



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2024

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: HER-LOZ 1, LLC - OWNER: DI VEGAS, LLC

**** STAFF RECOMMENDATION(S)****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0310-SDR1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 29

NOTICES MAILED 374 (by City Clerk)

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

23-0310-SDR1 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-60983) shall be required, 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 date stamped 01/09/2024, building elevations date stamped 10/16/2023 and Landscape plan stamped 01/09/2024.
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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

Public Works

6. Comply with the approved Traffic Impact Analysis update for this site (TIA-70131-1).
7. Queues for the overall shopping center shall not extend into the public right-of-way as a result of the operations on this site.
8. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways recommended in the approved drainage study update.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is an application to add eight fuel pumps and canopy to an existing commercial development on 1.60 acres at 5590 North Rainbow Boulevard.

ISSUES

- This is a Major Amendment to a previously approved Site Development Plan Review (SDR-60983). Staff recommends approval of the request.
- The proposed addition will add eight fuel pumps and canopy to the subject site. All the perimeter landscaping shall remain as previously approved pursuant to Site Development Plan Review (SDR-60983).

ANALYSIS

The subject site is within the Rancho area of the 2050 City of Las Vegas Master Plan. The subject site is zoned C-1 (Limited Commercial). The C-1 District is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors.

Per the submitted Justification Letter, the proposed addition will be approximately eight fuel pumps and canopy. There is an existing convenience store and gasoline station on the subject site. Per the submitted plans, the new proposed fuel pumps and canopy will have no impact to the existing landscaping or parking. The perimeter landscape buffers, and parking lot landscaping were installed with the development of the site in 2017.

The proposed site for the new eight fuel pumps and 3,000-square-foot canopy replaces previously approved drive-thru restaurant. With the decision to eliminate the drive-thru restaurant from the plan, it is imperative to acknowledge that this adjustment will lead to a decrease in the total number of on-site parking spaces that are required. The new fuel canopy location complies with all setback requirements and has no impact on required parking.

The proposed addition will incorporate stucco over stone veneer with a color and texture that aligns with the existing fuel pumps and canopy. As a result, the proposed addition will seamlessly blend with the surrounding structures in terms of its appearance.

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As the proposed fuel pumps and canopy adheres to all Title 19 development standards, staff recommends approval of the requested Site Development Plan Review (23-0310-SDR1), subject to conditions.

FINDINGS – SITE DEVELOPMENT PLAN REVIEW (23-0310-SDR1)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the following shall be affirmed:

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

The proposed development is compatible with adjacent development and development in the area as the proposed addition will incorporate stucco over stone veneer with a color and texture that aligns with the existing fuel pumps and canopy.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

The proposed development adheres to all applicable City Plans. The fuel pumps and canopy use is consistent with Title 19 design standards for commercial development in a C-1 (Limited Commercial) zone.

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

The site is accessed by Rainbow Boulevard and Ann Road both are 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways and are adequate for the proposed development.

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

There will be no changes to the existing building and landscape, the proposed building materials are appropriate for the area and for the City. The modern building materials and desert landscaping are appropriate for the location.

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 proposed building addition is not unsightly or obnoxious in appearance, and creates an orderly and aesthetically pleasing environment that is compatible with development in the area.

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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.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Code Enforcement, etc.</i>	
05/12/64	The City Council approved a petition annexation (A-0003-64) that included this site as part of a larger request.
01/20/16	The City Council approved a request for a General Plan Amendment (GPA-60977) from: DR (Desert Rural Density Residential) to: SC (Service Commercial) on 1.64 acres on the southeast corner of Ann Road and Rainbow Boulevard (APNs 125-35-101-001 and 002), Ward 4 (Anthony). The case was abeyance on 10/13/15. Planning Commission and staff recommended approval.
	The City Council approved a request for a Rezoning (ZON-60978) from: R-E (Residence Estates) to: C-1 (Limited Commercial) on 1.64 acres on the southeast corner of Ann Road and Rainbow Boulevard (APNs 125-35-101-001 and 002), Ward 4 (Anthony). The case was abeyance on 10/13/15. Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (SUP-60980) for a proposed car wash, full service or auto detailing use on 1.64 acres on the southeast corner of Ann Road and Rainbow Boulevard (APNs 125-35-101-001 and 002), R-E (Residence Estates) [proposed: C-1 (Service Commercial)] Zone, Ward 4 (Anthony). The case was abeyance on 10/13/15. Planning Commission recommended approval, staff recommended denial.
	The City Council approved a request for a Special Use Permit for a Special Use Permit (SUP-60982) for a beer/wine/cooler off-sale establishment on 1.64 acres on the southeast corner of Ann Road and Rainbow Boulevard (APNs 125-35-101-001 and 002), R-E (Residence Estates) [PROPOSED: C-1 (Service Commercial)] Zone, Ward 4 (Anthony). The case was abeyance on 10/13/15. Planning Commission recommended approval, staff recommended denial.
	The City Council approved several requests including a Site Development Review (SDR-60983) for a proposed 2,600 square-foot restaurant with drive through, a 3,500 square-foot general retail and a 1,905 square-foot car wash, full service or auto detailing use development with a waiver of the corner lot building orientation and to allow a service or wash bay to face a public right-of-way on 1.64 acres on the southeast corner of Ann Road and Rainbow Boulevard. The case was abeyance on 10/13/15. Planning Commission recommended approval, staff recommended denial.

