

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: AUGUST 14, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-28535 - APPLICANT: RAPINDER CHIMA - OWNER: PICHAT AND SAMAN POJANSOMBOON, ET AL**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for a Variance (VAR-28540) and Special Use Permits (SUP-28542, SUP-28544, SUP-28545, SUP-28546, SUP-28547, SUP-28712, SUP-28713, SUP-28868) and Vacation (VAC-28548) shall be required, if approved.
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 07/30/08, landscape plan date stamped 07/03/08 and building elevation plans for the Hotel, Liquor Establishment (Tavern) and Retail Buildings date stamped 07/02/08 and the building elevation plans for the Convenience Store (with Fuel Pumps) and Car Wash date stamped 07/30/08, 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 14-foot setback where a 20-foot setback is required.
5. A Waiver from Section C(2)(A) of the Town Center Development Standards Manual is hereby approved to a five-story building where a two-story building is required.
6. A Waiver from Section C(2)(B) of the Town Center Development Standards Manual is hereby approved to allow two rows of parking not to be separated by a landscape planter equal to the length of the parking row.
7. 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 reflect the changes herein: Handicapped parking spaces dimensions must be provided in accordance with LVMC Title 19.10 standards.

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8. A Multi-Use Transportation Trail is required adjacent to this site on Farm Road. The design of the trail shall adhere to Exhibit 1 of the Transportation Trails Element of The Las Vegas 2020 Master Plan.
9. 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.
10. 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. The technical landscape plan shall include the following changes from the conceptual landscape plan: exclude African Sumac and Date Palm trees with either one or a combination of the four types of trees permitted in the Town Center Development Standards Manual; landscape and streetscape treatments along Durango Drive shall meet Town Center Parkway Standards.
11. 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).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. 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.
15. 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.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

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Public Works

17. A Petition of Vacation for all rightofway in conflict with this site, such as VAC28548; shall record prior to the recordation of a map or issuance of any permits, whichever may occur first.
18. Coordinate with the City Surveyor to determine whether a Merger and ReSubdivision Map or other mapping is necessary; comply with the recommendations of the City Surveyor.
19. Dedicate all additional rights-of-way required by Uniform Standard Drawings #234.1, #234.2, and #234.3 for bus turnouts, and #201.1 for exclusive right turn lanes and dual left turn lanes, unless not required in the approved Traffic Impact Analysis.
20. Grant a Multi-Use Transportation Trail Easement adjacent to Farm Road prior to the issuance of any permits or on an appropriate subdivision map.
21. Grant perpetual cross access vehicular and utility access easements to Assessors Parcel #125 -17-601-015.
22. Construct all incomplete half-street improvements adjacent to this site concurrent with the first phase of development anywhere on 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rightsofway, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.
23. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Town Center 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.
24. 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. Grant pedestrian access easements for all walkways not located within public rightofway.

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25. Provide a public sewer stub to the western edge of this site at a size, depth and location acceptable to the Collection System Planning section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
26. All buildings comprising this overall site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.
27. Landscape and maintain all unimproved rights-of-way, if any, on Farm Road and Durango Drive adjacent to this site.
28. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Farm Road and Durango Drive public rightofway adjacent to this site. 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.
29. 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 recordation 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.
30. 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

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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.

31. Site development to comply with all applicable conditions of approval for Z-76-98, the Town Center Development Standards, and all other site-related actions.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a 139-room five-story hotel and a 64,700 square-foot retail development with Waivers to allow a five-story building where two stories is the maximum height permitted, a 14-foot rear yard setback where a 20-foot setback is required and Town Center landscape finger requirements within the parking area on 7.97 acres at the southwest corner of Durango Drive and Farm Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request.
01/04/05	Code Enforcement cited (#24873) a vacant lot with trash and debris left from temporary Christmas tree sales. The case was closed on 01/20/05.
02/22/05	Code Enforcement cited (#26291) an illegal sign on the property. The case was closed on 02/24/05.
11/14/06	Code Enforcement cited (#47958) a vacant lot with trash and debris left from temporary pumpkin sales for Halloween. The case was closed on 11/21/06.
<i>Related Building Permits/Business Licenses</i>	
09/23/05	A Temporary Commercial Permit (#4597) was issued for a pumpkin sales lot at the southwest corner of Farm Road and Durango Drive.
11/14/05	A Temporary Commercial Permit (#10307) was issued for a Christmas tree sales lot at the southwest corner of Farm Road and Durango Drive.
09/25/06	A Temporary Commercial Permit (#17097) was issued for a Christmas tree sales lot at the southwest corner of Farm Road and Durango Drive.
09/17/07	A Temporary Commercial Permit (#24612) was issued for a Christmas tree sales lot at the southwest corner of Farm Road and Durango Drive.
<i>Pre-Application Meeting</i>	
03/20/08	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.

