

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JULY 23, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-34778 - APPLICANT: GLENCOE PROPERTIES, INC. -****OWNER: VIRGIN TERRITORY, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to the conditions for Rezoning (Z-0081-02) and Site Development Plan Review (SDR-4995) 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 landscape plan and building elevations, date stamped 06/08/09 and the site plan date stamped 06/17/09 except as amended by conditions herein.
4. A Waiver from Title 19.08.050(D)(d) is hereby approved, to allow features such as windows and arcades to total less than sixty percent of the length of the south façade facing Craig Road.
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.

SDR-34778 - Conditions Page Two
July 23, 2009 - Planning Commission Meeting

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

Public Works

12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
13. No permanent structures shall be constructed within the existing 20-foot Public Sewer Easement granted by Document #20050603:04581.
14. 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 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.
15. Site development to comply with all applicable conditions of approval for Z-81-02, SDR-4995, the Lowes Plaza at Craig and Jones Commercial Subdivision and all other site-related actions.

SDR-34778 - Staff Report Page One
July 23, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Amendment to an approved Site Development Plan Review (SDR-4995) to include 356 additional square-feet to an approved 2,800 square-foot restaurant with drive-through, with a Waiver of the Title 19 Development Standards. The site is currently undeveloped and is located on 0.72 acres at 6080 West Craig Road. If the application is denied the subject building will remain as previously approved. The proposed expansion of the subject site will have a minimal impact on the existing site and the surrounding uses; therefore staff recommends approval of the subject application.

Issues:

- The proposed south elevation does not include features such as windows and arcades totaling at least sixty percent of the façade as outlined by Title 19.08.050 (D)(d). Staff can support this Waiver request as it is minor in nature, and will not negatively impact the proposed development.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
12/18/02	The City Council approved a General Plan Amendment (GPA-0035-02) to designate the subject property as SC (Service Commercial), and a Rezoning (Z-081-02) from R-E (Residence Estates) to C-1 (Limited Commercial) on 34.43 acres. The Planning Commission recommended approval. Staff recommended denial.
03/19/03	The City Council approved a Rezoning (Z-0081-02) from R-E (Residence Estates) to C-1 (Limited Commercial) on 34.43 acres adjacent to the northwest corner of Craig Road and Jones Boulevard. The Planning Commission recommended approval.
10/20/04	The City Council approved a Site Development Plan Review (SDR 4995) for a 204,193 square foot commercial development and a Waiver of the build-to line standards on 16.5 acres. The Planning Commission recommended approval.
10/20/04	City Council approved a Special Use Permit (SUP 4996) for a home improvement warehouse store. The Planning Commission recommended approval.
01/13/05	The Planning Commission approved a Tentative Map (TMP-5698) for a one-lot commercial subdivision on 16.5 acres adjacent to the northwest corner of Craig Road and Jones Boulevard.

SDR-34778 - Staff Report Page Two
July 23, 2009 - Planning Commission Meeting

01/13/05	The Planning Commission approved a Master Sign Plan (MSP-5696) for a proposed commercial development at the northwest corner of Craig Road and Jones Boulevard.
04/20/05	City Council approved an Extension of Time (EOT-6172) of an approved Rezoning (Z-0081-02) from R-E (Residence Estates) to C-1 (Limited Commercial) on 35.0 acres adjacent to the northwest corner of Craig Road and Jones Boulevard.
<i>Related Building Permits/Business Licenses</i>	
06/07/06	A building permit was issued (#67119) for a temporary construction trailer with a temporary generator.
<i>Pre-Application Meeting</i>	
05/20/09	A pre-application meeting was held on the indicated date. The applicant indicated the areas for the proposed addition in square-footage to the building. The applicant was advised on the requirements for the subject Site Development Plan Review.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
06/18/09	A field check was conducted by staff. The pad is vacant and undeveloped.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.72

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Undeveloped	MLA (Medium Low Attached Density Residential)	R-PD10
South	Undeveloped	SC (Service Commercial)	R-E (Residential Estate) & C-2 (General Commercial)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

SDR-34778 - Staff Report Page Three
July 23, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District 140 Feet	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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	718,740	N/A
Min. Lot Width	100 Feet	860 Feet	Y
Min. Setbacks			
• Front	20 Feet	80 Feet	Y
• Side	10 Feet	60 Feet	Y
• Corner	15 Feet	115 Feet	Y
• Rear	20 Feet	50 Feet	Y
Max. Lot Coverage	50%	24%	Y
Max. Building Height	N/A	48 Feet	N/A
	Screened, Gated, with Roof or Trellis	Screened, Gated, with Roof or Trellis	Y
Trash Enclosure			
Mech. Equipment	Screened	Screened	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 Tree / 6 Spaces	132 Trees	141	Y
Buffer:				
Min. Trees	1 Tree / 30 Linear Feet	121 Trees	181	Y
Min. Zone Width	8 Feet		15	Y
Wall Height	8 Feet		8	Y

**As approved by Site Development Review (SDR-4995).*

SDR-34778 - Staff Report Page Four
July 23, 2009 - Planning Commission Meeting

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	
Restaurant w/ Drive-Through	3,156 S.F.	1:250	13	1	28	2	
Total			14		30		Y

Waivers		
Requirement	Request	Staff Recommendation
Title 19.08.050 (D)(d): Features such as windows and arcades shall total at least sixty percent of the length of any façade that abuts a public street.	To allow a building facade with fifty-two percent architectural embellishment and limited openings along a street frontage.	Approval

ANALYSIS

The site is located at the southwest corner of Craig Road and Jones Boulevard. The site plan remains similar to the approved Site Development Plan Review (SDR-4995), with the exception of the proposed additional 356 square-feet of gross floor area. The applicant is requesting the increase in square footage to accommodate an indoor playground.

The applicant is providing 30 total parking spaces where 14 are required, consisting of 28 standard spaces and 2 handicapped van-accessible spaces. The applicant intends to use the existing driveway, located to the west of the proposed building, without any modifications.

The proposed change has resulted in a request for a Waiver of Title 19.08.050 (D)(d) that were not a part of the previous approval. The applicant is proposing fifty-two percent architectural embellishments along the south building elevation facing Craig Road where 60 percent of the façade is required to possess architectural embellishments. This Waiver request is minor in nature, and will not negatively impact the proposed development.

SDR-34778 - Staff Report Page Five
July 23, 2009 - Planning Commission Meeting

The perimeter landscape buffers for the existing commercial subdivision have been installed as approved through Site Development Plan Review (SDR-4995). This proposal will utilize the existing front landscape buffer, which provides one 24-inch box tree for every 30 lineal feet, and add ten additional 24-inch box trees on the site. The ten trees to be added will fulfill the parking lot shade tree requirement of one tree per every six uncovered parking spaces.

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 development is compatible with future adjacent development and 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 proposed development is consistent with the all City policies and standards related to landscape, wall and buffer standards, with the exception of the requested Waiver.

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

Jones Boulevard is designated as a 100-foot Primary Arterial and Craig Road is designated as a 120-foot Primary Arterial by the Master Plan of Streets and Highways. Site access and circulation are adequate for the proposed use, and will not negatively impact the adjacent roadways or neighborhood traffic.

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

Building and landscape materials are consistent with other commercial developments in the area.

- 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 not unsightly or obnoxious in appearance, and are compatible with development in the area.

SDR-34778 - Staff Report Page Six
July 23, 2009 - Planning Commission Meeting

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

This Restaurant with Drive-Through will not compromise the public health, safety or welfare as it will be subject to regular inspections and the provisions of the Uniform Building Code.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 300

APPROVALS 0

PROTESTS 0