



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: SEPTEMBER 13, 2016

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: BOOS DEVELOPMENT GROUP, INC. -

OWNER: NEVADA STATE BANK

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
GPA-64838	Staff recommends APPROVAL.	
ZON-64839	Staff recommends APPROVAL.	GPA-64838
SUP-65273	Staff recommends APPROVAL, subject to conditions:	GPA-64838 ZON-64839
SDR-65272	Staff recommends APPROVAL, subject to conditions:	GPA-64838 ZON-64839 SUP-65273
TMP-65348	Staff recommends APPROVAL, subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

34

NOTICES MAILED 437 – GPA-64838 and ZON-64839

437 – SUP-65273 and SDR-65272

437 – TMP-65348

APPROVALS 2 – GPA-64838 and ZON-64839

2 – SUP-65273 and SDR-65272

2 – TMP-65348

PROTESTS 289 – GPA-64838 and ZON-64839

236 – SUP-65273 and SDR-65272

238 – TMP-65348

**** CONDITIONS ****

SUP-65273 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Auto Repair Garage, Minor use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-64886) shall be required.
3. All repair and service work shall be performed within a completely enclosed building.
4. All disabled vehicles shall be stored on a concrete or asphalt surface in an area which is screened from view from the surrounding properties and adjoining streets, pursuant to LVMC 19.08.040. Vehicles shall not be stored on the property longer than 45 days.
5. 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.
6. 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.
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-65272 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-65273) shall be required, if approved.

Conditions Page Two

September 13, 2016 - Planning Commission Meeting

2. 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.
3. All development shall be in conformance with the site plan and landscape plan date stamped August 24, 2016; and building elevations date stamped July 18, 2016 and August 24, 2016, except as amended by conditions herein.
4. A Waiver from Title 19.08 is hereby approved, to allow service bay doors to face the public right-of-way where such is not allowed.
5. A Waiver from Title 19.08 is hereby approved, to not orient the building to the corner where such is required.
6. All trash enclosures shall be constructed in accordance with Title 19.08.
7. All mechanical and electrical equipment shall be screened in accordance with Title 19.08.
8. 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.
9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
10. 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.
11. 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.
12. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Dedicate the area necessary for a dedicated right turn lane/bus turnout meeting the intent of Standard Drawing 234.4 on Cheyenne Avenue into this site prior to the approval of construction documents for this site or concurrent with the recordation of a Map for this site, whichever may occur first. Additionally grant a 5-foot Pedestrian Access Easement along Cheyenne Avenue prior to the issuance of permits for this site.
15. Construct all incomplete half-street improvements on Cheyenne Avenue and Fort Apache Road adjacent to this site meeting Complete Street standards concurrent with development of this site. Additionally, reconstruct the raised median island, as approved by the City Traffic Engineer, in Fort Apache Road concurrent with on-site development activities. 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.
16. The Developer of this site shall construct median island improvements on Fort Apache Road to prohibit lefts out at the northern driveway onto Fort Apache Road. Median island geometric design shall be approved by the Traffic Engineering Section of the Department of Public Works.
17. Landscape and maintain all unimproved rights-of-way on Cheyenne Avenue and Fort Apache Road adjacent to this site. 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 and abutting street intersections.
18. Submit an Encroachment Agreement for landscaping and private improvements in the Cheyenne Avenue and Fort Apache Road public rights-of-way, if any, prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the Encroachment Agreement. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (229-4836).
19. 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this 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 rights of way 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 on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. 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.

20. 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 recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainage ways 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.

