August 19, 2010

Mr. Hector Camacho
1501 South Maryland Parkway
Las Vegas, Nevada 89104

RE: EOT-38524 - EXTENSION OF TIME - REHEAR
CITY COUNCIL MEETING OF AUGUST 18, 2010

Dear Mr. Camacho:

The City Council at a regular meeting held August 18, 2010 APPROVED the request for an Extension of Time of a previously approved Special Use Permit (SUP-27933) FOR A PROPOSED RESTAURANT WITH A SERVICE BAR WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND TO ALLOW A 58-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 4561 East Bonanza Road (APN 140-32-101-016), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 19, 2010. This approval is subject to:

Planning and Development

1. This Special Use Permit (SUP-27933) shall expire on July 16, 2012 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of Special Use Permit (SUP-27933) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

Sincerely,

Angela Crolli

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

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LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

FM-0044-08-09

August 19, 2010

Mr. Hector Camacho
1501 South Maryland Parkway
Las Vegas, Nevada 89104

RE: EOT-38524 - EXTENSION OF TIME - RECONSIDERATION
CITY COUNCIL MEETING OF AUGUST 18, 2010

Dear Mr. Camacho:

The City Council at a regular meeting held August 18, 2010 APPROVED the reconsideration of a request for an Extension of Time of a previously approved Special Use Permit (SUP-27933) FOR A PROPOSED RESTAURANT WITH A SERVICE BAR WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND TO ALLOW A 58-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 4561 East Bonanza Road (APN 140-32-101-016), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 19, 2010.

Sincerely,

Angela Crolli

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

August 5, 2010

Mr. Hector Camacho
1501 South Maryland Parkway
Las Vegas, Nevada 89104

RE: EOT-38524 - EXTENSION OF TIME
CITY COUNCIL MEETING OF AUGUST 4, 2010

Dear Mr. Camacho:

The City Council at a regular meeting held August 4, 2010 DENIED the request for an Extension of Time of a previously approved Special Use Permit (SUP-27933) FOR A PROPOSED RESTAURANT WITH A SERVICE BAR WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND TO ALLOW A 58-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 4561 East Bonanza Road (APN 140-32-101-016), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 5, 2010.

Sincerely,

Gabriela Portillo-Brenner
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

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FM-0044-08-09

July 22, 2010

Mr. Hector Camacho
1501 South Maryland Parkway
Las Vegas, Nevada 89104

RE: EOT-38524 - EXTENSION OF TIME
CITY COUNCIL MEETING OF JULY 21, 2010

Dear Mr. Camacho:

The City Council at a regular meeting held July 21, 2010 HELD IN ABEYANCE the request for an Extension of Time of a previously approved Special Use Permit (SUP-27933) FOR A PROPOSED RESTAURANT WITH A SERVICE BAR WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND TO ALLOW A 58-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 4561 East Bonanza Road (APN 140-32-101-016), C-1 (Limited Commercial) Zone.

This item will be heard during the 1:00 p.m. Planning and Development discussion portion of the August 4, 2010 City Council Meeting. It is recommended that you or your representative be in attendance at this meeting. If you or your representative chooses not to attend, the City Council may act in your absence without your input.

Sincerely,

Angela Crolli

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER
731 S. Fourth Street
Las Vegas, NV 89101
Voice: 702-229-6301
Fax: 702-474-0352
TTY 702-386-9108
www.lasvegasnevada.gov

July 9, 2010

Mr. Hector Camacho
1501 South Maryland Parkway
Las Vegas, Nevada 89104

RE: EOT-38524 - EXTENSION OF TIME - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF – JULY 21, 2010

Dear Mr. Camacho:

Please be advised the City Council at its regular meeting on ***July 21, 2010*** as referred to above, will consider your request. This meeting will be held at 1:00 P. M. at the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

A copy of staff's recommendations, any conditions related to your application and the ***final agenda*** will available on-line on ***Friday, July 16, 2010*** at www.lasvegasnevada.gov. If you do not have access to the Internet and would prefer receiving hard copies of the documentation, please call the Case Planning Division at (702) 229-6301 or come into the Development Services Center at 731 South Fourth Street to request your copies.

