

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - SDR-29787 - APPLICANT/OWNER: LARRY D. AND NERISSA L. THOMAS**

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

1. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/24/08, except as amended by conditions herein.
2. A Waiver from Title 19.12 landscape Standards is hereby approved, to allow six perimeter trees where 52 are required, and to allow five shrubs where 208 are required.
3. An Exception from Title 19.10 to allow no parking area landscaped finger islands where 12 are required is hereby approved.
4. The number of rental trucks on site shall not exceed five at any time.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

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

Public Works

11. Construct all incomplete half-street improvements on Duncan Drive adjacent to this site concurrent with development of this site.
12. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
13. Landscape and maintain all unimproved rightsofway on Rancho Drive and Duncan Drive adjacent to this site.
14. If not already on file, submit an Encroachment Agreement for all landscaping and private improvements located in the Duncan Drive public right-of-way adjacent to this site prior to occupancy of this site.
15. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Rancho Drive public rightofway adjacent to this site prior to the issuance of any permits.
16. 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Site Development Plan Review to allow Truck Rental as an ancillary use to an Automotive Repair Garage (Major) on 1.44 acres located at the northeast corner of Duncan Drive and Rancho Drive. The applicant is proposing to pave a 35,000 square-foot portion of the lot to accommodate the rental vehicles, and requests that an existing six-foot high chain link fence around the proposed paved area be allowed to remain. Per Title 19.12.075, chain link is a prohibited material, unless approved as part of an overall development plan.

There is an associated request for a Special Use Permit (SUP-29146) to allow a Truck Rental use. As the applicant is requesting Waivers of all Title 19 landscaping standards for this site, staff recommends denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1964	Subject parcel Annexed into the City of Las Vegas.
11/19/91	The City Council approved a request for a Variance (V-0174-91) to allow the repair and fabrication of utility trailers on the subject site.
10/09/08	The Planning Commission approved a request for a Special Use Permit (SUP-29146) for Truck Rental on the subject site to be held in abeyance to the 10/23/08 meeting so a new landscape proposal could be evaluated by staff.
<i>Related Building Permits/Business Licenses</i>	
06/13/08	Request for a business license (A19-92293) for truck rental denied 3700 North Rancho Drive.
07/09/08	Business License (G03-01059) issued for an Auto Repair Garage (Major) 3700 North Rancho Drive.
<i>Pre-Application Meeting</i>	
09/03/08	Requirements for a Site Development Review application were discussed with the applicant.
<i>Neighborhood Meeting</i>	
A meeting was not required, nor was one held.	
<i>Field Check</i>	
09/02/08	Staff found the subject site to be in use as an automotive repair facility. Penske rental trucks were observed on-site as well as signage indicating Penske truck rental.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.44

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive Repair	SC (Service Commercial)	C-2 (Limited Commercial)
North	Recreational Vehicle Sales	SC (Service Commercial)	C-2 (Limited Commercial)
South	Social Service Provider	SC (Service Commercial)	C-2 (Limited Commercial)
East	Automotive Repair	SC (Service Commercial)	C-2 (Limited Commercial)
West	Multi-Family	SC (Service Commercial)	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
A-O Airport Overlay District (105-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 105-foot height limitation contour. None of the buildings on the subject property extend beyond this limitation.

DEVELOPMENT STANDARDS

Per 19.08 standards

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	62,000 SF	N/A
Min. Lot Width	100 Feet	202 Feet	Y
Min. Setbacks			
• Front	20 Feet	72 Feet	Y
• Side	10 Feet	56 Feet	Y
• Corner	15 Feet	70 Feet	Y
• Rear	20 Feet	183 Feet	Y
Min. Distance Between Buildings	N/A	Single Structure	N/A
Max. Lot Coverage	50%	7%	N/A
Max. Building Height	N/A	20 Feet	N/A
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

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Per Title 19.12 standards

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree / 6 Spaces	12 Trees	0 Trees	N*
Buffer:				
Min. Trees				
South(Duncan Drive Frontage)	1 tree per 20 linear feet	16 Trees	3 Trees	N*
West (Rancho Drive Frontage)	1 tree per 20 linear feet	10 Trees	3 Trees	N*
North	1 tree per 30 linear feet	16 Trees	0 Trees	N*
East	1 tree per 20 linear feet	10 Trees	0 Trees	N*
TOTAL		52 Trees	6 Trees	N*
Min. Zone Width	15 Feet		10 Feet	N*
Wall Height	6 Feet		6-foot Chain Link Fence	N*

*The applicant has requested a waiver of all Title 19 landscaping, screening and buffering requirements.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Automotive Repair Major	3,600 SF	5 spaces and 1 space per 200 SF	18	1	24	1	Y
Truck Rental	900 SF	1 per rental truck and 1 per 250 SF	9	1	9	1	Y
SubTotal			22	2	33	2	Y
TOTAL (including handicap)			22		33		Y

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Waivers		
Request	Requirement	Staff Recommendation
Waiver of all Title 19.12 landscape requirements.	52 trees are required, as well as 208 shrubs as well as ground cover.	Denial*

