

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 13, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - SDR-24242 -
APPLICANT/OWNER: BOCA PARK MARKETPLACE LV LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (Z-30-92) and Site Development Plan Review [(Z-30-92(7)], except as amended herein.
2. Conformance to the Conditions of Approval for Site Development Plan Review, This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. 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 02/27/08 and 12/28/07, except as amended by conditions herein.
4. Restore landscaping where deficient or deceased to the approved condition in accordance with Z-30-92(7), except as amended herein.
5. 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.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

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8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. In accordance with the recommendations of the Rampart Boulevard Corridor Study, dedicate an additional 10 feet of right-of-way for an additional northbound travel lane on Rampart Boulevard from Charleston Boulevard to Alta Drive, including the additional right-of-way necessary to maintain a 54-foot radius corner at the northeast corner of Charleston Boulevard and Rampart Boulevard, prior to the issuance of any permits. Construction of the required improvements may be phased with on-site development at the discretion of the City Engineer. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Rampart Boulevard public right-of-way adjacent to this site prior to occupancy of this site.
14. 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 the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z3092, the Peccole Ranch Town Center Commercial Subdivision (aka Boca Park), and all other applicable site-related actions.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Amendment to an approved Site Development Plan Review [(Z-0030-92(7))] for two proposed single-story commercial retail buildings with a total floor area of 34,400 square feet in an existing shopping center on 6.29 acres located at northeast corner of Rampart Boulevard and Charleston Boulevard.

Note the applicant has modified the site plan to show a total floor area of 36,800 square feet for the two proposed single-story commercial retail buildings. The proposed retail establishments will be compatible with the existing surrounding commercial uses; therefore, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/02/92	The City Council approved the Rezoning of the subject site to C-1 (Limited Commercial) and R-1 (Single Family Residential) for development of a regional shopping mall and single family residential dwellings (Z-30-92).
12/11/92	Per the District Court, Clark County, Nevada ordered the grant of a Writ of Mandate to affirm the City Councils approval of the zoning of the subject site to C-1 and R-1 for development of a regional shopping mall and single family residential dwellings and to establish conditions of approval, including the approval of 1,100,000 square feet.
02/01/95	The City Council approved an Extension of Time that expired on December 31, 1995, for a proposed regional shopping mall and single family residential dwellings [Z-30-92(2)].
03/06/96	The City Council approved an Extension of Time that expires on December 31, 1998, for a proposed regional shopping mall and single family residential dwellings [Z-30-92(3)].
04/27/98	The City Council approved a request for a Site Development Plan Review [(Z-30-92(5))] on property located on the northeast corner of Rampart Boulevard and Charleston Boulevard for a proposed 433,240 square foot retail shopping center including 21 retail pad sites (Phase 1 of the Peccole Town Center), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Size: 48.7 Acres, Ward 2 (Adamsen), APN: 138-32-402-001 and 002. Planning Commission and staff recommended approval.

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06/14/99	The City Council granted an appeal by Charleston Associates, Limited Liability Company for a Site Plan Development Plan Review [(Z-30-92(7))] on the property located on the northeast corner of Charleston Boulevard and Rampart Boulevard for a proposed commercial development consisting of 434,967 square feet of retail and 58,418 square feet of office uses within Phase 1 of the previously approved Boca Park Phase 1 Shopping Center, U (Underdeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial).
10/11/07	The Planning Commission approved a request to Table a request for a Major Amendment to an approved Site Development Plan Review [(Z-0030-92(7))] for two proposed single-story commercial retail buildings with a total floor area of 34,400 square feet in an existing shopping center.
02/14/08	The Planning Commission approved a request to abey a request for a Major Amendment to an approved Site Development Plan Review [(Z-0030-92(7))] for two proposed single-story commercial retail buildings with a total floor area of 34,400 square feet in an existing shopping center to the 03/13/08 Planning Commission.

Related Building Permits/Business Licenses

There are no building permits that pertain to this portion of the site.

Pre-Application Meeting

06/25/07	A pre-application meeting was held with the applicant. The applicant proposed two buildings to replace existing parking spaces on the Boca Park site. The applicant was informed that this would require a new Site Development Plan Review as this request was a major amendment of the existing Site Development Plan Review [Z-30-92(5)]. Submittal requirements were then discussed in detail.
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Field Check

09/07/07	A field check was made on site. The development is proposed along two areas currently utilized as parking stalls. The area is very congested with little parking available.
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Details of Application Request

Site Area

Gross Acres	6.29
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	PD (Planned Development)

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South	Shopping Center	SC (Service Commercial)	C-2 (General Commercial) and SC (Service Commercial)
East	Single Family Residential and Condominiums	L (Low Density Residential) and M (Medium Density Residential)	R-3 (Medium Density Residential) and R-1 (Single Family Residential)
West	Shops and Water District Facility	SC (Service Commercial) and PF (Public Facilities)	C-1 (Limited Commercial) and C-V (Civic).

