

**AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: JANUARY 10, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-25760 - APPLICANT: SOUTHWEST DESERT EQUITIES, LLC - OWNER: K R LAND COMPANY, LLC ET AL.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, 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 11/27/07, except as amended by conditions herein.
3. Revised site plan shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect a 15-foot setback From Secondary Arterial to Building per Providence Square Master Development Plan.
4. 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.
5. 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.
6. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect a 50-foot height for the building designated Grocery per Providence Square Master Development Plan.

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

Public Works

13. A Petition of Vacation shall be submitted to Clark County and recorded for the right-of-way adjacent to Assessors Parcel Number 125-19-301-010 prior to the issuance of any permits or the recordation of a map for this site. Alternatively, dedicate the reciprocal right-of-way prior to the issuance of any permits or through recordation of a map for this site and submit a revised site plan to the Department of Planning and Development.
14. Dedicate 50 feet of right-of-way adjacent to this site for Hualapai Way, 40 feet for Deer Springs Way, 25 feet for Conquistador Street including the right-of-way necessary for a cul-de-sac meeting current City Standards, a 54-foot radius on the southeast corner of Hualapai Way and Deer Springs Way and a 20-foot radius on the southwest corner of Deer Springs Way and Conquistador Street.
15. Dedicate, obtain dedication, or obtain easement rights for the full 37 foot width of Echelon Point Drive including the right-of-way necessary for a cul-de-sac meeting current City Standards, and including 20 foot radii for the northwest and southwest corners of Conquistador Street and Echelon Point Drive prior to the issuance of any permits or through recordation of a map for this site.

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16. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the submittal requirements for Bureau of Land Management (BLM) applications for the east half of Conquistador Street and south half of Echelon Point Drive (abutting Assessors Parcel Number 125-19-301-012) adjacent to this site and provide all required documentation and material. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to the approval of construction drawings for this site or the issuance of any permits, whichever may occur first.
17. Construct half-street improvements, including appropriate overpaving and transition paving if legally able, on Hualapai Way, Deer Springs Way, and Conquistador Street including an appropriate terminus on Conquistador Street concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
18. Construct fullwidth street improvements, including an appropriate terminus on Echelon Point Drive concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
19. Offset sidewalk and reduced right-of-way widths shown on this site plan shall be in accordance with the approved Providence Square Master Development Plan and Design Standards. Grant pedestrian access easements for all sidewalks located outside of the public street right-of-way prior to the issuance of any permits or through recordation of a map for this site.
20. Coordinate with the Clark County Department of Public Works to discuss any impacts to this site plan from the Beltway and the ultimate Hualapai Way off-ramp design. Provide documentation from Clark County to the City of Las Vegas Land Development Section that this condition has been satisfied prior to the approval of any construction drawings or the recordation of a map for this site, whichever may occur first.
21. Provide public sewer easements to all not a part parcels not adjacent to existing public street right-of-way prior to the issuance of any permits; coordinate with the Collection Systems Planning section of the Department of Public Works.
22. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

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23. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rightsofway required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of onsite development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rightsofway are not required and Traffic Control devices are or may be proposed at this site outside of the public rightofway, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
24. 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, submittal of any construction drawings or the submittal of a Map subdividing 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.
25. 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.
26. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of this overall site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.
27. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. 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.

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28. 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.
29. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
30. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
31. Revise the Providence Square Master Development Plan and Design Standards as follows:

-Page 9, Section 2.4.4 Sewer Service

Revise the last sentence as follows: See Figure 4 for a schematic.

Add the following sentence: The Collection Systems Planning section of the Department of Public Works shall review and approve all public sewer design prior to the issuance of any permits.

-Page 10, Figure 4

Because the drainage study has not been submitted, nor the sewer service determined, please revise the title to "Providence Square Schematic Utility Plan" and add the following note to this Figure: The utilities shown on this Figure are proposed. Ultimate locations and sizes shall be determined in accordance with the approved technical studies and in accordance with this document.

-Page 10, Figure 4, Page 12-Figure 6 AND site plan on page 41

Note that the Figures in this document, the Site Development Plan Review SDR-25760 and the Traffic Study are not consistent as to the location of the bus turnout on Deer Springs Way and deceleration lanes on Hualapai Way and Deer Springs. The SDR, as well as the figures do not clearly identify the eastern property line. Show a cul-de-sac termination on Conquistador. The Figures in this document, as well as the SDR will need to be revised for consistency. Note that overpaving will be required on Conquistador Street north of Echelon Point and a condition of approval will be that the owner submit the BLM grant documents for the east half of Conquistador Street to the City. The approved

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right-of-way grant will have to be in place prior to the approval of construction drawings and the issuance of any permits. As for Conquistador south of Echelon Point, the SDR and the Figures show the east half of Conquistador as being dedicated and built, however the Assessor's office shows that APN 125-19-301-014 is owned by LVVWD. If this portion of roadway is not being constructed by this developer, it should not be shown.

