



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 7, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-26819 - APPLICANT/OWNER: COX COMMUNICATIONS, INC.

**** CONDITIONS ****

The Planning Commission (5-1/sd vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0025-88(10)] and Special Use Permit (U-0102-02) 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 02/29/08 and building elevations date stamped 02/08/08, except as amended by conditions herein.
4. The existing landscape shall be brought in to compliance with the appropriate quantities and sizes of plant material listed on the approved landscape plans submitted to the Planning and Development Department dated 02/26/03.
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 20 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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. All existing public improvements, if any, adjacent to this site that may be damaged during construction are to be repaired at the applicants expense.
13. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
15. Contact the City Engineers Office at 229-6272 to coordinate the development of this project with the Corridor 2 Tenaya Way Traffic Improvements project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 5,400 square-foot second floor and elevator/stairwell vestibule addition to an existing 5,088 square-foot building. The subject property is located within an existing commercial subdivision at the southeast corner of Alexander Road and Tenaya Way. The subject building is currently used as an unmanned telecommunications facility and the applicant wishes to increase the systems and equipment housed at the facility in order to meet the growing demand of the surrounding community. As this expansion will have minimal impact on the surrounding neighborhood and will not increase the intensity of use at the subject property, staff recommends approval of this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/06/88	The City Council approved a Rezoning (Z-0025-88) from N-U (Non-Urban) to C1 (Limited Commercial) on this site as part of a larger request that included R-1 (Single Family Residential) and R-3 (Medium Density Residential). The Planning Commission and staff recommended approval.
10/12/98	The City Council approved an Extension of Time [Z-0025-88(6)] on an approved Rezoning on property located on the southeast corner of Alexander Road and Tenaya Way. The Planning Commission and staff recommended approval.
01/19/00	The City Council approved a Reinstatement and Extension of Time [Z-0025-88(7)] on an approved Rezoning on property located on the southeast corner of Alexander Road and Tenaya Way. The Planning Commission and staff recommended approval.
02/02/00	The City Council granted an appeal of a Planning Commission denial of a Special Use Permit and Waiver of Separation Requirements (U-0133-99) to allow off-premise sales of beer and wine at the proposed convenience store adjacent to the subject site at the southeast corner of Tenaya Way and Alexander Road. The City Council also approved a Special Use Permit (U-0134-99) to allow gasoline sales at a proposed convenience store. The Planning Commission and staff recommended approval of both requests.
04/19/00	The City Council approved a Site Development Plan Review [Z002588(8)] for a proposed 47,235 square foot commercial center consisting of a convenience store and three in-line multi-tenant retail buildings on the subject site. The Planning Commission and staff recommended approval.

07/27/00	The Planning Commission approved a Tentative Map (TM-0028-00) for a one lot commercial subdivision on 5.01 Acres on the southeast corner of Tenaya Way and Alexander Road. Staff recommended approval.
09/14/00	The Planning Commission approved a Final Map (FM-0055-00) for a one lot commercial subdivision on 5.01 Acres on the southeast corner of Tenaya Way and Alexander Road. Staff recommended approval.
04/18/01	The City Council approved an Extension of Time [U-0134-99(1)] of an approved Special Use Permit for gasoline sales in conjunction with a proposed convenience store and an Extension of Time [U-0133-99(1)] of an approved Special Use Permit for the sale of beer and wine for off-premise consumption in conjunction with a proposed 5,532 square foot convenience store and fast food restaurant on property located on the southeast corner of Alexander Road and Tenaya Way. The Planning Commission and staff recommended approval of both requests.
12/19/01	The City Council approved Special Use Permits for a proposed Mini-Warehouse Facility (U-0135-01) on the subject site and a Car Wash (U0136-01) on the convenience store site. Extensions of Time were also approved for an approved Special Use Permit for gasoline sales in conjunction with a proposed convenience store [U-0134-99(2)] and the sale of beer and wine for off-premise consumption [U-0133-99(2)] in conjunction with a proposed 5,532 square foot convenience store and fast food restaurant on property located on the southeast corner of Alexander Road and Tenaya Way. The Planning Commission and staff recommended approval of all requests.
02/20/02	The City Council approved a Site Development Plan Review and a Waiver of the required amount of parking lot landscaping [Z-0025-88(9)] for a proposed 90,519 square foot retail commercial center consisting of a convenience store, two mini-warehouse buildings, an in-line retail building and an office building on the subject site and property to the north and west of the subject site. The Planning Commission and staff recommended approval.
05/12/02	The Planning and Development Department administratively approved a Site Development Plan Review [Z-0025-88(10)] to allow the relocation of a previously approved 5,088 square foot building on 0.34 acres located adjacent to the northeast corner of Tenaya Way and Mellott Lane.
06/05/02	The City Council approved a Vacation (VAC-0025-02) to vacate a public sewer line easement generally located at the southeast corner of Alexander Road and Tenaya Way. The Planning Commission and staff recommended approval.
07/11/02	The City Council approved a Vacation (VAC-0048-02) to vacate a 20-foot wide public sewer easement generally located south of Alexander Road, east of Tenaya Way. The Planning Commission and staff recommended approval.

