

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JUNE 26, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-28083 - APPLICANT/OWNER: COX COMMUNICATIONS LV, INC.**

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**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Site Development Plan review (SDR-13480) 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 05/08/08, except as amended by conditions herein.
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. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

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8. 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.
9. 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.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

11. All existing public improvements adjacent to this site damaged during construction shall be repaired at the applicants expense.
12. Meet with the Collection System Planning section of the Department of Public Works to discuss point of connection to sewer; comply with the recommendations of Collection System Planning.
13. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
14. Site development to comply with all applicable conditions of approval for SDR-13480 and all other site-related actions.

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

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a proposed 1,632 square-foot expansion to an existing 1,637 square-foot Telecommunications Facility on 3.09 acres at the southwest corner of Ernest May Lane and Robin Lane. The proposed expansion to an existing Utility Installation is in compliance with all applicable plans and policies. The landscaping around the perimeter is existing and in compliance with Title 19.12 requirements. Staff is recommends approval of this proposed development.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
10/03/56	The Board of Commissioners approved a Rezoning (Z-26-56) of this site to C-1 (Limited Commercial).
07/05/00	The City Council approved a Vacation (VAC-0004-00) of excess right-of-way adjacent to this site at the northeast corner of Bonanza Road and Rancho Drive. The Planning Commission and staff recommended approval.
09/20/01	The City Council approved a request for a Special Use Permit (U-0127-00) for a Utility Service Provider, a Variance (V-0049-00) to allow a proposed six-story, 55-foot high parking structure 35 feet from the east property line where 165 feet is the minimum setback required by the residential adjacency standards, and a Site Development Plan Review (SD-0046-00) for a proposed 5,400 square foot retail cable store, 230,000 square-foot, four-story office building, and a six-story parking structure (Cox Communications Center). The Planning Commission and staff recommended approval.
02/20/02	The City Council approved a request for a Site Development Plan Review (SD-0076-01) and a Reduction in the amount of Required Parking Lot Landscaping for a proposed 43,000 square-foot, two-story office building and a 3,500 square-foot payment center located adjacent to the northeast corner of Rancho Drive and Bonanza Road. The Planning Commission and staff recommended approval.
06/22/08	The Planning Commission approved a request for a Site Development Plan review (SDR-13480) for a proposed 1,637 square-foot single-story Utility Building on the subject site.

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<b><i>Related Building Permits/Business Licenses</i></b>	
10/25/06	A building permit (#6006621) was issued for Onsite Improvements at 2451 Ernest May Lane.
10/25/06	A building permit (#6006620) was issued for Communications Building at 2451 Ernest May Lane. This project was completed on 05/17/07.
<b><i>Pre-Application Meeting</i></b>	
04/25/08	Requirements for making a Site Development Plan Review application were discussed with the applicant.
<b><i>Neighborhood Meeting</i></b>	
A meeting was not required, nor was one held.	
<b><i>Field Check</i></b>	
05/22/08	Staff conducted a field inspection of the subject site and found the existing landscaping was well maintained. Also it was noted that the trash enclosure is not screened. A condition has been added to address proper screening of the trash enclosure.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	3.09

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Utility Building	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	H (High Density Residential)	C-1 (Limited Commercial)
South	Cox Communications Office Facility	SC (Service Commercial)	C-1 (Limited Commercial)
East	Undeveloped	ML (Medium Low Density Residential)	R-1 (Single Family Residential)
West	Cox Communications Office Facility	SC (Service Commercial)	C-1 (Limited Commercial)

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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
West Las Vegas Plan			Y**
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District (105 Feet)			Y***
<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

*\*Redevelopment Plan Area - The subject property is located in the Redevelopment Plan Area. The proposed Utility Installation will not be affected by the Redevelopment Plan.*

*\*\*West Las Vegas Plan - The subject property is located in the West Las Vegas Plan area. The proposed Utility Installation will not be affected by the West Las Vegas Plan.*

*\*\*\*Airport Overlay District - established by the North Las Vegas Airport Overlay Map portion of A-O (Airport Overlay) District which limits building height in this area to 105 feet or less. The proposed development is within the guidelines of this district.*

## DEVELOPMENT STANDARDS

### *Per Title 19.08 Development Standards*

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	489 Feet	Y
Min. Setbacks			
• Front	20 Feet	77.4 Feet	Y
• Side	10 Feet	37.8 Feet	Y
• Rear	20 Feet	152.4 Feet	Y
Max. Lot Coverage	50%	2%	Y
Trash Enclosure	Screened	N*	N
Mech. Equipment	Screened	Y	Y

*\*A condition has been added requiring the trash enclosures to be screened per Title 19 standards.*

### *Per Title 19.08.060*

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	60 Feet	37.8 Feet	Y*
Trash Enclosure	Screened	N	N*

*\*A condition has been added requiring the trash enclosures to be screened per Title 19 standards.*

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Please note the applicable code section here (Title 19.12)

<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/Space	2 Trees	0	N*
Buffer:				
North Min. Trees	1 Tree/20 Feet	24	11	N**
South	1 Tree/30 Feet	16	14	N**
East	1 Tree/20 Feet	14	18	N**
West	1 Tree/30 Feet	8	12	N**
<b>TOTAL</b>			55	N**
Min. Zone Width	15-Feet		15-Feet	Y
Wall Height	6-Foot		6-Feet	Y

*\*Parking* Title 19.04 parking requirements for Utility Installation, Other Than Listed are one space per 300 square-foot of habitable office space. The proposed facility contains no habitable office space therefore there are no parking requirements. However the applicant has seven parking spaces, and has requested an exception to the parking lot landscaping requirement under Title 19.04.

