



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 28, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-36928 – APPLICANT/OWNER: DDR MDT MV WEST LAS VEGAS, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Accessory Package Liquor, Off-Sale use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-36927) shall be required.
3. 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.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All beer and wine coolers shall remain in their original manufacturer's configuration of four- or six-packs.
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

The applicant is proposing a 71,325 square-foot Grocery Store with Accessory Package Liquor Off-Sale at 4700 Meadows Lane. The applicant will demolish the existing retail store and replace it with a new building. The proposed Grocery Store with Accessory Package Liquor complies with the minimum requirements for the proposed use. Therefore, approval of the request is recommended. If denied, the sale of alcohol would not be permitted at the subject site.

ISSUES

- There are no Waivers requested for the proposed Accessory Package Liquor Off-Sale use.
- The proposed Accessory Package Liquor Off-Sale use is appropriate, as it will be regulated by the City and local agencies.
- Accessory Package Liquor Off-Sale is ancillary to the sale of groceries, and is limited to no more than 10 percent of the retail floor space. The applicant is dedicating 4.6 percent of the overall floor area to the sale of alcohol.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
12/28/78	The City Council approved a Plot Plan Review for a proposed Shopping Center and a Rezoning from R-1 (Single Family Residence) and C-V (Civic) to and C-1 (Limited Commercial) adjacent the northeast corner of Meadows Lane and Decatur Boulevard. The Planning Commission and staff recommended approval of the request.
05/02/05	A Code Enforcement case (#29486) was processed for graffiti on the back of the existing building at 4700 Meadows Lane. Code Enforcement closed the case on 05/04/05.
09/23/05	A change of ownership was recorded for the subject site.
01/16/09	A Code Enforcement case (#73836) was processed for trash, graffiti and landscaping issues at 4700 Meadows Lane. Code Enforcement closed the case on 02/11/09.
07/02/09	A Code Enforcement case (#79616) was processed for graffiti on the back of the existing building at 4700 Meadows Lane. Code Enforcement closed the case on 07/13/09.

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01/28/10	The Planning Commission will consider a related Site Development Plan Review (SDR-36927) for a proposed 71,325 square-foot Grocery Store with Waivers of the Perimeter Landscape Buffer Standards to allow buffer widths of five feet along the south perimeter and zero feet along the west perimeter where 15 feet is required and zero feet along the east perimeter where eight feet is required and a Waiver of Building Placement and Orientation Standards on 6.81 acres at the northeast corner of Meadows Lane and Decatur Boulevard.
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<i>Related Building Permits/Business Licenses</i>	
1979	The County Assessor's office indicates a construction year of 1979.
05/10/79	A Business License (#D16-00004) was issued for a Department Store at 4700 Meadows Lane. The license was marked out of business on 01/13/09.
01/08/01	A Building Permit (#1000314) was issued for remodel of an existing store at 4700 Meadows Lane. The permit was finalized on 05/24/01.
01/31/01	A Building Permit (#1001575) was issued for signage at 4700 Meadows Lane. The permit was finalized on 10/18/01.
12/02/02	A Business License (#P35-00081) was issued for an Outdoor Payphone at 4700 Meadows Lane. The license remains active at this location.
<i>Pre-Application Meeting</i>	
11/30/09	A pre-application meeting was conducted on the indicated date. The following items were discussed at the meeting: Minimum Special Use Permit requirements for Accessory Package Liquor Off-Sale use.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Field Check</i>	
12/22/09	A field check was completed on the indicated date. The following items were noted: Planning and Development staff identified the proposed Grocery Store with Accessory Package Liquor Sales.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	6.81 acres

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant Retail Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	R.O.W. (Right-of-Way- US-95)	R.O.W. (Right-of-Way- US-95)	R.O.W. (Right-of-Way- US-95)
South	Restaurant/Auto Repair/Single-Family Dwellings	SC (Service Commercial) and L (Low Density Residential)	C-2 (General Commercial) and R-1 (Single Family Residential)
East	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Restaurant/Retail/Office	SC (Service Commercial) and O (Office)	P-R (Professional Office and Parking)/C-1 (Limited Commercial)/C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (140-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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, 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	
Grocery Store	71,325 SF	1 per 250 sf of gfa	279	7	342	10	Y
TOTAL			286		352		Y
Loading Spaces			4		4		Y

BTS

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ANALYSIS

The applicant is proposing an Accessory Package Liquor Off-Sale use as a part of a proposed 71,325 square-foot Grocery Store at 4700 Meadows Lane. The applicant is proposing to sell Packaged Liquor in addition to the groceries. There are no Waivers requested as a part of the subject Special Use Permit application. The proposed Accessory Package Liquor Off-Sale use is appropriate as it is ancillary to the primary use and no Waivers are requested by the applicant; therefore, approval of the subject Special Use Permit is recommended.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

- 1. “The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed Accessory Package Liquor Off-Sale use is compatible with the SC (Service Commercial) land use designation and surrounding uses in the area.

- 2. “The subject site is physically suitable for the type and intensity of land use proposed.”**

The proposed Accessory Package Liquor Off-Sale use is to be located with a Grocery Store. This site is physically suitable for the type and intensity of the land use proposed.

- 3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Access to the site is provided from both Meadows Lane a 60-foot Collector Street and Decatur Boulevard a 100-foot Primary Arterial as indicated on the Master Plan of Streets and Highways. Both roadways are adequate to facilitate the traffic generated by the proposed Accessory Package Liquor Off-Sale use.

- 4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

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Approval of this Special Use Permit will not compromise the public health, safety, or welfare as the proposed Accessory Package Liquor Off-Sale use will be subject to regular inspections.

5.The use meets all of the applicable conditions per Title 19.04.

The proposed Accessory Package Liquor Off-Sale use meets all requirements pursuant to Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 364

APPROVALS 0

PROTESTS 0