



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 20, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-28397 - APPLICANT/OWNER: KRAFT FAMILY, LP, ET AL

**** CONDITIONS ****

The Planning Commission (4-2/ds, bg-1/rt vote) and staff recommend DENIAL.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-28394), Rezoning (ZON-28396), Variance (VAR-28400), Variance (VAR-28651), Special Use Permit (SUP-28398) and Special Use Permit (SUP-28399) 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, landscape plan, and building elevations, date stamped 05/30/08, except as amended by conditions herein.
4. A Waiver from Title 19.12.040(A) is hereby approved, to allow a zero-foot wide landscape buffer along the north and south property lines where eight feet is required.
5. A Waiver from Title 19.12.040(A) is hereby approved, to allow a 10-foot wide landscape buffer along the east property line where 15 feet is required.
6. 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 must be provided in accordance with LVMC Title 19.10 standards.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: Provide one, 24-inch box tree with four, five-gallon shrubs within the parking area provided. Provide one, 24-inch box tree with four, five-gallon shrubs per tree spaced 20-feet on center within the east and west perimeter landscape buffers. Provide four, five-gallon trees for each required tree on site.

8. 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.
9. 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 all exterior sides of the proposed buildings, materials and colors used and a perimeter wall with a maximum height of eight feet.
10. All perimeter walls shall meet the standards of Title 19.12.075.
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 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.
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.

Public Works

17. Coordinate with the City Surveyor to determine whether a Reversionary Map or other mapping is necessary; comply with the recommendations of the City Surveyor.

18. Record a Vacation of the existing public alley/bridle path right-of-way in conflict with this site plan prior to the issuance of any permits or the recordation of a map for this site.
19. Construct all incomplete half-street improvements including appropriate transitional paving on Rainbow Boulevard adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
20. 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.
21. Extend public sewer, in Rainbow Boulevard, to the north edge of this development at a location and depth acceptable to the Collection Systems Planning Section of the Department of Public Works. All required public sewer easements, if any, necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any off-site permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits or the recordation of a Final Map for this site.
22. 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 permit or submittal of any construction drawings, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a 74,540 square-foot Mini-Storage and Boat/RV Storage Facility with Waivers to allow a zero-foot landscape buffer on the north and south property lines where eight feet is required and a 10-foot landscape buffer on the east property line where 15 feet is required on 2.37 acres on the west side of Rainbow Boulevard, approximately 150 feet north of Red Coach Avenue.

In addition to this application, the applicant has submitted a General Plan Amendment (GPA-28394) to Amend a portion of the Northwest Sector of the Centennial Hills Master Plan from O (Office) to SC (Service Commercial) and a request for a Rezoning (ZON-28396) from U (Undeveloped) [O (Office) General Plan Designation] to C-1 (Limited Commercial) for the subject property.

Additional companion items include a request for a Special Use Permit (SUP-28398) to allow for a proposed Recreational Vehicle and Boat Storage Facility, a request for a Special Use Permit (SUP-28399) to allow for a proposed Mini-Storage Facility, a request for a Variance (VAR-28400) to allow five parking spaces where 16 parking spaces are required and a request for a Variance (VAR-28651) to allow a zero-foot building setback where 10 feet is required along the north and south property lines, a 10-foot setback where 20 feet is required along the east property line and a 10-foot setback where residential adjacency standards require 75 feet along the west property line. The requests for the multiple Waivers as well as setback and parking Variances are indications that the site is overbuilt; therefore staff recommends denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/20/07	The City Council approved an Annexation (ANX-25478) of property located on the west side of the North Rainbow Boulevard alignment 580 feet south of the West Lone Mountain Road alignment containing approximately 3.94 acres. The Planning Commission and staff recommended approval of this request.
07/24/08	<p>The Planning Commission recommended denial of companion items GPA-28394, ZON-28396, VAR-28400, VAR-28651, SUP-28398 and SUP-28399 concurrently with this application.</p> <p>The Planning Commission voted 4-2 ds, bg-1/rt to recommend DENIAL (PC Agenda Item #27/dc).</p>
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses associated with the subject properties.	