The City Council requires that you or your representative be present at this meeting.

Sincerely,

M. Margo Wheeler, AICP
Director, Planning and Development Department

MMW:clb

CITY OF LAS VEGAS

DEVELOPMENT REVIEW COMMENT FORM

Planning and Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 phone (702) 385-7268 fax

EOT-38524 - EXTENSION OF TIME - SPECIAL USE PERMIT – APPLICANT/OWNER: HECTOR CAMACHO *- Request for an Extension of Time of a previously approved Special Use Permit (SUP-27933) FOR A PROPOSED RESTAURANT WITH A SERVICE BAR WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND TO ALLOW A 58-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 4561 East Bonanza Road (APN 140-32-101-013), C-2 (General Commercial) Zone, Ward 3 (Reese).*

CITY COUNCIL: ***JULY 21, 2010***

CASE PLANNER: ***DEBBIE SULLIVAN*** ☒ ***CONSENT***

Comments Due: ***JUNE 15, 2010***

Comments not returned by the due date will not be incorporated into the staff report for this case. Comments may be submitted either on this sheet and routed via interoffice mail, U.S. mail, fax, or e-mailed to ***Carman Burney (cburney@lasvegasnevada.gov)****, the Agenda Tech responsible for this case. If you desire to meet with the case planner you may schedule an appointment by calling (702) 229-6301.*

LIST COMMENTS BELOW:

City of Las Vegas
400 Stewart Ave
Las Vegas, NV 89101-2927

EOT Application

Report Date 06/14/2010 08:24 AM Submitted By

A/P # 38524 EXTENSION OF TIME

Application Information

Stages

	Date / Time	By		Date / Time	By
Processed	06/11/2010 15:56	984387	Temp COO		
Approved			COO Issued		
Final			Expires		

Associated Information

Type of Work		# Plans	0
Dept of Commerce		# Plans	0
Priority	☒ Auto Reviews	Bill Group	

Valuation

Declared Valuation	0.00
Calculated Valuation	0.00
Actual Valuation	0.00

Description of Work

EOT-38524 - EXTENSION OF TIME - SPECIAL USE PERMIT - Request for an Extension of Time of a previously approved Special Use Permit (SUP-27933) FOR A PROPOSED RESTAURANT WITH A SERVICE BAR WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND TO ALLOW A 58-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 4561 East Bonanza Road (APN 140-32-101-013), C-2 (General Commercial) Zone, Ward 3 (Reese).

Parent A/P #	27933				
Project #	38524	Project/Phase Name	CAMACHO PLAZA	Phase #	
Size/Area	1.32 ACRE	Size Description		Subdivision Code	
Proposed Start		Proposed Stop		% Completed	0.00
% Complete Formula					

Property/Site Information

Parcel 14032101017

Location 4561 E BONANZA RD

Owner/Tenant

Contact ID	AC1375890	Name	CAMACHO HECTOR		
Organization		Position		Profession	
Mailing Address	1501 S MARYLAND PKWY				
City	LAS VEGAS	State/Province	NV	ZIP/PC	89104-3313
Country		☐ Foreign		Reference #	
Day Phone	(702)460-1775 x	Evening Phone		Fax	
Pager		PIN #		Mobile #	
		E-Mail			
Owner From	08/06/2009 To	☒ Primary	100.00 %		

A/P Linked Addresses

No Addresses are linked to this Application

Linked Addresses

4561 E BONANZA RD
LAS VEGAS, 89110-

4561 E BONANZA RD 110
LAS VEGAS, 89110-

4561 E BONANZA RD 120
LAS VEGAS, 89110-

4561 E BONANZA RD 160
LAS VEGAS, 89110-

Address	Parcel Link	A/P Link
4561 E BONANZA RD 140 LAS VEGAS, 89110-		
4561 E BONANZA RD 145 LAS VEGAS, 89110-		
4561 E BONANZA RD 150 LAS VEGAS, 89110-		
4561 E BONANZA RD 130 LAS VEGAS, 89110-		

