



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MAY 14, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: LONNIE WALSTON

** STAFF RECOMMENDATION **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-48148	Staff recommends DENIAL, subject to conditions:	N/A

** CONDITIONS **

SDR-48148 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the combined phase one site and landscape plan, floor plans, and building elevations date stamped 01/23/13 and the combined phase two site and landscape plan date stamped 04/10/13, except as amended by conditions herein.
3. A Waiver from 19.08.070 is hereby approved, to allow:
 - a. To allow an eight-foot wide landscape buffer along the north property line where a 15-foot wide landscape buffer is required.
 - b. To allow a zero-foot wide landscape buffer along a 66-foot portion of the south property line where an eight-foot wide landscape buffer is required.
 - c. To allow an eight-foot wide landscape buffer along the east and along a 52-foot portion of the west property line where a 15-foot wide landscape buffer is required.
4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

Conditions Page Two
May 14, 2013 - Planning Commission Meeting

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
7. A revised site plan for phase one shall be submitted to and approved by the Department of Planning Department, prior to the time application is made for a building permit, to reflect the changes herein:
 - a. An onsite trash enclosure shall be provided in conformance with Title 19.08.040(E)(4)(b) and 19.08.040(H)(4).
 - b. The handicapped accessible spaces shall be provided in accordance with the dimensional requirements listed in Title 19.08.110.
 - c. An onsite loading and delivery space shall be provided in accordance with Title 19.08.110(D).
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. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan covering both phase one and two:
 - a. One 24-inch box tree shall be planted for every six uncovered parking spaces within a landscape island having a minimum width of five feet and minimum length equal to the adjacent parking space or a seven-foot by seven foot landscape diamond, as required by Title 19.08.110(C)(12).
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.

Conditions Page Three
May 14, 2013 - Planning Commission Meeting

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

Public Works

12. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is request a Site Development Plan Review for a proposed 1,900 square-foot addition to an existing 9,471 square-foot General Retail, Other Than Listed building. The proposed addition is located at the north end of the building and will expand inline with the existing façade. The applicant has proposed two phases of development; the first phase consists of the construction of the proposed 1,900 square-foot building addition and the creation of additional surface parking in the northwest quarter of the subject site. In addition to the parking lot, the applicant has proposed eight-foot wide landscape planters to match the existing landscaping at the west property line along Martin L. King Boulevard where a 15-foot landscape buffer is required. The second phase of development consists only of additional surface parking with additional non-conforming landscape buffers proposed for the remaining north, east, and south property lines. Staff recommends denial of the proposed development, as it does not meet the Title 19.08 commercial landscaping requirements.

ISSUES

- A Parcel Map (PMP-46752) combining the two commercial lots has not been recorded.
- The proposed development has requested a waiver to the commercial landscape buffer requirement along all property lines and does not meet the intent of the West Las Vegas Plan to provide streetscape and median improvements.
- This request has been conditioned to provide revised plans showing the appropriate trash enclosure, commercial loading space, parking lot trees, and appropriate handicap space.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
09/19/12	The City Council approved the request for a Rezoning (ZON-45966) of 0.89 acres from the R-E (Residential Estates) zoning district to the C-1 (Limited Commercial) zoning district at the southeast corner of Martin L. King Boulevard and Madison Avenue. The Planning Commission and staff recommended approval.
09/05/12	The applicant submitted for a one-lot Parcel Map (PMP-46752) for 1.77 acres located at 1100 North Martin L. King Boulevard. The technical map review was approved on 01/30/13 and released for recordation on 02/05/13.

Staff Report Page Two
 May 14, 2013 - Planning Commission Meeting

Most Recent Change of Ownership	
08/17/79	A deed was recorded for a change in ownership (139-28-604-003)
12/15/06	A deed was recorded for a change in ownership (139-28-604-001)

Related Building Permits/Business Licenses	
09/10/12	The applicant submitted for a building permit (#46790), but was denied pending approval of required Site Development Plan Review and recordation of the one-lot parcel map.

