



## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: MAY 8, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - SDR-27051 - APPLICANT/OWNER: HITT W. DOUGLAS FAMILY TRUST**

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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 Major Modification (MOD -27044) and Special Use Permits (SUP-27046, SUP-27047, SUP-27048, SUP-27049) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan date stamped 04/22/08, landscape and building elevation plans, date stamped 02/25/08 and 04/22/08, except as amended by conditions herein.
4. A Waiver from Section B(5)(A)(3) of the Town Center Development Standards Manual is hereby approved, to allow a 15-foot setback where a 20-foot setback is required.
5. A Waiver from Section C(2)(B) of the Town Center Development Standards Manual is hereby approved to allow an 8.25 foot wide planter where a 15-foot wide planter is 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. The technical landscape plan shall include the following changes from the conceptual landscape plan: exclude California Pepper and Blue Palo Verde trees with either one or a combination of the four types of trees permitted in the Town Center Development Standards Manual.

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7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
13. 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

15. Coordinate with the Department of Building and Safety to determine if existing property lines have any impact on further development of this site.
16. Contact the City Engineers Office at 229-6272 to coordinate the development of this project with the Deer Springs/Durango Traffic Signal Project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

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17. Dedicate 30 feet of right-of-way adjacent to this site for the portion of Hitt Family Court (AKA Haley Avenue) not previously dedicated, 40 feet of right-of-way adjacent to this site for Deer Springs Way and a 25 foot radius on the southwest corner of Durango Drive (AKA El Capitan Way) and Hitt Family court (AKA Haley Avenue) prior to the issuance of any permits or concurrent with any Map subdividing or overlying the property, whichever occurs first.
18. Construct half-street improvements including appropriate overpaving, if legally able on Deer Springs Way and Hitt Family Court (AKA Haley Avenue) adjacent to this site that meet Town Center Standards 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. 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. 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. 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.
20. Construct a channelized median in accordance with Standard Drawing #221.1 in Durango Drive to restrict traffic flow at Hitt Family Court.
21. 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; the connecting sidewalk shall be terminated on-site with a handicap ramp.
22. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
23. Landscape and maintain all unimproved rightsofway, 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.
24. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way, if any, adjacent to this site prior to issuance of any permits or approval of construction drawings for this site.

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25. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the driveways accessing this site from Durango Drive, Deer Springs Way, and Hitt Family Court.
26. 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 submittal 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.
27. 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.
28. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
29. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the driveways accessing this site from Durango Drive, Deer Springs Way, and Hitt Family Court.

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

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a 41,741 square-foot retail and office development with Waivers to allow an eight-foot landscape buffer where a 15-foot buffer is required on Durango Drive, a 15-foot setback where a 20-foot setback is required for a Gas station, and Town Center Landscape Finger requirements within the parking area located on 5.1 acres at the northwest corner of North Durango Drive and West Deer Springs Way.

Please note, in the initial submittal, the applicant was deficient in the amount of trees provided and requested a Waiver of Town Center Parking Lot Landscape Island and Tree Requirements. The applicant has revised their plans to meet this standard.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
02/13/03	The City Council approved a Rezoning (ZON-1620) of the subject property from U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan designation] to T-C (Town Center), a Special Use Permit (SUP-1569) for a 6,622 square-foot Tavern on a portion of the subject property, and a Site Development Plan Review (SDR-1741) for a proposed 6,622 square foot Tavern on a portion of the subject site. The Planning Commission recommended approval and staff recommended denial.
06/15/05	The City Council approved a request for a Site Development Plan Review (SDR-6317) for a proposed Mixed-Use Development consisting of two 24-story towers containing 474 residential units and 144,200 square feet of commercial space of which 102,744 square feet is office space, and Special Use Permits (SUP-6323, SUP-6326, and SUP-6330) for a proposed 5,200 square-foot tavern, a proposed 7,256 square-foot supper club, and a proposed mixed use development in excess of 12 stories respectively on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive. The Planning Commission and staff recommended approval.
07/11/07	The City Council denied Extension of Time (EOT-22312, EOT-22313, EOT-22314, EOT-22315) requests for Site Development Plan Review (SDR-6317) for a proposed Mixed-Use Development consisting of two 24-story towers containing 474 residential units and 144,200 square feet of commercial space of which 102,744 square feet is office space, and Special Use Permits (SUP-6323, SUP-6326, and SUP-6330) for a proposed 5,200 square-foot tavern, a proposed 7,256 square-foot supper club, and a proposed mixed use development in excess of 12 stories respectively on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive

