



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 16, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-27920 - APPLICANT/OWNER: D I PROPERTIES, INC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-3371) and Site Development Plan Review (SDR-3372).
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 05/26/08 and landscape plan date stamped 04/25/08, 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. Revised elevations 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 proposed modifications to the exterior of Retail Building B.
7. 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).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. 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.
11. 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.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
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 for this site, 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 Site Development Plan Review SDR-3372, Rezoning application ZON-3371 and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Amendment to an Approved Site Development Plan Review for a 3,264 square-foot Restaurant with Drive-Through on 4.76 acres at 3040 East Bonanza Road. A Site Development Plan Review (SDR-3372) previously approved a 43,349 square-foot retail center with two inline buildings, three pad buildings and an 8,995 square-foot auto service building on the subject property. This new proposal seeks to add a Restaurant with Drive-Through and eliminate ten parking spaces from the 3,264 square-foot Pad B building. As the Major Amendment to an Approved Site Development Plan Review will have a minimal impact on the subject site, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/04/04	The City Council approved a General Plan Amendment (GPA-3370) to amend a portion of the Southeast Sector Plan of the General Plan from PF (Public Facilities) to SC (Service Commercial), a Rezoning (ZON-3371) from C-V (Civic) Zone to C-1 (Limited Commercial) Zone and a Site Development Plan Review (SDR-3372) for a 43,349 square-foot retail center. The Planning Commission and staff recommended approval of these requests.
10/18/06	The City Council approved a request for an Extension of Time (EOT-16475) of an approved Rezoning (ZON-3371) from C-V (Civic) to C-1 (Limited Commercial) on the subject site. The Planning Commission and staff recommended approval of this request.
05/21/08	The City Council approved a Special Use Permit (SUP-27256) for a proposed financial institution, specified and a waiver to allow a zero-foot residential separation where 200 feet is required at 3060 East Bonanza Road. The Planning Commission recommended approval, staff recommended denial of this request.
06/12/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #13/dc).
<i>Related Building Permits/Business Licenses</i>	
04/21/05	A building application (#0726675) was submitted to the Planning and Development department for Shell Building A at 3010 East Bonanza Road.
02/13/07	A budding permit (#7000573) was issued for Shell Building D at 3020 East Bonanza Road.
02/13/07	A building permit (#07000574) was issued for Shell Building E at 3050 East Bonanza Road.
03/19/07	A building permit (#81330) was issued for retaining walls at 3010 East Bonanza Road.

05/15/07	A building permit (#07001594) was issued for the Auto Service Shell Building at 3030 East Bonanza Road. This building permit is currently on hold awaiting approval from the Fire Department. This building permit was renewed on 11/01/07.
05/21/08	Building permits were issued for the hardscape improvements of Pads A, B and C (#106005) and for site grading (#115721) at 3002 East Bonanza Road. A building permit (#106002) was issued for Shell Building A at 3010 East Bonanza Road. A building permit (#106003) was issued for Shell Building B at 3040 East Bonanza Road. A building permit (#106004) was issued for Shell Building C at 3060 East Bonanza Road.
<i>Pre-Application Meeting</i>	
04/10/08	A pre-application meeting was held with the applicant where elements of the Site Development Plan Review submittal process were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
04/14/08	A field check was performed by staff at the subject property. The site was noted as a Shopping Center currently under construction.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	4.76

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
North	City of Las Vegas Fire Station and Training Center	PF (Public Facilities)	C-V (Civic)
South	Multi-Family Residential and Convenience Store	M (Medium Density Residential) and SC (Service Commercial)	R-3 (Medium Density Residential) and C-1 (Limited Commercial)
East	City of Las Vegas Maintenance Storage	PF (Public Facilities)	C-V (Civic)
West	Multi-Family Residential	M (Industrial)	R-3 (Medium Density Residential)

<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		X	N/A
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 19.08.050, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	204,529 SF	N/A
Min. Lot Width	100 Feet	697 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	10 Feet	Y*
Max. Lot Coverage	50%	26%	Y
Max. Building Height	25 Feet**	25 Feet	Y
Trash Enclosure	Screened w/ Roof	Screened w/ Roof	Y
Mech. Equipment	Screened	Screened	Y

* Site Development Plan Review (SDR-3372) was approved to allow a 10 foot rear yard setback where 20 feet was the minimum required.