*\*\*Landscaping* for the subject site is existing and was approved by Site Development Plan Review (SD-0076-01), and a condition has been added to require the site to come into compliance with Title 19.12 standards.

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	
Utility Installation, Other Than Listed*	N/A	N/A	N/A	N/A	7 Spaces*	N/A	N/A
<b>TOTAL</b>	N/A	N/A	N/A	N/A	7 Spaces*	N/A	N/A

*\*Parking* Title 19.04 parking requirements for Utility Installation, Other Than Listed are one space per 300 square-foot of habitable office space. The proposed facility contains no habitable office space therefore there are no parking requirements.

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## **ANALYSIS**

This is a request for a Site Development Plan Review for a proposed 1,632 square-foot expansion to an existing 1,637 square-foot Utility Installation on 3.09 acres at the southwest corner of Ernest May Lane and Robin Lane. The proposed expansion to an existing Utility Installation and is in compliance with all applicable plans and policies. The landscaping around the perimeter is existing and in compliance with requirements. Staff is recommended approval of this proposed development.

- **General Plan Compliance**

The subject property is designated as SC (Service Commercial) under the Southeast Sector Plan of the General Plan. The Service Commercial designation allows for a variety of commercial uses. The proposed Utility Installation is typically permitted in this designation as an ancillary use. The proposed facility will only cover a small portion of the site, leaving the remainder of the site open for other development also this site is part of a larger office campus, with additional commercial structures related to the provision of cable television. As the use is ancillary it is therefore the proposed development is in compliance with the General Plan.

- **Zoning**

The subject property is zoned C-1 (Limited Commercial). 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 proposed Telecommunications Facility will be a secondary use on the site as it will only occupy a small portion of the parcel. Additional development at a future date will fill in the remainder of the parcel. This application is supported as the surrounding area is occupied by Cox Communications facilities and this type of use will fit in with that development.

- **Waivers**

There are no waivers requested as part of this Site Development Plan Review.

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- **Site Plan**

The site plan for the proposed development shows a small Utility Installation in the northeast corner of the parcel. There is a parking area, trash enclosure, and a utility building. Access to the site is gained from Ernest May Lane. The remainder of the parcel is at this time undeveloped with the exception of the existing perimeter landscaping.

- **Landscape Plan**

The landscaping on the subject site is existing and complies with Title 19.12 landscape standards.

*The existing landscaping consists of the following plant materials:*

Four Low Branch Holly Oak, 33 Italian Cypress, four Italian Stonepine, one Meyers Olive, 22 Carolina Cherry, two Southern Live Oak, 2 Fruitless Olive, five Box Trumpet Vine, four potted Lemon Trees, four potted Navel Trees, four Spiral Juniper, six Texas Privet, four Holly Patio Trees, seven Yaupon Holly, four Phoenix Dactylifera, 48 Japanese Boxwood, 36 Carpet Rose, 47 Boxleaf Euonymous, 83 Liriope, 17 Verigated Pittosporum, 13 Gulf Green Hawthorn, 20 flats Scotch Moss, 9 flats of Annuals.

As parking is not required for the subject site, the applicant has requested an exception to the Title 19.12 parking lot landscaping requirements. Additionally, the required number of trees in the landscape buffer areas is deficient by a total of seven trees. However, per conditions of approval for Site Development Plan Review (SD-0076-01), these requirements were waived.

- **Parking**

Title 19.04 parking requirements for Utility Installation, Other Than Listed are one space per 300 square-feet of habitable office space. The proposed facility contains no habitable office space therefore there are no parking requirements. However, the site currently has seven parking spaces.

- **Elevation**

Elevations for the Utility Installation show an existing single story building 20 feet in height. The building consists of brick and contains no windows. The proposed expansion will increase the size of the existing building from a 40-foot by 40-foot structure to an 80-foot by 40-foot structure. The proposal is to expand the existing building from a 1,637 square-foot by 1,650 square-feet for a total of 3,287 square-feet.

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- **Floor Plan**

Floor Plans for the existing development show a square Utility Installation building that is 40 feet by 40 feet. The layout is a large room to house utility racks. There is an existing fiber entry room that is roughly 12-feet by 8-feet. The expansion will add another large 40-foot by 40-foot room to be used for necessary utility racks

## **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 subject site has an existing utility facility, which has existed harmoniously in the area for over a year, and this proposal represents an expansion of that facility. The expansion should not change the character or nature of the building in a way that would change how it fits in with the surrounding area. The subject site is a portion of a larger Cox Communications campus which abuts the subject site to the south and west. The subject site borders single family homes to the east and a Las Vegas Housing Authority multi-family property to the south. The size and massing of this building are not out of scale with other structures in the area, nor is the building height out of character with the surrounding area. The proposed development is compatible and harmonious with 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;**

This proposal is in compliance with all City of Las Vegas standards, plans and policies.

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

Site access is adequate; the site has abundant parking, and the adjacent roadway of Earnest May Lane which is classified by the City of Las Vegas Master Plan of Streets and Highways as a 60-foot Local Road and will easily carry the minimal amount of traffic this proposed development will generate.

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

The building materials and landscape materials are appropriate for this area of the city and blend in well with existing development on this site and the general vicinity of the subject site.

**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 design consists of a building with a concrete block exterior with no windows or architectural embellishments, which is typical for a utility building and with other structures in this area. The building is adequately set back and screened from adjacent properties and is harmonious and compatible with this area.

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

The facility is fenced, well secured and will be maintained by the existing land owner and the public health, safety and general welfare will not be compromised by this proposed development.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23**

**ASSEMBLY DISTRICT 4**

**SENATE DISTRICT 6**

**NOTICES MAILED 298**

**APPROVALS 1**

**PROTESTS 0**