<i>Pre-Application Meeting</i>	
05/28/08	A pre-application meeting was held with the applicant where elements of a General Plan Amendment, a Rezoning, a Site Development Plan Review, a Special Use Permit for a Mini Storage Facility, a Special Use Permit for a Recreational Vehicle and Boat Storage facility, a Variance to allow a zero-foot setback where 10 feet is required and a 10-foot setback where 20 feet is required and a Variance to allow five parking spaces where 16 are required were discussed.
<i>Neighborhood Meeting</i>	
06/30/08	<p>A neighborhood meeting was held at the Mountain Crest Community Center, 4701 North Durango Drive at 6:15 PM. The applicant, one Planning and Development staff member, one Clark County Commission Liaison and six area residents were present. The following was discussed: The representative for the applicant briefly described the proposed project. Members of the public raised the following questions and concerns:</p> <ul style="list-style-type: none"> • A landscape buffer is shown within the alley (bridal path)/utility easement; the residents vehemently opposed any vacation of the alley or use of the alley for the development. • The residents requested that the perimeter wall surrounding the property be tall enough to prevent anyone from looking into their back yards; the applicant explained that the wall was shown at 15 feet in height. • The residents had concerns about lighting on the property (the applicant explained that downward-directed fixtures would be used to prevent spillover), and also expressed concerns about street lighting on Rainbow; they would prefer that rural lighting standards be maintained. • Concern was also expressed regarding signage for the project, and impacts to residents of the area (the applicant stated that a wall sign on Rainbow was all that was shown on the plans).

<i>Field Check</i>	
06/17/08	A field check was performed by staff at the subject properties. The site was noted as being relatively flat, graded site with minimal weeds. Single-family homes were observed to the west of this property while recently completed apartments were observed to the east.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.37

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	U (Undeveloped) [O (Office) General Plan Designation]
North	Undeveloped	O (Office)	U (Undeveloped) [O (Office) General Plan Designation]
South	Undeveloped	O (Office)	Clark County R-E (Rural Estates Residential)
East	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Single-Family Residential	O (Office)	Clark County R-E (Rural Estates 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			
A-O (Airport Overlay) District (175-Foot)	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

* The subject property is located within the North Las Vegas Airport Overlay within the 175-foot height limitation contour. None of the buildings on the subject property extend beyond this limitation.

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 Width	100 Feet	354 Feet	Y
Min. Setbacks			
• Front	20 Feet	10 Feet	N*
• Side	10 Feet	Zero Feet	N*
• Rear	75 Feet	10 Feet	N*
Max. Lot Coverage	50 %	40.46%	Y
Max. Building Height	15 Feet	30 Feet	N**

Trash Enclosure	Screened, Enclosed	Screened, Enclosed	Y
Mech. Equipment	Screened	Screened	Y

* The applicant has submitted a Variance (VAR-28651) to allow a 10-foot front setback where 20 feet is required, a 10-foot rear setback where residential adjacency standards require 75 feet and a zero-foot side yard setback where 10 feet is required.

** Residential adjacency standards require a 15-foot building height limitation or a building height which falls under the 3:1 proximity slope outlined in Title 19.08.060. The applicant has submitted a Variance (VAR-28651) to allow a 10-foot rear setback where residential adjacency standards require 75 feet to accommodate a 25-foot tall building.

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	10 Feet	N*
Adjacent development matching setback	40 Feet	10 Feet	N*
Trash Enclosure	50 Feet From Residential Property	>50 Feet	Y

* A Variance (VAR-28651) to allow a setback of 10 feet where 75 feet is required has been submitted as a companion item to this request.

Pursuant to Title 19.12, the following landscaping 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 Tree/ 6 Spaces	1 Tree	Zero Trees	N*
Buffer:				
Min. Trees (North/South Perimeter)	1 Tree/30 Linear Feet	20 Trees**	3 Trees	N**
Min. Trees (East/West Perimeter)	1 Tree/20 Linear Feet	34 Trees	27 Trees	N****
TOTAL		55 Trees	30 Trees	N****
Min. Zone Width	15 Feet		10 Feet	N*****
Wall Height	8 Feet		15 Feet	N*****

* A condition has been added requiring one 24-inch box tree with four, five gallon shrubs to be provided within the parking area provided.

** The applicant has requested a Waiver to allow a zero-foot landscape buffer where 10 feet is required along the north and south property lines. If this Waiver is granted, zero trees will be required within the north and south landscape buffer zone. The 20 trees required reflects the amount of trees which will be required if this Waiver is not granted.