** Site Development Plan Review (SDR-3372) approved Retail Pad B with a maximum height of 25 feet.

Pursuant to Title 19.08.060, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	75 Feet	120 Feet	Y
Adjacent development matching setback	20 Feet	20 Feet	Y
Trash Enclosure	50 Feet	180 Feet	Y

Pursuant to Title 19.12, the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Trees/6 Spaces	42 Trees*	36 Trees	N**
Buffer: Min. Trees	1 Tree/20 Linear Feet	41 Trees*	50 Trees	Y

TOTAL		83 Trees*	86 Trees	Y
Min. Zone Width	15 Feet		15 Feet	Y
Wall Height	6 Feet		6 Feet	Y

* Site Development Plan Review (SDR-3372) was approved to allow 42 trees within the parking lot islands and 41 trees within the landscape buffer.

** The submitted landscape plans indicate a total of 36 Trees within the parking lot islands where Site Development Plan Review (SDR-3372) conditioned the property to provide 42 parking lot island trees. A condition has been added requiring conformance to the conditions of Site Development Plan Review (SDR-3372).

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	50,033 SF	1/300 SF	161	6	215	8	
TOTAL			167		223		Y
Loading Spaces			3*		3		Y

* Site Development Plan Review (SDR-3372) approved a total of three loading spaces for the subject property.

ANALYSIS

- Land Use and Zoning**

The subject property is located within the Southeast Sector of the General Plan with a land use designation of SC (Service Commercial) and a zoning designation of C-1 (Limited Commercial). The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The Service Commercial category may also allow mixed-use development with a residential component where appropriate.

The C-1 (Limited Commercial) 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 (Limited Commercial) District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan. The retail uses proposed are consistent with the C-1 (Limited Commercial) Zoning District.

- **Site Plan**

The site plan indicates that a drive-through lane will be added to the east side of Retail Building B. The drive-through will be U-shaped and provide stacking room to accommodate six vehicles. A total of ten parking spaces will be removed if this site plan is approved, including two from the north side, five from the east side, and three from the parking row adjacent to the southeast corner of Retail Building B. Even with the loss of ten parking spaces, the site provides 56 additional spaces in excess of the minimum required. In addition to the parking area modification and drive-through addition, a trash enclosure will be moved from the north side parking area of Retail Building B to the landscape island formed by the new U-shaped drive-through. The remainder of the site remains as it was approved through Site Development Plan Review (SDR-3372).

- **Landscape Plan**

The landscape plans submitted do not match the landscape plans which were approved for the site. Notably, Site Development Plan Review (SDR-3372) contained a condition which required eight additional trees to be placed within planter islands within the parking lot immediately to the south of the auto service facility. These eight trees were in addition to the 34 trees originally provided within the parking lot planter islands, therefore a total of 42 24-inch box trees are required where only 36 are indicated on the site plan. A condition has been added requiring conformance to the conditions of Site Development Plan Review (SDR-3372).

- **Elevations**

No elevations were submitted as part of this Site Development Plan Review. The applicant has indicated that the elevations of the proposed Retail Building B will remain the same as they were when approved through the original Site Development Plan Review (SDR-3372). The architecture of the building depicted in that submittal is desert southwest, with a flat roof, decorative arched parapets and large square windows. While the overall architecture of the building will not change as part of this submittal, elevations are still required as modifications to the approved building exterior will be needed to accommodate a drive-through window and any associated components. A condition has been added requiring that elevations be submitted to reflect the exterior modifications made to the building.

- **Floor Plan**

The floor plan submitted as part of this application indicates that Retail Building B will remain the same as approved through the original Site Development Plan Review (SDR-3372). The floor plan submitted does not depict the proposed drive-through or how the proposal will interact with the building. The plan submitted indicates an entry/exit door will be located adjacent to the drive-through lane. A full set of construction drawings, including a correctly drawn floor plan accurately reflecting interior conditions, will be required in order to submit for building permits.

FINDINGS

The following findings must be made for an SDR:

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

The proposed Major Modification to an approved Site Development Plan Review is compatible with surrounding development and development in the area as the previous Site Development Plan Review (SDR-3372) was approved by the City Council; therefore staff recommends approval.

- 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 Major Modification to an approved Site Development Plan Review is consistent with the General Plan and Title 19.

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

The site has direct access to both Bonanza Road and Mojave Road, which are both 100-foot Primary Arterials on the Master Plan of Streets and Highways. Both roads have sufficient capacity to serve the proposed development.

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

The building and landscape materials will demonstrate visual consistency with the surrounding developments along this segment of Bonanza Road.

- 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 previously approved building elevations and design characteristics are harmonious and compatible with the development in the area. The modifications necessary to add a drive-through window and remove a doorway will have minimal impact on the exterior appearance of the building.

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

The proposed plan will not impact public health, safety or welfare since the development will be subject to the International Building Code and City inspections during construction.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 119 by Planning Department

APPROVALS 0

PROTESTS 0