> <p>23-0178-GPA1 - GENERAL PLAN AMENDMENT - FROM: PF (PUBLIC FACILITY) TO: MXU (MIXED USE)</p> <p>23-0178-ZON1 - REZONING - FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: R-3 (MEDIUM DENSITY RESIDENTIAL)</p> <p>The Planning Commission voted (6-1-0) to recommend DENIAL of the following Land Use Entitlement project request on 0.22 acres at 1001 East Bonanza Road (APN 139-26-411-001), Ward 5 (Crear).</p> <p>23-0178-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED CONVERSION OF AN EXISTING ONE-STORY SINGLE-FAMILY DWELLING TO A TWO-STORY, FOUR-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF APPENDIX F DOWNTOWN LAS VEGAS INTERIM DEVELOPMENT STANDARDS</p>
09/20/2023	<p>The City Council voted to HOLD IN ABEYANCE the following Land Use Entitlement project requests on 0.22 acres at 1001 East Bonanza Road (APN 139-26-411-001), Ward 5 (Crear).</p> <p>23-0178-GPA1 - GENERAL PLAN AMENDMENT - FROM: PF (PUBLIC FACILITY) TO: MXU (MIXED USE)</p> <p>23-0178-ZON1 - REZONING - FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: R-3 (MEDIUM DENSITY RESIDENTIAL)</p> <p>23-0178-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED CONVERSION OF AN EXISTING ONE-STORY SINGLE-FAMILY DWELLING TO A TWO-STORY, FOUR-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF APPENDIX F DOWNTOWN LAS VEGAS INTERIM DEVELOPMENT STANDARDS</p>

Most Recent Change of Ownership

10/19/21	A deed was recorded for a change of ownership.
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Related Building Permits/Business Licenses

02/23/23	A building permit (#R23-02679) was processed in to build new five-foot tall privacy fence with gate at 1001 East Bonanza Road. This permit has not been issued yet.
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<i>Pre-Application Meeting</i>	
04/05/23	Staff met with the applicants to discuss Title 19 and the submittal requirements for a General Plan Amendment, Rezoning, and Site Development Plan Review.

<i>Neighborhood Meeting</i>	
06/27/23	<p>A neighborhood meeting was held at Pearson Community Center, 1625 West Carey Avenue, North Las Vegas, Nevada 89032, at 5:30pm to discuss the proposed General Plan Amendment, Rezoning, and Site Development Plan Review.</p> <p>Meeting Start Time: 5:30pm Meeting End Time: 6:15pm</p> <p>Community Outreach:</p> <ul style="list-style-type: none"> No members of the public were in attendance and no comments or concerns were raised.

<i>Field Check</i>	
05/30/23	During a routine site visit, staff observed that the fence is being constructed although the associated building permit (#R23-02679) has not been issued. The landscaping along Bonanza Road is installed and the trees are not appropriate as street trees and provide little shade.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.22

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Single Family, Detached	PF (Public Facility)	P-R (Professional Office and Parking)
North	Multi-Family Residential	PF (Public Facility)	R-3 (Medium Density Residential)
South	Multi-Family Residential	MXU (Mixed-Use)	R-2 (Medium-Low Density Residential)
East	Vacant	PF (Public Facilities)	R-3 (Medium Density Residential)
West	Single Family, Detached	PF (Public Facilities)	R-3 (Medium Density Residential)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
2050 City of Las Vegas Master Plan Area – Downtown North	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District – 200 ft.	Y
DTLV-O (Downtown Las Vegas Overlay) District – Area 2 (Cashman District)	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Shared Use Trail on Bonanza)	Y
Las Vegas Redevelopment Plan – Area 1	Y
Project of Significant Impact	N/A
Project of Regional Significance	N/A

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DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the following standards apply in the proposed R-3 (Medium Density Residential) Zone:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 SF	9,582 SF	Y
Min. Setbacks [Main Building]			
Front	0 Feet	23 Feet	Y
Side	5 Feet	5 Feet	Y
Corner	5 Feet	25 Feet	Y
Rear	20 Feet	34 Feet	Y
Min. Setbacks [Accessory Structure]			
Side	3 Feet	37 Feet	Y
Corner	5 Feet	30 Feet	Y
Rear	3 Feet	5 Feet	Y
Min. Distance Between Buildings	6 Feet	9 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Roll-out proposed	By Condition