09/18/02	The City Council approved a Special Use Permit (U-0102-02) for a Utility Installation, Other Than Listed and a Variance (V-0059-02) to allow mechanical equipment to be less than fully screened, in conjunction with a Utility Installation, Other Than Listed adjacent to the northeast corner of Tenaya Way and Mellott Lane. The Planning Commission recommend approval of both the Special Use Permit and Variance, staff recommended approval of the Special Use Permit and denial of the Variance.
10/16/02	The City Council approved a Master Sign Plan Review (MSP-0005-02) of a proposed shopping center located on the southeast corner of Alexander Road and Tenaya Way. The Planning Commission and staff recommended approval.
02/16/05	The City Council approved a Variance (VAR-5699) to allow 91 parking spaces where 100 is the minimum required, and a Site Development Plan Review (SDR-5697) for a proposed 4,750 square foot medical office building on property to the north of the subject site. The Planning Commission recommended approval of both items. Staff recommended denial of VAR-5699 and approval of SDR-5697.
03/27/08	The Planning Commission voted 5-1/sd to recommend APPROVAL (PC Agenda Item #25/dc).
Related Building Permits/Business Licenses	
10/21/02	The Department of Building and Safety issued a building permit (#02019004) for rough grading at the subject property.
12/02/02	The Department of Building and Safety issued a building permit (#02021379) for on-sites/hardscapes and a building permit (#02021378) for a new communications building at the subject property.
Pre-Application Meeting	
01/24/08	A pre-application meeting was held with the representative of the applicant where elements of a Site Development Plan Review were discussed.
Neighborhood Meeting	
A neighborhood meeting is not required nor was one held.	

Field Check	
02/19/08	A field check was performed by staff at the subject property. An existing single story Utility Installation building was noted on site. The building matched the architecture of the surrounding commercial subdivision and was landscaped with semi-mature trees and shrubs on the south and west sides of the building and minimal shrubs on the north and east sides.

Details of Application Request	
Site Area	
Gross Acres	0.40

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail, Office, Car Wash, Gas Station, Convenience Store and Mini-Storage	SC (Service Commercial)	C-1 (Limited Commercial)
North	Commercial Center and Single Family Residential	SC (Service Commercial) and M (Medium Density Residential)	C-1 (Limited Commercial) and R-CL (Residential Compact Lot)
South	Single Family Residential	M (Medium Density Residential)	R-1 (Single Family Residential)
East	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Park and Las Vegas Valley Water District Well	PR-OS (Parks/Recreation/Open Space) and 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	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 apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	17,373 SF	Y
Min. Lot Width	100 Feet	105 Feet	Y
Min. Setbacks			
• Front	20 Feet	30 Feet	Y
• Side (West)	10 Feet	22 Feet	Y
• Side (East)	10 Feet	12.08 Feet	Y
• Corner	15 Feet	28.67 Feet	Y
• Rear	20 Feet	64 Feet	Y
Max. Lot Coverage	50%	29.2%	Y

Max. Building Height	31.83 Feet*	36.5 Feet**	Y
Trash Enclosure	Screened	None***	Y
Mech. Equipment	Screened	Screened	Y

* While there is no maximum height limit specifically listed in Title 19.08.050 for property located in a C-1 Zone, residential adjacency standards listed in Title 19.08.060 dictate that the southern edge of the building falls at or below 31.83 feet in height.

** The physical height of the building is 30 feet along the southern edge, in compliance with the residential adjacency standards. The applicant has provided a mansard roof screen, which brings the overall building height to 36.5 feet, around the entire perimeter of the building to conceal the ten rooftop cooling units which occupy approximately 75% of the roof area. This is allowable under Title 19.08.060 which allows roof structures for the use of elevators, stairs, tanks, ventilation and similar necessary mechanical equipment to project a maximum of 12 feet above the Proximity Slope. As a result the overall building height of 36.5 feet is acceptable.

*** The existing trash enclosure for this building is located on the adjacent parcel to the north within the existing commercial subdivision, as approved through Site Development Plan Review [Z-0025-88(10)].

Pursuant to Title 19.08.060, the following development standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	90 Feet	91.83 Feet	Yes
Adjacent development matching setback	15 Feet	90 Feet	Yes

Pursuant to Title 19.12, the following landscape 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 Trees/ 6 Spaces	1 Tree	1 Tree	Y
Buffer:				
Min. Trees				
(west)	1 Tree / 30 Feet	7 Trees*		
(south)	1 Tree / 20 Feet	4 Trees*	9 Trees	N**
TOTAL		12 Trees	10 Trees	N**
Min. Zone Width	20 Feet		22-30 Feet	Y
Wall Height	6-8 Feet		N/A	N/A

* Required tree count based on the previously approved landscape plans dated 02/26/03 on file with the Planning and Development Department.

