



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 12, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SDR-27593 - APPLICANT/OWNER: RALPHS GROCERY COMPANY

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Plot Plan and Building Elevation Review [Z-0081-88(11)] shall be required.
2. 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 03/31/08, and building elevations date stamped 05/29/08, except as amended by conditions herein.
4. An Exception from LVMC 19.10.010(J)(11) is hereby approved, to allow no parking lot landscape fingers in the parking areas where a landscape finger with one, 24-inch box tree per finger would be required for every six parking spaces location.
5. An Exception from LVMC 19.12.040(B)(1) to allow one tree per 43 linear feet when adjacent to any commercial or industrial use and one tree per 25 linear feet when adjacent to any residential use in the perimeter landscape buffer
6. Handicap parking spaces must be provided in accordance with LVMC Title 19.10 standards.
7. Applicant shall provide revised site plans to reflect 2 additional loading spaces prior to issuance of building permits.
8. 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.

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9. 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.
10. Provide trash enclosures on site, which meet the standards of LVMC Title 19.08.
11. 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).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. 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.
15. 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.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. Dedicate additional right-of-way necessary for the return taper of a Uniform Standard Drawing 234.3 bus stop placement within an exclusive right turn lane for the driveway accessing Pecos Road prior to the issuance of any permits. No construction of offsite improvements is needed with this action.
18. Landscape and maintain all unimproved right-of-way, if any, on Pecos Road adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping, if any, located in the Pecos Road public right-of-way adjacent to this site prior to occupancy of this site.

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20. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
21. 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.
22. Site development to comply with all applicable conditions of approval for Z-88-81(13), the Smiths #367 Commercial Subdivision and all other site-related actions.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is request for a Site Development Plan Review for a proposed 14,383 square-foot addition with exterior modifications to a General Retail Store located on 9.65 acres at the northeast corner of Bonanza Road and Pecos Road. The subject site is a commercial subdivision consisting of an existing 53,933 square-foot General Retail Store, a 4,373 square-foot Restaurant (with Drive-Through), a 7,000 square-foot inline retail building and a Service Station with fuel pumps in the form of a fuel kiosk. The proposed addition will add 14,383 square feet to the south side of the existing 53,983 General Retail Building, add an 82-foot landscape buffer along the south side of the addition, modify the existing façade of the existing building to create a new entryway, enlarge an existing entry driveway and modify the rear landscape planter to include a wider turning area for delivery vehicles. The proposed addition and exterior modifications are harmonious with the existing development and will enhance the general aesthetics of the building; therefore staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/09/63	The Planning Commission approved a Rezoning (Z-0065-63) under Resolution of Intent from R-E (Residence Estates) to R-1 (Single Family Residential), R-3 (Medium Density Residential) and C-2 (General Commercial) at the northeast corner of Pecos Road and Bonanza Road.
01/14/82	The City Council approved a Rezoning (Z-0088-81) from R-E (Residence Estates) under Resolution of Intent to R-1 (Single Family Residential), R-3 (Medium Density Residential) and C-2 (General Commercial) to R-CL (Residential Compact Lot), R-3 (Medium Density Residential) and C-1 (Limited Commercial) at the northeast corner of Pecos Road and Bonanza Road. The Planning Commission and staff recommended approval.
04/20/83	The City Council approved a Reinstatement and an Extension of Time [Z-0088-81(1)] of an approved Rezoning from R-E (Residence Estates) to R-CL (Residential Compact Lot), R-3 (Medium Density Residential) and C-1 (Limited Commercial) under Resolution of Intent at the northeast corner of Pecos Road and Bonanza Road. The Planning Commission recommended approval of this request. The approval expired 12/31/87.