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<i>Neighborhood Meeting</i>	
07/01/08	A neighborhood meeting was held on Tuesday, July 1, 2008 at 5:30 p.m. at the YMCA Club in the CLV Community Resource Room located at 6601 North Buffalo Drive. There were 29 members of the public, seven representatives of the applicant and two city staff were present. The applicant and one of the proposed tenants offered a presentation on the proposed development. Members of the public raised the following questions and concerns: * Concerns were raised regarding the height of the hotel building (the applicant explained that the building would be approximately 55 to 60 feet in height). Some members of the public requested that the height be reduced to three stories, and stated that five-story buildings were inappropriate in that area (the east side of the freeway). * Several concerns were expressed regarding traffic flow and the amount of traffic generated by the development. The applicant noted that the traffic study for the project had already been completed, and was being reviewed by city staff. Specific concerns were raised about northbound traffic coming out of the development onto Farm Road, potential increases in traffic on Tule Springs, construction traffic on eastbound Farm Road, and whether or not a traffic light could be installed at the entrance to the development. * One member of the public stated that the hotel use was inappropriate for the site; others questioned the viability of the hotel based on the proximity of the Santa Fe Hotel/Casino and the new hotel/casino at the Kyle Canyon development. * Questions were raised relative to the other tenants proposed for the site and the ability of the developer to lease the retail space based on current market conditions. * Concerns were raised regarding the carwash and any buffers that would be provided to screen the use, and whether the use was necessary. * Questions were raised regarding impacts to the homes that are proposed abutting the site in the Village of Centennial Springs development. * Concerns were raised relative to the signage proposed for the site; the applicant stated that they would comply with the Town Center requirements.
<i>Field Check</i>	
07/01/08	A field check was made on site. The site is currently an undeveloped property that is juxtaposed between two major streets. To the south of this property is a mixed-use development that is currently under construction and across Farm Road to the north is a large shopping center.

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Details of Application Request	
Site Area	
Gross Acres	7.97

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	TC (Town Center)	T-C (Town Center) [SC -TC (Service Commercial Town Center)] Special Land Use Designation
North	Shopping Center	TC (Town Center)	T-C (Town Center) [SC -TC (Service Commercial Town Center) Special Land Use Designation
South	Single-Family Residential, Retail, Condominiums, Mixed Use	TC (Town Center)	T-C (Town Center) [SX-TC (Suburban Mixed Use Town Center)] Special Land Use Designation
East	Shopping Center	TC (Town Center)	T-C (Town Center) [SC -TC (Service Commercial Town Center)] Special Land Use Designation
West	Undeveloped	TC (Town Center)	T-C (Town Center) [SC -TC (Service Commercial Town Center)] Special Land Use Designation

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
T-C Town Center District	X		N*
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
Trails	X		Y**
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment	X		Y***
Project of Regional Significance		X	Y

**Multiple Waivers of the Town Center Development Standards have been requested.*

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***A Multi-Use Transportation Trail is required adjacent to this site on Farm Road. The proposal adheres to Exhibit 1 of the Transportation Trails Element of The Las Vegas 2020 Master Plan.*

***** Interagency Issues**

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a Project of Regional Significance because it was determined that the average vehicular motor trips was totaled to be approximately 7,182 exceeds the 3,000 average daily vehicle trips any Special Use Permit that is proposed within 500 feet of an unincorporated boundary.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendations for mitigation measures is as follows:

- 1) The City of Las Vegas Department of Public Works has no comment.*
- 2) Las Vegas Metropolitan Police Department found no significant issues.*

DEVELOPMENT STANDARDS

Pursuant to Town Center Development Standards, the following standards apply for GC-TC (General Commercial Town Center):

Standard (GC-TC)	Required/Allowed	Provided	Compliance
Min. Setbacks			
• Front	15 Feet	15 Feet	Y
• Side	10 Feet	15 Feet	Y
• Corner	15 Feet	N/A	Y
• Rear	20 Feet	14 Feet	N*
Max. Building Height	2 story	5 story, 61.8 feet	N*
Build-to Line Standards	N/A	N/A	N/A
Trash Enclosure	Screened, Enclosed	Screened, Enclosed	Y
Mech. Equipment	Screened	Screened	Y

**A Waiver has been requested as this application.*

Pursuant to Title 19.08.06, the following Residential Adjacency Standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	185 Feet	60 Feet	N*
Adjacent development matching setback	20 Feet	60 Feet	Y
Trash Enclosure	50 Feet	56 Feet	Y

