

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 3, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-36432 - APPLICANT: ACQUEST VEGAS, LLC - OWNER: RANCHO POINT, LLC AND 3920 ROWLAND, LLC**

**** 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, floor plan and building elevations, date stamped 10/20/09, except as amended by conditions herein.
3. 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 a parking area meeting the minimum dimensional requirements of Title 19.10 for van accessible handicap spaces.
4. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the existing parcels. The mapping action shall be completed and recorded prior to issuance of a building permit.
5. A Waiver from Title 19.08.050(D)(e) is hereby approved, to allow building placement that is not oriented to the corner and street fronts.
6. A Waiver from Title 19.12.040 is hereby approved, to allow zero-foot landscape buffers separating the sidewalk from the back of street curb along Rancho Drive and Alexander Road where a five-foot landscape buffer is the minimum required.
7. An Exception from Title 19.12.040 is hereby approved to allow four parking lot landscape islands where seven islands are required.
8. 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.

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SDR-36432 - Conditions Page Two
December 3, 2009 - Planning Commission Meeting

9. 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.
10. 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).
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
13. 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.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Coordinate with the Building and Safety Department to determine if existing lot lines are in conflict with the new proposed structure. If it is determined that a mapping or other lot consolidation is required, coordinate with the City Surveyor to determine the most appropriate lot consolidation method. If no mapping is required, then record a Joint Access Agreement between all the parcels comprising this Site Plan.
17. Grant a Traffic Signal Chord Easement at the southeasterly corner of the intersection of Rancho Drive and Alexander Road prior to the issuance of any building permits for this site.

SDR-36432 - Conditions Page Three
December 3, 2009 - Planning Commission Meeting

18. Construct all incomplete half-street improvements on Rancho Drive and Alexander Road adjacent to this site concurrent with development of this site
19. Landscape and maintain all unimproved rightsofway on Rancho Drive and Alexander Road adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Alexander Road public right-of-way adjacent to this site prior to occupancy of this site.
21. 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.
22. Coordinate with the Collection System Planning Section of the Department of Public Works to determine an appropriate location for public sewer connection to this site, prior to the issuance of any 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. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
23. The proposed gates shall remain open during regular business hours. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right of way.
24. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rightsofway required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of onsite development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

SDR-36432 - Conditions Page Four
December 3, 2009 - Planning Commission Meeting

25. 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.

SDR-36432 - Staff Report Page One
December 3, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site consists of an undeveloped 8.57-acre lot at the southeast corner of Rancho Drive and Alexander Road. This is a request for a Site Development Plan Review (SDR-34632) for a proposed 32,700 square-foot Clinic. The applicant is requesting, as part of this review, a Waiver of the Title 19 Building Placement Standards, a Waiver of the Title 19 Landscape Buffer Requirements, and an Exception of the Title 19 Parking Lot Landscape Standards. Staff can support the requested Waivers and Exception, as the requests are minor in nature and the development will provide adequate landscaping and screening mechanisms to diminish the visual impact of the parking lot; therefore, staff is recommending approval of this application. If this application is denied, a new Site Development Plan Review would be required prior to development of the site.

Issues

- A final map must be recorded to combine the three existing lots.
- The proposed development is not consistent with Title 19.12.040, which requires any sidewalk along arterial streets one hundred feet and wider to be separated from the back of the street curb by a minimum five-foot wide landscape buffer. The applicant has requested a Waiver of this issue, and staff can support the request as the proposed sidewalk is located at the back of curb for the subject site and adjacent properties.
- The applicant is requesting a Waiver of the Title 19.08 Building Placement Standards, which requires buildings on corner lots should be oriented to the corner and to the street fronts, and should make a strong tie to the building lines of each street unless the applicant can demonstrate by substantial and convincing evidence that to do so would be infeasible. Staff can support this Waiver request, as the development will provide adequate landscaping and screening mechanisms to diminish the visual impact of the parking lot.
- The applicant is requesting a Waiver of the Title 19.12.040 Landscape Buffer Standards to allow a buffer width of six feet along the east perimeter where eight feet is the minimum required.
- The applicant is requesting an Exception to allow four parking lot landscape islands where seven islands are required.