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02/18/87	The City Council approved an Extension of Time [Z-0088-81(2)] of an approved Rezoning from R-E (Residence Estates) to R-CL (Residential Compact Lot), R-3 (Medium Density Residential) and C-1 (Limited Commercial) under Resolution of Intent at the northeast corner of Pecos Road and Bonanza Road. The Planning Commission and staff recommended approval of this request. The approval expired 06/30/88.
11/16/88	The City Council approved a Reinstatement and an Extension of Time [Z-0088-81(3)] of an approved Rezoning from R-E (Residence Estates) to R-CL (Residential Compact Lot), R-3 (Medium Density Residential) and C-1 (Limited Commercial) under Resolution of Intent at the northeast corner of Pecos Road and Bonanza Road. The Planning Commission and staff recommended approval of this request. The approval expired 06/30/89.
11/01/89	The City Council approved an Extension of Time [Z-0088-81(5)] of an approved Rezoning from R-E (Residence Estates) to C-1 (Limited Commercial) under Resolution of Intent at the northeast corner of Pecos Road and Bonanza Road. The Planning Commission and staff recommended approval of this request. The approval expired 10/18/90.
01/08/92	The City Council approved an Extension of Time [Z-0088-81(6)] of an approved Rezoning from R-E (Residence Estates) to C-1 (Limited Commercial) under Resolution of Intent at the northeast corner of Pecos Road and Bonanza Road. The Planning Commission and staff recommended approval of this request. The approval expired 12/12/92.
07/21/93	The City Council approved a Reinstatement and an Extension of Time [Z-0088-81(7)] of an approved Rezoning from R-E (Residence Estates) to C-1 (Limited Commercial) under Resolution of Intent at the northeast corner of Pecos Road and Bonanza Road. The Planning Commission and staff recommended approval of this request. The approval expired 07/21/94.
08/17/94	The City Council approved an Extension of Time [Z-0088-81(10)] of an approved Rezoning from R-E (Residence Estates) to C-1 (Limited Commercial) under Resolution of Intent at the northeast corner of Pecos Road and Bonanza Road. The Planning Commission and staff recommended approval of this request.
11/29/94	The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0088-81(11)] for a proposed shopping center located on the northeast corner of Bonanza Road and Pecos Road. Staff recommended approval of this request.
07/13/95	The Planning Commission approved Request for a Tentative Map (TM-43-95) and a Final Map (FM-80-95) for the Smiths No. 367 (Commercial Subdivision) on property located on the northeast corner of Pecos Road and Bonanza Road. Staff recommended approval of this request.
04/19/96	The Final Map (FM-80-95) was recorded for the Smiths No. 367 (Commercial Subdivision).

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09/18/02	The City Council approved a Site Development Plan Review [Z-0088-81(13)] for a service station and a Special Use Permit (U-0099-02) for a service station and fuel pumps located at 3602 East Bonanza Road. The Planning Commission and staff recommended approval of these requests.
05/22/08	The Planning Commission held in abeyance a Site Development Plan Review (SDR-27593) in order for the applicant to submit revised plans depicting the appropriate exterior building materials/finishes.
<i>Related Building Permits/Business Licenses</i>	
02/15/95	A Building Permit (#95367349) was issued for rough grading at 3602 East Bonanza Road. The permit received final approval on 08/11/95.
03/14/95	A Building Permit (#95370226) was issued for onsite improvements at 3602 East Bonanza Road. The permit received final approval on 08/11/95.
03/20/95	A Building Permit (#95370723) was issued for a new retail market at 3602 East Bonanza Road. The permit received final approval on 07/28/95.
12/27/00	A Building Permit (#00023167) was issued for channel letter signage at 3602 East Bonanza Road. The permit received final approval on 06/20/01.
02/23/01	A Building Permit (#01002891) was issued for a sign (Tag #005061) at 3602 East Bonanza Road. The permit expired 09/01/01 without final approval.
01/16/02	A Business License (#G05-01718) was issued for a Grocery Store at 3602 East Bonanza Road.
12/18/02	Business Licenses were issued for Cigarette Sales (#C05-01730) and Package Liquor Sales (#L15-00058) at 3602 East Bonanza Road.
01/22/03	A Building Permit (#03001251) was issued for a sign (Tag #06624) at 3602 East Bonanza Road. The permit expired 07/26/03 without final approval.
07/02/03	A Business License (#G01-02130) was issued for Restricted Gaming at 3602 East Bonanza Road.
06/28/05	A Business License (#C21-00021) was issued for Check Cashing at 3602 East Bonanza Road.
08/16/05	A Business License (#W10-00089) was issued for Wire Transfer Services at 3602 East Bonanza Road.
<i>Pre-Application Meeting</i>	
03/11/08	A pre-application meeting was held with the project architect where elements of the Site Development Plan Review submittal process were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	

<i>Field Check</i>	
04/14/07	A field check was conducted by staff at the subject property. The site and buildings were noted to be in generally good repair with the exception of several trees and shrubs shown on the approved landscape plans either dead or missing. Several non-permitted temporary signs (banners) were also noted on site.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	9.65

