



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18644 - APPLICANT: DESERT ICE, LLC. - OWNER: OWENS STAR, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. 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.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/08/06, except as amended by conditions herein.
3. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
4. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
5. The kiosk must maintain separation from other structures sufficient to allow a minimum 24-foot drive aisle width.
6. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

7. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed ice vending kiosk within an existing shopping center on 2.26 acres at 3975 East Owens Avenue. The kiosk is small and the appearance is compatible with surrounding development.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/94	The City Council approved a Rezoning (Z-0031-94) of this property from R-1 (Single Family Residential) to R-3 (Limited Multiple Residence) for a proposed 116-unit apartment complex.
05/11/98	The City Council approved a General Plan Amendment (GPA-0001-98) that designated the subject parcel as O (Office). The City Council reviewed a request for Rezoning (Z-0007-98) of this property from R-1 (Single-Family Residential) to C-1 (Limited Commercial), but followed the recommendation of the Planning Commission and staff, approving and amending the request to O (Office).
11/21/01	The City Council approved requests for a General Plan Amendment (GPA-0030-01) from O (Office) to SC (Service Commercial) and for a Rezoning (Z-0057-01) from R-1 (Single-Family Residential) under Resolution of Intent to O (Office) to N-S (Neighborhood Service) on this site. The Planning Commission recommended approval.
03/14/02	The Planning Commission approved a request for a Site Development Plan Review and a reduction in the amount of required perimeter landscaping [Z-0057-01(1)] for a proposed 31,700 square-foot commercial center on the subject site. The approval contained a condition prohibiting uses requiring a parking ratio greater than one space per 250 square feet of gross floor area. The Planning Commission approved two related requests (V-0058-01 and V001202) to vary setbacks required by the Residential Adjacency Standards and the N-S (Neighborhood Service) zoning district on the subject site.
04/17/02	The City Council granted an appeal by the applicant of Condition No. 2 of the approved Site Development Plan Review [Z-0057-01(1)], which prohibited certain uses on the subject site. The City Council deleted this condition and inserted a new condition requiring a review of the parking one year from the date of issuance of a Certificate of Occupancy.
01/07/04	The City Council approved an Extension of Time (EOT-3281) for an approved rezoning (Z-0057-01) request from R-1 (Single Family Residence) under Resolution of Intent to O (Office) to N-S (Neighborhood Services). The Planning Commission and staff recommended approval.

10/19/05	The City Council approved a Rezoning (ZON-8432) from N-S (Neighborhood Services) to C-1 (Limited Commercial), and a Special Use Permit (SUP-8433) for liquor sales in conjunction with an existing market for this site. The Planning Commission and staff recommended approval.
04/05/06	The City Council approved a Variance (VAR-11644) to allow 128 parking spaces where 143 are required, and a Master Sign Plan (MSP-11643) on the subject property. The Planning Commission recommended approval of both items. Staff recommended approval of the Master Sign Plan and denial of the Variance.
04/19/06	The City Council approved a request for a Special Use Permit (SUP-11425) for a Financial Institution, Specified within an existing market on the site, and a waiver of the 200-foot distance separation requirement from a residential use. The Planning Commission and staff recommended approval.
07/12/06	The City Council approved a Required Six Month Review (RQR-13859) of an approved Special Use Permit (SUP-8433) that allowed a Liquor Establishment (On-Sale/Off-Sale/On-Off-Sale) within an existing market.
01/25/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #18/jm).
<i>Pre-Application Meeting</i>	
11/30/06	A pre-application meeting was held. Previous approvals on this site were noted and changes to the parking standards were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Undeveloped	Clark County	Clark County
South	Condominiums	M (Medium Density Residential)	R-PD17 (Residential Planned Development 17 Units Per Acre)
East	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-PD15 (Residential Planned Development 15 Units Per Acre)
West	Drainage Channel	PF (Public Facilities)	Drainage Channel

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
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

Per Title 19.08:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	175 Feet	Y
Min. Setbacks			
• Front	20 Feet	430 Feet	Y
• Side	10 Feet	100 Feet	Y
• Corner	15 Feet	68 Feet	Y
• Rear	20 Feet	125 Feet	Y
Max. Lot Coverage	50 %	Not Shown	Unknown
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Yes	Y

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	
Shopping Center	31,000 SF	1:250	124	5	128	5	Y
Sub-Total			124	5	126*	5	Y
TOTAL			124		126		Y
Loading Spaces			3		3		Y

*The Kiosk will eliminate two parking spaces.

ANALYSIS

- Zoning

The site is located in a C-1 (Limited Commercial) zone. The Limited Commercial District is intended to provide most retail shopping and personal services, and may be appropriate for mixed-use developments. The proposed ice-vending kiosk would be permitted in the C-1 (Limited Commercial) zone.

- Site Plan

The site plan shows an ice-vending kiosk located within the parking lot of a large commercial development. The location of the kiosk within the development is acceptable. The kiosk is small and will not adversely affect this property.

- Waivers

There are no Waivers associated with this Site Development Plan Review.

- Landscape Plan

There is not a landscape plan associated with this Site Development Plan Review, as the proposed ice-vending kiosk is small, portable, and landscaping would not be practical to implement.

- Elevation

The elevations for the proposed kiosk show a small rectangular structure that looks similar to a storage unit. The signage is necessary to portray the kiosk as an ice machine. The kiosk is approximately 16 feet in height. Elevations are acceptable.

- Floor Plan

There are no floor plans associated with this Site Development Plan Review, as this is only a kiosk.

FINDINGS

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 commercial in nature and would be compatible with adjacent commercial development.

- 2. The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;**

The proposed ice-kiosk is in compliance with all plans and standards.

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

The kiosk would be located within the parking lot of a large commercial complex. The kiosk would not be permitted to interfere with the required drive aisle width of 24 feet. The traffic generated by this kiosk would not be significant and will not have a negative impact on the area.

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

Building materials are appropriate. The materials used are similar in nature to the water kiosks located throughout the Las Vegas area. There are no landscape materials for this development as the kiosk is portable and landscaping would not be practical.

- 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;**

Elevations and design characteristics are appropriate for the area. The color scheme for the kiosk is primarily white with blue trim. The signage and lighting are also appropriate for this type of development. It should be noted that staff would prefer that the air-conditioning/ice making equipment located on the roof of the kiosk be screened using material similar in nature to the rest of the kiosk.

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

The proposed ice kiosk will not compromise public health and safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 14

SENATE DISTRICT 2

NOTICES MAILED 371 by Planning Department

APPROVALS 0

PROTESTS 0