



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: LV ASSET HOLDINGS, LTD. - OWNER: HUGH H. TOLOUI

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-56167	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

SDR-56167 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 site plan, landscape plan, and building elevations, date stamped 10/07/14, except as amended by conditions herein.
3. A Waiver from Title 19.08.080 is hereby approved, to allow a zero-foot landscape buffer along the east property line where eight feet is required and zero-foot landscape buffer along the west property line where 15 feet 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.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

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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. Installed landscaping shall not impede visibility of any traffic control device.
7. 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.
8. Prior to or at the time of submittal for any building permit, the applicant shall provide written verification by the FAA and/or the Clark County Department of Aviation of the following: Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Clark County Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Clark County Department of Aviation.
9. No Building Permit or other construction permit shall be issued for any structure greater than 35 feet above the surface of land that, based upon the FAA's 7460 airspace determination (the outcome of filing the FAA Form 7460-1) would (a) constitute a hazard to air navigation, (b) would result in an increase to minimum flight altitudes during any phase of flight (unless approved by the Department of Aviation), or (c) would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.
10. Applicant is advised that FAA's airspace determinations are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments.
11. Applicant is advised that the FAA's airspace determinations include expiration dates and that the separate airspace determinations will be needed for construction cranes or other temporary equipment.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. In accordance with code requirements of Title 13.56, remove all unused driveways and substandard street improvements and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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14. Landscape and maintain all unimproved rights-of-way adjacent to this site. All landscaping and private improvements 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 and abutting street intersections.
15. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
16. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "City of Las Vegas Sewer Rehabilitation Group N" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
18. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements, if any, in the Cheyenne Avenue public right-of-way.
19. 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. This site is within a FEMA designated Flood Zone A.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed Car Wash, Full Service or Auto Detailing use totaling 6,100 square feet on 1.36 acres at the northeast corner of Cheyenne Avenue and Joann Way. The applicant has requested Waivers to allow a zero-foot landscape buffer along the east property line where eight feet is required and zero-foot landscape buffer along the west property line where 15 feet is required. The applicant has also proposed to create a new ingress/egress onto Joann Way, which is adjacent to existing multi-family residential uses. Staff has determined the proposed landscaping Waivers and new ingress/egress onto the adjacent residential street will have a negative impact to the surrounding residential development to the west. Therefore, staff is recommends denial of this project.

ISSUES

- A Waiver of Title 19.08.070 landscaping requirements have been requested to allow a zero-foot landscape buffer along the east property line where eight feet is required, staff does not support this Waiver.
- A Waiver of Title 19.08.070 landscaping requirements have been requested to allow zero-foot landscape buffer along the west property line where 15 feet is required, staff does not support this Waiver.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
04/28/64	The City Planning Commission approved a request for Annexation (A-0002-64) of property generally located east of Tonopah Highway, south of Craig Road and west of Decatur Boulevard.
10/07/97	The Board of Zoning Adjustment denied a request for a Variance (V-0084-97) to allow a second freestanding sign of 60 square feet in conjunction with a proposed fast food restaurant where only one freestanding sign is allowed on property located on the northwest corner of Cheyenne Ave and Rancho Drive.
10/08/97	The Planning Department administratively approved a request for a Site Development Plan Review (SD-0019-97) to allow a proposed 2,478 square-foot fast food restaurant with drive- thru on property located on the west side of Rancho Drive approximately 300 feet north of Cheyenne Ave.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
04/12/99	The City Council approved a request for a Special Use Permit (U-0009-99) for the sale of packaged liquor for off-premise consumption in conjunction with a proposed supermarket on this site. The Planning Commission recommended approval of the request.
06/07/00	The City Council approved an Extension of Time [U-0009-99(1)] of an approved Special Use Permit (U-0009-99) for the sale of packaged liquor for off-premise consumption in conjunction with a proposed supermarket on the northeast corner of the intersection of Cheyenne Avenue and Joann Way.
02/14/02	The Planning Commission denied a Site Development Plan Review (SD-0079-01) for a proposed 4,050 square-foot Used Motor Vehicle Dealership on 1.36 acres, located adjacent to the northeast corner of Cheyenne Avenue and Joann Way.
03/20/02	The City Council approved a request for a Special Use Permit (U-0159-01) for Used Motor Vehicle Sales located adjacent to the northeast corner of Cheyenne Avenue and Joann Way. The Planning Commission recommended denial of the request 02/14/02
04/17/02	The City Council approved the Site Development Plan Review (SD-0079-01) for a proposed 4,050 square-foot Used Motor Vehicle Dealership on 1.36 acres, located adjacent to the northeast corner of Cheyenne Avenue and Joann Way. The Planning Commission recommended denial of the request 02/14/02
09/13/07	The Planning Commission approved a request for a Site Development Plan Review (SDR-23554) for a proposed 11,000 square-foot retail development with waivers to allow no landscape buffer along the north and east property line where eight feet is required and to allow a ten-foot landscape buffer along the west property line where 15 feet is required on 1.36 acres at the northeast corner of Joann Way and Cheyenne Avenue. Staff recommended approval of the request.