TMP-65348 CONDITIONS

Planning

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
2. 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.
3. The Final Map shall contain a note granting perpetual common access and parking across the entire subdivision.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Dedicate the area necessary for a dedicated right turn lane/bus turnout meeting the intent of Standard Drawing 234.4 on Cheyenne Avenue into this site with the recordation of a Final Map for this site. Additionally grant a 5-foot Pedestrian Access Easement along Cheyenne Avenue on the Final Map for this site.
6. Construct all incomplete half-street improvements on Cheyenne Avenue and Fort Apache Road adjacent to this site meeting Complete Street standards concurrent with development of this site. Additionally, reconstruct the raised median island, as approved by the City Traffic Engineer, in Fort Apache Road concurrent with on-site development activities. 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.
7. Per Title 19.16.060.W.1, provide a note on the Final Map that states "All parcels created through this map shall have perpetual unobstructed access to all driveways servicing the overall subdivision unless incompatible uses can be demonstrated to the satisfaction of the City Engineer."
8. The onsite sewer shall be private and per Title 19.16.060.W. 2, sewer service for this commercial subdivision shall be shown in accordance with one of the following two alternatives, and the appropriate note shall appear on the face of the recorded Final Map:
 - I. On-site sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - II. On-site sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
9. Per Title 19.16.060.W.3, provide a note on the Final Map that states "All subdivided lots within this Final Map shall provide perpetual inter-lot drainage rights across all existing and future parcel limits."
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map for this site. Provide and improve all drainage ways 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. The Drainage Study required by SDR-65272 may be used to satisfy this condition.
11. Prior to the recordation of the Final Map, all requirements must be complied with or such future compliance must be guaranteed by an approved performance security method(s) in accordance with Unified Development Code sections 19.02.130.C and 19.02.130.E.

12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No additional deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting to amend the General Plan designation and rezone an undeveloped 2.17 acre lot on the northwest corner of Cheyenne Avenue and Fort Apache Road in order to develop a one-lot commercial subdivision. The proposed development includes an 8,580 square-foot General Retail Store, Other Than Listed, a 2,418 square-foot Restaurant with Drive Through, and a 3,115 square-foot Auto Repair Garage, Minor.

ISSUES

- A Special Use Permit is required for an Auto Repair Garage, Minor in the C-1 (Limited Commercial) zone.
- A Waiver is required to allow the service bays to face the public right-of-way where such is not allowed.
- A Waiver is required to allow the buildings on corner lots to not be oriented to the corner and to the street fronts where such is required.

ANALYSIS

The subject site is located in the Northwest Sector of the General Plan and has a current General Plan designation of O (Office). The applicant has requested to amend this designation to SC (Service Commercial). In addition, the applicant is requesting to rezone the subject site from O (Office) to C-1 (Limited Commercial). The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The Service Commercial category may also allow mixed-use development with a residential component where appropriate. The proposed Service Commercial General Plan designation is compatible with the existing Multi-Family Residential land use to the west, and the existing Office, Other Than Listed land use to the north.

Due to the location of the subject property at the intersection of two Primary Arterials as well as the proximity of other properties that are zoned C-1 (Limited Commercial), staff finds the requested General Plan Amendment and rezoning to be appropriate and compatible with the surrounding area and is recommending approval of both applications. If denied, the subject site will maintain the O (Office) General Plan Designation and O (Office) zoning designation and the proposed commercial development will not be permitted.

Staff Report Page Two

September 13, 2016 - Planning Commission Meeting

In addition to the General Plan Amendment and the Rezoning requests, the applicant has proposed to develop a one-lot commercial subdivision which will consist of an 8,580 square-foot General Retail Store, Other than Listed, a 2,418 square-foot Restaurant with Drive Through and a 3,115 square-foot Auto Repair Garage, Minor. The proposed location of the Auto Repair Garage, Minor, requires a Waiver to allow the service bays to face the public right-of-way; with the proposed location of the Restaurant with Drive Through also requiring a Waiver, as buildings on corner lots are required to be oriented to the corner and to the street fronts, and to make a strong tie with the building lines of each street frontage. The applicant revised the site plan to re-orient the Auto Repair Garage, Minor building to face north and south, which eliminated the visual impact of the service bay doors for Fort Apache Road, and allows for parking lot landscaping to adequately screen the service bay doors from Cheyenne Avenue. With the subject site being a corner lot adjacent to two, 100-foot primary arterials, staff finds this revised site plan adequately screens the service bay doors and is supporting the Waiver request. In regards to the Restaurant with Drive Through, the applicant addressed the concerns of the area residents and revised the site plan to aid the flow of traffic from the adjacent right-of-way through the site in a manner that follows the natural flow of traffic from the adjacent right-of-ways. Staff supports the revised site plan in an effort to ease traffic flow, and is recommending approval of this Waiver request as well. Staff finds the proposed one-lot commercial subdivision and associated proposed land uses to be appropriate and compatible with the existing surrounding land uses, and is recommending approval of all associated applications.

