

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 6, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - SDR-19643 - APPLICANT: PLATINUM REALTY AND DEVELOPMENT - OWNER: CRAIG 95 LLC C/O ABRAR MANAGEMENT**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 16, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-19647) 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, date stamped 03/14/07 and landscape plan and building elevations, 02/06/06, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow no landscaping along the south and east property lines where an eight foot buffer is required, and to allow a two foot wide buffer along the north property line where eight feet is required
5. An Exception from Title 19.12 is hereby approved, to allow 14 parking lot trees where 25 are required.
6. 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.
7. 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.

8. 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).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. 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.
12. 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.
13. 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

15. All private improvements and 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.
16. Provide a copy of a recorded joint access agreement between this site and Assessors Parcel No. 13803715004 prior to the issuance of any permits.
17. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON19647 and all other applicable site-related actions.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a 37,925 square foot commercial center and waivers of perimeter landscape buffer standard to allow no landscaping along the south and east property lines where an 8-foot wide buffer is required and a 2-foot wide buffer along a portion of the north property line where an 8-foot wide buffer is required on 3.53 acres on the south side of Craig Road, west of U.S. 95.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
11/06/96	The City Council accepted a request to Withdraw without prejudice an application for General Plan Amendment (GPA-42-96) to GC (General Commercial) and a Rezoning (Z-94-96) to C-2 (General Commercial) on the subject site as part of a larger request.
01/12/98	The City Council voted to Withdraw without prejudice a Rezoning (Z-0115-97) from U (Undeveloped) to PD (Planned Development) for a proposed commercial development on the subject site. The Planning Commission recommended denial of the Rezoning request.
12/20/01	The Planning Commission voted to Table a Rezoning from U (Undeveloped) to C-1 (Service Commercial) (Z-0074-01) and a Site Development Plan Review [Z0074-01(1)] for a proposed office/retail complex on the subject site. The staff recommended approval of the requests on 10/18/01.
01/21/04	The City Council approved a Rezoning (ZON-3197) to C-1 (Service Commercial) for the subject site. A condition of approval specified a two year time limit, which expired on 01/21/06. The staff recommended approval on 11/20/03 and the Planning Commission recommended approval on 12/18/03.
11/17/94	The City Council approved a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot OffPremise (Billboard) Sign. Staff and the Planning Commission recommended approval.
04/12/07	The Planning Commission recommended approval of companion item zon-19647 concurrently with this application.  The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #31/ar).
<b><i>Pre-Application Meeting</i></b>	
12/06/06	Staff explained the requirements for a zone change application
<b><i>Neighborhood Meeting</i></b>	
	A neighborhood meeting is not required for this application.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	3.53



Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped with existing billboard	SC (Service Commercial)	U (Undeveloped) [SC (Service Commercial) General Plan Designation]
North	Undeveloped	SC (Service Commercial)	SC (Service Commercial) General Plan Designation
South	Retail/restaurants	SC (Service Commercial)	SC (Service Commercial) General Plan Designation
East	U.S. 95	U.S. 95	U.S. 95
West	Retail/restaurants	SC (Service Commercial)	SC (Service Commercial) General Plan Designation

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

**DEVELOPMENT STANDARDS**

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	3.53 acres	Y
Min. Lot Width	100 Feet	350 Feet	Y
Min. Setbacks			
• Front	• 20 Feet	• 23 Feet	• Y
• Side	• 10 Feet	• 21 Feet	• Y
• Rear	• 20 Feet	• 65 Feet	• Y
Max. Lot Coverage	50 %	25 %	Y
Max. Building Height	N/A	40 Feet	Y

*Per Title 19.08.060, the following standards apply:*

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	120 Feet	850 Feet	Y
Trash Enclosure	50 Feet	850 Feet	

*Per Title 19.12, the following standards apply:*

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Parking Area	1 Tree /6 Spaces	25 Trees	14	N
Buffer: Min. Trees	1 Trees/30 Linear Feet	58 Trees	32	N
Min. Zone Width				
North prop line		8 feet	2 feet	N
South prop line		8 feet	0 feet	N
East prop line		8 feet	0 feet	N
West prop line		8 feet	8 feet	Y

In regard to the parking lot trees, the applicant is proposing to place additional trees along the west property line, adjacent to the main parking lot. Staff finds this to be an acceptable alternative and recommends approval.

In regard to the property line buffers, staff notes that the east and north property lines are adjacent to a raised freeway, and has no objection to a waiver of the buffer requirement along those property lines. The applicant is also proposing no landscaping along the south property line. Because this will allow better vehicular circulation with the commercial development to the south, staff has no objection to this waiver as well.

*Pursuant to Title 19.10, the following parking standards apply:*

<b>Parking Requirement</b>							
<b>Use</b>	<b>Gross Floor Area or Number of Units</b>	<b>Parking Ratio</b>	<b>Required</b>		<b>Provided</b>		<b>Compliance</b>
			<b>Parking</b>		<b>Parking</b>		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping center	37, 925 sf	1/250 sf	152	6	152	6	Y
<b>TOTAL</b>			152	6	152	6	Y

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
Min. Zone Width		
Two feet along north prop line	8 feet	Approval
Zero feet along south prop line	8 feet	Approval
Zero feet along east prop line	8 feet	Approval

## **ANALYSIS**

This site is currently undeveloped. The applicant proposes to construct a 19,900 square foot retail building in the north portion of the site, and an 18,025 square foot grocery store in the south. The site plan indicates that both buildings comply with the setback requirements of the zoning code. Access is provided by a 30 foot wide driveway to Craig Road which is shared with the existing shopping center immediately to the west. The majority of the parking spaces are located west of the buildings, with some spaces also shown on the remaining sides of the structures. An eight foot wide landscape buffer with 32 trees is shown along the west property line. Additional planting areas with trees, shrubs and ground cover are depicted in the parking lot. The amount of parking lot trees does not comply with city standards; however, staff finds that the applicants provision of additional trees within the west property line buffer is an acceptable alternative. In regard to the north and east property line buffers, staff notes that these property lines are adjacent to a raised freeway, and has no objection to a waiver of the buffer requirement along those property lines. The applicant is also proposing no landscaping along the south property line. Because this will allow better vehicular circulation with the commercial development to the south, staff has no objection to this waiver as well.

The elevations for both structures depict a stucco exterior with a decorative stone veneer. A flat roof is shown for both structures, with peaked standing seam metal roofs providing articulation.

## **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;
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 development is compatible with the commercial uses occurring along this portion of Craig Road.

**In regard to 2:**

The proposed development complies with the General Plan. The applicant has requested waivers of certain landscape requirements. Because this site is adjacent to a freeway, staff has no objection to the waivers.

**In regard to 3:**

The site is adjacent to Craig Road, which is designated by the Master Plan of Streets and Highways as a Primary Street and will not be adversely impacted by this request.

**In regard to 4:**

The submitted building elevations are typical of commercial development in this portion of the city. The substantial landscape buffer along the west property line will provide an aesthetically pleasing streetscape when viewed from Craig Road.

**In regard to 5:**

The elevations for the new buildings are compatible with the existing shopping center to the west and other development in the area.

**In regard to 6:**

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 5

**ASSEMBLY DISTRICT** 37

**SENATE DISTRICT** 4

**NOTICES MAILED** 196 by Planning Department

**APPROVALS** 0

**PROTESTS** 0