<i>Most Recent Change of Ownership</i>	
05/17/05	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
06/02/04	A code enforcement case (#15879) was opened on the site as it is being used as a dumping ground. The case was resolved on 06/09/04.
08/01/06	A code enforcement case (#45065) was opened to check for weeds, trash and debris. The case was resolved on 08/29/06.

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<i>Pre-Application Meeting</i>	
09/18/14	Staff met with the applicant to review the requirements submittal procedures for a Site Development Plan Review for a proposed 6,100 square-foot Car Wash, Full Service or Auto Detailing use with waivers of the required landscape buffer widths.

<i>Neighborhood Meeting</i>
A neighborhood meeting is not required, nor was one held.

<i>Field Check</i>	
10/07/14	During a routine site inspection staff noticed the subject site has the site also has overgrown weeds growing and debris scattered throughout the property.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.36

<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>
Subject Property	Undeveloped	GC (General Commercial)	C-2 (General Commercial)
North	Auto Repair Garage, Major	GC (General Commercial)	C-2 (General Commercial)
South	General Retail/Auto Repair Garage, Minor	SC (Service Commercial)	C-2 (General Commercial)
	Car Wash	SC (Service Commercial)	C-1 (Limited Commercial)
East	Restaurants	GC (General Commercial)	C-2 (General Commercial)
West	Multi-Family Residential	M (Medium Density Residential)	R-4 (High Density Residential)

<i>Master Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A

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<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (35 Feet and 70 Feet)	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	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 Width	100 Feet	265 Feet	Y
Min. Setbacks			
• Front	10 Feet	10 Feet	Y
• Side	10 Feet	48 Feet	Y
• Corner	10 Feet	72 Feet	Y
• Rear	10 Feet	215 Feet	Y
Max. Lot Coverage	50 %	11 %	Y
Max. Building Height	N/A	28 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

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 / 30 Linear Feet	4 Trees	5 Trees	Y
• South	1 Tree / 20 Linear Feet	13 Trees	14 Trees	Y
• East	1 Tree / 30 Linear Feet	11 Trees	0 Trees	N*
• West	1 Tree / 20 Linear Feet	11 Trees	0 Trees	N*
TOTAL PERIMETER TREES		39 Trees	19 Trees	N*
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	2 Trees	3 Trees	Y

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Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		8 Feet	Y
• South	15 Feet		15 Feet	Y
• East	8 Feet		0 Feet	N*
• West	15 Feet		0 Feet	N*
Wall Height	6 to 8 Feet Adjacent to Residential		Not Indicated	Not adjacent to Residential

The applicant has requested Waivers to allow a zero-foot landscape buffer along the east property line where eight feet is required and zero-foot landscape buffer along the west property line where 15 feet is required.

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Cheyenne Avenue	Expressway	Master Plan of Streets & Highways	100 Feet	N
Joann Way	Local Street	Master Plan of Streets & Highways	50 Feet	Y

Pursuant to Title 19.08 and 19.12, 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	
Car Wash, Full Service	6,100 SF (1,600 SF Independent of Vehicle Stacking)	1:150 SF Independent Of Vehicle Stacking	11				
TOTAL SPACES REQUIRED			11		25		Y
Regular and Handicap Spaces Required			10	1	23	2	Y

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<i>Waivers</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
An eight-foot landscape buffer is required along all interior lot lines	To allow a zero-foot landscaping buffer adjacent to eastern property line	Denial
A 15-foot landscape buffer is required adjacent to the right-of-way	To allow a zero-foot landscaping buffer adjacent to western property line adjacent to Joann Way	Denial

ANALYSIS

The subject site is located in a C-2 (General Commercial) zoning district, which allows for retail and commercial uses of an intense character. The applicant has proposed to develop the site with a Full Service Car Wash use totaling 6,100 square feet on 1.36 acres at the northeast corner of Cheyenne Avenue and Joann Way.