Pre-Application Meeting	
01/09/13	A pre-application meeting was held with the applicant and his representatives to discuss the submittal requirements for a 1,900 square-foot addition to an existing commercial building. The applicant was informed that a Major Site Development Plan Review would be required along with multiple waiver requests for landscaping requirements.

Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Field Check	
01/31/13	Staff visited the site and found a well maintained commercial property with existing eight-foot wide landscape planters along Martin L. King Boulevard. The northern and the eastern half of the property is currently undeveloped.

Details of Application Request	
Site Area	
Net Acres	1.61

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	General Retail, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
North	General Retail, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
	Single Family, Detached		R-1 (Single Family Residential)

Staff Report Page Three
May 14, 2013 - Planning Commission Meeting

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
South	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
	Single Family, Detached		R-E (Residential Estates)
East	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family, Detached	R (Rural Density Residential)	R-E (Residential Estates)

<i>Master Plan Areas</i>	<i>Compliance</i>
West Las Vegas Plan	N
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.08.070, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	230 Feet	Y
Min. Setbacks			
• Front (Martin L. King)	10 Feet	66 Feet	Y
• Front (N Street)	10 Feet	97 Feet	Y
• Side	10 Feet	13 Feet	Y
Max. Lot Coverage	50 %	14 %	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Not Provided	N*
Mech. Equipment	Screened	Screened	Y

*A condition of approval has been added requiring revised plans showing the required trash enclosure.

Staff Report Page Four
May 14, 2013 - Planning Commission Meeting

Pursuant to Title 19.08.040, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Adjacent development matching setback	10 Feet	13 Feet	Y
Trash Enclosure	50 Feet	Not Provided	N*

*A condition of approval has been added requiring revised plans showing the required trash enclosure.

Pursuant to Title 19.08, 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>		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	10 Trees	4 Trees	N*
• South	1 Tree / 20 Linear Feet	5 Trees	2 Trees	N*
• East	1 Tree / 20 Linear Feet	9 Trees	9 Trees	Y*
• West	1 Tree / 20 Linear Feet	9 Trees	9 Trees	Y
TOTAL PERIMETER TREES		33 Trees	24 Trees	N*
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	17 Trees	6 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North		15 Feet	0 Feet	N
• South		8 Feet	0 Feet	N
• East		15 Feet	8 Feet	N
• West		15 Feet	8 Feet	N
Wall Height		6 Feet Adjacent to Residential	Existing	Y

*These portions of the landscaping requirements are proposed on the submitted "Site Plan Phase II."

<i>Street Name</i>	<i>Functional Classification of Streets</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Martin L King Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y
Madison Avenue	Local Road	N/A	60	Y
N Street	Local Road	N/A	60	Y

Staff Report Page Five
May 14, 2013 - Planning Commission Meeting

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail, Other Than Listed	9,471 SF	1: 175 SF					
TOTAL SPACES REQUIRED			55		59		
Regular and Handicap Spaces Required			52	3	56	3	Y
Loading Spaces	9,471 SF	1:10,000 SF	1		0		N*

* A condition of approval has been added requiring revised plans showing the required commercial loading space.

Waivers		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
A 15-foot wide landscape buffer is required along Madison Avenue.	To allow a zero-foot wide landscape buffer along a 116-foot portion and an eight-foot wide landscape buffer along a 102-foot portion of the north property line.	Denial
An eight-foot landscape buffer is required along the south property line.	To allow a zero-foot wide landscape buffer along a 66-foot portion of the south property line.	Denial
A 15-foot wide landscape buffer is required along N Street.	To allow an eight-foot wide landscape buffer along the east.	Denial
A 15-foot wide landscape buffer is required along Martin L. King Boulevard.	To allow an eight-foot wide landscape buffer along a 52-foot portion of the west property line.	Denial

ANALYSIS

This is a request for a Site Development Plan Review for a proposed 1,900 square-foot addition to an existing 7,571 square-foot commercial building on 1.61 acres of C-1(Limited Commercial) zoned property located in the West Las Vegas Plan area. The proposed addition will provide two 950 square-foot commercial suites, oriented towards Martin L. King Boulevard, and will be architecturally treated to appear as a seamless addition to the existing commercial building.

