

**AGENDA MEMO - PLANNING****PLANNING COMMISSION MEETING DATE: OCTOBER 11, 2011****DEPARTMENT: PLANNING****ITEM DESCRIPTION: APPLICANT: WAL-MART STORES, INC. - OWNER: WRI
CHARLESTON COMMONS, LLC****** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-43021	Staff recommends DENIAL, if approved subject to conditions:	

**** CONDITIONS ****

SDR-43021 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Rezoning (Z-0067-88) shall be required.
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, landscape plan, and building elevations, date stamped 8/29/11, except as amended by conditions herein.
4. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 8/29/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.
5. Prior to occupancy, 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 Department of Building and Safety.

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6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. A revised site plan shall be submitted to and approved by the Department of Planning Department, prior to the time application is made for a building permit, to include parking spaces that comply with the Handicapped Parking Dimensions as shown in Title 19.08.110, Figure 2.
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. Installed landscaping shall not impede visibility of any traffic control device.
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. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.08.040.
12. 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.
13. 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

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Public Works

15. Dedicate appropriate right-of-way and construct a modified bus turnout/deceleration lane meeting the intent of Standard Drawing 234.4 at the second driveway approach south of the north property line adjacent to this site concurrent with the construction of the proposed expansion. Alternatively, dedicate appropriate right-of-way and contribute \$50,000 (half the estimated current cost) toward the City's cost to construct the modified bus turnout/deceleration lane.
16. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. No structures or vehicle obstructions may be placed within the existing 20-foot public sewer easement located along the north side of the existing building.
18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.
19. Comply with all applicable previous conditions of approval for Z-61-88 and all other site-related actions.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to add 14,000 square feet of additional retail space to an existing 118,000 square-foot General Retail Store, Other than Listed. The proposed addition focuses primarily on enclosing the front entrance and providing an additional service loading dock at the rear east side of the store in addition to the existing rear located loading dock. The applicant is also proposing to install 61 additional 24-inch box trees in the existing parking lot and restripe all the parking aisles to allow for two-way access aisles and 90 degree parking spaces. Although the additions comply with the requirements of Title 19, and the addition of parking lot landscaping is beneficial to the site and to the surrounding area, there is a safety issue involved due to the lack of safe, adequate access to and from the site for delivery trucks utilizing the proposed loading dock, and staff is recommending denial.

ISSUES

- A Major Amendment to an approved Plot Plan Review (Z-0061-88) is required, as the proposed expansion exceeds 10% of the gross floor area.
- The service/loading dock areas are screened as required by Title 19.08.040(E)(4)(a)(i).
- The proposed loading dock does not provide adequate, safe access to and from the site for delivery trucks. Trucks leaving the site are required to turn left across the entrance to Nellis Boulevard before making a right turn onto the street, which may restrict access and cause vehicles attempting to enter the site to back up into the public right-of-way. Staff is recommending denial based on this issue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
08/03/88	The City Council approved a Rezoning (Z-0061-88) from R-1 (Single Family Residential) and R-3 (Medium Density Residential) [portion under Resolution of Intent to C-1 (Limited Commercial)] on property located on the west side of Nellis Boulevard between Charleston Boulevard and Stewart Avenue.
09/13/90	The Planning Commission approved a Review of Condition to Rezoning Z-0061-88, to remove Condition Number Seven, which required installing 24-inch box evergreen trees along the west property line.
03/19/03	The City Council approved a Site Development Plan Review (SDR-1568) for a proposed 6,545 square-foot metal canopy addition at 201 North Nellis Boulevard. The Planning Commission recommended approval.

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11/05/08	The City Council denied a request for a Special Use Permit (SUP-29450) to allow a Retail Establishment with Accessory Package Liquor Off-Sale at 201 North Nellis boulevard. The Planning Commission and staff recommended approval.
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<i>Most Recent Change of Ownership</i>	
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12/22/06	A deed was recorded for a change in ownership.
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<i>Related Building Permits/Business Licenses</i>	
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11/09/90	A business license (#D16-00028) was issued for a department store at 201 North Nellis Boulevard. The license is still active.
04/10/96	A building permit (#96007091) was issued for the retail expansion of the garden shop at 201 North Nellis Boulevard. The permit was finaled on 07/13/96.
05/02/96	A building permit (#96008723) was issued for the garden shop expansion at 201 North Nellis Boulevard. The permit expired on 02/08/97.

