



## AGENDA MEMO

**CITY COUNCIL MEETING DATE: MARCH 18, 2009**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SDR-32837 - APPLICANT/OWNER: WATER STREET CENTER, LLC**

---

### **\*\* CONDITIONS \*\***

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

#### **Planning and Development**

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-9421) 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 12/30/08, except as amended by conditions herein.
4. An Exception from Title 19.10.010(J)(11)(e) is hereby approved, to allow a four-foot sidewalk adjacency to the north side of the commercial building and a three-foot sidewalk adjacency to the west side of the commercial building where a five-foot sidewalk, landscape planter, or combination of both is required.
5. 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. The site plan shall be revised to indicate all locations and dimensions of sidewalks, utility pads, and hardscape areas.
6. 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: The landscape plan shall be revised to clearly indicate all hardscape areas and landscape planters, including the hardscape provided for the proposed utility pad at the rear of the building. Provide a minimum of four, five-gallon shrub for each required tree.

7. 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.
8. 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).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. 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.
12. 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.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

14. 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.
15. Comply with the requirements of Las Vegas Municipal Code Chapter 4.32 Traffic Signal Impact Fee prior to the issuance of permits for this site.
16. No new buildings, permanent structures, or landscaping taller than 30 inches shall be constructed or placed within the existing 20-foot public sewer easement located along the north side of this site.

17. 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.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-80-77, the Pecos/Bonanza Plaza commercial subdivision and all other applicable site-related actions.

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

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a 5,375 square-foot Restaurant with Drive-Through and Retail building on 2.59 acres generally located on the south side of Bonanza Road, approximately 450 feet east of Pecos Road. The subject property is the last remaining undeveloped pad within a one-lot commercial subdivision consisting of an existing 2,372 square-foot Restaurant with Drive-Through and a 19,602 square-foot Office building. This proposal meets all applicable Title 19 requirements including Residential Adjacency, setback and landscape standards; therefore staff recommends approval of this request.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
11/02/77	The Board of City Commissioners approved a Rezoning (Z-0080-77) from R-E (Residence Estates) and R-3 (Medium Density Residential) to C-1 (Limited Commercial) and R-1 (Single Family Residential) on the south side of Bonanza Road between Pecos Road and the Park Bonanza Townhomes. The Planning Commission recommended approval of this request.
05/25/95	The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0080-77(1)] for a proposed Shopping Center located on the south side of Bonanza Road and the east side of Pecos Road. Staff recommended approval of this request.
11/11/95	The City Council approved a Review of Condition [Z-0080-77(2)] which removed the requirements to construct half-street improvements along Pecos Road and Bonanza Drive, prior to occupancy of the site as required by the Department of Public Works for a proposed Shopping Center located on the south side of Bonanza Road and the east side of Pecos Road.
10/23/97	The Planning Commission approved a Tentative Map (TM-0047-97) and a Final Map (FM-0134-97) for a one-lot Commercial Subdivision on 7.07 acres located on the south side of Bonanza Road and the east side of Pecos Road. Staff recommended approval of these requests.
12/01/97	The Planning and Development Department administratively approved a Site Development Plan Review [Z-0080-77(4)] for a proposed 2,391 square-foot Restaurant with Drive-Through on 1.1 acres at the southwest corner of Bonanza Road and Reef Drive.

