



## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: NOVEMBER 29, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-25057 - APPLICANT/OWNER: TIMOTHY O'ROURKE, ET AL**

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### \*\* CONDITIONS \*\*

**STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-25058) 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 10/09/07, except as amended by conditions herein.
4. A Waiver from 19.12 Landscape Wall and Buffer Requirements is hereby approved, to allow no landscape buffer along the north and south property lines where eight feet is the minimum width required, and to allow a two-foot landscape buffer along the west property line where 15 feet is the minimum buffer width required.
5. An Exception from 19.12 Perimeter Landscape Buffer Spacing of Trees is hereby approved, to allow five 24-inch box trees where twenty-two 24-inch box trees 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.

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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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

14. Dedicate an additional 10 feet of right-of-way for a total half-street width of 40 feet on Western Avenue adjacent to this site prior to the issuance of any permits. Offsite improvements shall be constructed within to the currently established back of curb, however the dedicated area shall be kept clear of buildings or other permanent private improvements.
15. Construct all incomplete half-street improvements on Highland Avenue and Western Avenue adjacent to this site concurrent with development of this site.
16. 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. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
17. The proposed wall and gate along Highland Avenue shall be located such that sight visibility restriction zone requirements are met. The proposed gate adjacent to Highland Avenue shall remain open during normal business hours.

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18. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the depth, radii, and width of the driveways accessing this site.
19. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
20. Landscape and maintain all unimproved rights-of-way, if any, 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.
21. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within the public rights-of-way adjacent to this site prior to occupancy of this site.
22. 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 drainageways recommended by the Flood Control Section.

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

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a proposed 7,560 square-foot Contractor's Plant, Shop and Storage Yard with a Waiver to allow no landscape buffer along the north and south property lines where eight feet is the minimum width required, and to allow a two-foot landscape buffer along the west property line where 15 feet is the minimum buffer width required on 0.51 acres at 1700 Western Avenue. A companion Variance (VAR-25058) for a zero side yard setback where 10 feet is required will be considered in conjunction with this Site Development Plan Review.

The proposed Contractors Plant, Shop and Storage Yard is compatible with the M (Industrial) zoned property in the surrounding area; however, the site plan does not meet Title 19 standards for setbacks and landscaping. Therefore, staff recommends denial.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
05/17/06	The City Council approved a change the Future Land Use (GPA-9219) designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area.
<b><i>Related Building Permits/Business Licenses</i></b>	
09/02/04	Code Enforcement cited (#21200) the property for allowing oil into the street and running into the storm drains. The citation was resolved on 09/24/04.
<b><i>Pre-Application Meeting</i></b>	
09/25/07	A pre-application meeting was held with the applicant. The applicant informed staff that they are proposing a contractors storage yard on the site. Staff informed the applicant that this would require a Site Development Plan Review application. In addition, the proposed building does not meet side yard setback requirements and would require a Variance and Waivers for perimeter landscape buffer requirements would have to be requested. Submittal requirements were then discussed in detail.
<b><i>Field Check</i></b>	
10/31/07	A field check was made on site. The site is currently undeveloped with industrial uses surrounding the parcel.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.51

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	LI/R (Light Industrial/ Research)	M (Industrial)
North	Shops	LI/R (Light Industrial/ Research)	M (Industrial)
South	Shops	LI/R (Light Industrial/ Research)	M (Industrial)
East	Auto shop, Office	LI/R (Light Industrial/ Research)	M (Industrial)
West	Office	LI/R (Light Industrial/ Research)	M (Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District (200 Feet)	X		Y
<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

*Pursuant to Title 19.08, the following development standards apply:*

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	10 Feet	10 Feet	Y
• Side	10 Feet	Zero Feet	N*
• Corner	10 Feet	N/A	N/A
• Rear	Zero Feet	N/A	N/A
Max. Building Height	N/A	20 Feet	Y
Trash Enclosure	Screened	Curbside pickup	Y
Mech. Equipment	Screened	Screened	Y

MH

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*A Variance (VAR-25058) has been requested.*

