



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: APRIL 8, 2025
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: GROCERY OUTLET, INC. - OWNER: WRI CHARLESTON COMMONS, LLC

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0670-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 1304

PROTESTS 1

APPROVALS 2

**** CONDITIONS ****

24-0670 -SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Alcohol, Off-Premise Beer/Wine use.
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. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
April 8, 2025 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to operate a 22,584 square-foot Alcohol, Off-Premise Beer/Wine use within an existing, vacant commercial suite at 45 North Nellis Boulevard.

ISSUES

- The Alcohol, Off-Premise Beer/Wine use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. Staff supports this request.

ANALYSIS

The subject site is zoned C-1 (Limited Commercial) and is subject to Title 19 development standards. The subject site is located in a shopping center, containing a variety of uses typical for a shopping center. The applicant requests a Special Use Permit for the Alcohol Off-Premise Beer/Wine use to establish a grocery store and will operate as a Grocery Outlet.

The Alcohol, Off-Premise Beer/Wine use is defined as, “An establishment licensed to sell alcoholic beverages, limited to the sale of beer, wine and coolers, to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the business is conducted.” The proposed use meets the definition

The Minimum Special Use Permit Requirements for this use include:

*1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between an Alcohol, Off-Premise Beer/Wine establishment and certain other uses that should be protected from the impacts associated with that establishment. Therefore, except as otherwise provided in these Requirements, no Alcohol, Off-Premise Beer/Wine establishment may be located within 400 feet of any of the following uses:

- A. Church/House of Worship;
- B. School.
- C. Individual care center licensed for more than 12 children; or
- D. City Park.

Staff Report Page Two
April 8, 2025 - Planning Commission Meeting

This requirement cannot be waived. The proposed use meets this requirement, as there are none of the above mentioned uses within 400 feet of the proposed Alcohol, Off-Premise Beer/Wine use.

2. The distance separation requirement set forth in Requirement 1 does not apply to:

- A. An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
- B. A proposed establishment having more than 50,000 square feet of retail gross floor area.

The proposed use is not associated with a hotel with 200 or more guest rooms or with a non-restricted gaming license. The proposed use is also less than 50,000 square feet, therefore the distance separation requirements set forth in Requirement 1 still apply, which the proposed use meets.

3. The minimum distance separation requirements set forth in Requirement 1, which are otherwise nonwaivable under the provision of LVMC 19.12.050(C) may be waived:

- A. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Las Vegas Overlay District, as described in LVMC 19.10.110;
- B. In accordance with the provisions of LVMC 19.12.050(C) for any establishment having between 15,000 square feet and 50,000 square feet of retail gross floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet; or
- C. In accordance with the provisions of LVMC 19.12.050(C) for any retail establishment having less than 15,000 square feet of retail gross floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right-of-way width with a width of at least 100 feet; or
- D. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan.

Staff Report Page Three
April 8, 2025 - Planning Commission Meeting

The proposed use is not located on a parcel within the Downtown Las Vegas Overlay District nor within Town Center. While the proposed use is located within a 22,584 square-foot commercial space, only 13,066 square feet is dedicated to the sale, display or merchandising of alcoholic beverages. Therefore the distance separation requirements set forth in Requirement 1 still apply, which the proposed use meets.

4. Except as otherwise permitted pursuant to LVMC 6.50.050, the establishment shall not be located on or adjacent to the Pedestrian Mall, as defined in LVMC Chapter 11.68.

The proposed use is not located in on or adjacent to the Pedestrian Mall, as defined in LVMC Chapter 11.68. Therefore, this requirement is met.

FINDINGS (24-0670-SUP1)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 use is located within a shopping center containing a variety of uses that are compatible with the proposed Alcohol, Off-Premise Beer/Wine use.

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

The subject site is located within a shopping center with ample parking and sufficient traffic and pedestrian circulation to accommodate the type and intensity of 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.**

Site access is provided by Nellis Boulevard, Charleston Boulevard, and Stewart Avenue. All streets are 100-foot Primary Arterials as defined by the Master Plan of Streets and Highways and are adequate in size to meet the requirements of the proposed use.