** The landscape plans submitted for this Site Development Plan Review provides an inventory of the existing landscape only, which is a reduction in the amount of trees and shrubs which were previously approved by the Planning and Development Department. A condition has been added requiring the applicant to bring the landscape into compliance with the previously approved landscape plans for the site.

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>Required Parking Ratio</i>	<i>Required Parking</i>		<i>Provided Parking</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			<i>Regular</i>	<i>Handi-capped</i>	<i>Regular</i>	<i>Handi-capped</i>	
Existing, approved uses in commercial center <ul style="list-style-type: none"> • Convenience Store • Car Wash • Mini-storage • Retail Bldg • Medical Office • Existing Utility Installation 	91,554 SF	Various	95	5	84	7	
SubTotal			100		91		
5,400 SF Addition to existing Utility Installation, Other Than Listed*		1 space, plus 1/300 SF of habitable office	0	0	0	0	
TOTAL			100		91		Yes**

* The proposed 5,400 square foot addition to the existing 5,088 square foot Utility Installation, Other Than Listed does not require any additional parking beyond that of the current configuration. Per the floor plans provided by the applicant, no habitable office space will be provided within the second story addition or the new elevator/stairwell vestibule.

** VAR-5699 was approved 02/16/05 to allow 91 parking spaces where 100 were required.

ANALYSIS

- **Zoning**

The C-1 District 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. The C-1 District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan. The location and operation of a Utility Installation per Title 19.04 requires a Special Use Permit within the C-1 (Limited Commercial) Zoning District, which the applicant obtained 09/18/02 (U-0102-02).

- **Site Plan**

The applicant is proposing a 5,400 square-foot second-story and elevator/stairwell vestibule addition to an existing 5,088 square-foot building. The site plans remains nearly identical to that which was approved through Site Development Plan Review [Z-0025-88(10)], with the exception of a 25-foot by 20-foot entry vestibule at the north side of the building which replaces the existing covered entryway. The walkway which currently connects an exterior exit door on the west side of the building to the main entry on the north side of the building will be rerouted around the new entry vestibule to connect with the main entry. No other changes to the existing site plan are proposed.

- **Landscape Plan**

The landscape plan submitted indicates that all the landscaping as shown currently exists and will remain as shown. The amount of trees and shrubs shown on the approved landscape plan dated 02/26/03 varies significantly from the quantities of existing trees and shrubs depicted on the landscape plan submitted with this application. Of the approved 12 trees and 102 five-gallon shrubs originally provided on this site, 9 trees and 55 5-gallon shrubs remain. As Site Development Plan Review [Z-0025-88(9)] allowed for the reduction of parking lot landscaping through increasing perimeter landscape around the commercial subdivision, a condition has been added requiring the applicant to bring the landscape back into compliance with the original approved landscape plan. In addition, the utility boxes located on site adjacent to the public sidewalk were not screened per Title 19 standards. A condition has been placed requiring the applicant to screen the utility boxes per Title 19 standards.

- **Elevations**

The elevations submitted depict a two-story building 36.5 feet in height. The existing elevation of the first floor will remain unchanged, with the exception of the new entry vestibule. The exterior of the vestibule will be enhanced on three sides with stone veneer wrapped around the first level. Above the entry door a window will be provided. This is the only window on the building. The vestibule is capped with its own four-sided clay barrel tile roof. The remainder of the proposed second floor of the building is windowless; however the façade is broken up by two evenly spaced horizontal bands and decorative pop-outs on the corners of the building. A clay barrel tile mansard roof screen has been provided projecting six and a half feet above the roofline to screen the rooftop mechanical equipment.

- **Floor Plan**

The floor plans submitted indicate that the proposed second floor addition will house a large systems and equipment room, a power distribution room, a storage room and an equipment staging and storage room. Access to this space will be provided from the new vestibule, which will feature a stairwell and an elevator. In addition, the second floor will feature a 1.67 foot stepback from the first floor around the entire perimeter of the building.

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 second-story addition will be compatible with the surrounding commercial and residential development in the area.

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

The proposed addition to the existing building will be compatible with the General Plan and other duly-adopted city plans, policies and standards. Conditions have been placed requiring the applicant to screen the utility boxes per Title 19.12.040 standards and to bring the site landscape back in to compliance with the approved landscape plans.

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

As this facility is unmanned and the proposed addition will not house any habitable office space, the traffic generated from the servicing and maintenance of the equipment within the building will be minimal.

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

The building and landscape materials match that of the materials of the existing building and surrounding commercial center, and are appropriate for the area and for 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 second floor addition is not unsightly, undesirable or obnoxious in appearance and is harmonious and compatible with development in the area.

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

The proposed addition to an existing Utility Installation will be subject to regular City inspections for permitting and will, therefore, not compromise the public health, safety, and welfare.

PLANNING COMMISSION ACTION

There was one speaker in opposition at the Planning Commission meeting. The applicant agreed to all conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 262 by Planning Department

APPROVALS 0

PROTESTS 7