



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-16158 - APPLICANT: BOB AUJLA - OWNER: BP WEST COAST PRODUCTS, LLC

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Variance (VAR-16161) shall be required.
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 08/22/06, except as amended by conditions herein.
4. A Waiver from Title 19.12.030 is hereby approved, to allow no landscaping between the structure and the north property line where an 8-Foot landscape buffer and one 24-Inch box tree every 30-Feet are required.
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 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.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northeast corner of Decatur Boulevard and Oakey Boulevard prior to the issuance of any permits.
14. Prior to the issuance of any permits for this site, coordinate with the City Engineers Office regarding the Oakey Meadows Storm Drain project currently under design to determine possible impacts to this site.
15. 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.
16. Landscape and maintain all unimproved rights-of-way, if any, on Oakey Boulevard and Decatur Boulevard adjacent to this site.
17. Submit an Encroachment Agreement for all landscaping, if any, located in the public rights-of-way adjacent to this site prior to occupancy of this site.
18. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.
19. 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 the submittal of any construction drawings for this site, 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. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, if allowed by the City Engineer.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Site Development Plan Review for a 3,032 Square Foot Service Center without Automotive Repair and a Waiver of Perimeter Landscape Requirements to be located at 1625 S. Decatur Boulevard. Concurrent applications include a Variance (VAR-16161) and a Special Use Permit (SUP-16160).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/05/06	The Planning Commission recommended approval of companion items VAR-16161 and SUP-16160 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #48/rl).
<i>Related Building Permits/Business Licenses</i>	
10/08/03	Business License C15-2016-9678 issued to BP West Coast Products LLC for a Convenience Store at the subject site. This license remains active.
12/02/02	Business Licenses P35-2510-73230 and P35-2520-73230 issued to Golden Tel Inc. for two outdoor pay phones at the subject site. These licenses remain active.
09/10/03	Business License Applications C20-999227-474 Convention Hall Gaming Tax and G01-9999214-474 Gaming Restricted License applications were withdrawn by United Coin Machine Company.
10/08/03	Business License C05-1209B-9678 issued to BP West Coast Products LLC for a Tobacco Dealer-Retail at the subject site. This license remains active.
10/08/03	Business License L10-804-466 issued to BP West Coast Products LLC for a Beer/Wine/Cooler Off Sales at the subject site. This license remains active.

<i>Pre-Application Meeting</i>	
08/09/06	At the pre-application meeting held on 08/09/06, the applicant was told that a Site Development Plan Review is required for the proposed service center to replace an existing service center on the site. A variance would be required as well because of the proposed building to be located 3.5 Feet from the rear property line where 20 Feet are required. It was further recommended that the applicant request a Special Use Permit for Beer/Wine/Cooler Off-Sale establishment in the event that construction prevents the existing establishment from re-opening within six months. Development Coordination further requested a 54 Foot radius at the intersection of Decatur Boulevard and Oakey Avenue, and that the existing driveways be replaced. Additionally, a modified median on Oakey and modified bus turnout lane may be required.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, nor was one held.

<i>Details of Application Request</i>			
<i>Site Area</i>			
Gross Acres	0.69 Acres		
Net Acres	0.67 Acres		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Service Station without Auto Repair	(SC) Service Commercial	(C-1) Limited Commercial
North	Restaurant	(SC) Service Commercial	(C-1) Limited Commercial
South	Retail	(SC) Service Commercial	(C-1) Limited Commercial
East	Offices	(SC) Service Commercial	(C-1) Limited Commercial
West	Retail	(SC) Service Commercial	(C-1) Limited Commercial

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		N	Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	Y		Y
Airport Overlay (200 Foot)	Y		Y
Trails	Y		Y
Rural Preservation Overlay District		N	Y
Development Impact Notification Assessment		N	Y
Project of Regional Significance		N	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	28,558 Feet	Y
Min. Lot Width	100 Feet	117.3 Feet	Y
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	20 Feet 10 Feet 15 Feet 20 Feet	133 Feet 11.5 Feet 64 Feet 3.5 Feet	Y Y Y N
Max. Lot Coverage	50%	8.6%	Y
Max. Building Height	NA	15.5 Feet	Y
Trash Enclosure			Y
Mech. Equipment			Y

Pursuant to Title 19.12

<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>		
Parking Area	1 Tree/6 Spaces	2 Trees	2 Trees	Y
Buffer: Min. Trees	1 Tree/30 Linear Feet	17 Trees	17 Trees	Y
TOTAL		19 Trees	19 Trees	Y
Min. Zone Width	15 Feet on West and South 8 Feet on East		15 Feet 8 Feet	Y Y
	8 Feet on North		8 Feet adjacent to parking; 0 Feet behind building	N