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<i>Related Relevant City Actions by Planning, Fire, Code Enforcement, etc.</i>	
12/12/23	The Planning Commission approved abeyance requests on 11/14/23 and 12/12/23 for Site Development Review (23-0310-SDR1).
01/09/24	The Planning Commission voted to recommend DENIAL For possible action on a Land Use Entitlement project request FOR A MAJOR AMENDMENT TO A PREVIOUSLY APPROVED SITE DEVELOPMENT PLAN REVIEW (SDR-60983) FOR THE PROPOSED ADDITION OF FUEL PUMPS AND CANOPY TO AN EXISTING COMMERCIAL DEVELOPMENT on 1.60 acres at 5590 North Rainbow Boulevard (APN 125-35-101-010), C-1 (Limited Commercial) Zone, Ward 6 (Brune)

<i>Related Building Permits/Business Licenses</i>	
10/10/17	A Master Package building permit (#PRC17-00014) was issued for ground up service station and fuel canopy, car wash and trash enclosure at 5590 North Rainbow Boulevard. This permit is completed.
05/23/18	A General License (G65-06841) was issued for Convenience Store. This license is set to renew at 11/1/2023.
05/23/18	A General License (G65-06842) was issued for Tobacco Dealer. This license is set to renew at 05/01/2024.
05/23/18	A General License (G65-06843) was issued for Car Wash. This license is set to renew at 05/01/2024.

<i>Pre-Application Meeting</i>	
06/14/23	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Site Development Plan Review.

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

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Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Ann Road	Primary Arterial	Planned Streets and Highways Map	100	Y
Rainbow Boulevard	Primary Arterial	Planned Streets and Highways Map	100	Y

Details of Application Request	
Site Area	
Net Acres	1.60

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	General Retail Store, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
	Car Wash, Full Service or Auto Detailing		
North	General Retail Store, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial))
South	Office, Other than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
	Delivery and Service Vehicle Storage		
East	Residential, Single Family, Detached	L (Low Density Residential)	R-PD4 (Planned Development – Four Units Per Acre)
West	Residential, Single Family, Detached	ML (Medium Low Density Residential)	R-1 (Single-Family Residential)

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Master and Neighborhood Plan Areas	Compliance
2050 Master Plan Area - Rancho	Y
Centennial Hills Sector Plan	Y
Rainbow Blvd North Corridor Plan	Y
Special Area and Overlay Districts	Compliance
Rural Preservation Overlay District	Y
Other Plans or Special Requirements	Compliance
Trails (Share Use Trail)	Y
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.070, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	230 Feet	Y
Min. Setbacks (New Fuel Canopy)			
• Front	10 Feet	15 Feet	Y
• Side	10 Feet	65 Feet	Y
• Corner	10 Feet	15 Feet	Y
• Rear	20 Feet	35 Feet	Y

Pursuant to the approved Site Development Plan Review [SDR-60983], 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	
General Retail, Other Than Listed	4,960 SF	1 Per 175 SF	29				
TOTAL SPACES REQUIRED			29		38		Y
Regular and Handicap Spaces Required			29	2	36	2	Y

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Pursuant to the approved Site Development Plan Review [SDR-60983], the following Landscaping and Open Space 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	9 Trees	11 Trees	Y
• South	1 Tree / 20 Linear Feet	14 Trees	24 Trees	Y
• East	1 Tree / 20 Linear Feet	14 Trees	26 Trees	Y
• West	1 Tree / 20 Linear Feet	11 Trees	14 Trees	Y
TOTAL PERIMETER TREES		48 Trees	75 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		15 Feet	Y
• South	8 Feet		10 Feet	Y
• East	8 Feet		15 Feet	Y
• West	15 Feet		15 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		6 Feet	Y