Existing Zoning	Permitted Density	Units Allowed
P-R (Professional Office And Parking)	N/A	N/A
Proposed Zoning	Permitted Density	Units Allowed
R-3 (Medium Density Residential)	< 25.5 du/acre	No More than 5 units
Existing General Plan	Permitted Density	Units Allowed
PF (Public Facility)	N/A	N/A
Proposed General Plan	Permitted Density	Units Allowed
MXU (Mixed Use)	Not limited	Not limited

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Pursuant to Title 19.08 and 19.06, 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:				
• North	1 Tree / 20 Linear Feet	5 Trees	0 Trees	N
• South	1 Tree / 20 Linear Feet	5 Trees	6 Trees	Y
• East	1 Tree / 20 Linear Feet	1 Tree	0 Trees	N
• West	1 Tree / 20 Linear Feet	5 Trees	0 Trees	N
TOTAL PERIMETER TREES		16 Trees	6	N*
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	0 Trees	0 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	6 Feet		0 Feet	N*
• South	10 Feet		5 Feet	N*
• East	6 Feet or the Building Setback, if less.		0 Feet	N*
• West	10 Feet		0 Feet	N*
Wall Height	6 to 8 Feet Adjacent to Residential		8 Feet	Y

**The applicant is requesting an Exception to the minimum planting materials and landscape buffer widths for the interior lot lines, along the western and northern boundaries of the property. The street frontages are provided with a five-foot wide landscape buffer with eight, 24-gallon Queen Palm Trees, which are not appropriate shade trees for a streetscape.*

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Pursuant to 19.12, the following standards apply:

Parking Requirement - Downtown (Area 2)							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Duplex	2 Units	2 spaces per unit.	4		0 (6)*		N
TOTAL SPACES REQUIRED			4		0		N
Regular and Handicap Spaces Required			4	0	0	0	N

**The subject site has an existing driveway that can provide parking with the current 10th Street condition, however there is a significant portion of that driveway that is in the right-of-way.*

Pursuant to the archived Title 19.12, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Max. Fence Height (N) Rear yard	10 Feet Total	8 Feet	Y
	10 Feet Solid	8 Feet	Y
Max. Fence Height (E) Side Yard *	10 Feet Total	8 Feet	Y
	10 Feet Solid	8 Feet	Y
Max. Fence Height (S) Front Yard *	5 Feet Total	8 Feet	N**
	2 Feet Solid	8 Feet	N**
Max. Fence Height (W) Side Yard *	10 Feet Total	6*** Feet	Y
	10 Feet Solid	6*** Feet	Y

**The Front yard fencing standard is applied to the perimeter of the yard area extending along the entire length of the front property line and the depth between the street right-of-way line and the primary structure. The above standards for Side Yards do not apply to those areas.*

***A Waiver is being sought for the front yard fence to not meet the city standard.*

****The western portion of the fence is entirely off site and cannot be entitled. Off-site improvements are subject to the approval of a license agreement.*

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Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
10 th Street	Local Street	Title 13	80	Y
Bonanza Road	Major Collector	Master Plan of Streets and Highways Map	80	Y

Waivers		
Requirement	Request	Staff Recommendation
Two parking stalls per unit. (Title 19.12.070)	To allow zero parking stalls where four are required.	Denial
Landscape Buffer - Minimum Zone Depths: <ul style="list-style-type: none"> 10 feet - Adjacent to Right- of-Way 6 feet - Interior Lot Lines (Title 19.06.110)	To allow a five-foot wide perimeter landscape buffers where 10 feet is required along the south property line, and to allow a zero-foot wide perimeter landscape buffer where six feet is required along the north and east interior property lines, and to allow a zero-foot wide perimeter landscape buffer where ten feet is required along the west corner front property line.	Denial
<ul style="list-style-type: none"> Retaining walls along the front property line may not exceed two feet in height. Maximum front yard primary wall height: five feet Maximum solid wall base height: two feet (Title 19.06.110)	To allow an eight-foot solid fence (five feet of solid fence above a three foot retaining wall) in the front setback area where five feet with a two-foot solid base is the maximum allowed	Denial

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Exceptions		
Requirement	Request	Staff Recommendation
<p>Title 19.06.040(F)(8)</p> <p>Multi-family Uses require one 24-inch box tree per 20 linear feet.</p> <p>Residential, Duplex Uses are not required to provide the minimum landscape materials as set forth in Title 19.06.040(F).</p>	<p>To allow six, 24-inch box trees within the west, north, and east perimeter landscape buffer where 16, 24-inch box trees are required.</p>	<p>Denial</p>