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Service Station without Automotive Repair	3,032 SF	1/250 SF	11	1	11	1	Y
TOTAL			12		12		

Freestanding Signs: Pursuant to Title 19.14.060(F) an Existing Sign to be permitted separately		
Standards	Allowed	Provided
Maximum Number	1 / Street frontage 2 total	1 / Street frontage 1 total
Maximum Area	2 SF/Linear Foot of Street Frontage 472 SF Total	Existing
Maximum Height	40 Feet	Existing
Minimum Setback	5 Feet	Existing
Illumination	Internal, External, Animated and Electronic Permitted	Existing

Wall Signs: Title 19.14.060(F)		
Standards	Allowed	Provided
Maximum Number	NA	1 Total
Maximum Area	20% of Building Elevation	60 SF
Maximum Projection	4 Feet	2 Feet
Illumination	Internal, External, Animated and Electronic Permitted	Internal

Waivers		
Request	Requirement	Staff Recommendation
Perimeter Landscaping	8 Foot Buffer along rear property line and 1 Tree per 30 Linear Feet.	Denial

ANALYSIS

General Plan and Zoning

The site is designated SC (Service Commercial) on the Southeast Sector Plan Map of the General Plan. The existing C-1 (Limited Commercial) Zoning designation is in conformance with the General Plan, and the proposed service station without automotive repair is a conditional use in this zone.

Airport Overlay District

The subject site is located in the Airport Overlay District. The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted by Title 19. The proposed building is in compliance with the 105-foot height restriction imposed by the North Las Vegas Airport Overlay District map.

Trails

According to the Master Plan Transportation Trails Element, a Pedestrian Path is required along Oakey Boulevard. The path is to consist of a five-foot sidewalk next to curb with a minimum five-foot landscape island behind it. This improvement is depicted on the submitted site plan.

Site Plan

The proposed site plan depicts a service station without automotive repair. The service station consists of a 3,032 Square Foot structure which is slightly larger than the existing structure that it replaces. In addition, a 3,182 Square Foot fuel canopy with six pumps replaces two existing canopies with four pumps each. Access to the site is provided by a 34 Foot driveway from Oakey Boulevard and a 32 Foot driveway from Decatur Boulevard.

Elevations

The submitted elevations depict a typical one-story service station that is 15.5 Feet high to the top of parapet, and 19 Feet at the towers on either side of the front façade. Materials used are an aluminum storefront system and 7/8 Inch stucco, as well as an awning to be constructed of pigmented plastic or formed aluminum. Exterior paint colors include white, pearl, dark pearl and warm grey. The canopy will consist of steel columns and pearl white aluminum fascia.

Parking

The site plan indicates 12 parking spaces including one van accessible handicapped space is provided as required by Title 19.04 and Title 19.10. Two parking lot trees are provided consistent with parking lot landscape requirements.

Landscaping

The landscape plan shows a 15 Foot landscape buffer along the street frontages with Oakey and Decatur Boulevards and an 8 Foot landscape buffer along the east property line. Along the north property line there is an 8 Foot landscape buffer between Decatur Boulevard and the proposed structure. A Variance (VAR-16161) to allow a 3.5 Foot setback where 20 Feet are required accompanies this application, and if approved would not allow sufficient space between the building and the rear property line to continue the landscape buffer the entire length. Therefore a Waiver to allow 2 trees where 4 trees are required along the rear property line is necessary.

Waivers

As the site plan indicates that the proposed structure will be constructed only 3.5 feet from the rear property line, a waiver is necessary as the landscape buffer cannot be extended behind the building, allowing only 2 trees where 4 trees are required along the rear property line.

FINDINGS

The following findings must be made for an SDR:

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

The proposed development will be consistent with the existing and proposed development in the vicinity of this request. However, the 3.5 Foot rear yard setback will have a negative impact on the parcel immediately to the north. Staff cannot support this setback as it is the result of a self-imposed hardship.

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 city standards because of the rear yard setback, which staff cannot support as it is the result of a self-imposed hardship.

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

The subject site is at the location of an existing service center on the corner of Decatur Boulevard and Oakey Drive. The adjacent streets can accommodate the traffic to be generated by this business, and the proposed site plan requires both driveway and street improvements which will enhance the traffic flow at this intersection.

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

Building and landscape materials are appropriate for the area.

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;

Building design and architectural features will be harmonious and compatible with surrounding development.

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

The site will be subject to inspections and will not compromise public health and safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 609 by Planning Department

APPROVALS 0

PROTESTS 0