A/P Addresses

No Other Addresses are associated to this Application

Linked Parcels

No Parcels are linked to this Application

A/P Linked Parcels

14032101017

Applicants/Contacts

Primary Y Capacity APPL Contact ID AC1451471 ☐ Foreign
Effective Expire
Name HECTOR HECTOR CAMACHO
Day Phone (702)460-1775 x Eve Phone Organization
Pager PIN # Position
Fax Mobile Profession
E-Mail
Address 1501 S MARYLAND
LAS VEGAS, NV 89104
Seasonal Addr

Valid From To
Comments No Comments

Contractors

No Contractors

Project #	A/P Type	Status	Stage	Relation
No children exist for this project				

Planning Condition	Description	Effective	Expire	Comments
There is no planning condition for this project.				

EXTENSION OF TIME

Y Will this go to the City Council?

Y Will this go DIRECTLY to City Council?

Final City Council letter received

Annotated minutes received

Parent Application Type SUP

Parent Project # 27933

Hearing Type

Public, Non-Public or Admin? NON-PUBLIC

Staff Recommendation

Meeting Information

Meeting Grid Meeting Date Comments Added By	Meeting Type Add Date	Meeting Status Modified by	Modified Date	YES Votes	NO Votes	ABSTENTIONS
07/21/2010	CC	SCHEDULED		0	0	0
MREX	06/11/2010					

Template Type	A/P #	A/P Type	Status	Stage
No children exist for this project				

Employee Employee ID	Last	First	MI	Comments
984478	SULLIVAN	DEBORAH	J	Planning x6895

Log Action Comments	Description	Entered By	Start	Stop	Hours
PAYMNT	CO NAME WHO PICKED UP CONTACT#	970040	06/11/2010 16:07		0.00
HECTOR CAMACHO, 702.460.1775, ESTATE OF HECTOR CAMACHO CK 104 (164889, 38523, 38524)					

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: EOT

Project Address (Location) 4561 E BONANZA

Project Name CAMACHO PLAZA **Proposed Use** ?

Assessor's Parcel #(s) 140 ~~[illegible]~~ 32 101 017 **Ward #** 3

General Plan: existing _____ proposed _____ **Zoning:** existing C1 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER HECTOR CAMACHO **Contact** HECTOR

Address 1501 S MARYLAND PK **Phone:** 4601775 **Fax:** _____

City LV **State** NV **Zip** 89104

E-mail Address _____

APPLICANT HECTOR CAMACHO **Contact** HECTOR

Address 1501 S MARYLAND PK **Phone:** 4601775 **Fax:** _____

City LV **State** NV **Zip** 89104

E-mail Address _____

REPRESENTATIVE HECTOR **Contact** 4601775

Address 1501 S MARYLAND PK **Phone:** _____ **Fax:** _____

City LV **State** NV **Zip** 89104

E-mail Address _____

Property Owner Signature* [signature]

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Hector Camacho

Subscribed and sworn before me

This 11th day of June, 20 10.

Jeannie M Becknell

Notary Public in and for said County and State State of Nevada County of Clark

JEANNIE M. BECKNELL
Notary Public State of Nevada
No. 99-23658-1
My appt. exp. Apr. 10, 2011

FOR DEPARTMENT USE ONLY

Case #	EOT-38524
Meeting Date:	7/21/2010
Total Fee:	300 00
Date Received:*	6/11/2010
Received By:	MRex

RECEIVED JUN 11 2010

The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-38524 APN: 140-32-101-017

