



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: FEBRUARY 14, 2017

DEPARTMENT: PLANNING

ITEM DESCRIPTION: - APPLICANT: NIM MEISHAR - OWNER: B-Y LOMA VISTA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SDR-66170	Staff recommends DENIAL, if approved subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 147

APPROVALS 1

PROTESTS 1

**** CONDITIONS ****

SDR-66170 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Plot Plan Review (Z-0102-73) shall be required, if approved, except as amended herein.
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 08/09/16, except as amended by conditions herein.
4. A Waiver from Title 19.08.040 is hereby approved, to allow no irrigation system.
5. 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.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a Waiver of Title 19.08 landscape irrigation requirement for the proposed removal of the required underground irrigation system at 4600 Meadows Lane.

ISSUES

- This request is a result of Code Enforcement Case (#158579), which was processed on 08/19/15 for landscape plants dying at rear of property along with parking islands located at 4600 Meadows Lane. The case has not been resolved.

ANALYSIS

The subject site is currently developed as a shopping center within the C-1 (Limited Commercial) zoning district. The applicant has indicated in the submitted justification letter that the previous tenants of the shopping center were engaged in a form of Homeowners Association, with former tenant (Mervyn's) acting as the management company. Each of the entities paid Mervyn's its fair share of expenses. Currently, ownership of the involved entities has changed and the association has been dissolved, causing an interruption in utility service. At this time the subject property does not have a water irrigation meter, nor does it have the old irrigation system to tap into, which makes watering the small landscape finger islands difficult. The applicant has proposed to install drought-resistant landscape materials, which will be hand watered for a period of 12 months to ensure establishment of the root system.

The primary plant species utilized for landscaping is the five-gallon Desert Broom, five-gallon Prince's Plume and five-gallon Red Yucca shrubs, none of which are native pursuant to the Southern Nevada Regional Plan Coalition Regional Plant List. An Exception of plant materials is required to use the proposed shrubs in lieu of the required trees. Staff believes the proposed species will not survive without a functioning, in-ground irrigation system. Native landscape requires years of supplemental irrigation to establish within the urbanized area, especially with the prolonged drought that southern Nevada has been experiencing, and staff feels that any plant material installed without irrigation will be guaranteed to perish. Plot Plan Review (Z-0102-73) required landscape with a functional, in-ground irrigation system, which the supporting property owners failed to maintain. As the current conditions are self-imposed and could be resolved through the willingness of the property owner to install a functioning irrigation

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system, staff has determined the proposed project is not compatible with surrounding development in the area, as demonstrated by the associated Waiver. Therefore, staff recommends denial of this request with conditions.

FINDINGS (SDR-66170)

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 proposal to waive Title 19.08 landscape irrigation requirements is not compatible with the adjacent residential and commercial development in the area. Staff has determined that the proposed species will not survive without a functioning, in-ground irrigation system, which will have an overall negative impact to 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 proposal to waive Title 19.08 landscape irrigation requirements is not consistent with the Title 19. Staff has determined the associated waiver will have a negative impact to the overall development.

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

Primary site access is from Meadows Lane, a 60-foot wide Local Street. The right-of-way provides adequate capacity to serve the proposed use.

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

The project design and style are not appropriate for the subject location and will not be harmonious with buildings in the surrounding area. The primary plant species utilized for landscaping are the five-gallon Desert Brooms, five-gallon Prince's Plumes and five-gallon Red Yucca shrubs, none of which are native pursuant to the Southern Nevada Regional Plan Coalition Regional Plant List. The proposed species will not survive without a functioning, in-ground irrigation system; staff recommends denial of this request.

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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;

There are no structures proposed with this request, the design characteristics of the proposed parking lot improvements are not compatible with development in the area.

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/28/77	The Board of City Commissioners approved the Plot Plan Review (Z-0102-73) for a Commercial Development on property located at the northeast corner of Decatur Boulevard and Meadows Lane
12/06/06	The City Council approved a request for a Special Use Permit (SU-16947) for a proposed Off-Premise Advertising Sign (Billboard) at 4600 Meadows Lane. The Planning Commission recommended denial and Staff recommended approval of the request.
12/17/08	The City Council approved a request for a Required Review (RQR-31290) of a Special Use Permit (SUP-16947) for a 14 foot x 48 foot Off-Premise Sign (Billboard) at 4600 Meadows Lane.
09/23/10	The Planning Commission approved a request for a Special Use Permit (SUP-39219) for a proposed 25,062 square-foot Thrift Shop, non-profit within an existing building at 4600 Meadows Lane. Staff recommended approval of the request.
04/18/12	The City Council approved a request for a Required Review (RQR-44098) of a Special Use Permit (SUP-16947) for a 14 foot x 48 foot Off-Premise Sign (Billboard) at 4600 Meadows Lane.
	The City Council approved a request for a General Plan Amendment (GPA-43991) to establish Redevelopment Area 2 and change the future land use designation on various parcels within the redevelopment area to commercial or mixed use.