Echelon Point Drive is proposed to be 37 feet. An 18.5-foot half street is not sufficient width to accommodate 2-way traffic. A condition of the site plan will be that the owner submit the BLM grant documents for the south half of Echelon Point Drive abutting Assessors Parcel Number 125-19-301-012. The Figures, as well as the site plan will need to be revised accordingly. The approved right-of-way grant will have to be in place prior to the approval of construction drawings and the issuance of any permits.

-Pages 17-18, Section 4.2.2 Site Utilities and Electrical Equipment

Add the following sentence at the end as a stand alone paragraph: All utility boxes and above ground utility installation shall be located outside of site visibility restriction zones at site driveways and abutting street intersections.

-Page 21, Section 4.2.6 Sidewalks

Add the reference to Title 18.12.390.

-Page 24, Section 4.5.1 Safety

Fix the reference to AASHTO, not AASHYO.

-Page 29, Section 4.5.7 Site Amenities

2nd paragraph, add the word "onsite" to beginning.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 200,300 square-foot retail development on 23.62 acres at the southeast corner of Hualapai Way and Deer Springs Way.

The proposal does not meet the intent of the Planned Development (PD) District, which is to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or multi-use planned development. Therefore, staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/16/07	Effective date of Annexation (ANX-12215) of 207.83 acres including the subject site.
06/06/07	City Council approved a request to Amend (GPA-20465) a portion of the Centennial Hills Sector Plan of the Master Plan from R (Rural Density Residential) to PCD (Planned Community Development) on 23.3 acres at the southeast corner of Hualapai Way and Deer Springs Way.
<i>Related Building Permits/Business Licenses</i>	
There are no related building permits or business licenses that pertain to this site.	
<i>Pre-Application Meeting</i>	
11/14/07	A pre-application meeting was held with the applicant. The applicant proposed to a zone change to PD (Planned Development), a site development plan review for a 200,300 square foot commercial development and a vacation of patent easements. The applicant was informed that they would be required to dedicate right-of-ways and conduct drainage and traffic studies. Staff also mentioned that a 2.5 acre portion of the site was in the Interlocal Agreement, which would be an issue of concern. Submittal requirements were then explained in detail.
<i>Field Check</i>	
11/30/07	A field check was made on site. The site is currently undeveloped with a population of desert shrubs and trees.

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Neighborhood Meeting	
03/29/07	<p>The subsequent zoning, site development plan and vacation applications do not require a neighborhood meeting. However, a neighborhood meeting was held for the General Plan Amendment (GPA-20465) at Mountain Crest Community Center at 5:30 PM. Twenty-two members of the public attended, generally expressing opposition to the proposed General Plan Amendment. Concerns raised included:</p> <ul style="list-style-type: none"> * Concerns that apartments will be built at this site * Request for Single Family Homes only * Property values will be lowered * Request that the RNP not be changed * Construction will cause traffic issues in the area * Opposed to commercial or high density residential * Project will increase traffic in area * Opposed to change in land use and zoning

Details of Application Request	
Site Area	
Gross Acres	23.62

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PCD (Planned Community Development)	U (Undeveloped)
North	Undeveloped, Clark County 215 Beltway	RNP (Rural Neighborhood Preservation Clark County)	Unincorporated Clark County R-E (Residential Estates)
South	Undeveloped	R (Rural Density Residential) and ROW (Right-of-Way)	Unincorporated Clark County R-E (Residential Estates) and Unincorporated Clark County Parcel Right-of-Way
East	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
West	Undeveloped	R (Rural Density Residential) and PF-CC (Public Facility Clark County)	U (Undeveloped) and Unincorporated Clark County R-E (Residential Estates)

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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
PCD Planned Community Development	X		N*
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance	X		Y

*** PCD (Planned Community Development)**

The proposed development does not meet the minimum acreage requirements of the PCD (Planned Community Development) land use designation.

Project of Regional Significance

Staff has determined that the related proposed Rezoning and its companion items would meet the definition of a Project of Regional Significance as defined in the ordinance and has notified Clark County and other entities.

Comments were received by the Las Vegas Metropolitan Police Department, who replied that the proposed project has a potential to impact police services in the Northwest Area Command.

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, development standards within a PD (Planned Development) zoning district are determined through a Master Development Plan and accompanying Development Standards. In this case, the development standards are provided through the Site Development Plans.