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04/10/08	The Planning Commission approved a request to abey this item until the 05/08/18 Planning Commission Meeting.
<b><i>Related Building Permits/Business Licenses</i></b>	
01/30/07	A Code Enforcement case (#49914) was opened for an illegal subdivision sign. The case was closed on 04/04/07.
01/30/07	A Code Enforcement case (#49915) was opened for an illegal subdivision sign. The case was closed on 03/21/07.
01/30/07	A Code Enforcement case (#49916) was opened for an illegal subdivision sign. The case was closed on 03/23/07.
01/30/07	A Code Enforcement case (#49917) was opened for an illegal subdivision sign. The case was closed on 03/21/07.
01/30/07	A Code Enforcement case (#49918) was opened for an illegal subdivision sign. The case was closed on 03/07/07.
01/30/07	A Code Enforcement case (#49919) was opened for an illegal subdivision sign. The case was closed on 03/07/07.
01/30/07	A Code Enforcement case (#49920) was opened for an illegal subdivision sign. The case was closed on 03/07/07.
01/30/07	A Code Enforcement case (#49922) was opened for an illegal subdivision sign. The case was closed on 03/21/07.
01/30/07	A Code Enforcement case (#49923) was opened for an illegal subdivision sign. The case was closed on 04/30/07.
<b><i>Pre-Application Meeting</i></b>	
02/13/08	A pre-application meeting was held and elements of this application were discussed. In addition to this application, a Major Modification and several Special Use Permit applications were discussed. A list was provided detailing the Waivers from Town Center Development Standards that the applicant needed to request. Submittal requirements were discussed.
<b><i>Neighborhood Meeting</i></b>	
03/11/08	A neighborhood meeting was held on Tuesday, March 11, 2008 at 6:45 p.m. at the Centennial Hills Community Center located at 6601 North Buffalo Drive, Las Vegas, NV. Applicant gave a brief presentation, described changes, and explained office building would not be built at same time as other uses. Also might consider a hotel in the future.
05/06/08	A second neighborhood meeting is scheduled to be held on Tuesday, May 6, 2008 at 6:45 p.m. at the Centennial Hills Community Center located at 6601 North Buffalo Drive, Las Vegas, NV.
<b><i>Field Check</i></b>	
03/04/08	A field check was made on site. The site is currently undeveloped and non-graded with desert vegetation.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	5.1

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use)	T-C (Town Center District)
North	Condominiums	UC-TC (Urban Center Mixed Use)	T-C (Town Center District)
South	Undeveloped	UC-TC (Urban Center Mixed Use)	T-C (Town Center District)
East	Hospital	UC-TC (Urban Center Mixed Use)	T-C (Town Center District)
West	Undeveloped	UC-TC (Urban Center Mixed Use)	T-C (Town Center District)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
T-C Town Center District	X		Y
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
T-C Town Center District	X		N*
<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

*\*The applicant has requested multiple Waivers of Town Center Standards.*

## DEVELOPMENT STANDARDS

*Pursuant to Town Center Development Standards, the following standards apply:*

<i>Standard (GC-TC)</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks			
• Front	15 Feet	15 Feet	N*
• Side	10 Feet	15 Feet	Y
• Corner	15 Feet	N/A	Y
• Rear	20 Feet	79 Feet	Y
Max. Building Height	12 stories#	One story, 32 feet	Y
Build-to Line Standards	N/A	N/A	N/A