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Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/06/14	The City Council approved a request for a Review of Condition (ROC-54821) of an approved Special Use Permit (SUP-16947) to delete condition #1 which states "The billboard face shall consist of static vinyl panels or a similar material as approved by the planning and development department" and to delete condition #2 which states "Animated and electronic message unit signage and digital signage is prohibited" at 4600 Meadows Lane. Staff recommended denial of the request.
12/23/14	The Planning Department administratively approved a request for a Minor Site Development Plan Review (SDR-57102) for the conversion of an existing 40-foot tall, 14-foot by 48-foot off-premise sign to a digital display units (LED) on the east and west side located at 4600 Meadows Lane.
10/11/16	The Planning Commission voted (6-0) to hold SDR-66170 in abeyance to the December 13, 2016 Planning Commission meeting.
12/13/16	The Planning Commission voted (6-0) to hold SDR-66170 in abeyance to the February 14, 2017 Planning Commission meeting.

Most Recent Change of Ownership	
05/02/13	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
05/04/05	A Code Enforcement case (#29586) was processed for graffiti on a building located at 4600 Meadows Lane. The case was resolved on 05/17/05.
04/05/06	A Code Enforcement case (#39874) was processed for dumpster at Sav-on is full, has not been emptied since they moved, trash blowing all around located at 4600 Meadows Lane. The case was resolved on 04/12/06
01/16/09	A Code Enforcement case (#73835) was processed for trash, graffiti and landscaping violations on a building located at 4600 Meadows Lane. The case was resolved on 02/10/09.
01/11/11	A Code Enforcement case (#97235) was processed for illegal banner signs on rear of building, trash and debris in rear parking/landscaped area located at 4600 Meadows Lane. The case was resolved on 02/08/11.
02/01/12	A Code Enforcement case (#110105) was processed for graffiti on the back of a building located at 4600 Meadows Lane. The case was resolved on 02/15/12.
09/11/12	A Code Enforcement case (#119475) was processed for graffiti on a building located at 4600 Meadows Lane. The case was resolved on 10/10/12.

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Related Building Permits/Business Licenses	
10/19/13	A Code Enforcement case (#134252) was processed for demolition and construction on site without permits at 4600 Meadows Lane. The case was resolved on 10/29/13.
12/05/13	A Code Enforcement case (#135957) was processed for graffiti on on a trailer that is parked behind the Melrose store located at 4600 Meadows Lane. The case was resolved on 12/05/13.
08/19/15	A Code Enforcement case (#158579) was processed for landscape plants dying at rear of property along with parking islands located at 4600 Meadows Lane. The case has not been resolved.
04/13/16	A Code Enforcement case (#165499) was processed for an unlicensed mobile car wash, most days located at 4600 Meadows Lane. The case was resolved on 05/19/16.

Pre-Application Meeting	
07/26/16	A pre-application conference was held with the applicant to discuss submittal requirements for a Site Development Plan Review with a Waiver to eliminate the required irrigation system.

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

Field Check	
09/01/16	During a routine site inspection staff observed a commercial development with all planting materials removed from the landscape finger-islands in the front parking lot area. In addition, the majority of planting materials have also been removed from the northern landscape buffer adjacent to Interstate-95 throughout the development.

Details of Application Request	
Site Area	
Net Acres	2.34

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<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	Shopping Center	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Interstate 95	ROW (Right of Way)	ROW (Right of Way)
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
	Landscape Buffer	SC (Service Commercial)	C-1 (Limited Commercial)
East	Shopping Center	MXU (Mixed Use)	C-1 (Limited Commercial)
West	Shopping Center	MXU (Mixed Use)	C-1 (Limited Commercial)

<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>
A-O (Airport Overlay) District (140 Feet)	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 Plot Plan Review (Z-0102-73), 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	2 Trees	2 Trees	Y
TOTAL PERIMETER TREES		2 Trees	2 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	7 Trees	0 Trees	N

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Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width North	10 Feet		10 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		Not Indicated	Y

<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>
Meadows Lane	Local Street	Master Plan of Streets & Highways	75	Y

<i>Waivers</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Title 19.08 landscape irrigation requirements	To remove the required irrigation system.	Denial

<i>Exceptions</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Landscape Finger islands are required to have one 24"-box tree and four shrubs	To utilize a combination of 5-gallon shrubs only	Denial