**Staff Report Page Four
April 8, 2025 - Planning Commission Meeting**

- 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.**

Approval of this Special Use Permit will be subject to business license review and periodic compliance inspections to ensure the public health, safety, and welfare or the overall objectives of the General Plan will not be compromised.

- 5. The use meets all of the applicable conditions per Title 19.12.**

The proposed Alcohol Off-Premise Beer/Wine use meets all of the applicable conditions per Title 19.12.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
08/03/88	The City Council approved a Rezoning (Z-0061-88) request from R-1 (Single-Family Residence) and R-3 (Limited Multiple Residence) to C-1 (Limited Commercial) for a proposed Retail/Commercial Center located on the west side of Nellis Boulevard, between Charleston Boulevard and Stewart Avenue. The Planning Commission and staff recommended approval.
07/19/89	The City Council approved an Extension of Time [Z-0061-88(1)] request for a Rezoning from R-1 (Single Family Residence) and R-3 (Limited Multiple Residence) to C-1 (Limited Commercial) for a proposed Retail/Commercial Center located on the west side of Nellis Boulevard, between Charleston Boulevard and Stewart Avenue. The Planning Commission and staff recommended approval.
10/03/90	The City Council approved a Review of Condition [Z-0061-88(2)] request for the elimination of the condition requiring the installation of 24-inch box evergreen trees along the west property line on property located on the west side of Nellis Boulevard, between Charleston Boulevard and Stewart Avenue. The Planning Commission and Staff recommended approval.
03/21/00	The Department of Planning administratively approved a Site Development Plan Review [Z-0061-88(5)] for a proposed 8,018 square-foot retail building on property located on the west side of Nellis Boulevard, approximately 1,500 feet south of Stewart Avenue.
03/11/25	The Planning Commission voted (6-0) to HOLD IN ABEYANCE the following Land Use Entitlement project request FOR A PROPOSED 22,584 SQUARE-FOOT ALCOHOL, OFF-PREMISE BEER/WINE USE at 45 North Nellis Boulevard (APN 140-32-802-007), C-1 (Limited Commercial) Zone, Ward 3 (Diaz).

Staff Report Page Five
 April 8, 2025 - Planning Commission Meeting

Most Recent Change of Ownership	
12/22/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c. 1991	The shopping center was constructed.
09/26/24	A sign permit (#C24-02781) was submitted to install front signage and tenant panels to existing pylons at 45 North Nellis Boulevard. The sign permit has not been issued.
12/30/24	A building permit (#C24-02766) was issued for a tenant improvement, including partition walls, painting and finishes at 45 North Nellis Boulevard, Suite #100. The permit is currently in inspections.

Pre-Application Meeting	
12/17/24	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
01/27/25	Staff conducted a field check of the subject property and observed a vacant suite within an existing shopping center. Staff noted construction activity relating to an issued building permit (#C24-02766). Nothing of concern was noted.

Details of Application Request	
Site Area	
Net Acres	17.62

Staff Report Page Six
 April 8, 2025 - Planning Commission Meeting

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Shopping Center	TOD-1 (Transit Oriented Development - High)	C-1 (Limited Commercial)
North			C-2 (General Commercial)
South			CG (Commercial General - Clark County)
East	General Retail Store, Other than Listed	CM (Corridor Mixed-Use - Clark County)	CG (Commercial General - Clark County)

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
West	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
		ML (Medium Low Density Residential)	

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: East Las Vegas	Y
Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	Compliance
Trails – Regional Trail (Las Vegas Wash – Constructed)	Y
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y

DEVELOPMENT STANDARDS

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Nellis Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	100 Feet	Y
Charleston Boulevard				
Stewart Avenue				

Staff Report Page Seven
 April 8, 2025 - Planning Commission Meeting

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	
Shopping Center	362,872 SF	1 per 250 SF	1,452				
TOTAL SPACES REQUIRED			1,452		1,643		Y
Regular and Handicap Spaces Required			1,422	30	1,618	36	Y