03/02/05	The City Council approved a General Plan Amendment (GPA-5082) to amend the Southeast Sector Plan of the General Plan from L (Low Density Residential) to SC (Service Commercial), a Special Use Permit (SUP-5096) for a Supper Club, and a Site Development Plan Review (SDR-5093) for a Supper Club on 1.58 acres south of Bonanza Road approximately 290 feet east of Pecos Road. The Planning Commission and staff recommended approval of these requests.
12/07/05	The City Council approved a Site Development Plan Review (SDR-9421) for a proposed 19,602 square-foot Office Building and a Waiver of the Building Placement, Parking Lot, Foundation and Perimeter Landscaping requirements and a Variance (VAR-9726) to allow a Residential Adjacency Separation of 80 feet where 99 feet is the minimum separation required for a proposed Office Building on 1.5 acres along the south side of Bonanza Road, approximately 300 feet east of Pecos Road. The Planning Commission recommended approval of these requests whereas staff recommended denial.
11/07/07	The City Council approved a Site Development Plan Review (SDR-24023) for a 4,350 square-foot Commercial Building comprised of 2,450 square feet of Retail floor space and a 1,900 square-foot Restaurant with Drive-Through on 0.44 acres located on the south side of Bonanza Road. The Planning Commission and staff recommended approval of this request.
04/02/08	The City Council approved a Review of Condition (ROC-26882) to remove Condition Number 15 of an approved Site Development Plan Review (SDR-24023) which required that the developer contribute the remaining traffic signal contribution monies on 0.44 acres located at 3595 East Bonanza Road. Staff recommended denial of this request.
02/12/09	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #39/dc).
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no related building permits or business licenses associated with this request.	
<b><i>Pre-Application Meeting</i></b>	
12/15/08	A pre-application meeting was held with the applicant where the requirements of submitting a Site Development Plan Review were discussed.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not held, nor is one required.	
<b><i>Field Check</i></b>	
01/15/09	A field check was conducted by staff where the subject property was observed to be an undeveloped pad within a commercial subdivision. A non-permitted storage container was noted on the north half of the property.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	0.44

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped, Office Building and Restaurant, 2,000 SF or More (with Drive-Through)	SC (Service Commercial) and L (Low Density Residential)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single-Family Residences	MLA (Medium Low Attached Density Residential)	R-PD9 (Residential Planned Development 9 Units per Acre)
East	Single-Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
West	Office	SC (Service Commercial)	C-1 (Limited Commercial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>		X	N/A
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>		X	N/A
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

**DEVELOPMENT STANDARDS**

*Pursuant to Title 19.08.050, the following standards apply:*

<b><i>Standard</i></b>	<b><i>Required/Allowed</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
Min. Lot Size	N/A	112,820 SF	N/A
Min. Lot Width	100 Feet	443 Feet	Y
Min. Setbacks			
• Front	20 Feet	73.75 Feet	Y
• Side (East)	10 Feet	199 Feet	Y
• Side (West)	10 Feet	149 Feet	Y
• Rear	15 Feet	84.25 Feet	Y
Max. Lot Coverage	50%	24.2%	Y
Max. Building Height	N/A	25 Feet	N/A
Trash Enclosure	Screened, Enclosed	Screened, Enclosed	Y
Mech. Equipment	Screened	Screened	Y

***Pursuant to Title 19.08.060, the following standards apply:***

<b><i>Residential Adjacency Standards</i></b>	<b><i>Required/Allowed</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
3:1 proximity slope	75 Feet	84 Feet	Y
Adjacent development matching setback	12 Feet	84 Feet	Y
Trash Enclosure	50 Feet	70 Feet	Y

***Pursuant to Title 19.12.040, the following landscape standards apply:***

<b><i>Landscaping and Open Space Standards</i></b>				
<b><i>Standards</i></b>	<b><i>Required</i></b>		<b><i>Provided</i></b>	<b><i>Compliance</i></b>
	<b><i>Ratio</i></b>	<b><i>Trees</i></b>		
Parking Area	1 Tree/6 Spaces	4 Trees	4 Trees	Y*
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	4 Trees	4 Trees	Y*
	4, 5-Gallon Shrubs/Tree	24 Shrubs	19 Shrubs	N**
<b>TOTAL</b>		8 Trees	8 Trees	Y*
Min. Zone Width	15 Feet		15 Feet	Y*
Wall Height	6-8 Feet		None	N/A

\* The remainder of the landscape areas within the subject commercial subdivision are shown as approved through Site Development Plan Review [Z-0080-77(4)] and (SDR-9421).

\*\* A condition has been added requiring the applicant to provide four, five-gallon shrubs for each tree required.