SDR-36432 - Staff Report Page Two
December 3, 2009 - Planning Commission Meeting

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
04/02/03	The City Council approved a request for a General Plan Amendment (GPA-1363) to amend portions of the Centennial Hills Sector Plan from GC (General Commercial), SC (Service Commercial), and DR (Desert Rural) to GC (General Commercial), O (Office), ML (Medium Low Density Residential), and DR (Desert Rural) on property located on both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road. Planning Commission and staff recommended approval.
04/02/03	The City Council approved a request for a Rezoning (ZON-1364) from C-2 (General Commercial), R-E (Residential Estates), R-MHP (Residential Mobile/Manufactured Home Park) and U (Undeveloped) to C-2 (General Commercial), C-1 (Limited Commercial), O (Office), C-V (Civic), R-E (Residential Estates), and R-1 (Single Family Residential) on property located on both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road. Planning Commission and staff recommended approval.
04/07/04	The City Council approved a request for a Site Development Plan Review (SDR-3452) for a 23,000 square foot commercial development adjacent to the east side of Rancho Drive, approximately 300 feet south of Alexander Road. Planning Commission and staff recommended denial. Site Development Plan Review (SDR-3452) expired on 04/07/06.
04/07/04	The City Council approved a request for a Variance (VAR-3711) to allow 134 parking spaces where 199 parking spaces are required for a proposed commercial development adjacent to the east side of Rancho Drive, approximately 300 feet south of Alexander Road. Planning Commission and staff recommended denial. Variance (VAR-3711) expired on 04/07/06.
07/21/04	The City Council approved a request for a Review of Condition (ROC-4662) Numbers 15 and 16 of an approved Site Development Plan Review (SDR-3452) regarding a 23,000 square foot commercial development adjacent to the east side of Rancho Drive, approximately 300 feet south of Alexander Road. Staff recommended approval.
09/23/04	The Planning Commission approved a request for a Tentative Map (TMP-4977) for a one lot commercial subdivision adjacent to the east side of Rancho Drive, approximately 640 feet south of Alexander Road. Staff recommended approval. Tentative Map (TMP-4977) expired on 09/23/06.
01/13/05	The Planning Commission approved a request for a Site Development Plan Review (SDR-5679) for a 4,500 square foot retail development located approximately 300 feet south of Jones Boulevard and Alexander Road. Staff recommended approval. Site Development Plan Review (SDR-5679) expired on 01/13/07.

SDR-36432 - Staff Report Page Three
December 3, 2009 - Planning Commission Meeting

05/12/05	Staff approved a request for an Administrative Site Development Plan Review (SDR-6404) for a minor auto repair facility adjacent to the east side of Rancho Drive, approximately 650 feet south of Alexander Road. Site Development Plan Review (SDR-6404) expired on 05/12/07.
02/09/06	Planning Commission denied a request for a Site Development Plan Review (SDR-10802) for a 121-unit Residence Hotel at 3930 North Rancho Drive. Staff recommended approval.
02/09/06	Planning Commission denied a request for a Special Use Permit (SUP-11160) for a Hotel Residence at 3930 North Rancho Drive. Staff recommended approval.
12/29/08	A Final Map (FMP-30023) was approved by Planning and Development for a reversion to acreage for approximately 1.46 acres at the southeast corner of Alexander Road and Rowland Avenue. The mylar was released for recordation on 01/14/09. The final map was recorded on 01/20/09.
<i>Related Building Permits/Business Licenses</i>	
03/16/06	A Code Enforcement case (243941) was opened for trash and debris throughout a vacant lot. The infraction was corrected and the case was closed on 06/21/06.
<i>Pre-Application Meeting</i>	
07/30/09	The Planning & Development Department met with the applicant and reviewed the requirements for a Site Development Plan Review. • A Waiver of the Building Placement Standards per Title 19.05.050(D) (e) was discussed. • A reversionary map to combine the three parcels was discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
10/27/09	Staff conducted a field inspection and noted a well maintained, undeveloped lot.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	8.57

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	GC (General Commercial)	C-2 (General Commercial)
North	Undeveloped	ML (Medium Low Density Residential)	U (Undeveloped)
South	Office and Retail	SC (Service Commercial)	C-2 (General Commercial)
East	Office	O (Office)	O (Office)
West	Mini-Storage Facility	SC (Service Commercial)	C-2 (General Commercial)

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SDR-36432 - Staff Report Page Four
December 3, 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 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 19.08.050, the following development standards shall apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	304 Feet	Y
Min. Setbacks			
• Front	20 Feet	164 Feet	Y
• Side	10 Feet	126 Feet	Y
• Corner	15 Feet	206 Feet	Y
• Rear	20 Feet	280 Feet	Y
Max. Lot Coverage	50%	9%	Y
Max. Building Height	N/A	23 Feet	Y
Trash Enclosure	Screened, Gated with a Roof or Trellis	Screened, Gated with a Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12.040, the following landscape standards shall 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 Trees / 6 Spaces	60 Trees	71 Trees	Y
Buffer:				
Min. Trees				
•North	1 Tree / 20 Linear Feet	16 Trees	33 Trees	Y
•West	1 Tree / 20 Linear Feet	40 Trees	40 Trees	Y
•South	1 Tree / 30 Linear Feet	11 Trees	20 Trees	Y
•East	1 Tree / 30 Linear Feet	20 Trees	20 Trees	Y