<i>Standard (Providence Square) Section 4.1</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks			
• From Primary Arterial to Building	20 Feet	21 Feet	Y
• From Secondary Arterial to Building	15 Feet	12 Feet	N*
• From Adjacent Parcel PL to Building	10 Feet	15 Feet	Y
• From Arterial to Parking	10 Feet	N/A	N/A
• From Collector to Parking	10 Feet	>6 Feet	Y
• From Adjacent Parcel PL to Parking	6 Feet	14.75 Feet	Y
	6 Feet	10 Feet	Y
Max. Building Height	50 Feet*	51 Feet#	Y

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Maximum Lot Coverage	50%	19%	Y
Trash Enclosure	50 ft from residential	>50 Feet	Y

**Shall comply with Title 19.08.060 Residential Adjacency Standards.*

#A condition has been added.

Existing Zoning	Permitted Density	Units Allowed
U (Undeveloped)	2 du/ac	46.6 Units
Proposed Zoning	Permitted Density	Units Allowed
PD (Planned Development)	N/A	N/A
General Plan	Permitted Density	Units Allowed
PCD (Planned Community Development)	8 du/ac	186 Units

Pursuant to Title 19.12 and Master Development Plan Section 4.5, the following landscape standards apply (Title 19.12)

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree / 6 Spaces	166 Trees	391 Trees	Y
Buffer: Min. Trees adjacent to residential	1 Tree/ 20 Linear Feet	123 Trees	171 Trees	Y
Min. Trees adjacent to commercial	1 Tree/ 30 Linear Feet	60 Trees	85 Trees	Y
TOTAL		349 Trees	649 Trees	Y
Min. Zone Width	15 Feet		Zero Feet	Y
Wall Height	8 Feet		N/A	Y
Open Space	15%		26%	

Pursuant to Pursuant to Title 19.10 and Master Development Plan Section 4.1, the following parking standards apply:

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Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Neighborhood Commercial	200,300 SF	1:250	802	20	992	20	Y
SubTotal			782	20	972	20	Y
TOTAL (including handicap)			802		992		Y
Loading Spaces			4		13		Y

ANALYSIS

Interlocal Agreement

Of the 23-acre site, 2.5 acres are governed by the Interlocal Agreement. Per Section 3.F of the Clark County/City of Las Vegas Interlocal Agreement, which established a joint position on corporate boundaries, planning, public facilities, service provision and future annexations, *the areas identified as Excepted Areas on Exhibit A shall remain as rural neighborhood preservation areas for the life of the Interlocal Agreement. The City agrees that when a parcel of land within the Excepted Areas is annexed to the City, the City will maintain the same density allowed within the County by virtue of establishing a compatible City zoning district on the property, within the City, for the life of the Interlocal Agreement. The County agrees that those areas depicted as Excepted Areas on Exhibit A shall remain as rural neighborhood preservation areas for the life of the Interlocal Agreement.*

The entire site is in Expected Area of the Interlocal Agreement, which states in Section 1.A that Excepted Areas shall remain unincorporated for the term of this agreement, unless a petition for annexation is initiated by a private property owner for a particular property. On 02/16/07, this site was Annexed (ANX-12215) into the City of Las Vegas, including 207.83 acres. The site was designated U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation) General Plan designation), which was recently Amended by City Council on 06/06/07 to PCD (Planned Community Development) General Plan designation. Although the City Council Amended the General Plan from RNP (Rural Neighborhood Preservation) to PCD (Planned Community Development) on a 2.5 acre portion of the site, the Interlocal Agreement states that areas depict as Excepted Areas on Exhibit A shall remain as rural neighborhood preservation areas for the life of the Interlocal Agreement.

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Zoning

Per 19.06.050, the intent of the Planned Development (PD) District is to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or multi-use planned development. The rezoning of property to the PD District may be deemed appropriate if the development proposed for the District can accomplish one or more of the following goals:

1. *Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community;*

As the site is adjacent to areas protected by the Interlocal Agreement between Clark County and the City of Las Vegas, which limit the density to 2 du/ac, the 200,300 square-foot retail development is not harmonious and beneficial to the community.

2. *Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities;*

This proposal does not achieve nor integrate economic and redevelopment opportunities.

3. *Providing for flexibility in the distribution of land uses, in the density of development, and in other matters typically regulated in zoning districts;*

The site is all one uniform land use, retail and commercial uses.

4. *Providing for cultural, civic, educational, medical, religious or recreational facilities, or any combination thereof, in a planned or a unique setting and design;*

The proposal does not provide a cultural, civic, educational, medical, religious or recreational facilities, or any combination thereof, in a planned or a unique setting and design.