***Pursuant to Title 19.12, the following landscape standards apply:***

<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Parking Area	1 Trees/ 6 Uncovered Spaces	Zero Trees	Zero Trees	Y
Buffer: Min. Trees	1 Tree/ 30 Linear Feet	22 Trees	5 Trees	N*
<b>TOTAL</b>		22 Trees	5 Trees	N*
Min. Zone Width (Right-of-way)	15 Feet		2 Feet	N*
Min. Zone Width (Interior)	8 Feet		Zero Feet	N*
Wall Height	8 Feet		Not provided	N/A

*\*The applicant has requested a Waiver of Title 19.12 Perimeter Landscape Buffer Widths and an Exception of Table 2 - Perimeter Landscape Buffer Spacing of Trees.*

***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	
Contractors Plant, Shop and Storage Yard	7,560 SF	1:500	16	1	18	1	Y
<b>SubTotal</b>			15	1	17	1	Y
<b>TOTAL</b>			16		18		Y

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
No landscape buffer along the north and south property lines	8 foot landscape buffer is required	Denial
Two-foot landscape buffer along the west property line	15 foot landscape buffer is required	Denial

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## **ANALYSIS**

- **Zoning**

The M (Industrial) District is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. The M District is consistent with the Light Industry/Research category of the General Plan. The Light Industry / Research category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed.

A Contractors Plant, Shop and Storage Yard is a facility for the storage and maintenance of contractors supplies and operational equipment including accessory office uses. Contractors Plant, Shop and Storage Yard is a permitted use in M (Industrial) zone.

- **Site Plan**

The site plan shows a proposed one-story, 7,560 square-foot building with two bay doors facing toward the north. The building is located on the south portion of the 0.51 acre parcel. The building is zero feet from the south property line where M (Industrial) zone requires 10 feet. A Variance (VAR-25058) has been requested by the applicant and will be a companion item with this application.

The north portion of the site will be utilized for parking as 14 covered parking spaces are provided. The parcel gains access from Highland Avenue, a 60-foot wide local street to the west and Western Avenue, a 60-foot wide local street to the east.

The applicant is required to provide 16 parking spaces for the site and has provided 18 parking spaces, one of which is handicap accessible. The proposal meets Title 19.10 Parking Standards.

- **Landscape Plan and Waiver**

The landscape plan is deficient in the amount of perimeter landscaping required on the north, south and west portions of the property. The applicant is requesting a Waiver to allow no landscape buffer along the north and south property lines where eight feet is the minimum width required, and to allow a two-foot landscape buffer along the west property line where 15 feet is the minimum buffer width required. The applicant is also deficient in the amount of 24-inch wide box trees provided on the site, providing five 24-inch box trees where 22 are required. Although the addition of the trees would require the applicant to remove parking spaces, which would result in a Variance request, staff recommends denial of this Waiver as the request is a self-imposed hardship and the provision of trees would contribute aesthetically to the area.

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- **Elevation and Floor Plan**

Elevations depict a structure that is 20 feet tall. The elevations show concrete tilt up panels, brown stucco colors, dark brown bay doors and windows. The floor plans depict offices on the southwest portion of the building and a warehouse on the southeast portion.

## **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 Contractors Plant, Shop and Storage Yard is compatible with the M (Industrial) zoned property in the surrounding area; however, the site plan does not meet Title 19 standards for setbacks and landscaping. Therefore, staff recommends denial.

**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 Contractors Plant, Shop and Storage Yard use is consistent with the General Plan; however, the site development does not comply with Title 19. A Variance (VAR-25058) for setbacks and Waivers to the Title 19.12 Landscape Standards have been requested.

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

The parcel gains access from Highland Avenue, a 60-foot wide local street to the west and Western Avenue, a 60-foot wide local street to the east.

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

The 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;**

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The building elevations depict design and materials that will provide an aesthetically acceptable building and are compatible with the neighboring industrial use.

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

The development will be subject to inspections, and appropriate measures will be taken to protect the public health, safety and general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 102

**APPROVALS** 6

**PROTESTS** 0