

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: SEPTEMBER 25, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-29382 - APPLICANT: EL POLLO LOCO - OWNER: WAL-MART REALTY COMPANY**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL, subject to:****Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-0096-84) and Site Development Review [Z-0096-84(17)] shall be required, if approved.
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 09/02/08, and building elevations date stamped 08/08/08 except as amended by conditions herein.
4. A Waiver from Title 19.08.040 Perimeter Landscape Buffer Requirements is hereby approved, to allow a three-foot buffer along the east property line where eight feet is required.
5. An Exception to Title 19.12.040 Perimeter Landscape Buffering planting standards is hereby approved, to allow zero trees in the east landscape buffer where seven are required.
6. An Exception to Title 19.10.010 Parking Lot Landscaping planting standards is hereby approved to allow six landscape islands and trees where eight are required.
7. 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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8. 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.
9. 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).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. 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.
12. 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.
13. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. In accordance with the intent of a Commercial Subdivision, no barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of this site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.

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16. 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 the submittal of any construction drawings for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
17. Site development to comply with all applicable conditions of approval for Z-0096-84(17), the Lake Mead/Jones Commercial Subdivision and all other site-related actions.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Amendment to an approved Site Development Review [Z-0096-84(17)] and a Waiver of the Perimeter Landscaping Buffer requirements to allow a three-foot buffer along the east property line where eight feet is required for a proposed 2,838 square-foot Restaurant with Drive-Through, located within an existing shopping center at 6151 West Lake Mead Boulevard. Exceptions to parking lot island placement, parking lot planting and landscape buffer planting requirements are being requested.

Staff recommends approval of this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/20/85	The City Council approved a reclassification of the subject site to C-1 (Limited Commercial) zoning as part of a larger request (Z-0096-84)
05/11/00	The Planning Commission approved a Site Development Plan Review [Z-0096-84(16)] for a Fast Food Restaurant with Drive-Through at the southwest corner of Lake Mead Boulevard and Jones Boulevard.
11/03/00	The City Council approved a Site Development Plan Review [Z-0096-84(17)] for a 58,210 square-foot Commercial Center at the southwest corner of Lake Mead Boulevard and Jones Boulevard. Planning Commission and Staff recommended approval.
11/20/02	The City Council approved a Site Development Plan Review [Z-0096-84(18)] for a 39,910 square-foot Wal-Mart Neighborhood Market at the southwest corner of Lake Mead Boulevard and Jones Boulevard. The subject site was included in this approval as future development. Planning Commission and Staff recommended approval.
09/23/04	The Planning Commission approved a Master Sign Plan (MSP-5001) for a 39,910 square-foot Commercial Center at the southwest corner of Lake Mead Boulevard and Jones Boulevard. Staff recommended approval.
11/17/05	The Planning Commission approved a Site Development Plan Review (SDR-9676) for a 15,000 square-foot retail development with Waivers of Building Placement, Foundation, and Perimeter Landscaping Requirements at the southwest corner of Lake Mead Boulevard and Jones Boulevard. Staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses associated with the subject site.	
<i>Pre-Application Meeting</i>	
06/18/08	Discussed proposed uses, parking and development standards, as well as the requirements for a Waiver to perimeter landscape buffering standards and Exceptions to landscape buffer and parking lot planting standards.

SG

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Field Check	
08/19/08	A field check of the site was performed by staff. The site is noted to be an undeveloped interior portion of a larger commercial shopping center.

Details of Application Request	
Site Area	
Gross Acres	6.31 (Shopping Center)
Net Acres	0.56 (Subject Site)

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped portion of an existing Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Mini-Storage Facility	SC (Service Commercial)	C-1 (Limited Commercial)
East	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Multi-Family Dwellings	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (105 Feet)	X		Y
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

A-O (Airport Overlay) District

No structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations defined by the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map. The subject site is within the 105-foot contour limitations and does not violate the height limitations. The proposed use is in compliance with the Airport Overlay District.

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DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	395 Feet	Y
Min. Setbacks			
• Front	20 Feet	62 Feet	Y
• Side	10 Feet	14 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	300 Feet	Y
Max. Lot Coverage	50%	8.5%	Y
Max. Building Height	N/A	N/A	N/A
Trash Enclosure	Screened, Enclosed	Not Specified	Not Specified
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.10 and 19.12, the following parking lot landscape standards and perimeter landscape buffer standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree / 6 Space	8 Trees	6 Trees	N*
Buffer:				
Min. Trees				
North	1 Tree / 20 Linear Feet	Y**	Y**	Y**
South	N/A	N/A	N/A	N/A
East	1 Tree / 30 Linear Feet	7 Trees	Zero Trees	N***
West	N/A	N/A	N/A	N/A
TOTAL		15 Trees	6 Trees	N***
Min. Zone Width (Interior)		8 Feet	3.5 Feet	N****
Wall Height		N/A	N/A	N/A