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Stepbacks	8 Feet	N/A	N/A
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

*\*A gas station requires an additional five-foot setback. The applicant requests a Waiver for a 15-foot setback where a 20-foot setback is required.*

*# The proposal is within the Town Center Urban Core per Building Height, Stepback and Build-to-Line Standards, which supersedes Commercial Development Standards Table 2.*

***Pursuant to Town Center Development Standards, the following landscape and open space standards apply:***

<b><i>Landscaping and Open Space Standards</i></b>				
<b><i>Standards</i></b>	<b><i>Required</i></b>		<b><i>Provided</i></b>	<b><i>Compliance</i></b>
	<b><i>Ratio</i></b>	<b><i>Trees</i></b>		
Parking Area	1 Trees/ 6 Spaces	39 Trees	41 Trees	Y*
Buffer:				
Min. Trees (Amenity Zone Parkway)	1 Tree/ 35 Linear Feet	18 Trees	25 Trees	Y
Min. Trees (Amenity Zone Arterial)	1 Tree/ 30 Linear Feet	6 Trees	6 Trees	Y
Min. Trees (Buffer Zone)	N/A	N/A	26 Trees	N/A
<b>TOTAL</b>		63 Trees	98 Trees	Y
Min. Zone Width (Interior)	N/A		6 Feet	N/A
Min. Zone Width (R.O.W.)	15 Feet		8.25 Feet	N#
Wall Height	8 Feet		Not Provided	N/A
Open Space	20%		22.29%	Y

*\*In the initial submittal, the applicant was deficient in the amount of trees provided and requested a Waiver of Town Center Parking Lot Landscape Island and Tree Requirements. The applicant has revised their plans to meet this standard.*

*# The applicant has requested a Waiver of Town Center Landscape Planter Requirements in GC-TC (General Commercial Town Center).*

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*Pursuant to Town Center Development Standards, the following streetscape standards apply:*

<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Town Center Parkway 120 (Durango Drive)	Street trees in the Amenity Zones shall be 35 feet on-center, alternating shade trees and flowering trees with decomposed granite, Mojave Gold. Two accent trees within the amenity zone at any intersections	Street trees in the Amenity Zones shall be 35 feet on-center, alternating shade trees and flowering trees with decomposed granite, Mojave Gold. Two accent trees within the amenity zone at any intersections	Y
Town Center Arterial 80 (Deer Springs Way)	Street trees in the Amenity Zones shall be 30 feet on-center, alternating shade trees and flowering trees with decomposed granite, Mojave Gold.	Street trees in the Amenity Zones shall be 30 feet on-center, alternating shade trees and flowering trees with decomposed granite, Mojave Gold.	Y
Street Lighting	All street lighting shall be overhead and shall conform to Uniform Standard Drawings for Public Works Construction, Clark County Area and the standards set forth in Figures 28 and 15.	Conditioned	Y

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

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	41,741 SF	1:250	161	6	220	9	Y
<b>TOTAL</b>			167		229		Y
Loading Spaces			3		3		Y

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**ANALYSIS**

- **Centennial Hills Sector Plan**

*Objective B: Achieve a compatible balance of land uses standard throughout the Centennial Hills Town Center by providing appropriate and compatible locations for all land use categories.*

*Policy B1: Provide for a variety of commercial environments in the Centennial Hills Town Center Plan having distinct urban mixed uses and suburban character.*

*Program B1.1: Establish site design criteria for the Main Street and Urban Center Mixed Use Districts. These areas will contain commercial and office uses as well as higher density residential land uses which establish and maintain a respective distinct urban development life style. These districts must be protected from lower density residential uses.*

- **Zoning**

The subject property has a General Plan designation of TC (Town Center). This is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; high-density residential uses; planned business, office and industrial parks; and recreational uses. The zoning of T-C (Town Center) with the proposed GC-TC (General Commercial - Town Center) special land use designation complies with this designation. Projects located within the Town Center area are subject to the Town Center Development Standards Manual as well as Title 19. The proposed Liquor Establishment- Tavern (SUP-27046), Restaurant with Drive-through (SUP-27047), Convenience Store with Fuel Pumps (SUP-27044) and Beer/Wine/Cooler Off-Sale Establishment in conjunction with Convenience Store (SUP-27049) are permitted with a Special Use Permit within the T-C (Town Center) zone.