The requested Special Use Permit is required by Title 19.12 to allow for an Auto Repair Garage, Minor use within a C-1 (Limited Commercial) zoning district. Title 19 defines an Auto Repair Garage, Minor as:

“A facility for the performance of minor repairs and service on vehicles of 10,000 pounds gross vehicle weight or less. Such repairs and service are limited to electronic tune ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front end alignments, battery recharging, lubrication, selling/installing minor parts and accessories, and other similar activities. The term also includes the repair and installation of other minor elements of an automobile such as windshield wipers, hoses, windows, etc., but excludes general engine repairs, engine installation, and the repair and installation of transmissions and differentials.”

Staff supports the proposed Auto Repair Garage, Minor land use, and the associated Waiver request to allow for the service bays to face the public right-of-way and is recommending approval of this request. The applicant has revised the site plan by orienting the subject building north and south, which eliminated the visual impact of the service bays on Fort Apache Road. Orienting the building north and south allows for parking lot landscaping to screen the service bays from Cheyenne Avenue. For these reasons, staff is recommending approval of the Special Use Permit with Waiver.

Building elevations proposed for the General Retail building demonstrates typical retail lease space potentially accommodating up to seven different small businesses or as few as one large tenant. The number of tenants will be determined as leasable space is acquired by future tenants, with the interior tenant improvements being completed as the space is leased. The exterior finish of the building includes a stucco finish with stone veneer accents.

The proposed Restaurant with Drive Through building elevations demonstrate a typically “fast-food” type restaurant model with decorative metal canopies and stone veneer accented facades. The building placement did not meet the minimum requirements set forth by Title 19.08 requiring the building to be oriented to the corner. A Waiver has been requested to waive this requirement to allow for the drive through lane to circulate around the building. During the neighborhood meeting, area residents expressed concern in regards to the additional traffic a drive through restaurant will bring to the intersection. In response to these concerns, the applicant revised the site plan to allow for traffic to make the right hand turn from Cheyenne Avenue and easily enter the drive through lane. The drive through lane continues around the building and allows for traffic to easily exit onto Fort Apache Road, make a right hand turn, and continue onto Cheyenne Avenue with the aid of a traffic light. This new configuration allows for traffic to circulate through the site efficiently and staff is supporting the Waiver request to allow for the building to not be oriented to the corner.

Signage that has been depicted on the elevations is not part of this review and will be reviewed separately during the sign permit application process.

The proposed tentative map demonstrates a one-lot commercial subdivision that allows for shared parking among the proposed building structures and associated land uses within the subject site. Staff recommends approval of this request. Public Works noted that the north/south cross section shows a slope less than 2% and no retaining walls are proposed. The east/west cross section shows an average slope greater than 2% and a maximum 4-foot retaining wall is shown on the east property line.

FINDINGS (GPA-64838)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

The proposed SC (Service Commercial) General Plan designation is compatible with the existing O (Office) General Plan designation to the north and the MLA (Medium Low Attached Residential Density) General Plan designation to the west.

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

The proposed SC (Service Commercial) General Plan designation allows for the P-O (Professional Office), O (Office), and C-1 (Limited Commercial) zoning districts. All of which are compatible with the existing adjacent land uses and zoning districts.

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

The surrounding area is completely developed with all infrastructure and utilities in place. In addition, both Cheyenne Avenue and Fort Apache Road are designated as 100-foot Primary Arterials by the Master Plan of Streets and Highways and are adequate in size to provide sufficient access to the subject site.