* *The applicant has requested an Exception to parking lot planting standards.*

***The perimeter buffer landscaping along Lake Mead Boulevard was approved and installed per Site Development Review [Z-0096-84(17)].*

*** *The applicant has requested an Exception to the perimeter landscape buffer planting standards.*

**** *The applicant has requested a Waiver of the minimum perimeter landscape buffer width.*

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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	2,838 SF	1 / 250	10	2	28	2	Y
TOTAL			12		12		Y
TOTAL (Shopping Center)	60,247	1 / 250	234	7	330	13	Y
Loading Spaces	N/A						N/A

Waivers		
Request	Requirement	Staff Recommendation
A 3.5-Foot Perimeter Landscape Buffer (east)	8 Feet	Approval

Exceptions		
Request	Requirement	Staff Recommendation
6 Parking Lot Trees	8 Trees	Approval
Zero Perimeter Landscape Buffer Trees (east)	7 Trees	Approval

ANALYSIS

- Zoning**

The subject site is an undeveloped interior portion of a larger shopping center site located at the southwest corner of Lake Mead Boulevard and Jones Boulevard, with C-1 (Limited Commercial) zoning and a General Plan designation of SC (Service 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. The C-1 District is consistent with the Service Commercial, and the Neighborhood Center categories of the General Plan.

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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 and areas, theaters, bowling alleys 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.

- **Site Plan**

This site is an undeveloped interior portion of a larger shopping center and consists of a proposed 2,838 square-foot Restaurant with Drive Through on the eastern half of the site, with parking to the west. The parking layout on the west side of the building matches the overall layout of the shopping center.

Access to the site is accomplished through internal circulation routes within the shopping center, with three existing shared access driveways onto Lake Mead Boulevard and one shared access driveway onto Jones Boulevard. A drive-through with stacking for ten vehicles is located to the south and east of the building.

- **Landscape Plan**

The landscape plan indicates the planting of four different trees of a minimum 24-inch box size: Shoestring Acacia, Thornless Blue Palo Verde Velvet Ash and Afghan Pine. Six trees are located within the parking field in required islands, five trees are located in the landscape area along the south side of the building, and three trees are located in the landscape area along the south side of the drive-through. In addition to the trees, a variety of 5-gallon and 1-gallon shrubs are proposed in planters throughout the site. The planting materials are appropriate in size and type for the area.

- **Waivers**

The applicant has requested a Waiver of Title 19.12.040 Landscape Buffer standards to allow a 3.5-foot buffer along the east property line where eight feet is required. Although the commercial property to the east is a separate parcel, the two parcels have shared vehicular access and the appearance of a single commercial subdivision; therefore, staff has no objection to granting this Waiver.

- **Exceptions**

The applicant has requested an Exception to Title 19.12.040 Perimeter Landscape Buffer planting standards to allow zero trees in the buffer area along the east property line where seven are required. The applicant has also requested an Exception to Title 19.10.010 Parking Lot Landscaping planting standards to allow six parking lot trees where eight are required. The loss to the site due to these Exceptions will be nine trees.

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To compensate for the requested Exceptions, the applicant is proposing a landscaped area on the south side of the building, and another landscape area along the south side of the drive-through that will add eight trees to the site, for a net loss of one tree. The east landscape buffer, as well as planters along the east side of the building, will contain an assortment of 5-gallon and 1-gallon shrubs. Staff has no objection to granting these Exceptions.

- **Elevations**

The elevations indicate stucco as the primary wall material, painted in earth tones. A wood trellis is located at the northwest corner of the building over the main entry. The materials and façade design are consistent with Title 19.08 requirements for changes in colors, materials and relief.

- **Floor Plans**

The floor plan depicts a 2,838 square-foot Restaurant with Drive-Through and seating for 67.

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;**

The proposed Restaurant with Drive-Through is compatible with the other services provided in the existing shopping center.

- 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 is consistent with the General Plan and generally in compliance with Title 19 requirements. The requested Waiver and Exceptions will not negatively impact the subject site or the surrounding neighborhood.

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

Site access is via existing shared access driveways from Lake Mead Boulevard and Jones Boulevard, which will then provide interior shopping center access to the subject site. Per the Master Plan of Streets and Highways, Lake Mead Boulevard is designed as a 100-foot

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wide Primary Arterial and Jones Boulevard is designed as an 80-foot Secondary Collector. The site will not have a negative impact on neighborhood traffic.

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

Building and landscape materials are appropriate for the area and meet the requirements of Title 19.

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 architectural design of this project is consistent with the surrounding shopping center. The proposed building elevations depict appropriate design and architectural features that are consistent with the area and the requirements of Title 19.

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

The proposed development will be subject to permit review and inspection, and therefore appropriate measures will be taken to protect the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 6

SENATE DISTRICT 3

NOTICES MAILED 354

APPROVALS 1

PROTESTS 1