**A companion Variance (VAR-28540) has been submitted regarding Residential Adjacency Standard deficiencies.*

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Pursuant to Town Center Development Standards, the following landscape and open space 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	67 Trees	97 Trees	Y
Buffer: Min. Trees (Amenity Zone Parkway)	1 Tree/ 35 Linear Feet	11 Trees	21 Trees	Y
Min. Trees (Amenity Zone - Arterial)	1 Tree/ 30 Linear Feet	32 Trees	41 Trees	Y
Min. Trees (Buffer Zone)	N/A	N/A	41 Trees	
TOTAL			200 Trees	Y
Min. Zone Width (Interior)	N/A		8 Feet	N/A
Min. Zone Width [R.O.W. (Durango Drive)]	14.5 Feet		15 Feet	Y
Min. Zone Width [R.O.W. (Farm Road)]	N/A		20 Feet	Y*
Wall Height	8 Feet		Not Provided	N/A
Open Space	20%		24.04%	Y

**A Multi-Use Transportation Trail is required adjacent to this site on Farm Road. The proposal adheres to Exhibit 1 of the Transportation Trails Element of The Las Vegas 2020 Master Plan.*

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 are 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

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Town Center Arterial 80 (Farm Road)	Street trees in the Amenity Zones shall be 30 feet on-center, alternating shade trees and flowering trees with decomposed granite, Mojave Gold.	Multi-Use Transportation Trail is required adjacent to this site on Farm Road. The proposal adheres to Exhibit 1 of the Transportation Trails Element of The Las Vegas 2020 Master Plan and supercedes any Town Center landscape standards.	Y
Multi-Use Transportation Trail (Farm Road)	20-Foot wide trail with 5-foot wide transition strip, 10-foot wide transportation trail path, and 5-foot wide landscape buffer.	20-Foot wide trail with 5-foot wide transition strip, 10-foot wide transportation trail path, and 5-foot wide landscape buffer.	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center*	64,700 SF	1:250	259				Y
Hotel	139 Units	1 per guest room	139				Y
Subtotal			389	9	386	16**	Y
TOTAL			398		402***		Y
Loading Spaces	64,700 SF		4		4		Y

**Under Title 19.04, a shopping center use is defined as Any structure or group of structures that: (1) House any assemblage of various commercial tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses; (2) Have a minimum combined gross floor area of 25,000 square feet; (3) Are located upon a single parcel of land or upon contiguous parcels of land; and (4) Have common vehicular access and parking facilities. This development is deemed a shopping center use and parking is calculated for the overall development, not each individual use.*

***Parking spaces dimensions and striping do not meet accessible parking standards. A condition has been added to this application.*

****Title 19.10 allows 30 percent of the total parking spaces required be compact parking spaces. The applicant is proposing 44 compact spaces, which is 11 percent the total provided.*

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Waivers		
Request	Requirement	Staff Recommendation
Five-story building	Two-story building is the maximum height allow in GC-TC (General Commercial Town Center)	Denial
14-foot setback	20-foot setback in GC-TC (General Commercial Town Center)	Denial
Reduction of landscape fingers	1 finger per six parking spaces	Denial

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.

The request to modify the Town Center special land use designation from SC-TC (Service Commercial Town Center) to GC-TC (General Commercial Town Center) disturbs the compatible balances of land uses emphasized in the Centennial Hills Sector Plan.

- **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 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 such as this application under review, per the Town Center Development Standards Manual (A)(4)(B), by the procedures found in Title 19.18.040.

The subject site is currently designated SC-TC (Service Commercial Town Center). The Service Commercial District allows low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. Examples include neighborhood

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shopping centers, theaters, bowling alleys and other places of public assembly and public/quasi-public uses.

The applicant requests as part of a companion Major Modification (MOD-28538) application that the three parcels that make up the site be designated 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 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, SC-TC (Service Commercial Town Center), does not provide for a Liquor Establishment (Tavern) unless it is part of a development with an aggregate acreage exceeding 50 acres.

- **Site Plan**

The site is located at the southwest corner of Durango Drive and Farm Road. This site consists of three undeveloped parcels of land in the Centennial Hills Town Center area. The site plan indicates seven buildings, plus a fuel pump canopy, spaced around the perimeter of the site with parking lot at the central core of the site.

A 5,100 square-foot Convenience Store (with Fuel Pumps) will be located at the northern side of the site. A 7,900 square-foot Liquor Establishment (Tavern) will be located to the west of the Convenience Stores fuel pump canopy, adjacent to Durango Drive while the five-story, 139-room Hotel is located on southwest perimeter of the site. Along the eastern portion of the site, adjacent to Farm Road is a 7,900 square-foot building, which includes a 2,400 square-foot Restaurant with Drive Through and two suites designated as restaurants. South of the Restaurant with Drive Through adjacent to Farm Road is a 7,500 square-foot retail establishment. Lastly, on the south portion of the site, a 20,000 square-foot retail building is proposed.

