

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 19, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-25443 - APPLICANT: BRIZIO BENITEZ - OWNER:
BUYERS SYNDICATE

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 20, 2008 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL.

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 12/26/07, except as amended by conditions herein.

A Waiver from Title 19.12 is hereby approved, to allow:

- a. No landscaping along a 434-foot portion of the south property line where an eight-foot wide landscape buffer is required.
 - b. No landscaping along a 214-foot portion of the north property line where an eight-foot wide landscape buffer is required.
 - c. No landscaping along a 230-foot portion of the west property line where an eight-foot wide landscape buffer is required.
 - d. No landscaping along a 195-foot portion of the north property line (Hinkle Drive) where a 15-foot wide landscape buffer is required.
 - e. A five-foot wide landscape buffer along the eastern property line where a 15-foot wide landscape buffer is required.
3. An Exception from LVMC 19.10.010 (J) 11.C.i is hereby approved, to allow no parking lot trees in the off-site parking area where at least four 24-inch box trees are required.
 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. 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).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. 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.
10. 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.
11. 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.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Remove all substandard public street improvements and unused driveway cuts adjacent to the entire legal parcel of which this site is a part, 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.

14. Construct all incomplete half-street improvements on Hinkle Drive adjacent to this site 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).
15. All existing and new driveways servicing this site shall be designed, located and constructed in accordance with Standard Drawing #222a.
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. 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.
18. 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review to construct an 884 square-foot Car Wash, Full Service at 1411 North Eastern Avenue on 2.84 acres. The applicant has requested Waivers to provide no landscaping where an eight-foot wide landscape buffer is required along a 434-foot portion of the southern perimeter, a 214-foot portion of the northern perimeter, and along a 230-foot portion of the western perimeter. The applicant has also requested a Waiver to provide no landscaping along a 195-foot portion of the northern perimeter and to allow a five-foot wide landscape buffer along the eastern perimeter where a 15-foot landscape buffer is required.

Staff recommends denial of this request as the proposal is greatly deficient in the required landscaping and the Car Wash, Full Service does contribute to the needs of the Redevelopment Area in visual appeal.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/17/01	The City Council voted to strike the request for a Special Use Permit (U-0072-01) for a Truck Rental Facility at 1411 North Eastern Avenue. Staff and the Planning Commission recommended approval.
01/24/08	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #24/mh).
<i>Related Building Permits/Business Licenses</i>	
1/21/98	Business License #G03-01942: For Garage Major Auto Repair at 1411 North Eastern Ave.
10/17/02	Business License #G02-00063: For Garage Minor Auto Repair at 1409 North Eastern Ave.
<i>Pre-Application Meeting</i>	
8/28/07	A pre-application meeting was held with staff to discuss the requirements for submitting development plans to build a car wash on an undeveloped portion of a parcel. The applicant was informed of the Commercial Development Standards and Landscaping and Buffer Requirements.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

Field Check	
12/14/07	A field check was performed by staff with the following observations: <ul style="list-style-type: none"> • Rear portion of parcel undeveloped with trash and debris. • Apartments located adjacent to the northwest corner of the property. • No screen walls are located on the property; there is wire fencing separating the existing auto repair/retail shops on the northeastern portion of the subject site. • Abandoned vehicles located on site.

Details of Application Request	
Site Area	
Net Acres	2.84 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Repair/ Undeveloped	SC (Service Commercial)	C-2 (General Commercial)
North	Multi-Family Residential	SC (Service Commercial)/ M (Medium Density Residential)	C-1 (Limited Commercial)/ R-3 (Medium Density Residential)
South	Auto Repair/ Undeveloped	SC (Service Commercial)/ M (Medium Density Residential)	C-2 (General Commercial) Under a Resolution of Intent to R-3 (Medium Density Residential)
East	Restaurant	SC (Service Commercial)	C-2 (General Commercial)
West	Multi-Family Residential/ Undeveloped	SC (Service Commercial)/ M (Medium Density Residential)	R-3 (Medium Density Residential)/ R-1 (Single Family Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Redevelopment Plan Area	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	NA
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following standards apply for the C-2 (General Commercial) Zoning District

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width			Y or N
Min. Setbacks			
• Front	20 feet	160 feet	Y
• Side	10 feet	37 feet	Y
• Rear	20 feet	74 feet	Y
Max. Lot Coverage	50%	20%	Y
Max. Building Height	NA	18 feet	NA
Trash Enclosure	Screened and Enclosed	Not shown	N
Mech. Equipment	Screened and Enclosed	Not Shown	N