***Pursuant to Title 19.10, the following parking standards apply:***

<b><i>Parking Requirement</i></b>							
<b><i>Use</i></b>	<b><i>Gross Floor Area or Number of Units</i></b>	<b><i>Parking Ratio</i></b>	<b><i>Required</i></b>		<b><i>Provided</i></b>		<b><i>Compliance</i></b>
			<b><i>Parking</i></b>		<b><i>Parking</i></b>		
			Regular	Handi-capped	Regular	Handi-capped	
Restaurant, 2,000 SF or More (with Drive-Through)	2,372 SF	1/100 SF	23	1	22	2	Y
Restaurant, 2,000 SF or Less (with Drive-Through)	1,900 SF	1/100 SF	18	1	18	1	Y
General Retail Store	3,475 SF	1/175 SF	19	1	19	1	Y
Office, Other than Listed	19,602 SF	1/300 SF	63	3	63	3	Y

<b>SubTotal</b>			123	6	122	7	Y
<b>TOTAL</b>			129		129		Y*
Loading Spaces			1		1		Y

\* The applicant has submitted a recorded Cross Access and Parking Agreement (Document #20060317-0002812) granting access between the three pad sites within the subject commercial subdivision. A copy of the Cross Access and Parking Agreement has been placed in the Site Development Plan Review (SDR-32837) file.

<b>Exceptions</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
To allow a four-foot parking lot buffer between the parking area and the north face of the building and a three-foot parking lot buffer along a portion of the west side of the building	A minimum five-foot wide landscape buffer, sidewalk, or combination of both	Approval

## ANALYSIS

This is a request for a Site Development Plan Review for a 5,375 square-foot Restaurant with Drive-Through and Retail building on 2.59 acres generally located on the south side of Bonanza Road, approximately 450 feet east of Pecos Road. The subject property is the last remaining undeveloped pad within a one-lot commercial subdivision consisting of an existing 2,372 square-foot Restaurant with Drive-Through and a 19,602 square-foot Office building. This proposal meets all applicable Title 19 requirements including Residential Adjacency, setback and landscape standards; therefore staff recommends approval of this request.

- **Land Use and Zoning**

The subject property is located within the Southeast Sector Plan of the General Plan with a land use designation of SC (Service 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 existing Restaurant, 2,000 SF or More (with Drive- Through) to the east of the subject pad, within the commercial subdivision but not part of this review, carries a non-conforming land use designation of L (Low Density Residential). The Low Density category generally permits single-family detached homes, manufactured homes on individual lots, gardening, home occupations, and family child care facilities. This category allows up to 5.49 units per acre.

The subject property carries an existing zoning designation of C-1 (Limited Commercial). 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.

- **Site Plan**

The proposed Restaurant with Drive-Through and Retail building is a 5,375 square-foot single-story building located on an undeveloped pad site near the center of the subject property. The site has direct access by a single driveway to Bonanza Road, designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways, which is adequate for the proposed Restaurant with Drive-Through and Retail use. As there is no direct access to Reef Street to the east, there will be no negative impact on the adjacent roadways or neighborhood traffic.

The proposed building has been placed at roughly the center of the commercial subdivision, set back approximately 71 feet from Bonanza Road to the north and 84 feet from the single-family residences to the south. A total of 129 parking spaces have been provided on site where 129 are required, including six handicapped van accessible and one standard handicapped parking space. This proposal will add 19 parking spaces to the existing 110 parking spaces within the subject commercial subdivision. The applicant has submitted a copy of a recorded Cross Access and Parking Agreement (Document #20060317-0002812) granting access between the three pad sites within the subject commercial subdivision. A drive-through lane, with a stacking lane which can accommodate six vehicles, is provided at the rear of the building along with a trash enclosure and utility pad. All parking lot access and drive aisles meet the minimum 24-foot required width for two-way traffic, and a new 15-foot by 25-foot loading zone will be added at the rear of the subject property.

Additionally, the site plan indicates the proposed parking lot and drive aisle along the north and west sides of the building will have a reduced buffer between the building and the parking lot, where Title 19.10.010(J)(11)(e) requires a minimum five-foot landscape buffer, sidewalk, or combination of both. The north side of building, which abuts seven proposed parking spaces, will contain two pop outs which reduce the buffer width from five feet to four feet. The combined width of these two pop outs is seven feet. The west side of the building is uniformly set back four feet from the parking lot access aisle, with the exception of two five-foot wide pop outs, which reduce the width to three feet. The applicant has requested an Exception to the requirement in order to accommodate architectural embellishments. Staff can support this request as the embellishments create visual interest along the façade of the building and will not negatively impact the proposed development.