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

As part of the Centennial Hills Sector Plan Area, these applications support the goals of the Centennial Hills Sector Land Use Plan by encouraging the use of vacant land adjacent to developed land in order to efficiently use infrastructure and protect undeveloped land or spaces from premature development.

FINDINGS (ZON-64839)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

With approval of the proposed General Plan Amendment to the SC (Service Commercial) designation, the proposed rezoning of the subject site to C-1 (Limited Commercial) would conform to the City's General Plan.

2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The C-1 (Limited Commercial) zoning district is intended for the periphery of residential neighborhoods and for intersections of primary and secondary thoroughfares. Rezoning the subject site to C-1 (Limited Commercial) would allow for retail shopping, restaurants and personal services, which would be compatible with the surrounding land uses and zoning districts.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

The undeveloped property is appropriate for commercial development, as it is surrounded by Multi-Family Residences, Offices, and other commercial uses such as Restaurants and General Retail.

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

The subject site is located on the northwest corner of Cheyenne Avenue and Fort Apache Road. Both thoroughfares are designated as 100-foot Primary Arterials by the Master Plan of Streets and Highways and are adequate in size to provide sufficient access to the subject site.

FINDINGS (SUP-65273)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

Dependent upon the approval of the proposed General Plan Amendment and Rezoning applications, the proposed General Retail Store, Other Than Listed and Restaurant with Drive Through would be in conformance with the Las Vegas 2020 Master Plan if approved, and would be compatible with the existing Office use to the north and the existing Multi-Family Residential to the west.

2. The subject site is physically suitable for the type and intensity of land use proposed.

The subject site is a proposed one-lot commercial subdivision that will include a General Retail Store, Other than Listed; a Restaurant with Drive Through; and an Auto Repair Garage, Minor. The site is approximately 2.17 acres, and allows for adequate parking and site circulation and access.

3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.

This site has direct access from Cheyenne Avenue and Fort Apache Road which are both 100-foot wide primary arterial streets. Arterial roads are designed to handle the traffic generated by commercial establishments such as the proposed Restaurant with Drive Through.

4.Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

The proposed general plan designation of SC (Service Commercial) supports the requested Rezoning from O (Office) to C-1 (Limited Commercial). An Auto Repair Garage, Minor requires a Special Use Permit in the C-1 (Limited Commercial) zoning district. Staff has recommended approval of the requested Special Use Permit with Waiver as the revised site plan mitigates the visual impact of the service bay doors for both Fort Apache Road and Cheyenne Avenue.

5.The use meets all of the applicable conditions per Title 19.12.

The requested Auto Repair Garage, Minor land use requires a Special Use Permit in order to operate within the C-1 (Limited Commercial) zoning district. While there are no Minimum Special Use Permit Requirements in Title 19.12 for the proposed land use, the structure does not meet the minimum design requirements set forth by Title 19.08 and requires a Waiver to allow the service bay doors to face the public right-of-way. The applicant has revised the site plan to mitigate the visual impacts of the service bay doors to the both adjacent right-of-ways. For this reason, staff has recommended approval of the Special Use Permit with Waiver.

FINDINGS (SDR-65272)

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;

The proposed commercial development is located on the northwest corner of Cheyenne Avenue and Fort Apache Road, adjacent to two, 100-foot Primary Arterials. In addition the subject site is adjacent to an existing Office development to the north, and a Multi-Family Residential development (Condominiums) to the west. The existing Office development and Multi-Family Residential provide adequate buffering to the existing detached single family residences in the area and is compatible with adjacent 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;

If approved, the proposed development will be consistent with the proposed General Plan Amendment of SC (Service Commercial). In addition, the proposed development has met all minimum development standards set forth by Title 19 for landscape buffers, parking requirements, and building setbacks. The proposed project did not meet the requirements for buildings on corner lots to be oriented to the corner, and for service bays to not face the public right-of-way, and a Waiver has been requested for each requirement. Staff supports these Waiver requests and is recommending approval of all applications.

