STAFF REPORT

To: Planning Commission  Meeting date: May 11, 2016
Item: UN-27-16  Prepared by: Robert Eastman

GENERAL INFORMATION

Applicant: JBDs III
Owner: MLK Holdings Limited Partnership
Requested Action: Approval of a special use permit
Purpose: To allow a convenience food restaurant
Location: Northwest corner of Aliante Parkway and Centennial Parkway
Parcel No: 124-20-414-009
Lot Area: 2.51 ± acres
Comprehensive Plan: Neighborhood Commercial
Existing land use and zoning: Partially Developed Commercial center; MPC C-1, Master Planned Community Neighborhood Commercial District
Surrounding land use and zoning: North: Single-Family Homes; MPC R-1, Master Planned Community Single-Family Residential District
East: Partially Developed Commercial center; MPC C-1, Master Planned Community Neighborhood Commercial District
South: Commercial / Retail; C-1, Neighborhood Commercial District
West: Single-Family Homes; MPC R-1, Master Planned Community Single-Family Residential District
BACKGROUND INFORMATION

The applicant is requesting a special use permit to allow a convenience food restaurant within the Aliante Master Planned Community. The site is zoned MPC C-1, Master Planned Community Neighborhood Commercial District and is located on the northwest corner of Aliante Parkway and Centennial Parkway. The Comprehensive Plan, Land Use Element, identifies this site as Neighborhood Commercial and is concurrent with the land use plan for the community.

The proposed Jack in the Box is part of a multi-building commercial center. The center was originally developed with a pharmacy and a bank. The plans also contained space for a convenience food restaurant and a 15,000 square foot inline commercial retail building. The convenience food restaurant is located on a pad site between the existing pharmacy and bank buildings. Access to the site is from existing curb cuts on Centennial Parkway and Aliante Parkway.

The proposed restaurant is approximately 2,300 square feet in size and construct with a combination of stucco and brick veneer. The proposed colors appear to be shades of beige for the stucco and red brick. The proposed location is within the Aliante Master Planned Community. Surrounding properties have been developed, however the commercial to the east is also incomplete. To the north and west are developed single-family homes. To the east and south are neighborhood commercial centers.

DEPARTMENT COMMENTS

Public Works Department: Please see the attached memorandum.

Fire Department: Please see the attached memorandum.

Utilities Department: Please see the attached memorandum.

ANALYSIS

Note: The developments in the Aliante Master Planned Community are regulated by the Aliante Development Agreement supplemented by specific development standards, design guidelines, and master sign plans. The development agreement requires developments to adhere to the versions of Title 16 and Title 17 in effect on November 2001. Therefore, the analysis presented may deviate from the current standards.

The applicant is requesting Planning Commission approval to allow a convenience food restaurant within a neighborhood center within the Aliante Master Planned Community. The use is appropriate for this location and was originally proposed for this site by the master developer. The site plan is in conformance with the Aliante Development Guidelines.

The required parking for the entire site is 174 off-street parking spaces; 107 spaces for the
retail spaces, 25 for the bank, and 42 spaces for the convenience food restaurant. The applicant has provided 213 parking spaces, the site is over parked. The applicant is providing a minimum of 12 feet of landscaping along Aliante Parkway. This design requires 20 feet of landscaping. As the site has additional space the additional landscaping should be provided to comply with the Commercial Design Guidelines.

Architecturally, the submitted plans are substantially in compliance with the Aliante Commercial Design Guidelines. The plans depict stucco and brick exterior building tile wainscoting. The building is flat roofed, with a short parapet. Additionally, the site plan has the space for foundation landscaping, but it is not depicted on the plan. Six feet of foundation landscaping, or the equivalent, shall be required along the customer entry sides of all the commercial buildings on site.

Requirements for Approval of a Special Use Permit

Convenience Food Restaurants are permitted as a special use in the MPC C-1, Master Planned Community Neighborhood Commercial District. In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following criteria are satisfied:

1. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community.

2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

3. That the proposed use will comply with the regulations and conditions specified in this code for such use.

4. That the granting of this special use permit will not adversely affect the master plan of the City.

RECOMMENDATION

The Community Development and Compliance Department recommends that UN-27-16 be approved with the following conditions:

PLANNING & ZONING:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

2. The site plan and building elevations shall be amended to comply with the Aliante
Design Guidelines and Development Standards, including but not limited to providing 20 feet of landscaping adjacent to Aliante Parkway; providing six feet of foundation landscaping along the entry façade of every commercial building.

3. All access to the roof shall be from within the building. Exterior roof ladders are prohibited.

4. All scuppers and downspouts shall be incorporated into the buildings, and shall not be exposed to the neighboring properties.