- **Landscape Plan**

The perimeter landscape buffers for the existing commercial subdivision have been installed as approved through Site Development Plan Review [Z-0080-77(4)] and (SDR-9421). This proposal will utilize the existing front landscape buffer, which provides one 24-inch box tree for every 20 lineal feet, and add four additional 24-inch box trees on the site. The four trees to be added will fulfill the parking lot shade tree requirement of one tree per every six uncovered parking spaces. Three of the additional trees will be placed at the parking spaces adjacent to the rear of the building, and one additional tree will be added adjacent to the southwest corner of the existing driveway, within the front landscape buffer.

The site plan does not indicate that the appropriate quantities of shrubs will be placed on site; a condition has been added requiring the applicant to provide a minimum of four, five-gallon shrubs for each required tree. Additionally, the landscape and site plan submitted do not clearly indicate hardscape or landscape areas. While trees, shrubs and walkways are shown on the plan, the landscape areas and sidewalk areas appear to blend together, creating a lack of information provided. A condition has been added requiring the applicant to revise the landscape plan to clearly define all hardscape areas and landscape planters.

- **Elevations**

The elevations depict a single-story flat-roofed structure as a Restaurant with Drive-Through and Retail building. The building will consist of stucco with both smooth and rough finishes, utilize stone veneer on the bases of the pop outs and feature foam shaped cornices with a rough Italian finish at the parapet level. The main body of the proposed structure will be painted Porous Stone while the pop outs will be painted Wooden Peg in color.

The proposed elevations indicate glass storefront windows and entryways will be located on the south face of the building, with enhanced entryways consisting of pop outs and decorative banding on the east half of this façade. Awnings and tenant signage, which will be reviewed via individual permits, will be located above the entryways. The west façade of the building will contain a small glass storefront surrounded by an enhanced entryway consisting of pop outs and decorative banding on the north half of the façade, smaller storefront windows, awnings and tenant signage. The south elevation will contain a small pop out on each end of the building surrounding a utility room doorway and a drive-through window. The pop outs will be articulated with banding, arches, and a small square inset within each arch. The remainder of the elevation will be windowless, utilize horizontal and vertical line breaks and decorative banding at the parapet level. The east elevation will also be windowless, contain one solid exit door, incorporate three decorative rectangular line breaks and decorative banding at the parapet level.

- **Floor Plans**

The floor plans submitted depict a 5,375 square-foot shell building, which will contain 1,900 square feet of space dedicated for a Restaurant with Drive-Through and 3,475 square feet of space dedicated for General Retail. A small electrical room with a roof access ladder and a fire sprinkler room are provided at the southwest corner of the building, and are accessed externally. Three ingress/egress doorways are provided along the north face of the building, and singular doorways are located on the east and west sides of the building. Interior specifications are not shown on the plans; however, this project, if approved, would require each proposed tenant to submit interior tenant improvement permit applications to the City of Las Vegas for approval.

## **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 commercial development will compliment the adjacent office and restaurant uses within the subdivision. The project meets Title 19.08.060 Residential Adjacency building height and setback requirements.

- 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 development complies with the General Plan and adopted city plans and policies. The applicant has requested an exception of Title 19.10.010(J)(11)(e) which requires buildings to be separated from parking lots with a minimum five-foot landscape buffer, sidewalk, or combination of both. Staff can support this request as the embellishments create visual interest along the façade of the building and will not negatively impact the proposed development.

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

The site has direct access by a single driveway to Bonanza Road, designated a 100-foot wide Primary Arterial by the Master Plan Streets and Highways, which is adequate for the proposed Restaurant with Drive-Through and Retail use. As there is no direct access to Reef Street, there will be no negative impact on the adjacent roadways.

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

The proposed building materials of stucco and stone veneer are appropriate for the area and for the City. The landscape materials are consistent with the landscape within the existing commercial subdivision and therefore appropriate for this proposal.

**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 and design characteristics are compatible with development in the area and typical of most smaller retail developments found throughout the City of Las Vegas.

**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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 6

**ASSEMBLY DISTRICT** 11

**SENATE DISTRICT** 10

**NOTICES MAILED** 209 by City Clerk

**APPROVALS** 0

**PROTESTS** 0