The proposed site design complies with all applicable Title 19.08.070 site design requirements pertaining to building setbacks, which requires a 10-foot distance separation from the front, side and corner property lines and a 20-foot distance separation from the rear property line. The proposed building will cover approximately 11% of the 1.36 acres site, which is below the 50% lot coverage maximum allowed by code. The proposed building is 28 feet in height measured to the top of the parapet. The submitted building elevations indicate the building façades will have dark beige and light beige stucco finish, purple and yellow trim and decorative stone stacked veneer accents.

The site will provide 25 total parking spaces with two handicapped parking spaces, which exceeds the 11 spaces required by Title 19.12.010 for a Car Wash, Full Service or Auto Detailing use land use. The parking area also provides 11 additional parking spaces adjacent to the east property line, which would require cars to back-out onto the adjacent parcels to the east which share a 35-foot ingress/egress easement with the subject property created by Parcel Map File 89, Page 85. Since these 11 spaces do not function completely on the subject property they do not to comply with Title 19.08 standards and were not added to the overall parking calculation. The applicant has also proposed to create a new ingress/egress onto Joann Way, which is adjacent to existing multi-family residential uses.

The applicant has requested Waivers to allow a zero-foot landscape buffer along the east property line where eight feet is required and zero-foot landscape buffer along the west property line where 15 feet is required. The eastern property line of the subject parcel abuts the property

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line of the two commercial lots located to the east. All three parcels were created by Parcel Map File 89, Page 85 and share a common 35-foot ingress/egress easement, which is located on the eastern perimeter of the subject site. There is also an existing 70-foot drainage easement that runs along the western perimeter of the subject parcel, which will prevent the installation of landscaping adjacent to the western perimeter of the property.

Staff has determined the proposed landscaping Waivers and new ingress/egress onto the adjacent residential street; will create a cut through lane for additional traffic onto the residential street with no visual mitigation causing a negative impact to the surrounding commercial and residential development. Therefore, staff is recommends denial of this project.

FINDINGS (SDR-56167)

In order to approve a Site Development Plan Review 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;

Staff has determined the proposed landscaping Waivers and new ingress/egress onto the adjacent residential street Joann Way; is not compatible and will have a negative impact to the surrounding commercial and residential 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 commercial development is consistent with the General Plan and complies with all Title 19 development standards; with the exception of the requested Waivers to allow a zero-foot landscape buffer along the east property line where eight feet is required and zero-foot landscape buffer along the west property line where 15 feet is required. Staff has determined the proposed landscaping Waivers are not compatible and with the surrounding commercial and residential development in the area.

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

The applicant has proposed access to the site from Cheyenne Avenue, which is classified by the City of Las Vegas Master Plan of Streets and Highways, as a 150-foot Expressway and Joann Way a 50-foot Local Street. Staff has determined the proposed new ingress/egress onto the adjacent residential street Joann Way will have a negative impact to the surrounding residential development in the area.

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

The project design and style are appropriate for the subject location and will be harmonious with buildings in the surrounding area. The submitted building elevations indicate the building façades will have dark beige and light beige stucco finish, purple and yellow trim and decorative stone stacked veneer accents. The primary tree species utilized for landscaping are the 24” box Chilean Mesquite and 24” box Mediterranean Fan Palms, which are consistent with the Southern Nevada Regional Plan Coalition Regional Plant List.

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 design characteristics of the proposed building elevations are not unsightly and are compatible with development in the area. The proposed materials are suitable for the surrounding commercial and residential uses and the desert environment.

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

The proposed commercial development will be subject to inspections in order to protect the public health, safety and general welfare by City staff.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 115

APPROVALS 0

PROTESTS 0