SDR-36432 - Staff Report Page Five
December 3, 2009 - Planning Commission Meeting

TOTAL		147 Trees	243 Trees	Y
Min. Zone Width				
•North		15 Feet	19 Feet	Y
•West		15 Feet	22 Feet	Y
•South		8 Feet	75 Feet	Y
• East		8 Feet	6 Feet	N
Wall Height	6-8 Feet Adjacent to Residential Properties		6 Feet	Y

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	
Clinic	2,000 S.F.	1:200	10				
	30,700 S.F.	1:250	123				
SubTotal			128	5	347	16	
TOTAL			133		363		Y
Loading Spaces	32,700 S.F.		3		3		Y

Waivers		
Requirement	Request	Staff Recommendation
Buildings on corner lots shall be oriented to the corner and street fronts.	To allow the parking lot to be oriented to the corner and street fronts	Approval
An eight-foot perimeter landscape buffer	6 Feet	Approval
A five-foot landscape buffer between the back of curb and the sidewalk along Alexander Road and Rancho Drive.	Zero Feet	Approval

Exceptions		
Requirement	Request	Staff Recommendation
Seven Landscape Islands	To allow four landscape islands	Approval

SDR-36432 - Staff Report Page Six
December 3, 2009 - Planning Commission Meeting

ANALYSIS

The site complies with all Title 19 requirements with the exception of the building placement and required landscaping. Per Title 19.12, a perimeter landscape buffer of eight feet must be provided along all interior property lines. The site plan depicts a six-foot landscape buffer along the east property line, which is a two-foot deviation from standard.

Per Title 19.08, buildings on corner lots should be oriented to the corner and to the street fronts, and should make a strong tie to the building lines of each street unless the applicant can demonstrate by substantial and convincing evidence that to do so would be infeasible. Staff can support the requested Waiver request as the development will provide adequate landscaping and screening mechanisms to diminish the visual impact of the parking lot.

Per Title 19.12.040, sidewalks along arterial streets 100 feet and wider shall be separated from the back of street curb by a minimum of five feet of landscape buffer area. The landscape plan does not include a landscape buffer along Alexander Road and Rancho Drive, which is a five-foot deviation from standard. Staff can support the requested Waiver, as the proposed sidewalks are located at the back of curb to match the location of the sidewalks on adjacent properties.

The applicant is also requesting, as part of the review, an Exception to allow four parking lot landscape islands where seven landscape islands are required. The landscape plan indicates the use of plant material that are appropriate in size and type for the surrounding area, including 24-inch box Purple Desert Willow, Chitalpa, Raywood Ash, Alee Elm and Desert Museum Palo Verde trees.

The overall site is accessed from Alexander Road, designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways, and Rancho Drive, designated as a 125-foot Expressway by the Master Plan of Streets and Highway. The site provides adequate access and circulation for pedestrians and vehicles. Elevations for the proposed Clinic show a single story structure with a maximum height of 23 feet. The building consists of spandrel glass, aluminum flush and reveal panels, and aluminum composite wall panels. This building has varying rooflines and window heights to break up the silhouette of the structure.

Although the applicant is requesting Waivers and an Exception of the landscaping standards, the applicant has exceeded the minimum landscaping requirements with respect to overall tree and shrub count in an effort to compensate for the reduced buffer width and lack of landscaping islands; therefore staff can support the requested Waivers and Exception.

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 development is compatible with 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 General Plan and Title 19, with the exception of the requests for Waivers and an Exception of Title 19. These requests are minor in nature and will not negatively impact the surrounding land uses.

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

The site is accessed from Alexander Road, designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways, and Rancho Drive, designated as a 125-foot Expressway by the Master Plan of Streets and Highway. Both streets will provide adequate access to the site. Site access and circulation will not negatively impact adjacent roadways and neighborhood traffic.

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

The building materials are appropriate for the area and the city. Landscape materials are also appropriate for the area and 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 building elevations are not unsightly or obnoxious, and will be compatible with development in the area.

SDR-36432 - Staff Report Page Eight
December 3, 2009 - Planning Commission Meeting

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

The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 282

APPROVALS 0

PROTESTS 2