Staff Report Page Six
May 14, 2013 - Planning Commission Meeting

The proposed development is in conformance with the Title 19.08.040 Residential Adjacency Standards, as the 13-foot rear setback is greater than the required 10-foot side yard setback for the adjacent protected residential property. Also, the proposed addition meets the setback, height, and lot coverage requirements for the C-1 (Limited Commercial) zoning district.

The on-site parking is more than sufficient to meet the minimum number of spaces required by Title 19.12; however, a condition requiring a revised site plan be submitted at the time of building permits providing for the correct handicap space design, a required commercial loading space, and the required amount of parking lot landscaping.

The proposed development is accompanied with a waiver of the Title 19.08.070 Landscape Buffers standards to allow an eight-foot wide landscape buffer along the north property line, an eight-foot wide landscape buffer along the east and west property line where a minimum 15-foot wide buffer is required, and a zero-foot wide landscape buffer along a portion of the south property line where an eight-foot landscape buffer is required. The requested waiver is not necessary, as an alternative landscape design that utilizes the space dedicated to an oversupply of parking would meet the minimum requirements of Title 19.08 to provide a buffer to the neighboring residential development to the east. Also, the requested waiver to the required landscape buffer requirement demonstrates a deficient landscape design that does not “Improve the physical character and enhance the visual image of West Las Vegas through streetscape improvements”, as recommended by Action Item #15 in the West Las Vegas Plan.

Staff recommends denial of the requested waiver and the proposed Site Development Plan Review, as the proposed development does not provide a site plan that is harmonious and contextually sensitive to the neighboring residential neighborhood to the east.

FINDINGS (SDR-48148)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

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

The proposed Site Development Plan Review is not fully compatible with the adjacent development, as the applicant has provided deficient landscaping or screening to mitigate the development’s impact to the single family, detached uses located to the east.

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 expansion aesthetically matches the existing commercial storefront; however, the proposed site improvement do not conform to the C-1 (Limited Commercial) zoning district development standards, as demonstrated by the requested waiver to the required perimeter landscape requirements.

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

Site access is currently provided solely from Martin L. King Boulevard, which is adequate for the proposed 1,900 square feet of additional retail floor space. The submitted phase plan II shows that the site will be accessed in the future from a single curb cut on Madison and two curb cuts on N Street where no such access currently exists. There will be a traffic increase with the location of the parking lot on the east side of the property, adjacent to the residential neighborhood to the east.

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

The building materials area specified to seamlessly match the existing retail storefront. The applicant proposes to match the existing eight-foot wide landscape buffer where a 15-foot wide landscape buffer is required along Martin Luther King Boulevard. The second phase plan shows an eight-foot wide landscape buffer that continues 102 feet from the west property line and follows the east property line all the way to the south. The applicant has requested a waiver to allow the eight-foot wide landscape buffer where a 15-foot wide landscape buffer is required adjacent to the rights-of-way, which staff recommends denial of.

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 façade for the proposed expansion is designed to seamlessly match the existing retail storefront in material finish and color. The addition features architectural treatments on all visible sides and creates an orderly and aesthetically pleasing environment. The proposed landscape plan does not provide adequate aesthetic screening to the residential neighborhood to the east or provide an improvement to the physical character of the sidewalks along Martin L. King Boulevard, Madison Avenue, or “N” Street.

**Staff Report Page Eight
May 14, 2013 - Planning Commission Meeting**

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

The proposed 1,900 square-foot addition of retail space will not compromise the public health or general welfare, as the proposed development will be subject to building permit inspection and business licensing regulations.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 203

APPROVALS 2

PROTESTS 1