

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-35202 - OWNER/APPLICANT: CITY OF LAS VEGAS**

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

1. 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.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 07/14/09, except as amended by conditions herein.
3. A Waiver from Title 19.10.010 is hereby approved, to allow landscape buffers of zero feet along the west perimeter and a portion of the south perimeter where 15 feet and eight feet, respectively, are required.
4. An Exception from Title 19.10.010 is hereby approved, to allow six parking lot landscape 40 shade trees are required. Four, five-gallon shrubs shall be required for each required tree.
5. Barbed wire shall be removed from the existing chain link fence prior to final inspection.
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.
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.

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8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. 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.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. All private improvements and landscaping 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.
12. Submit a grading plan covering the entire parking area contiguous to the south property line of this site to the Department of Public Works prior to issuance of a grading permit for this site.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 96-space parking lot and an existing 67-space parking lot on a portion of 6.59 acres at 1510 North Decatur Boulevard. The subject site for the proposed parking lot is an undeveloped vacant lot. The existing parking lot was constructed prior to obtaining approval of a Site Development Plan Review as required by Title 19.18.050. If the application is denied, the existing parking lot must be demolished and the area of the proposed lot will remain undeveloped.

Issues

- The proposed lot requires an Exception to allow six parking lot landscape islands and six trees where 24 parking lot islands and 24 trees are required. Four, five-gallon shrubs shall be required for each required tree.
- The existing 67-space parking lot requires a Waiver of the landscape buffer requirements to allow zero feet along the west perimeter and a portion of the south perimeter where 15 feet and eight feet, respectively, are required.
- The existing lot also requires an Exception to allow zero parking lot landscape islands and zero parking lot trees where 16 parking lot islands and 16 trees are required.

The proposal is in conformance with the C-V (Civic) zoning district as well as Title 19 standards with the exception of the requested waiver and exceptions. Therefore, staff supports the project and recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/05/07	A deed was recorded for a change of ownership at 1510 North Decatur Boulevard.
<i>Related Building Permits/Business Licenses</i>	
11/06/08	A building permit was issued (#126905) to demolish a house at 1510 North Decatur Boulevard.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
07/09/09	During a routine field check staff noted an undeveloped lot. The site was surrounded by a chain link fence with trash and weeds present.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	6.59

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-V (Civic)
North	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	Auto Repair Garage (Major)	SC (Service Commercial)	C-1 (Limited Commercial)
South	City Park (Ed Fountain Park)	PF (Public Facilities)	C-V (Civic)
East	State of Nevada Department of Wildlife	PF (Public Facilities)	C-V (Civic)
West	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
West	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District - 105 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 19.12, 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				
Proposed Lot	1 Tree / 6 Spaces	24 Trees	6 Trees	N
Existing Lot	1 Tree / 6 Spaces	16 Trees	Zero Trees	N
Totals	40 Trees		6 Trees	N

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Buffer:				
Proposed Lot				
Min. Trees	1 Tree / 30 Feet	16 Trees	16 Trees	Y
Existing Lot				
Min Trees	1 Tree / 30 Feet	13 Trees	Zero Trees	N
TOTAL		69 Trees	22 Trees	N
Proposed Lot				
Min. Zone Width				
South	8 Feet		8 Feet	Y
East	8 Feet		8 Feet	Y
Existing Lot				
Min. Zone Width				
South	8 Feet		Zero Feet	N
West	15 Feet		Zero Feet	N
Wall Height	6-8 Foot Screen Wall		6 Foot Chain Link Fence	N

Waivers		
Requirement	Request	Staff Recommendation
Title 19.12.040 West 15 feet South 8 feet	To allow landscape buffers of zero feet along the west perimeter and a portion of the south perimeter where 15 feet and eight feet, respectively, are required.	Approval

Exceptions		
Requirement	Request	Staff Recommendation
Title 19.10.010(J)(11)(a) Parking lot landscape islands shall be provided at the end of each row of parking spaces and at a ratio of one island for every six parking spaces.	To allow 6 parking lot landscape islands where 40 are required.	Approval
Title 19.10.010(J)(11)(c) One tree shall be planted for every six parking spaces. Each landscape island shall have at least one tree.	To allow 6 parking lot shade trees where 40 are required.	Approval