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

This site has direct access from Cheyenne Avenue and Fort Apache Road which are both 100-foot wide primary arterial streets. Arterial roads are designed to handle the traffic generated by commercial establishments such as the proposed one-lot commercial subdivision.

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

Stucco with stone veneers has been proposed for the building finishes, with Mexican Palo Verde trees and Yellow Rabbit Brush shrubs being proposed for landscape materials. All of which are commonly used building and landscape materials here in the City, and are appropriate for a desert climate.

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 obnoxious or unsightly, and the revised site plan provides an orderly and aesthetically pleasing environment. The proposed one-lot commercial subdivision is compatible with development in the area.

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

The proposed commercial development will be subject to plan check reviews during the building permit review process, and physical site inspections during the construction phase of the proposed project. Additionally, the proposed land uses are also subject to periodic reviews and inspections by the Business Licensing division of Planning and the Clark County Health District.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/19/04	The City Council approved a request to amend a portion of the Centennial Hills Inter local Land Use Plan of the General Plan from ML (Medium-Low Density Residential) to O (Office) on 3.88 acres adjacent to the northwest corner of Cheyenne Avenue and Fort Apache Road. Staff and the Planning Commission recommended approval.
	The City Council approved a request for a Rezoning from U (Undeveloped) [ML (Medium Low Density Residential) General Plan Designation] to O (Office) on 3.00 acres adjacent to the northwest corner of Cheyenne Avenue and Fort Apache Road. Staff and the Planning Commission recommended approval.
10/06/04	The City Council approved a Petition to Vacate U.S. Government Patent Reservations generally located north of Cheyenne Avenue, west of Fort Apache Road. Staff and the Planning Commission recommended approval.
07/12/16	Due to a notification error this item was not acted upon as a part of the 07/12/16 Planning Commission meeting and has been scheduled for the 08/09/16 Planning Commission meeting date.
08/09/16	The Planning Commission voted (7-0) to hold GPA-64838, ZON-64839, SUP-65273, SDR-65272 and TMP-65348 in abeyance to the 09/13/16 Planning Commission meeting at the request of the applicant.

<i>Most Recent Change of Ownership</i>	
08/10/04	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
There are no related building permits or business licenses for the subject site.	

<i>Pre-Application Meeting</i>	
05/25/16	Staff conducted a pre-application conference where the submittal requirements for a General Plan Amendment and Rezoning were discussed via email and telephone.
06/21/16	Staff conducted a pre-application conference where the submittal requirements for a Special Use Permit, Site Development Plan Review, and a Tentative Map were discussed.

<i>Neighborhood Meeting</i>	
07/07/16	A neighborhood meeting was held on July 7, 2016 at 6:00 p.m. at the Rainbow Library located at 3150 North Buffalo Drive. Meeting Start Time: 6:10 p.m. Meeting End Time: 7:30 p.m. Attendance: 5 Representatives for the Applicant/Owner 1 Representative from the Planning Department 1 Representative from Councilman Stavros Anthony's Office (Ward 4) Approximately 47 Members of the public (neighbors) were in attendance. The applicant and their representatives presented some conceptual drawings that included a site plan that demonstrated a restaurant with drive-through (Del Taco), a retail building (tenant unknown at this time), and a minor auto repair service (Jiffy Lube) to be built on the subject site. Jiffy Lube and Del Taco have signed leases pending approval of these applications, and the applicant is currently searching for a single, national chain to lease the entire retail building. The applicant indicated they are not looking to lease to a Tavern or Tattoo type business. The applicant and their representatives also informed the neighbors that they have requested an abeyance of the General Plan Amendment and the Rezoning application to allow for the Site Development Plan Review and the Special Use Permit applications to be heard all at once as one development proposal. They informed the neighbors that are anticipating presenting everything together to the Planning Commission on September 13, 2016. Concerns: • The neighbors do not want the General Plan designation or the zoning to change. The neighbors feel that once the zoning is changed, Special Use Permits are easy to get and any type of land use would be able to occupy the proposed retail building. • Are afraid homeless will hide behind the retail building and "hop" the wall to the adjacent residential units to the west. • Concerned with the noise associated with having a 24-hour drive-through restaurant. • They are also concerned about lighting, and the lighting disturbing them during the night. • The neighbors expressed concern over increased traffic on Cheyenne Avenue and Fort Apache Road, as well as garbage trucks and delivery trucks during early morning hours.