PUBLIC WORKS

5. All known geologic hazards, shall be shown on the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.

6. Approval of a drainage study is required prior to submittal of the civil improvement plans.

7. Approval of a traffic impact study is required prior to submittal of the civil improvement plans.

ATTACHMENTS

Public Works Department Memorandum
Fire Department Memorandum
Letter of Intent
Site Plan
Building Elevations
Location & Zoning Map
CITY OF NORTH LAS VEGAS
INTEROFFICE MEMORANDUM

To: Robert Eastman, Principle Planner, Community Development and Compliance Department
From: Duane McNelly, Land Development Project Leader, Department of Public Works
Subject: UN-27-16 (#54450) Jack in the Box at Aliante and Centennial
Date: April 23, 2016

In addition to the requirement to comply with the Aliante Development Agreement, the City of North Las Vegas Municipal Code - Titles 15 and 16, NRS 278 and accepted Clark County Area Uniform Standard Drawings, the Department of Public Works recommends the following conditions of approval:

1. All known geologic hazards shall be shown on the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.

2. Approval of a drainage study is required prior to submittal of the civil improvement plans.

3. Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope.

Utilities - For information only:

1. This project shall comply with the General Provisions and Conditions of the City of North Las Vegas Water Service Rules and Regulations and the Design and Construction Standards for Wastewater Collection Systems.

2. Submittal of a Hydraulic Analysis per the "Uniform Design and Construction Standards (UDACS) for Potable Water Systems," is required and will be subject to review and approval of the Utilities Department.

For more information regarding the land development process and other associated requirements in the City of North Las Vegas, please visit the City’s website and find the Land Development Guide:
http://www.cityofnorthlasvegas.com/Departments/PublicWorks/PublicWorks.shtm

Duane McNelly, Land Development Project Leader
Department of Public Works
CITY OF NORTH LAS VEGAS
INTEROFFICE MEMORANDUM

To: Planning Commission
From: Janice Thomas, Fire Protection Specialist
Subject: UN-27-16
Date: April 18, 2016

The Fire Prevention is not opposed to this application.

For informational purposes only:

1. Design for fire access, water supply and building requirements shall be based on the 2012 International Fire Code as amended by the City of North Las Vegas Fire Prevention.
2. All portions of the exterior walls of the first story of all buildings and all portions of the facility are to be within 150 feet of an approved fire access lane, as measured from the lane along the exterior of the building to the furthest point as the hose lies unless an alternate method is approved by the fire prevention.
3. Fire access lanes shall be surfaced and paved, so as to provide all-weather driving capabilities. Lanes shall be designed and maintained to support minimum vehicle load of 33,000 pounds per axle.
4. Approved automatic sprinkler systems shall be provided throughout all buildings where the fire area occupant load, in a Group A-2 Occupancy, is ≥100.
5. Either a dedicated fire riser room meeting the requirements of the fire code as amended or a Post Indicator Valve is required.
6. A Fire Department Connection shall be located on the address side of buildings, adjacent to the access lane, within 100 feet of a fire hydrant and clear of obstructions.
7. An approved water supply capable of supplying the required fire flow for fire protection shall be provided.
8. Fire hydrants shall be provided along required fire apparatus access roads. In all commercial and industrial areas, hydrants shall be spaced not to exceed 300 feet, or 400 feet if all buildings are protected by approved automatic sprinkler systems.
9. Fire hydrants shall be located 4 feet to 7 feet from the back of curb. Where it is not possible to locate the hydrant a minimum of 4 feet from the back of the curb, the hydrant shall be protected against vehicular impact in accordance with Section 312. A perimeter around the hydrant measuring a minimum of 3 feet from its exterior shall be maintained clear of all obstructions at all times.
10. Portable fire extinguishers shall be installed per IFC§908.1.

Janice Thomas, Fire Protection Specialist
March 28, 2016
Email to:
ruizm@cityofnorthlasvegas.com

Planning Commission
City of North Las Vegas
2250 N. Las Vegas Blvd
North Las Vegas, NV 89030

RE: Proposed Jack in the Box development, Statement of Intent.

Dear Commission Members:

Thank you for taking the time to review this application. The project proposes a new Jack in the Box development, located on an existing improved pad between the existing Walgreen’s Pharmacy and US Bank. The original Master Plan provided for a quick service restaurant with a drive thru substantially as we’ve proposed in this application. The previously approved Master Plan properly anticipated parking, circulation and local impact appropriately, therein the existing infrastructure, on- and off-site improvements at the intersection and frontages are complete and consistent with this proposed project. Further, the project as proposed will positively benefit the surrounding neighborhood, adding convenience, economic growth, property tax revenue, and jobs for the local community. Clearly the proposed project helps the community by further building-out an existing center whose development had stalled due to recent economic difficulty. This project puts into use a parcel previously designed specifically for the proposed intended use.

The estimated project timeline is to begin construction in September and open in December 2016.

Please let me know if you have any questions or need additional information and again thank you for your time and consideration.

Sincerely

John M. Baker
Principal
THE CITY OF NORTH LAS VEGAS

Location & Zoning Map

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Case Number: UN-27-16

03/31/2016