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Title 19.12.040(B)(4) Shrubs are required in all buffer areas with a minimum of four 5-gallon shrubs for every required tree.	To allow zero 5-gallon shrubs and no groundcover along the east landscape buffer where 28 5-gallon shrubs and two inches of groundcover is required.	Approval
Title 19.12.040(B)(4) Shrubs are required in all buffer areas with a minimum of four 5-gallon shrubs for every required tree.	To allow zero 5-gallon shrubs and no groundcover along the south landscape buffer where 36 5-gallon shrubs and two inches of groundcover is required.	Approval

ANALYSIS

This is a request for a Site Development Plan Review for a proposed 96 space parking lot and an existing 67 space parking lot at 1510 North Decatur Boulevard. The existing parking lot was constructed prior to obtaining approval of a Site Development Plan Review as required by Title 19.18.050. The site meets all Title 19 requirements with the exception of a Waiver regarding the landscape buffer requirement and exceptions regarding parking lot landscape requirements. The site provides adequate access and circulation for both pedestrians and vehicles and the site utilizes materials that are consistent with similar developments, and will be compatible with adjacent surrounding development.

The proposed parking lot is located at the southeastern end of the parcel. The proposed 96 space parking lot will be paved, striped, and contain wheel stops. An existing six foot chain link fence with barbed wire on the south and east property lines will remain. However, a condition has been added requiring the owner to remove the barbed wire from the existing chain link fencing. Per Title 19.08.050 barbed wire is a prohibited material for use as a fence or wall. The applicant also proposes to install a new six foot chain link fence along the north and west sides of the proposed parking lot. Chain link fencing is a permitted material for fencing if approved through a Site Development Plan Review. Access to the site will be provided by one 24-foot drive aisle on the west side of the lot connecting to the existing 67 space parking lot.

The existing parking lot is located at the southwestern end of the parcel. The existing 67 space parking lot is paved, striped, and does not contain wheel stops. The parking lot has an existing six foot chain link fence with barbed wire around the perimeter of the lot. A condition has been added to remove the barbed wire from the chain link fence as it is not allowed within city limits per Title 19. The existing site contains a 24-foot drive aisle connecting to Decatur Boulevard, however, this drive aisle contains a crash gate and is not used as the main access point to the parking lot. Instead, the site contains two 24-foot drive aisles along the south property line connecting to the original Ed Fountain Park parking lot as approved in Site Development Plan Review (SDR-1327).

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The landscaping proposed for both the proposed parking lot and existing parking lot will be minimal. In regards to the proposed 96-space parking lot, the applicant has requested Exceptions of the perimeter landscape buffering requirements listed in Title 19.12 to allow zero five-gallon shrubs and no groundcover along the south and east property lines where 36 5-gallon shrubs, 28 5-gallon shrubs, and two inches of groundcover are required, respectively. The applicant is also requesting exceptions from the Title 19.10.010 standards to allow six parking lot landscape islands and six trees where 24 landscape islands and 24 trees are required. Staff can support the landscape Exceptions as the request does not significantly impact the overall appearance of the site and the adjacent developments.

In regards to the existing 67-space parking lot, the applicant has requested a Waiver of the perimeter landscape buffer requirements to allow buffers of zero feet along the west perimeter and a portion of the south perimeter where 15 feet and eight feet, respectively, are required. The applicant is also requesting an Exception from the parking lot landscape requirements listed in Title 19.10.010 to allow zero parking lot landscape islands where 16 landscape islands are required. Staff can support the landscape buffer Waiver as the request does not significantly impact the overall appearance of the site and the adjacent developments.

The proposal is in conformance with the C-V (Civic) zoning district as well as Title 19 standards with the exception of the requested waiver and exceptions. Therefore, staff supports the project and recommends 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 parking lot and existing parking lot are compatible with the surrounding C-V (Civic) zoned parcels and is appropriate for the neighborhood.

- 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 General Plan but does not conform with Title 19 standards; however a Waiver and Exceptions have been requested as part of this approval. Staff supports the requested Waiver and Exceptions as the request does not impact the overall appearance of the site.

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

The site will be accessed from Decatur Boulevard, a 100-foot primary arterial as designated by the Master Plan Streets and Highways, which is more than adequate to handle the proposed use.

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

Building materials and landscape materials are appropriate for the area and consistent with other commercial sites within the City.

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 site is not unsightly or obnoxious in appearance and is compatible with the development in the area.

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

The proposed 163 space parking lot and fence installation will be subject to building inspection during construction and is subject to the Las Vegas Municipal Code. Staff finds that this proposal will not compromise the health, safety and welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 37

SENATE DISTRICT 4

NOTICES MAILED 90

APPROVALS 1

PROTESTS 0