



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 20, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-25995 - APPLICANT/OWNER: CORNUCOPIA INVESTMENTS, LLC

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-25992) 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 12/11/07, except as amended by conditions herein.
4. A 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 remove the proposed eight-foot decorative block wall between this site and the site to the east.
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. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - A minimum of ten (10) 24-inch box trees shall be planted within the perimeter landscape planter along the south property line, in compliance with the requirements of Title 19.12.
 - A minimum of eight (8) 24-inch box trees shall be planted within the provided parking lot landscape islands and at the end of parking rows. In addition, a minimum of four (4) five-gallon shrubs shall be planted for each required tree.
 - A minimum of four (4) five-gallon shrubs shall be planted for each required tree within perimeter landscape buffers.

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. Construct all incomplete half-street improvements on Vegas Drive adjacent to this site concurrent with development of this site.
15. Install a median island restricting the east driveway to right in right out only operation or provide a driveway turning analysis that demonstrates this driveway will operate safely.

16. 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.
17. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the driveway accessing this site from Vegas Drive.
18. 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.
19. Contact the City Engineers Office at 229-6272 to coordinate the development of this project with the Coran Rancho Vegas Sewer Rehabilitation project and the Owens Avenue System project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
20. 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. 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 rights of way 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 on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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.
21. 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The site is currently vacant. The site plan and buildings proposed are similar to those approved for the site in 2004. C-1 (Limited Commercial) zoning was also approved at that time; however, a Resolution of Intent to rezone expired two years later without the issuance of new permits for the offices. The proposed buildings comply with Title 19 requirements, including all development standards and residential adjacency standards. Therefore, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/03/76	The City Council approved a Rezoning (Z-0002-76) from R-E (Residence Estates) to R-1 (Single Family Residential) on the subject site. The Planning Commission and staff recommended approval.
08/06/86	The City Council approved a Rezoning (Z-0053-86) from R-1 (Single Family Residential) to R-PD5 (Residential Planned Development 5 Units Per Acre) on the subject site, subject to a 12-month Resolution of Intent. The Planning Commission recommended approval. The Resolution of Intent expired 08/06/87.
01/21/04	The City Council approved a Rezoning (ZON-3326) from R-1 (Single Family Residential) to C-1 (Limited Commercial) and a related Site Development Plan Review (SDR-3327) for a proposed 9,000 square foot office complex on the subject site. The Planning Commission and staff recommended approval. A Resolution of Intent expired on 01/21/06.
01/24/08	The Planning Commission recommended approval of companion item ZON-25992 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/mh).
<i>Related Building Permits/Business Licenses</i>	
05/27/04	A building permit application (#0711488, Plan check C-31-04) was received for onsite and hardscape improvements at 3991 Vegas Drive. A permit was never issued.
05/27/04	A building permit application (#0711486, C-31-04) was received for Shell Building A (located closest to the street) at 3991 Vegas Drive. A permit was never issued.
05/27/04	A building permit application (#0711487, C-31-04) was received for Shell Building B at 3995 Vegas Drive. A permit was never issued.

<i>Pre-Application Meeting</i>	
11/29/07	The applicant explained that the property was acquired after the existing rezoning and Site Development Plan Review expired. The applicant would be using the same plans as were previously approved. Staff explained that the plans would need to be revised to reflect upgrades in city codes since the original approval. The plan presented at the pre-application meeting did not meet current driveway standards, and landscaping was missing.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	

<i>Field Check</i>	
12/17/07	The site is undeveloped and level. It is enclosed by a wire mesh fence with a gate on Vegas Drive. Other than an abandoned shopping cart on the west side of the property, the site is free of litter and debris. A bus stop is located adjacent, and utility poles run along the south side of Vegas Drive.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.94

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	R-1 (Single Family Residential)
North	Office	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Office	SC (Service Commercial)	C-1 (Limited Commercial)
West	Municipal Golf Course	PF (Public Facilities)	C-V (Civic)

<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			
A-O (Airport Overlay) District (70 Feet)	X		Y
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

Pursuant to Title 19.08, the following Development Standards are required for the proposed project:

Standard (C-1)	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	0.94 acre	N/A
Min. Lot Width	100 feet	201 feet	Y
Min. Setbacks • Front • Side • Rear	20 feet 10 feet 20 feet	20 feet 59 feet 39 feet	Y Y Y
Min. Distance Between Buildings	N/A	20 feet	N/A
Max. Lot Coverage	50%	22%	Y
Max. Building Height	None, but limited by residential adjacency standards	15 feet	Y
Trash Enclosure	50 feet from residential property line	55 feet from residential property line	Y
Mech. Equipment	Screened	Screened	Y

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	Setback of 20 feet allowed for building height of 15 feet; thereafter one additional foot setback from south property line for each foot increase in height	39-foot setback along south property line; building is 15 feet in height	Y
Adjacent development matching setback	15 feet	39 feet	Y
Trash Enclosure setback	50 feet	55 feet	Y