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	M (Medium Density Residential)	C-1 (Limited Commercial)
North	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Convenience Store, Offices, Fast Food and Single Family Residential	SC (Service Commercial) and L (Low Density Residential)	C-1 (Limited Commercial) and R-1 (Single Family Residential)
East	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Clark County Juvenile Court Services	PF (Public Facilities)	C-V (Civic)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		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 Size	N/A	420,927 SF	N/A
Min. Lot Width	100 Feet	836 Feet	Y
Min. Setbacks			
• Front	20 Feet	82.2 Feet	Y
• Side	10 Feet	40.9 Feet	Y
• Corner	15 Feet	577 Feet	Y
• Rear	20 Feet	67.96 Feet	Y

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Min. Distance Between Buildings	N/A	N/A	N/A
Max. Lot Coverage	50%	18.9%	Y
Max. Building Height	N/A	24.67 Feet	Y
Trash Enclosure	Screened	Unscreened standard refuse bins, Enclosed Trash Compactor	N*
Mech. Equipment	Screened	Screened	Y

* There are two methods of refuse storage/disposal on site. A trash compactor is located adjacent to the building and screened from view and in compliance with Title 19.08.060 standards. Additional dumpsters are not housed in an enclosure or screened. A condition has been added requesting the trash enclosure to be constructed and to meet the standards of Title 19.08.060.

Pursuant to Title 19.08.060, the following residential adjacency standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	74 Feet	182.2 Feet	Y
Adjacent development matching setback	20 Feet	82.2 Feet	Y
Trash Enclosure	50 Feet	300+ Feet	Y

Pursuant to Title 19.12, the following landscaping 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	77 Trees	18 Trees	N*
Buffer:				
South/West Min. Trees	1 Tree/30 Linear Feet	41 Trees	29 Trees	N*
North/East Min. Trees	1 Tree/20 Linear Feet	67 Trees	54 Trees	N*
TOTAL		185 Trees	101 Trees	N*
Min. Zone Width	15 Feet		20 Feet	Y
Wall Height	6-8 Feet		+/- 5 Feet	N**

* The landscape/landscape plans for the site reflect what was approved and required for the subject commercial shopping center per Building Elevation and Plot Plan Review [Z-0081-88(11)] (03/07/95).

** The block wall surrounding the subject property is existing and reflects the height which was originally approved for the site at the time of construction.

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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	79,689 SF	1/250 SF	311	8	453	8	
TOTAL			319		461		Y
Loading Spaces			4		2		N*

* The site plans only show two loading zones where four are required. A condition has been added requesting revised plans to be submitted to include two additional loading zones.

Exceptions		
Request	Requirement	Staff Recommendation
Zero landscape islands per every six parking spaces	One landscape island per every six parking spaces	Approval
One tree per 43 linear feet when adjacent to any commercial or industrial use; one tree per 25 linear feet when adjacent to any residential use	One tree per 30 linear feet when adjacent to any commercial or industrial use; one tree per 20 linear feet when adjacent to any residential use	Approval

ANALYSIS

- **Land Use and Zoning**

The subject property is a 9.65 acre six-lot commercial subdivision located within the Southeast Sector Map of the General Plan. The General Plan designation for the subject property and surrounding commercial subdivision is SC (Service Commercial). The site is zoned C-1 (Limited Commercial) which is consistent with the Service Commercial category of the General Plan. The C-1 (Limited Commercial) 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 intersections of primary and secondary thoroughfares along major retail corridors.

- **Site Plan**

The site plan of the proposed addition and exterior modifications is similar to the existing site plan approved 02/21/95 with the exception of a few minor changes. A vacant 39,781 square-foot parcel within the commercial subdivision adjacent to Bonanza Road will

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house the new 14,383 square-foot General Retail Store addition, along with a new 82-foot wide landscape buffer. Elsewhere within the commercial subdivision, the western entry drive aisle fronting Bonanza Road will be widened from 30 feet to 32 feet and a 50-foot portion of the landscape planter at the northeast corner of the site will be reduced from 20 feet to approximately 10 feet to accommodate a wider turn area for delivery trucks.

The remaining areas of the site are to be left in their current state; however staff has noted that the handicap parking spaces depicted on the site plan which serve the existing General Retail Store do not meet current Title 19.10 standards. A condition has been added requiring the applicant to provide handicap parking spaces, which comply with the standards listed in Title 19.10. No other modifications to the commercial subdivision are proposed with this request.

- **Exceptions**

The applicant has requested an exception of Title 19.10.010(J)(11) to allow no landscape parking lot fingers where 77 are required and 35 are provided. The existing parking lot was approved under Plot Plan and Building Elevation Review [Z-0081-88(11)], allowing 20 trees within the 35 fingers provided where current standards require 77 trees. The applicant would like to provide minimal disturbance to the existing site and therefore has requested this exception to keep the parking lot in its current configuration. Staff supports this request.