5. *Providing for the redevelopment of areas where depreciation of any type has occurred.*

This area is not designated as a redevelopment area; therefore, the proposal does not meet this goal.

6. *Providing for the revitalization of designated areas;*

This area is not designated as a revitalization area; therefore, the proposal does not meet this goal.

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7. *Promoting or allowing development to occur in accordance with a uniform set of standards which reflect the specific circumstances of the site;*

The proposal has not developed standards that address the density and rural composition of the area adjacent to the site.

8. *Avoiding premature or inappropriate development that would result in incompatible uses or would create traffic and public service demands that exceed the capacity of existing or planned facilities;*

As a portion of the site is adjacent to areas protected by the Interlocal Agreement between Clark County and the City of Las Vegas, which limit the density to 2 du/ac, the proposal is deemed inappropriate and would result in incompatible uses which could create traffic and public service demands that exceed the capacity of existing or planned facilities.

9. *Encouraging area-sensitive site planning and design; and*

The applicant is proposing a 200,300 square-foot retail development, which does not encourage area-sensitive site planning and design, within and adjacent to an area protected by the Interlocal Agreement between Clark County and the City of Las Vegas.

10. *Contributing to the health, safety and general welfare of the community and providing development which is compatible with the City's goals and objectives.*

The proposal for a 200,300 square-foot retail development is contrary to the City's goals and objectives protected by the Interlocal Agreement between Clark County and the City of Las Vegas.

The PD (Planned Development) zoning that would be allowed in the PCD designation would permit a density of up to eight units per acre. Staff finds a density of eight dwelling units per acre to be incompatible with the adjacent Rural Neighborhood Preservation district.

Development Agreement Providence Square

- **Land Use**

The Master Development Plan identifies the land use permitted within Providence Square. The Plan defines one land use for the one 23.6 acre parcel as Neighborhood Commercial, which shall be comprised of a mixture commercial uses.

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- **Permissible Uses**

The Master Development Plan states that buildings, structures and land use for commercial purposes shall be developed and operated in accordance with the uses permitted in Permissible Use Schedule. The uses that are proposed are consistent with the C-1 (Limited Commercial) zoning district, which is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors.

- **Site Plan Guidelines**

The Master Development Plan contains comprehensive section on development standards, site elements, building standards, lighting, landscape standards, architectural style and signage. Development standards such as setbacks, lot coverage, and building height are consistent with the C-1 (Limited Commercial) zoning district.

- Site elements discuss location and screening of service areas, site utilities and electrical equipment.
- Building standards illustrate building form and mass, building height, building materials and roof form.
- Acceptable building materials are painted stucco walls, split face CMU, hone CMU, concrete roof tile, slate, stone or brick accents, painted metal, glazing, glass, metal roof, metal canopies/trellis and concrete siding boards.
- Lighting will conform to the City of Las Vegas lighting codes, which apply to all public streets, parking lots or walkways thought the development to ensure a safety and illumination.
- Landscape standards shall conform to Title 19.12 Landscape Standards with all land covered by structures or developed as parking shall be landscaped with a minimum of 12 percent total landscape coverage of the site. A plant palette was included in the standards.
- Architectural style that is proposed are identified as American Traditional, which the applicant characterizes as four-sided architecture with flat concrete roof tiles or metal roofs, cupolas, use of brick or stone accents and trellises with traditional column or posts.

Site Plan

The applicant is proposing a 203,000 square-foot retail development, including a 67,000 square-foot Grocery, 40,000 square-foot Fitness Club, six buildings labeled Shops ranging from 9,200 to 16,100 square feet, and six buildings labeled Pads ranging from 2,700 to 6,500 square feet in size (see table below).

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Access to the site is provided by a driveway from Hualapai Way, two driveways from Deer Springs Way and two driveways three driveways to Decatur Boulevard and one driveway to Tropical Parkway. The applicant has provided 992 parking spaces where 802 parking spaces are required for a 203,000 square-foot retail development. The applicant has provided the adequate handicap and loading spaces per Title 19.