The T-C (Town Center) District and the accompanying Town Center Development Standards Manual were adopted as part of Title 19 (Title 19.06.110), and changes to the text require a Text Amendment per Title 19.06. Changes to the map only may be made with an application for a Major Modification (MOD-27044), per the Town Center Development Standards Manual (A)(4)(B), according to the procedures found in Title 19.18.040.

The subject site is currently designated UC-TC (Urban Center Town Center). In conjunction with this site development plan review application, a Major Modification (MOD-27044) request has been made to designate the two parcels that comprise this site GC-TC (General Commercial Town Center). The General Commercial District allows all types of retail, service, office and other general business uses of a more intense commercial character. These uses will normally require a Special Use Permit and will commonly include limited outdoor display of product and lights or other characteristics not generally compatible with the adjoining residential areas without significant transition. Examples include new and used car sales, highway commercial uses such as hotels and motels, and tourist commercial uses



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such as resorts and recreational facilities. Local supporting land uses such as parks, other public recreational facilities, some schools and churches are also allowed in this district. The applicant justifies this request as the current designation, UC-TC (Urban Center Town Center), does not provide for a Restaurant with a Drive-through and does not allow for a Convenience Store with Fuel Pumps, which the applicant is applying for is a part of this application.

- **Site Plan**

The site is located at the northwest corner of Deer Springs Way and Durango Drive. This site consists of two undeveloped parcels of land in the Centennial Hills Town Center area. The site plan illustrates five buildings spaced 20 to 75 feet in distance moving south to north, a 14,490 square-foot Retail Store, an 11,756 square-foot building divided into two proposed uses (5,000 square-foot of Retail and 5,376 square feet of Tavern), a 3,200 square-foot Restaurant with Drive-through and a 3,275 square-foot Convenience Store with Fuel Pumps. On the far northwest portion of the site, the applicant proposes a 10,400 square-foot Office building.

Access to the site is provided by two 36-foot wide driveways off Durango Drive spaced approximately 225 feet apart and one 36-foot wide driveway on Deer Springs Way and Hitt Family Court.

- **Landscape Plan**

The 22.29 percent open space provided for this project exceeds the requirements of the Town Center Development Standards and Title 19.06. However, the landscape plan does not show conformance with Town Center Development Standards Manual providing an 8.25 foot wide planter where a 15-foot wide planter, in addition to the width of any detached or attached sidewalk, shall be provided between the right-of-way and the proposed use.

In the initial submittal, the applicant was deficient in the amount of trees provided and requested a Waiver of Town Center Parking Lot Landscape Island and Tree Requirements. The applicant has revised their plans to meet this standard.

The landscape plan depicts the various landscape buffers around the perimeter of this site. The streetscape and landscaping treatments required along the designated Town Center Arterial (Deer Springs Way) and Town Center Parkway (Durango Drive) have been incorporated into the plan. The streetscape amenity zones, perimeter landscape buffers, and parking area islands are depicted as having the tree species of the appropriate sizes to meet the Town Center Development Standards Manual and Title 19 requirements. However, the applicant has proposed two species of tree that are not permitted in Town Center, the Blue Palo Verde and California Pepper Tree. A condition has been added requiring them to provide one of the four types of trees permitted in Town Center.