<i>Neighborhood Meeting</i>	
	• There was concern expressed about the current status of traffic along both Cheyenne Avenue and Fort Apache in regards to excessive speeding and u-turns. • Concern was also raised about property values. The neighbors feel this development would reduce their property values, and do not want these proposed businesses in their neighborhood. These type of services are already available to them just down the road. • The neighbors would like to see a sound wall to be constructed on top of the existing 6-foot wall. The neighbors in attendance were opposed to the proposed General Plan Amendment and Zone change, and the conceptual “shopping center” presented. They want the lot to remain Office, and for it to be developed like the office complex adjacent to this lot to the north.

<i>Field Check</i>	
06/02/16	Staff performed a routine field check where a vacant, undeveloped lot was observed.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.17

<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	O (Office)	O (Office)
North	Office, Other Than Listed	O (Office)	O (Office)
South	Detached Single Family Residential	ML (Medium Low Density Residential)	P-C (Planned Community)
East	General Retail Store, Other Than Listed	ML (Medium Low Density Residential)	C-1 (Limited Commercial)
	Public Utility	PF (Public Facility)	U (Undeveloped) [PF (Public Facilities)]
West	Multi-Family Residential	MLA (Medium Low Attached Density Residential)	R-PD8 (Residential Planned Development – 8 Units Per Acre)

<i>Master Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
No Applicable Special Purpose or Overlay Districts	N/A

<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails – Pedestrian Path	Y
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 19.08, etc., the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	Feet	Y or N
Min. Setbacks			
• Front	10 Feet	15 Feet	Y
• Side	10 Feet	20 Feet	Y
• Corner	10 Feet	26 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Lot Coverage	50 %	15 %	Y
Max. Building Height	N/A*	24 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Y	Y
Mech. Equipment	Screened	Screened	Y

** Residential Adjacency Standards do not apply.*

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	13 Trees	13 Trees	Y
• South	1 Tree / 20 Linear Feet	10 Trees	10 Trees	Y
• East	1 Tree / 20 Linear Feet	14 Trees	14 Trees	Y
• West	1 Tree / 20 Linear Feet	19 Trees	19 Trees	Y

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
TOTAL PERIMETER TREES		56 Trees	56 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	39 Trees	39 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		8 Feet	Y
• South	15 Feet		15 Feet	Y
• East	15 Feet		15 Feet	Y
• West	8 Feet		8 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		6 Feet	Y

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Cheyenne Avenue	Primary Arterial	Master Plan of Streets and Highways	100	Y
Fort Apache Road	Primary Arterial	Master Plan of Streets and Highways	100	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	
Auto Repair Garage, Minor	3,115 SF	Five spaces, plus one space for each 200 SF of gross floor area.	21				

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store, Other Than Listed	8,580 SF	1:175	50				
Restaurant with Drive Through	846 SF Public	One space for each 50 square feet of public seating and waiting area plus one space for each 200 square feet of the total remaining gross floor area.	17				
	1576 SF (Remaining Gross Floor Area)	8					
TOTAL SPACES REQUIRED			96				
Regular and Handicap Spaces Required			92	4	91	6	Y

Waivers		
Requirement	Request	Staff Recommendation
Buildings on corner lots should be oriented to the corner and to the street fronts.	To not orient the buildings to the corner and the street fronts.	Approval
Service bay doors shall not face public rights-of-way.	To allow the service bay doors to face the public right-of-way.	Approval