



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-15956 - APPLICANT: TERRIBLE HERBST OIL CO.

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning Z-33-97 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 08/11/06, except as amended by conditions herein.
4. A Waiver from section 19.12.040 of the zoning code is hereby approved, to allow reduced landscape buffers along the east and west property lines.
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. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development 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.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
15. Site development to comply with all applicable conditions of approval for the Cheyenne/Beltway (A Commercial Subdivision), the Lone Mountain Master Plan and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This undeveloped site is proposed to be developed with a 3,200 square foot convenience store, a self-service car wash, a three bay auto lube facility, and a four island gasoline sales island canopy. Access to the site is provided by a driveway to Cliff Shadows Parkway and by a shared driveway to Novat Street. A 20-foot wide planter is shown along Cliff Shadows Parkway, with a five-foot wide planter along the east property line and a planter that varies in width from five to 35 feet along the east property line, adjacent to the Clark County 215 Beltway. The elevations depict a cement plaster exterior with stone accents and decorative metal awnings along the front of the building

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/23/97	The City Council approved PD (Planned Development) zoning for this site as part of a larger request which included the entire Lone Mountain Planned Development (Z-33-97).
10/18/00	The City Council approved a Special Use Permit for a proposed Liquor Establishment (Off-Premise Consumption) (U-0112-00) in conjunction with a proposed convenience store on the subject site.
08/07/02	The City Council approved an Extension of Time request for a proposed Liquor Establishment (Off-Premise Consumption) [U-0112-00(1)] in conjunction with a proposed convenience store on the subject site.
07/07/04	The City Council approved an Extension of Time request for a proposed Liquor Establishment (Off-Premise Consumption) [EOT-4448] in conjunction with a proposed convenience store on the subject site. This Extension of Time will expire on October 18, 2006 unless another Extension of Time is approved by the City Council.
10/05/06	The Planning Commission recommended approval of companion item Sup-15959 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #52/ar).
<i>Related Building Permits/Business Licenses</i>	
10/26/05	Building permits were issued for the retail center immediately to the north of this site.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.7 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) under resolution of intent to PD (Planned Development)
North	Retail shops under construction	PCD (Planned Community Development)	U (Undeveloped) under resolution of intent to PD (Planned Development)
South	Undeveloped	PCD (Planned Community Development)	C-V (Civic)
East	Clark County 215	PCD (Planned Community Development)	Clark County 215
West	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) under resolution of intent to PD (Planned Development)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Lone Mountain	X		Y
PD Planned Development District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
PD Planned Development District	X		Y
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

This project is in compliance with the conditions of approval of Z-33-97, the rezoning application which changed the zoning of this site. The project is also in compliance with the standards of the Lone Mountain development plan.

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	1.7 acres	Y
Min. Lot Width	N/A	197 Feet	Y
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	N/A	73 Feet 27 Feet 28 Feet 26 Feet	Y
Min. Distance Between Buildings	N/A	10 Feet	Y
Max. Lot Coverage	30 %	18 %	Y
Max. Building Height	35 Feet	26 Feet	Y
Trash Enclosure	50 Feet from residential	450 Feet from residential	Y

The proposal complies with commercial/industrial development standards of Title 19.08 and the requirements of the Lone Mountain Master Plan.

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	78 Feet from residential	450 Feet from residential	Y
Adjacent development matching setback	10 Feet from north property line	450 Feet from residential	Y
Trash Enclosure	50 Feet from residential	450 Feet from residential	Y

<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	4 Trees	5 Trees	Y
Buffer: Min. Trees	1 Tree/30 Linear Feet	25 Trees	25 Trees	Y
Min. Zone Width	15 feet along Cliff Shadows Parkway		20 Feet	Y
Min. Zone Width	15 feet along Novat Street		Varies from 5 to 35 feet	N
Min. Zone Width	8 feet along east property line		5 Feet	N

Waivers to allow landscape zone width reductions along Novat Street and the east property line are required.

Pursuant to Title 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	
Convenience store	3,200 Square Feet	1 sp/250 sq ft	13 spaces				
Auto lube	3 bays, 4 employees	1 sp/employee 1 sp/bay	7 spaces				
Car wash	1 stall	2 spaces/stall	2 spaces				
SubTotal			22 spaces	1 space			
TOTAL (including handicap)			22 spaces	1 space	22 spaces	2 spaces	Y
Loading Spaces			1 space		1 space		Y

ANALYSIS

The subject property is under a Resolution of Intent to PD (Planned Development), which accommodates the Lone Mountain Master Plan and its land use designations. The subject parcel is planned for Village Commercial uses, which consist of low to medium intensity retail, office, and commercial uses. The proposed uses are within the range of uses permitted in the Village Commercial designation.

The applicant has requested a waiver to allow reduced landscaping along the east property line. Because this property line is adjacent to CC 215, staff has no objection to this request. The applicant has also requested a waiver to allow reduced landscaping along a portion of Novat Street. Because the applicant has provided enhanced landscaping at the intersection of Cliff Shadows Parkway and Novat Street, staff has no objection to this request.

FINDINGS

The following findings must be made for an SDR:

1. The proposed development is compatible with adjacent development and development in the area;
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;
3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4. Building and landscape materials are appropriate for the area and for 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;
6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

In regard to 1:

The proposed commercial development is appropriate, in terms of the type and intensity of anticipated uses, to serve the needs of the existing and planned residential development in the surrounding area.

In regard to 2:

The applicant has requested reductions of the required landscaping along the east and west property lines. The submitted landscape plan depicts acceptable alternatives and staff has no objections to the waiver.

In regard to 3:

The proposed commercial development will be accessed from Cliff Shadows Parkway and Novat Street. The street facilities are adequate in size to meet the requirements of the proposed development and will not negatively impact neighborhood traffic.

In regard to 4:

The building and landscape materials are compatible with existing and proposed development in this area of the city.

In regard to 5:

The materials and design characteristics are not unsightly and are aesthetically compatible with the Lone Mountain Master Plan.

In regard to 6:

The proposed commercial development will be subject to regular inspections for building and licensing; therefore, the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 4

SENATE DISTRICT 9

NOTICES MAILED 549 by Planning Department

APPROVALS 0

PROTESTS 0