*** A condition has been added requiring one, 24-inch box tree to be spaced every 20 feet with four, five-gallon shrubs within the east and west perimeter landscape buffers.

**** The applicant has requested a Waiver to allow a 10-foot landscape buffer on the east property line where 15 feet is required.

***** The applicant has indicated a wall height of 15 feet on the provided elevations where Title 19 allows a maximum wall height of eight feet. A condition has been added requiring the applicant to provide revised elevations which reflect a maximum perimeter wall height of eight feet.

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>
			Regular	Handi-capped	Regular	Handi-capped	
			Recreational Vehicle and Boat Storage	36 Recreational Vehicle / Boat Spaces	1 space per 50 storage spaces	1	
Mini Storage Facility	500 Storage Units	1 space per 50 storage units plus 5 spaces on the exterior of the security fence	14	1	4	1	
SubTotal			15	1	4	1	
TOTAL			16		5		N*

* The applicant has requested a Variance (VAR-28400) to allow five parking spaces where 16 are required.

Waivers		
Request	Requirement	Staff Recommendation
To allow a zero-foot landscape buffer along the north and south property lines.	Eight-foot perimeter landscape buffer.	Denial
To allow a 10-foot landscape buffer on the east property line	15-foot perimeter landscape buffer.	Denial

ANALYSIS

- **Land Use and Zoning**

The subject properties are located within the Northwest Sector of the Centennial Hills Master Plan. This proposed General Plan Amendment, if approved, would allow a SC (Service Commercial) land use designation. 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.

There is a request for a Rezoning (ZON-28396) to change the sites zoning from U (Undeveloped) [O (Office) General Plan Designation] to 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.

With approval of the proposed General Plan Amendment (GPA-28394) to the SC (Service Commercial) Land Use designation and Rezoning (ZON-28396) to the C-1 (Limited Commercial) zoning district, the proposed Recreational Vehicle and Boat Storage and Mini-Warehouse Facility uses associated with this development are permissible uses in conjunction with an approved Special Use Permit.

- **Site Plan**

The site is located on the west side of Rainbow Boulevard, approximately 150 feet north of Red Coach Avenue. The site plan indicates that a two-story, 69,140 square-foot storage building will be located at the center of the parcels. Smaller 360 square-foot storage buildings will be located adjacent to the north property line and adjacent to the 69,140 square-foot storage building, along with a 4,250 square-foot storage building located adjacent to the south property line. The applicant did not indicate on the site plan how many storage units will be provided on site; however the justification letter indicates approximately 500 storage units will be provided. Additionally, 36 covered Recreational Vehicle parking spaces will be located on the east and west perimeters of the property and a 1,150 square foot office will be located near the east perimeter of the site.

The parking provided onsite does not meet the requirements of Title 19.04. A Variance (VAR-28400) has been requested to allow five parking spaces where 16 are required. The five parking spaces provided are located adjacent to the only point of ingress/egress for the site, at the southeast corner, on the exterior side of the security wall. Four standard parking stalls and one handicapped stall have been provided; however the handicapped stall does not meet the requirements of Title 19.10. A condition has been added requiring the applicant to provide handicapped parking spaces in accordance with Title 19.10 standards. Within the security wall area, zero standard parking spaces have been provided and 36 covered Recreational Vehicle and Boat storage parking spaces. The applicant has indicated that customers of the Storage Facility will be able to park in any unused Recreational Vehicle and Boat storage parking spaces.

- **Landscape Plan**

The landscape plan shows 27, 24-inch box trees planted along the east and west perimeters of the site where 34, 24-inch box trees are required and three, 24-inch box trees provided along the north and south perimeters where 20, 24-inch box trees are required per Title 19.12 Landscape Standards. A condition has been added requiring one, 24-inch box tree to be spaced every 20 feet with four, five-gallon shrubs within the east and west perimeter landscape buffers. Along the north and south perimeters of the subject property, the applicant has requested a Waiver to allow a zero-foot landscape buffer where eight feet is required. If this Waiver is granted, zero trees will be required within the north and south landscape buffer zones.