Pursuant to Title 19.10 and 19.12 the following Landscaping and Open Space Standards apply to the proposed project:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	8 Trees	2 Trees	N
Buffer:				
• Min. Trees (north, east and west PL)	1 24 Box Tree/30 Linear Feet	15 Trees	18 Trees	Y
• Min. Trees (south PL)	1 24 Box Tree/20 Linear Feet	10 Trees	8 Trees	N
TOTAL		33 Trees	28 Trees	N
Min. Zone Width Vegas Drive	15 Feet		20 Feet	Y
Min. Zone Width all other PLs	8 Feet		8 Feet	Y
Wall Height	Min. 6 Feet adjacent to residential; not required along the other property lines		8 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement						
Use	Gross Floor Area or Number of Units	Required			Provided	
		Parking Ratio	Parking		Parking	
			Regular	Handi-capped	Regular	Handi-capped
Office	9,000 SF	1/300 SF GFA	28	2	29	2
TOTAL			30		31	
Loading Spaces			0		0	

**No loading spaces are required where the use does not receive or distribute materials or merchandise by truck.*

Signage

A monument sign is proposed to face traffic along Vegas Drive. The dimensions of the sign are not indicated on the plans. All signage must show compliance with the specific sign standards of Title 19.14 prior to the issuance of a sign permit.

ANALYSIS

- **Zoning**

Currently, the subject site is zoned R-1 (Single Family Residential). For one year following a rezoning to R-PD5 (Residential Planned Development 5 Units Per Acre) and for two years following a rezoning to C-1 (Limited Commercial), the site was under a Resolution of Intent that eventually expired. The General Plan designation for the site was changed to SC (Service Commercial) so that this most recently approved rezoning could conform to the future land use. The related Rezoning request (ZON-25992), if approved, will therefore be in conformance with the existing General Plan designation. The proposed office development is included in the range of uses permitted within the C-1 (Limited Commercial) Zoning District.

- **Site Plan**

The proposed site plan is similar to the one for a 9,000 square foot office complex previously approved in 2004. The plan meets minimum standards for the C-1 Zoning District and generally meets standards in regard to building placement and design, parking and residential adjacency standards. Driveway widths no longer meet current standards, and a deviation must still be approved to allow those shown on the site plan. It is recommended that the proposed eight foot wall shown on the site plan between the subject site and the site to the east be removed, as the site is adjacent to another commercial development, where screening is unnecessary.

- **Waivers**

No waivers of design standards or landscaping are proposed. Where plans deviate from standards, conditions of approval will require revisions to bring the plans into conformance with the appropriate codes.

- **Landscape Plan**

Fan-Tex Ash is the predominant shade tree proposed within perimeter buffers and in the parking lot, with Mondel Pines used for screening from existing single-family dwellings to the south. A condition is added requiring at least eight trees within the provided parking lot island planters and at the ends of parking rows. In addition, a minimum of 10 trees (Mondel Pines are suggested) are to be planted along the south property line in conformance with Title 19.12, which requires perimeter trees adjacent to residential uses to be spaced a maximum of 20 feet apart.

- **Elevations**

The submitted elevations show painted stucco exteriors and concrete tile roofs. Parapet screening elements will hide rooftop mechanical units. Windows are prominent on the north elevations. Variation of the wall plane through pop outs and differing window sizes provides visual interest and breaks up the building mass into smaller scale components.

- **Floor Plans**

Each building will be potentially broken into three separate suites of varying floor area. An office use has been indicated for each building. Department staff will review all future Tenant Improvement applications to ensure compliance with Title 19 standards.

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 9,000 square-foot Office development is compatible with the neighboring properties. The applicant has submitted a design that reduces the scale of the building by providing two 4,500 square-foot single-story buildings. Staff recommends approval of this infill development, as it will serve as an effective buffer between the single family residential uses to the west and south and the commercial uses occurring to the north.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

With approval of the related Rezoning (ZON-25992) application to the C-1 (Limited Commercial) Zoning District, the proposed 9,000 square-foot Office development will be consistent with the General Plan, Title 19 and the Commercial Design Standards.

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

Site access is provided from Vegas Drive, classified by the Master Plan of Streets and Highways as an 80-foot Major Street, which is adequate to meet the traffic demands for the proposed project without having a negative impact on the neighborhood traffic.

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

The materials and landscaping shown on the provided plans are appropriate for the area, and conform to the requirements as listed in Title 19. Staff finds that the proposal has provided a tasteful facade that is in context with the adjacent residential properties while maintaining a low-intensity commercial appearance along Vegas Drive.

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 building elevations show two single-story buildings that comply to the Residential Adjacency setback requirements. Both buildings are finished in stucco painted earth-toned tans with darker brown trim. The two buildings are placed 20 feet apart with a small courtyard placed in between. The project size and appearance is harmonious with the residential development to the west and south while serving as a suitable buffer to the commercial uses occurring to the north; therefore, staff recommends approval.

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

If approved, the proposed Office Development will be subject to City inspections during construction of each of the two buildings, as well as routine Business Licensing inspections at the time of licensing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 34

SENATE DISTRICT 4

NOTICES MAILED 193 by Planning Department

APPROVALS 0

PROTESTS 3