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	>100 Feet	Y
Min. Setbacks			
• Front	20 Feet	>100 Feet	Y
• Side	10 Feet	>100 Feet	Y
• Rear	20 Feet	>100 Feet	Y
Min. Distance Between Buildings	10 Feet	100 Feet	Y
Max. Lot Coverage	50%	45%	Y
Max. Building Height	2 stories, or 35 Feet	35 Feet	Y
Trash Enclosure	Screened, Gated	Screened, Gated	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12, the following landscape 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>		
Parking Area	1 Tree/ 6 Spaces	9 Trees	13 Trees	Y
TOTAL		9 Trees	13 Trees	Y

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Pursuant to Title 19.10, 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	
Shopping Center (Existing)	466,510 SF	1:250	1866		2533	33	
Shopping Center (Proposed)	36,800 SF	1:250	148		54	3	
SubTotal			1978	36	2587	36	Y
TOTAL			2014		2623		Y
Loading Spaces (Proposed)			2		2		Y

ANALYSIS

- **Zoning**

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. The C-1 District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan. The retail uses proposed are consistent with the C-1 (Limited Commercial) Zoning District.

- **Site Plan**

The applicant is requesting a Major Amendment to an approved Site Development Plan Review [(Z-0030-92(7))] for two proposed single-story commercial retail buildings with a total floor area of 36,800 square feet in an existing shopping center. On 04/27/98, the City Council approved a request for a Site Development Plan Review [(Z-30-92(5))] on property located on the northeast corner of Rampart Boulevard and Charleston Boulevard for a proposed 433,240 square foot retail shopping center including 21 retail pad sites. Later, on 06/15/99, the City Council granted an appeal for a Site Plan Development Plan

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Review [(Z-30-92(7))] to expand the proposed commercial development to total 493,385 square feet. There is currently 466,510 square feet of commercial development on the site. The proposed of 36,800 square-foot retail buildings would increase the total square footage on the site to 503,310 square feet. This exceeds the approved Site Development Plan Review amount of 493,385 square feet, which was approved on 06/15/99, by 9,925 square feet.

The proposed 14,400 square-foot and 22,400 square foot buildings are situated approximately 100 feet south of the shopping centers main anchor stores where two parking stalls exist currently. Internal driveways from the south and west of the site will provide access. The parking for each retail building is angled and located in the internal driveways of the site. The four lane internal access driveways from the west off Rampart Boulevard and east off Charleston Boulevard are reduced to two lane internal access driveways. Per Title 19.10 Parking Standards, the existing and proposed shopping center, which is a commercial subdivision, is required to provide 2,014 parking spaces. The applicant provides 2,623 parking spaces, which meets code. Loading spaces are provided in the parking areas for each building.

- **Landscape Plan**

The Landscape Plan only indicates the on-site landscaping; the Boca Park Master Development has already provided the perimeter landscaping. The applicant shows no landscaping around the building. The applicant is required to provide one landscape finger per six parking spaces. The applicant provides a total of 54 parking spaces on both sites which by Title 19.10.010 standards require nine 24-inch wide box trees, which the applicant provides 13. Therefore, the plan meets standards.

- **Elevations**

Elevations depict a one-story structure 35 feet in height. The elevations are consistent with the design theme approved for the overall commercial center.

- **Floor Plan**

The Floor Plans depict a typical retail space partitioned into fourteen 252 square-foot suites for the building labeled Retail Z and twelve 252 square-foot suites for the building labeled Retail X.

FINDINGS

The following findings must be made for an SDR:

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

The proposed retail establishments will be compatible with the existing surrounding commercial uses.

- 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 project is consistent with Title 19 and applicable City plans, policies and standards.

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

Site access is from Charleston Boulevard and Rampart Boulevard, which are both designated 100-foot wide Primary Arterials by the Master Plan Streets and Highways.

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

The building and landscape materials are appropriate.

- 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 depict a compatible development in respect to building materials and architectural style of the existing Boca Park development.

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

The site will be subject to regular inspections for permitting and licensing and will not compromise the public health, safety and welfare.

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