The applicant has requested a Waiver of Title 19.12.040 Landscape and Buffer Standards to provide a 10-foot landscape buffer where 15 feet is required along the east property line and a zero-foot landscape buffer where eight feet is required along the north and south property lines. These Waivers have been requested to allow for buildings to encroach within required landscape buffer zones. In addition, the western landscape buffer has been located within an exiting alley/bridle path. The Department of Public Works has placed a condition requiring the recordation of a Vacation of the existing public alley/bridle path right-of-way in conflict with this site plan prior to the issuance of any permits or the recordation of a map for this site.

The applicant is proposing a 15-foot wall along the north and south perimeters of the subject property and at the back of the provided 10-foot landscape buffers along the east and west perimeters. Title 19.12.075 requires that the minimum height of the screening wall shall be six feet with the maximum height eight feet. A condition has been added requiring revised elevations which reflect a maximum perimeter wall height of eight feet. Additionally, the elevations submitted do not indicate if the wall will contain 20% contrasting material and/or color. A condition has been added requiring all perimeter walls to comply with the standards of Title 19.12.075 has been added.

- **Elevations**

The elevations provided for the site only depict the subject facility as it will be seen from the north, south, east and west perimeters. No elevations depicting the interior of the site have been provided. A color and material page has been submitted, depicting stone veneer, a main field color and five accent colors, however the provided elevations do not indicate how or where these colors and materials will be used on the exterior of the building. In addition, no exterior finish material is noted on the elevations, and no material is called out for the roof. Additionally, line breaks have been added to the elevations which leaves a void of information on the east and west facades.

The elevations provided depict that the exterior of the site will be occupied by a walled compound which will be relatively windowless. A 15-foot high perimeter wall will span most of the east, west, north, and south facades, articulated by three corner storage units which will provide vertical relief with 25-foot high hip roofs. The office will provide visual relief in the fourth corner, providing the only windows on site and a small 30-foot tower which will include future building signage. The east façade will include two arches on the exterior of the wall, breaking up the exterior plane of the building, and all four sides of the facade will include horizontal banding at the cornice level and at a one-third exterior height. Two gates will be visible from the south and east elevations, however no material or description has been noted regarding these.

The 69,140 square-foot storage building will be visible above the exterior walls and will extend to a height of 25 feet. Two corners of this building will be articulated with corner storage units which will be capped with a 30-foot high hipped roof. Exterior garage or storage doors will be visible on these corner storage units. Limited information has been provided by the applicant regarding these elevations. If approved, the Department of Planning and Development will require full elevations depicting finish materials, colors and details to be submitted before building permits are issued.

- **Floor Plan**

The applicant has not provided floor plans for the proposed project. This project, if approved, would require the applicant to submit floor plans to the Planning and Development prior to the issuance of building permits.

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 development is not compatible with adjacent residential development and development in the area. There are currently no commercial uses on adjoining properties. Immediately adjacent to the west of this development are established single-family residential homes on 30,000 square-foot lots.

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;

With the approval of the associated request for a General Plan Amendment (GPA-28394) to the SC (Service Commercial) General Plan designation for the site, the proposed development will be the only SC (Service Commercial) property in the immediate area. Additionally the applicant has requested multiple Waivers and Variances from Title 19 standards, which magnify the lack of compliance with city policy this development embraces.

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

The site is accessed from Rainbow Boulevard, an 80-foot Secondary Collector as classified by the Master Plan Streets and Highways, which can adequately support the proposed use. No access is provided from the site into the adjoining neighborhoods. The proposed internal site circulation will be adequate with 30-foot wide drive aisles.

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

It is unknown if the building materials are appropriate for the area and for the City as the applicant has provided no information regarding this. The plants provided on the plant list appear to be adequate for the climate, however only low growing and slow growing shrubs have been provided. It is unclear how they will be used on site as specifics are not provided on the landscape plan, and it should be noted that with the plant palette chosen, the proposed plant material will take an extremely long time to reach a mature look.

- 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 are relatively simple in character and have minimal articulation. With the Variances requested for building setbacks and residential adjacency, the mass of the building will intrude on the neighboring properties. In addition, the mainly windowless and unarticulated facades will create an unwelcoming and monolithic addition to the existing neighborhood.

- 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.

PLANNING COMMISSION ACTION

The Planning Commission considered the following condition changes:

- Delete #5
- Change #6 to show required landscaping on east
- No corrugated roofing
- Meet all tree planting requirements

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 116 by Planning Department

APPROVALS 1

PROTESTS 0