The applicant has also requested a second exception to Title 19.12.040(B)(1) to allow one tree per 43 linear feet when adjacent to any commercial or industrial use and one tree per 25 linear feet when adjacent to any residential use in the perimeter landscape buffer. Title 19.12.040(B)(1) requires one tree per 30 linear feet when adjacent to any commercial or industrial use and one tree per 20 linear feet when adjacent to any residential use in the perimeter landscape buffer. This exception is requested in order to maintain the landscape configuration in its current state within the perimeter buffers. This landscape plan was approved as part of Building Elevation and Plot Plan Review [Z-0081-88(11)]. Staff supports this request.

- **Landscape Plan**

The landscape plan depicts the addition of an 82-foot landscape buffer south of the proposed addition fronting Bonanza Road. This buffer, which measures roughly 200 feet in width, will contain three 24-inch box Bottle Trees, four 36-inch box Mondel Pines and two 36-inch box Chilean Mesquites. A total of 65 shrubs will provided within this area, ranging in size from 5-gallon to 24-inch box, and 31 one-gallon ground cover plants will be provided. In addition, river rock, accent boulders and decomposed granite will be provided as surface ground cover.

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Throughout the remainder of the commercial subdivision the existing on-site landscape has been neglected over the years. Several trees and shrubs have died over time and been removed without being replaced. The applicant will need to bring the onsite landscape into conformance with the approved landscape plans dated 03/07/95. An exception has been requested in order to maintain the current landscape configuration within the perimeter landscape buffers.

- **Elevations**

The applicant indicated at the 05/22/08 Planning Commission meeting that a change was to be made in the exterior elevations of the buildings. The submitted plans originally indicated the finish of the existing building and new addition to be painted CMU stucco, whereas revised plans have been submitted depicting the exterior of the building to be painted masonry, with the proposed addition to match the existing material. Title 19.08.050(D)(2) states that flat, plain building walls are not acceptable. This proposed change in material is not acceptable per the Commercial and Industrial District standards, however the applicant has upgraded the design of the new entry to include a stucco finish with a stone veneer at the base. The new entrance to the building will feature a new flattened roofline which will be raised four feet above the main parapet height, include new separate entry and exit doors and a shopping cart storage area.

The new addition will match the architecture of the existing building. The body of the building will utilize five colors similar to the existing palette, ranging in desert appropriate hues of antique white, beige and brown. The building materials used for the proposed addition and entry modifications will consist of painted CMU for the body of the building, stucco and stone veneer around the new entry, aluminum storefront doors and windows and painted steel shading canopies.

- **Floor Plans**

The floor plan submitted by the applicant did not provide information as to how the new addition to the existing General Retail Store will be used or interact with the existing building interior. A full set of construction drawings, including a correctly drawn floor plan accurately reflecting interior conditions, will be required in order to submit for building permits.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 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;**

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The proposed addition to an existing General Retail Store will be compatible with the surrounding commercial and multi-family residential development as it will be providing increased amenities to the neighborhood.

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 development complies with the General Plan and adopted city plans and policies. The applicant has requested an exception of Title 19.10.010(J)(11) to allow no landscape parking lot fingers where 77 trees are required and 18 are provided on an existing parking lot. As this is an existing parking lot serving the entire commercial subdivision, staff supports this request.

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

The site is accessed from Bonanza Road and Pecos Road, both classified as 100-foot wide Primary Arterials by the Master Plan Streets and Highways which will be adequate in size to serve this project. Internal site access within the commercial subdivision will be enhanced with the inclusion of a wider entry drive aisle on Bonanza Road and a wider rear delivery area.

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

The building and landscape materials are appropriate for the area and for the City. The proposed addition will match the scale of the existing building on site, and the exterior modifications will help update the building. The 82-foot landscape buffer fronting Bonanza Road will feature drought tolerant landscape materials which will match the existing commercial subdivision.

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 elevations will match the height and architectural style of the existing building on site. The color scheme will remain the same working to create a cohesive shopping center. The design characteristics of the proposed addition and upgrades made to the entry will be in character within the context of the surrounding neighborhood.

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

The proposed addition will not impact public health, safety or welfare since the development will be subject to the International Building Code and City inspections during construction.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 28

SENATE DISTRICT 10

NOTICES MAILED 287

APPROVALS 2

PROTESTS 0