<i>Pre-Application Meeting</i>	
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10/21/10	A pre-application meeting was held with staff to discuss the requirements for a proposed 14,000 square-foot addition to an existing 118,000 square-foot General Retail Store, Other than Listed at 201 North Nellis Boulevard. The service and loading dock arrangement was not proposed at this time.
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<i>Neighborhood Meeting</i>	
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A neighborhood meeting is not required for this type of request, nor was one held.	
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<i>Field Check</i>	
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09/01/11	A field check was performed by staff and found that the site is in generally good condition. The parking lot lacks any landscaping and is arranged with angled parking aisles with one-way lanes.
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<i>Details of Application Request</i>	
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<i>Site Area</i>	
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Net Acres	10.51
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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	General Retail/ Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
	Convenience Store/Restaurant		
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Unincorporated Clark County - Shopping Center	Unincorporated Clark County CG (Commercial General)	Unincorporated Clark County C-2 (General Commercial)
West	Las Vegas Wash	PF (Public Facilities)	Las Vegas Wash

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</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
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Pursuant to 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	550 Feet	Y
Min. Setbacks			
• Front	10 Feet	450 Feet	Y
• Side	10 Feet	30 Feet	Y
• Rear	20 Feet	22 Feet	Y
Max. Lot Coverage	50 %	29 %	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Enclosed compactor	Y
Mech. Equipment	Screened	Screened	Y

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<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Approved (Z-0061-88)</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer Trees: • West	1 Tree / 20 Linear Feet	17 Trees	25 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	26 Trees	61 Trees	Y

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Nellis Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y

Pursuant to Title 19.08 and 19.12, 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 Store, Other than Listed	133,204 SF	1:250 SF					
TOTAL SPACES REQUIRED			534		680		Y
Regular and Handicap Spaces Required					666	14	Y
Loading Spaces	133,204 SF	1:50,000 SF	4		4		Y

ANALYSIS

The scope and location of the proposed development determined that this proposal is a Project of Regional Significance/ Development Impact Notice and Assessment (PRS/DINA). The applicant submitted a completed Environmental Impact Assessment with this application request. No comments were received by the affected local government suggesting the mitigation of any of possible impacts.

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The proposed amendments to the existing 118,000 square-foot General Retail Store consist of increasing the floor area by approximately 14,000 square feet to 133,204 square feet of the building area. The bulk of the floor area increase consists of enclosing a gap at the front entrance of the building, which will have little impact on the existing setbacks and building height. The existing parking lot will be restriped to allow for 90 degree parking aisles with two-way drive lanes to replace the less effective angled parking with one-way lanes. The existing parking lot continue to provide ample parking; however, a condition requiring revised plans showing the appropriate dimensions for the handicapped parking spaces has been added. The applicant is providing 61 additional 24-inch box trees using diamond-shaped planters in the parking lot and has also provided an additional eight 24-inch box trees beyond what was originally approved, within the landscape buffer along Nellis Boulevard.

The exterior finish consists of locally obtained split-faced and smooth-faced concrete masonry, a smooth stucco finish, and glass storefront with wall-panel system with color to match with the main building. The façade improvements will provide a modernized appearance and also improve pedestrian circulation with improved wayfinding by means of a more prominent and distinguished front entrance. The applicant has made notable commitments to sustainability efforts by improving the building's energy performance, appropriate materials selection, and building operations that emphasize a reduction in materials recycling and waste reduction.

Included within this modification is the provision of an additional loading dock that will accommodate two delivery vehicles at the rear eastern corner of the structure. The proposed service and loading area is screened from Nellis Boulevard by a 10-foot concrete masonry wall. In addition, the existing loading area at the rear will also include a similar screen where one does not currently exist. Although the design of the new loading dock meets the Title 19 requirements, there are safety concerns regarding the location and resulting impact that delivery vehicles will have on site ingress/egress at the mid block driveway on Nellis Boulevard. Trucks leaving the site are required to turn left across the entrance to Nellis Boulevard before making a right turn onto the street, which may restrict access and cause vehicles attempting to enter the site to back up into the public right-of-way. Staff is recommending denial of the request based on this issue.

FINDINGS (SDR-43021)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 expansion is compatible with the existing commercial use located on site; however there are safety concerns regarding the location of the new service loading dock at the rear east side of the building.

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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 addition is consistent with the General Plan in land use and with Title 19.08 regarding the development standards; however, the location of the delivery service dock on the east side of the store creates a potential safety hazard for traffic ingress and egress due to the potential for delivery trucks to block the driveway when leaving the area.

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

The location of the proposed service loading dock at the rear east side of the building will cause potential traffic conflicts both onsite and offsite. The current arrangement does not provide adequate clearance for the delivery vehicle to exit from the loading area and make its way to the Nellis Boulevard southbound lanes without potentially blocking the midblock driveway. A tractor trailer exiting to the midblock driveway on Nellis Boulevard will restrict ingress to the site for southbound vehicles seeking access to the site. The same trailer will restrict any other vehicles from exiting the site as well.

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

The landscaping for this site was originally reviewed under the plot plan approval Z-0062-88 and does not require additional perimeter landscape buffers. The additional landscaping proposed for the site is appropriate for the area and for the city, and will benefit the subject site as well as the surrounding area.

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 consist of a curved roof and glazed front entrance that replaces the previous entrance and provides a more prominent and distinguished entry point for customer wayfinding. The materials consist of a combination painted split-faced concrete masonry; painted smooth-faced concrete masonry; smooth-coat stucco; and decorative exterior wall panel cladding. The overall presentation allows for an updated appearance of the existing structure and the earth-toned color scheme is harmonious with the remaining commercial subdivision. The design of the eastern loading dock meets the required screening.

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

The proposed loading dock does not provide safe and adequate access to and from the site for delivery trucks. Alternative design of the loading dock area could alleviate this issue.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 618

APPROVALS 0

PROTESTS 0