BUILDING	LOCATION	SQUARE FOOTAGE	STORIES/ HEIGHT	DISTANCE FROM PROTECTED PROPERTY
Grocery	Center of the site	67,000 SF	51 Feet#	>153 Feet
Fitness Club	Southeast portion of the site	40,000 SF	No Elevations	123 Feet
Shops 1	Northwest portion of the site	13,300 SF	43 Feet	155 Feet
Shops 2	Northeast portion of the site	16,100 SF	43 Feet	94 Feet*
Shops 3	Southwest portion of the site	10,500 SF	43.3 Feet	Adjacent to a frontage road and I-215
Shops 4	Southwest portion of the site	10,500 SF	34 Feet	Adjacent to a frontage road and I-215
Shops 5	Southwest portion of the site	9,200 SF	32 Feet	Adjacent to a frontage road and I-215
Shops 6	Southwest portion of the site	9,200 SF	35 Feet	No protected property in area
Pad A	Northwest portion of the site	2,700 SF	26 Feet	123 Feet
Pad B	North portion of the site	2,700 SF	30 Feet	122 Feet
Pad C	North portion of the site	3,000 SF	32 Feet	117 Feet
Pad D	Northeast portion of the site	5,000 SF	31 Feet	100 Feet
Pad E	Northeast portion of the site	4,600 SF	40 Feet	116 Feet*
Pad F	Northeast portion of the site	6,500 SF	40 Feet	103 Feet*

#A condition has been added.

*Does not meet Title 19.08.060 Residential Adjacency Standards.

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Landscaping

On the perimeter of the property, the landscape plan shows primarily a five-foot amenity zone, five-foot sidewalk and ten to fifteen feet of perimeter landscaping along Hualapai Way, Deer Springs Way, and Conquistador Street, which meets Title 19.12 standards. However, a portion of Deer Springs Way shows a zero-foot perimeter landscape buffer where 15 feet is required by code. Therefore, the proposal does not meet Title 19.12 Landscaping Standards.

Minimum eight-foot wide planters are provided along the interior property lines. The applicant has provided an assortment of twenty-four inch box Blue Palo Verde, Chitalpa, Fruitless Olive, Mondel Pine, Texas Honey Mesquite and Evergreen Elm throughout the 23.62 acre site. Trees are also provided within planter islands in the parking lot. Shrubs and ground cover will also be provided in all planting areas.

Elevations

Architectural style that is proposed are identified as American Traditional, which the applicant characterizes as four-sided architecture with flat concrete roof tiles or metal roofs, cupolas, use of brick or stone accents and trellises with traditional column or posts.

For buildings labeled Shops 2, Pad D and Pad F, the elevation plan depicts building that are not consistent with Title 19.08.060 Residential Adjacency Standards. Pursuant to Title 19.08.060 Residential Adjacency Standards, a 43-foot tall building adjacent to residential protected property requires a setback of 129 feet. The building is set back 94 feet from the residential property, which is a 27 percent deviation from the standard. Therefore, the proposal does not meet the required setback for a 43-foot tall building per Title 19.08.060. However, the applicant has proposed in Section 4.1 that buildings subject to the residential adjacency standards set forth in the Las Vegas Municipal Code Section 19.08.060 only where the project is adjacent to property developed for the sale of residential dwelling units. Based upon the applicants request the area would not be deemed protected as the site is not currently developed for sale of residential dwelling units. Title 19 does not make that distinction and includes protected to residential property which is either developed for sale or designated for such development in the General Plan, which the site is designated as RNP (Residential Neighborhood Preservation Clark County).

In addition, the elevation for the grocery store shows a height of 51 feet, which is inconsistent with the Providence Square Master Development Plan height requirements. A condition has been added to fix Also, per Title 19.20, the definition of building height refers to the vertical distance between the average finished grade along the front of a building and either 1) the highest point of the coping of a flat roof; 2) the deck line of a mansard roof; or 3) the average height level between the eaves and ridge line of a gable, hip or gambrel roof. The elevation plans do not properly demonstrate that standard. A condition has been added.

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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 PD (Planned Development) zoning that would be allowed in the PCD designation would permit a density of up to eight units per acre. Staff finds a density of eight dwelling units per acre to be incompatible with the adjacent Rural Neighborhood Preservation district.

- 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 proposal for a 203,000 square-foot retail development is contrary to the City's goals and objectives protected by the Interlocal Agreement between Clark County and the City of Las Vegas. The proposal does not meet the intent of the Planned Development (PD) District, which is to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or multi-use planned development. In addition, the proposal does not meet Title 19.08.060 Residential Adjacency and Title 19.12 Landscaping standards.

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

Adequate access to this site will be provided from Hualapai Way, a 100-foot wide Primary Arterial as designated by the Master Plan of Streets and Highways, and Deer Springs Way, an 80-foot wide Secondary Collector.

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

Building and landscape materials are appropriate for this area of 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;**

The proposed development is not compatible with the adjacent residential properties as the Master Development Plan associated with the planned community does not conform to the residential adjacency requirements of Title 19.

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

If approved, the proposed development will be subject to permitting and licensing requirements of the city of Las Vegas and will not adversely impact the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 58

APPROVALS 0

PROTESTS 0