** Additionally the applicant is proposing to add 11, 15 gallon trees, 17 additional plants, as well as adding 2 inches of ¾ inch decorate rock mulch to all existing landscape planter. The proposed additions do not meet current Title 19.12 standards.*

Exceptions		
Request	Requirement	Staff Recommendation
Waiver of all Title 19.10 parking lot landscaping requirements.	12 landscaped finger islands are required.	Denial

Deviation from Title 19.12.075		
Request	Requirement	Staff Recommendation
To allow an existing chain link fence along portions of the south perimeter and along portions of the western interior of the property.	Chainlink or open wire fencing, razor wire or barbed wire shall not be acceptable for use as screen or perimeter walls	Denial

ANALYSIS

This is a Site Development Plan Review to allow Truck Rental as an ancillary use to an Automotive Repair Garage (Major) on 1.44 acres located at the northeast corner of Duncan Drive and Rancho Drive. The applicant is proposing to pave a 35,000 square-foot portion of the lot to accommodate the rental vehicles, and requests that an existing 6-foot high chain link fence around the proposed paved area be allowed to remain. Per Title 19.12.075, chain link is a prohibited material, unless approved as part of an overall development plan.

The applicant states that they will only have a maximum of five trucks on site and that the largest truck they will rent will be a 36 foot long truck, and that the area they propose to store the trucks in when they are not being rented is large enough to accommodate them.

There is an associated request for a Special Use Permit (SUP-29146) to allow a Truck Rental use. As the applicant is requesting Waivers of all Title 19 landscaping standards for this site, staff recommends denial of this request.

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- **Site Plan**

The 1.44 acre site presently contains an existing 4,500 square-foot automotive repair facility. Access to the site is gained via two driveways to Rancho Drive and a single driveway to Duncan Drive. There is a customer parking area on the south and west sides of the property with a single metal automotive repair building located in the center of the site. Currently there is an unpaved 35,000 square-foot dirt yard in the rear of the property which the applicant proposes to pave. Title 19.12.075 Wall standards do not allow chain link fence as an approved fencing material, the applicant is requesting to allow an existing chain link fence to remain in place of a permissible wall around the proposed rental truck storage area.

- **Floor Plan**

There is an existing 4,500 square-foot automotive repair building on the site. The structure houses a 900 square-foot lobby, including two restrooms, a 450 square-foot office and 450 square feet of storage. In addition, a 900 square-foot space is proposed for the truck rental customer service area, including a customer restroom. The remaining 1,800 square feet of the structure is utilized as an automotive repair bay.

- **Elevations**

The existing 4,500 square-foot metal building has a metal blue and white exterior and a metal roof. There are three ten-foot wide roll up doors, one on each of the northwest, northeast and southeast sides of the building.

- **Parking**

The applicant proposes to restripe the existing parking lot to add five additional parking spaces to accommodate the proposed truck rental use, and to bring the handicapped parking spaces up to current Title 19.10 standards. Title 19.10 requires 22 standard parking spaces and two handicapped spaces with one being a van accessible space. The applicant proposes 33 standard parking spaces and two handicapped spaces including one van accessible space. A Waiver has been requested to allow no parking area landscaping where 12 landscape finger islands are required for the proposed parking area configuration.

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- **Landscaping**

The applicant is requesting a Waiver of all Title 19 landscaping standards. The existing on site landscaping is minimal and of the 52 perimeter trees required, only six are provided; of the 208 shrubs required, only 5 are provided. There are two Heritage Oak trees, and one Pine Tree, as well as two Yucca plants and an Oleander Shrub along the Rancho Drive frontage. Along the Duncan Drive frontage there are two Heritage Oak trees, one Pine Tree and two Oleander shrubs. Additionally the applicant is proposing to add 11, 15 gallon trees of the same species, 17 additional plants of the same species, as well as adding 2 inches of $\frac{3}{4}$ inch decorative rock mulch to all existing landscape planter. The proposed additions do not meet current Title 19.12 standards.

FINDINGS

The following findings must be made for an SDR:

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

Due to the lack of adequate landscape buffering and screening, the proposed development is not compatible 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;

The applicant has requested a Waiver of all Title 19 landscape standards, as well as a request to allow chain link fencing. Currently the proposed development does not meet Title 19 landscaping, wall or buffer standards. The existing landscaping does not meet Title 19.12 landscape and buffer standards as the applicant proposes no additional parking area landscaping therefore failing to comply with the Title 19.10 standards. The existing chain link fence is not an approved fencing material and does not meet Title 19.12.075 standards unless approved as part of this request.

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

The subject site is accessed via Duncan Drive which is identified by the Master Plan of Streets and Highways as a 60-foot Local Collector and Rancho Drive which is identified by the Master Plan of Streets and Highways as a 100-foot Primary Arterial. These roadways will not be adversely impacted by the proposed use.

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

The existing chain link fence and Waivers of all landscape standards are not appropriate for this area of the City of Las Vegas.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed chain link fencing combined with a complete lack of on site landscaping is obnoxious and unsightly, and is not aesthetically pleasing. This request is inappropriate for this location.

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

The property is subject to State of Nevada and City of Las Vegas inspections as well as the International Building Code and therefore public health and safety and welfare will not be adversely impacted by this proposed development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 122

APPROVALS 1

PROTESTS 1