Name of Property Owner: HECTOR CAMACHO

Name of Applicant: SAME

Name of Representative: SAME

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: HECTOR CAMACHO

Subscribed and sworn before me

This 11th day of June, 2010

Jeannie M Becknell

Notary Public in and for said County and State

State of Nevada
County of Clark

JEANNIE M. BECKNELL
Notary Public State of Nevada
No. 99-23658-1
My appt. exp. Apr. 10, 2011

RECEIVED
JUN 11 2010

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

HECTOR CAMACHO
1501 S. MARYLAND PKWY
LAS VEGAS, NEVADA 89104
(702)460-1775

May 10, 2010

Attn: CITY OF LAS VEGAS, NEVADA

Re: JUSTIFICATION LETTER
SUP-27933-SPECIAL USE PERMIT
CITY COUNCIL MEETING OF JULY 16, 2008

I am formally requesting an extension of Five Years for my Special Use Permit due to the current economic situation. The reason for my request is because the economy should rebound with in that five year extension.

Respectfully,

HECTOR CAMACHO

RECEIVED
JUN 11 2010
EOT-38524

REVIEWED

LANDSCAPE AREA

PHASE I (RETAIL)

BLDG 2
20400 S.F.

PARKING TO USE

LANDSCAPE AREA

DIAMOND HEAD DR.

ACCESSIBLE ROUTE

TYP. 2'-6"

EMERGENCY ACCESS GATE

INDICATES PLANTER

BONANZA ROAD

EXIST. CMU WALL

EXIST. DAY CARE CENTER

SUITE 150 RETAIL | SUITE 150 | SUITE 140A | SUITE 140 | SUITE 130 | SUITE 120 | SUITE 110

TOTAL BLDG AREA : 16250 S.F.

PAGE STREET

PLOT PLAN

1" = 30'

C-OF-C ONLY

NEW 12'-0" ROLL-UP DOOR

SUITE 115

PARTIAL ELEVATION

1" = 10'

APPROVED
BY
PLANNING DIV. ON
CITY OF LAS VEGAS

CODE ANALYSIS

1. OCCUPANCY CLASSIFICATION: M - S 1, (no separate will be over allowable allowable per Table 307.7)

2. CONSTRUCTION TYPE: V B

3. FIRE SPRINKLERS: Yes.

4. HEIGHT: Actual: 27. Allowable: 55'.

5. STORIES: Actual: 1. Allowable: 2.

PHASE I

Building 1

6. AREA: ACTUAL: 16250 S.F. ALLOWABLE: 3000 S.F. x 3 due to Sprinklers: 21000 S.F.

7. OCCUPANT LOAD: 16250 S.F. / 100= 162.5.

8. Two exits required. 22 exits provided.

9. Table 602: Fire resistance based on location.

Distance:

South wall: 20'.	Required: 0 Hr.	Provided: 1 Hr.	
North wall: 70'.	" 0 Hr.	" 0 Hr.	
East wall: 74'.	" 0 Hr.	" 0 Hr.	
West wall: 48'.	" 0 Hr.	" 0 Hr.	

PHASE 2

Building 2

6. AREA: ACTUAL: 20400 S.F. ALLOWABLE: 3000 S.F. x 3 due to Sprinklers: 27000 S.F.

7. OCCUPANT LOAD: 20400 S.F. / 100= 204

8. Two exits required: 14 exits provided.

9. Table 602: Fire resistance based on location.

Distance:

South wall: 230'.	Required: 0 Hr.	Provided: 0 Hr.	
North wall: 70'.	" 0 Hr.	" 0 Hr.	
East wall: 10'.	" 0 Hr.	" 0 Hr.	
West wall: 50'.	" 0 Hr.	" 0 Hr.	