Access to the site is gained from two driveways from Farm Road, both 35-feet in width. Site circulation is generally adequate, with the exception of the access aisle adjacent to the Convenience Store with Fuel Pumps and the Restaurant with Drive Through, which lead to the Hotel and Liquor Establishment Tavern on the western portion of the site. The confluence of traffic generated from the Convenience Store, the Restaurant with Drive Through, and the Liquor Establishment Tavern and Hotel will create a pressure point for the site and will limit ingress and egress to the site.

Parking is located at the center of the site, as well as in front of each of the proposed buildings. Per Title 19.10 Parking Standards, a total of 398 parking spaces are required on site, nine of which must be handicapped accessible. The applicant has provided 402 parking

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spaces of which sixteen are handicap accessible. The handicap accessible spaces are not up to Title 19.10 standards; therefore, a condition has been added requiring them to be provided per the standards. In addition, the proposed site requires four, 15-foot by 25-foot loading zone spaces, which has been provided by the applicant.

- **Landscape Plan**

The 24.04 percent open space provided for this project exceeds the requirements of the Town Center Development Standards and Title 19.06. The landscape plan does show conformance with Town Center Development Standards Manual providing a 14.5 foot wide planter where a 14.5-foot wide planter is required along Durango Drive. However, the landscape plan is not clear on the sidewalk treatment required per Town Center. A condition has been added requesting streetscape and landscaping treatments along Durango Drive meet Town Center Parkway Standards before building permits can be pulled. The landscape plan also depicts the Multi-Use Transportation Trail adjacent to Farm Road that is required. The proposal adheres to Exhibit 1 of the Transportation Trails Element of The Las Vegas 2020 Master 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 Date Palm and African Sumac. A condition has been added requiring them to provide one of the four types of trees permitted in Town Center.

- **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

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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.

The application meets the additional standards required for a Convenience Store (Gas Station).

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

The applicant meets the setback requirements and the drive through lane wraps around two sides of the building; therefore, the application meets the additional standards for Fast Food Restaurants in Town Center.

- **Waivers**

The applicant has requested Waivers to allow a five-story building where two stories is the maximum height permitted, a 14-foot rear yard setback where a 20-foot setback is required and Town Center landscape finger requirements within the parking area on 7.97 acres at the southwest corner of Durango Drive and Farm Road. Staff cannot support these requests as they are a self-imposed hardship due to the applicants design choice.

- **Elevations**

The submitted elevations for the retail store, tavern, convenience store, hotel and restaurant depict the use of stucco as the primary façade material with manufactured stone veneer, concrete tile roofs and fabric awnings. The materials proposed are consistent with the Town

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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 yellow, reds, grays, dark green and bronze. All signage proposed will have to be permitted separately.

- **Floor Plan**

The first floor of the Hotel includes at the entrance, a lobby and waiting area, a 5,058 square-foot banquet hall, 443 square-foot fitness room, offices, mechanical equipment and storage. The floors two through five are populated by the 139 hotel rooms. To the north of the Hotel, the applicant has proposed a pool and lounging area and an arched or covered passageway that links the hotel with the proposed Liquor Establishment (Tavern).

The floor plan depicts a 2,400 square-foot automated Car Wash facility attached on the north side of a proposed 5,100 square-foot Convenience Store (with Fuel Pumps). The applicant has provided a drive-through for the automated Car Wash with a 144 square-foot payment booth at the entrance, which will be accommodate six cars. The Convenience Stores floor plan depicts an area designated for a sale of alcoholic beverages, which is less than the 10 percent of retail floor space required by the use definition.

The floor plan of the 7,900 square-foot building is divided in three suites, a 2,200 square-foot Restaurant with Drive-Through and two Restaurants, 2,300 and 3,400 square feet respectively. The floor plans for the 20,000 square-foot and 13,900 square-foot retail establishments are blank shells, as well as the Liquor Establishment (Tavern).

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 proposed use is part of a development that is not compatible and harmonious with surrounding development. The numerous distance separation Waivers requested for companion Special Use Permit (SUP-28544, SUP-28546, SUP-28712, SUP-28713) and Residential Adjacency Variance (VAR-28540) applications indicate that other sites within the Town Center area would be better suited for this type of proposal.

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- 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 request to modify the Town Center special land use designation from SC-TC (Service Commercial 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 100-foot wide Primary Arterial by the Town Center Street Classification Map Six, and accesses Farm Road, which is designated as an 80-foot wide Arterial/Secondary Collector. Farm Road is the only street that the property takes access from and will provide adequate service for the proposed project.

- 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.

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