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- **Standards for Specific Uses and Activities**

The standards for Convenience Store (Gas Station) with Fuel Pumps in Town Center are as follows:

1. Exterior walls of all gas and auto service station buildings are to be designed as part of the architectural form of the primary building or surrounding buildings.
2. When part of a larger structure, standard setback requirements shall apply to gas and auto service stations.
3. When gas stations are freestanding structures, they must be set back an additional five feet from the required setback to provide a more substantial landscape buffer.
4. The main building of the gas and auto service station, that contains the cashier and convenience store, must be located against the right-of-way and face the inside of the parcel
5. Gas pumps must be located away from the right-of-way to provide for safe access. All accessways shall be coordinated with adjacent uses.
6. To further enhance the presence of gas and auto service stations, care must be given to the lighting. Overhead lighting of a station shall be controlled to avoid spill-over onto adjacent uses. The lighting in the underside of the gas pump canopy must be recessed to avoid unnecessary glare and control spillover.

As part of this review, the applicant has requested a Waiver of the standard for gas stations that are freestanding structures, which requires that they must be set back an additional five feet from the required setback to provide a more substantial landscape buffer.

The standards for Fast Food Restaurants in Town Center are as follows:

1. When part of a larger structure, standard setback requirements shall apply to the fast food businesses.
2. When fast food buildings are freestanding structures, they shall be setback an additional 10 feet from the required setback to provide a more substantial landscape buffer.
3. To further enhance the presence of fast food enterprises, drive through lanes shall not wrap around more than two sides of the building, and cannot encroach upon the required landscaping.

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4. Outdoor dining areas may encroach into the required additional 10-foot wide landscaped area.

The applicant meets the standards for Fast Food Restaurants in Town Center.

- **Elevations**

The submitted elevations for the retail store, tavern, convenience store, office and restaurant depict the use of stucco as the primary façade material with manufactured stone veneer and decorative metal screens on the pilasters and concrete tile roofs. The materials proposed are consistent with the Town Center Development Standards Manual, which emphasizes the use of a variety of materials, including brick, stone and imitation stone, on all exterior surfaces. The Town Center Development Standards Manual prohibits mirrored glass, wood and asphalt shingles, corrugated fiberglass, exposed, unfinished tilt-up concrete, plastic laminate, and neon, which the applicant has not provided. The applicant has also provided parapets on each building to screen mechanical equipment per standards. The proposed colors are a range of beige and dark bronze.

- **Floor Plan**

The floor plans for the 14,490 square-foot retail store show the area of the building primarily designated for retail flanked by a pharmacy to the west and walk-in coolers to the south. The floor plans for the 3,200 square-foot Restaurant (Fast-Food) with Drive-through (SUP-27047), 3,275 square-foot Convenience Store with Fuel Pumps (SUP-27044) and 10,400 square-foot office are all shown as shells.

## **FINDINGS**

The following findings must be made for a Site Development Plan Review:

1. **The proposed development is compatible with adjacent development and development in the area;**

The existing land uses that surround this development are designated UC-TC (Urban Center Town Center). Town Center Development Standards prohibit Drive-Through Facility uses within the UC-TC (Urban Center Town Center) special land use designation. The applicant is proposing uses that are not compatible with the surrounding land uses; 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;**

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The request to modify the Town Center special land use designation from UC-TC (Urban Center Town Center) to GC-TC (General Commercial Town Center) disturbs the compatible balances of land uses emphasized in the Centennial Hills Sector Plan. Objective B states achieve a compatible balance of land uses standard throughout the Centennial Hills Town Center by providing appropriate and compatible locations for all land use categories.

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

The subject property fronts on Durango Drive, which is designed as a 120-foot wide Primary Arterial street on the Master Plan of Streets and Highways, and accesses Deer Springs Way, which is designated as an 80-foot wide Secondary Collector street. Access is also proposed to a local street along the north side of the property. Deer Springs Way and Durango Drive will provide adequate access to the development.

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

The building and landscape materials for the proposed development meet the requirements of the Town Center Development Standards Manual.

**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 building elevations proposed depict appropriate site and building design and architectural features that are consistent with the Town Center Development Standards Manual.

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

The project will be subject to permit review and inspections; therefore, appropriate measures will be taken to protect public health, safety and general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT** 13

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**SENATE DISTRICT**            9

**NOTICES MAILED**            720

**APPROVALS**                    3

**PROTESTS**                    21