Pursuant to Title 19.12, the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/ 6 Spaces	4 Trees	1 Tree	N
Buffer: Min. Trees	1 Trees/20 Linear Feet (adjacent to residential)	26 Trees	7 Trees	N
	1 Trees/30 Linear Feet (adjacent to commercial)	40 Trees		N
TOTAL		70 Trees	7 Trees	N
Min. Zone Width	15 Feet along public ROW		5-feet	N
	8 Feet along interior		0-feet	N
Wall Height	6 Feet		Not shown	N

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
			Car Wash, Full Service	884 SF	1:150 GFA	5	
TOTAL (including handicap)			6		17		Y

Waivers		
Request	Requirement	Staff Recommendation
No landscaping along a 434-foot portion of the south property line.	8-foot wide landscape buffer	Denial
No landscaping along a 214-foot portion of the north property line.	8-foot wide landscape buffer	Denial
No landscaping along a 230-foot portion of the west property line.	8-foot wide landscape buffer	Denial
No landscaping along a 195-foot portion of the north property line (Hinkle Drive).	15-foot wide landscape buffer	Denial
A five-foot wide landscape buffer along the eastern property line.	15-foot wide landscape buffer	Denial

ANALYSIS

•Land Use and Zoning

The subject site maintains the GC (General Commercial) Master Plan Land Use Designation and is located in the C-2 (Limited Commercial) Zoning District. The C-2 (Limited Commercial) Zoning District conditionally allows for the Car Wash, Full Service use only if each wash bay provides a stacking lane to accommodate at least six cars.

•Redevelopment Plan Area

The parcel is within the boundaries of the Las Vegas Redevelopment Area. Per Section I.2 of the Amended Redevelopment Plan, the general goals of the redevelopment program is, To achieve an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for attainment of the objectives of the Redevelopment Plan. Staff finds this proposal to be lacking in regards to the concern for architectural and landscape design. If approved as submitted, this proposal will affect the future redevelopment in the area by establishing a low standard of performance.

•Site Plan

The subject site currently contains two existing buildings located at the eastern half of the site along Eastern Avenue. The applicant is proposing to construct an 884 square-foot car wash at the rear southwest portion of the undeveloped lot. There are four driveways along Eastern Avenue that provide access to the L-shaped parcel with the applicant primarily using the second driveway from the south. There are concerns regarding the onsite circulation and the general layout of the site in terms of safety. Staff finds that in addition to the lack of an attractive and concise design, this proposal will hinder future commercial development on the remaining undeveloped portion of the subject site.

•Landscape Plan and Waiver

The applicant has requested a Waiver of the perimeter landscaping requirements for a 434-foot portion of the south property line, a 214-foot portion of the northern property line, and no landscape buffer along a 230-foot portion of the western property line. The applicant has state that the deficiency in landscaping is based upon the expectation that the subject site will be commercially subdivided in the near future. There have been no actions filed with the Planning and Development Department supporting this.

In addition to the deficient perimeter landscaping, an Exception to the Title 19.10.010(J).11.C.i Parking Lot Tree requirement has been requested to provide no trees where a 24-inch box tree every six uncovered parking spaces. The applicant has provided a 10-foot wide landscape buffer to make up for the requested shortage in the center parking/staging area.

•Elevations and Floor Plan

The provided elevations and floor plans are at a minimum level of acceptability for a commercial development and do not provide any discernible visual interest.

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;**

Staff finds that this proposed Car Wash, Full Service use cannot be conducted in a manner that is compatible with existing adjacent commercial and multi-family residential uses due to the requested Waivers to the Title 19.12 Landscape and Buffer requirements and the inadequate site circulation.

- 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 applicant has made minimal effort to design a development that will be an asset to the local community. This proposal is not consistent with the Title 19 Commercial Development Standards or the Landscape and Buffer Requirements. The proposed Car Wash is featureless in design and greatly deficient in the required landscaping.

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

The provided plans demonstrate a confusing site-circulation pattern that appears counter-intuitive. The ingress/egress to the Car Wash appears to occur at the same point off of Eastern Avenue and create a potential conflict point in site circulation.

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

The provided building elevations depict a featureless structure with minimal effort in street appeal. The proposed structure is a CMU-box, painted white with red and blue trim, with two garage doors placed at the front. The landscape plans are deficient in the required widths and amount of plants and provide no shading of the paved parking area. Staff finds that this proposal is not appropriate for this area and the City; therefore, denial is recommended.

- 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 applicant has submitted a design that is below the general standards for commercial development and is not harmonious with the surrounding commercial development. Although the proposed project is within the Redevelopment Area, this does not mean that the standards for commercial development are lowered below the requirements of Title 19.

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

If approved, the proposed Car Wash, Full Service facility will be subject to City inspections during construction of the building, as well as routine Business Licensing inspections at the time of licensing of the Car Wash.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 282 by Planning Department

APPROVALS 0

PROTESTS 2