10. FIRE RESISTIVE CONSTRUCTION REQUIREMENTS: None.

11. SPECIAL INSPECTIONS REQUIRED: The Structural Engineer recommends PERIODICAL INSPECTIONS for Pad Grout Masonry.

12. 1997 UNIFORM ADMINISTRATIVE CODE W/ ORD.# 3437.
2003 INTERNATIONAL BUILDING CODE W/ ORD. # 3439.
2006 UNIFORM MECHANICAL CODE W/ ORD. #4238.
2006 UNIFORM PLUMBING CODE W/ ORD. # 4238.
2003 NATIONAL ELECTRICAL CODE W/ ORD. # 5827.
2003 UNIFORM FIRE CODE (NFPA 1) W/ ORD. # 5827.
1998 IGCBANM ATTF-1.

LEGAL DESCRIPTION:

BEING A PORTION OF THE NE/4 AT THE NW/4 OF SECTION 32, TOWNSHIP 20 S, RANGE 63 E AS RECORDED AT THE CLARK COUNTY, NV, RECORDER'S OFFICE.

A.P.N.: 140-32-114-045

EXIST. WALL

EXIST. SUITE 120
OCCUPANCY S1

OCCUPANCY S1

OCCUPANCY S1

RECEIVED
MAR 04 2009

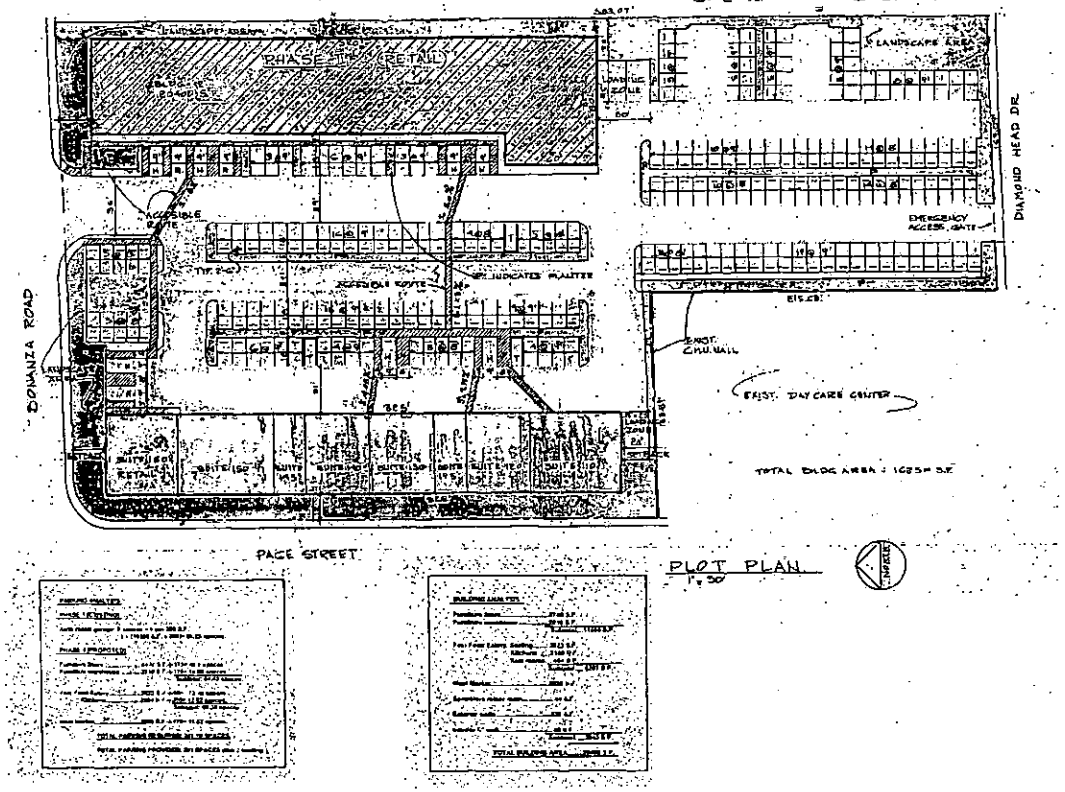
FLOOR PLAN

RECEIVED
JUN 11 2010

SUP-33611
04/23/09 PC

EOT-38524

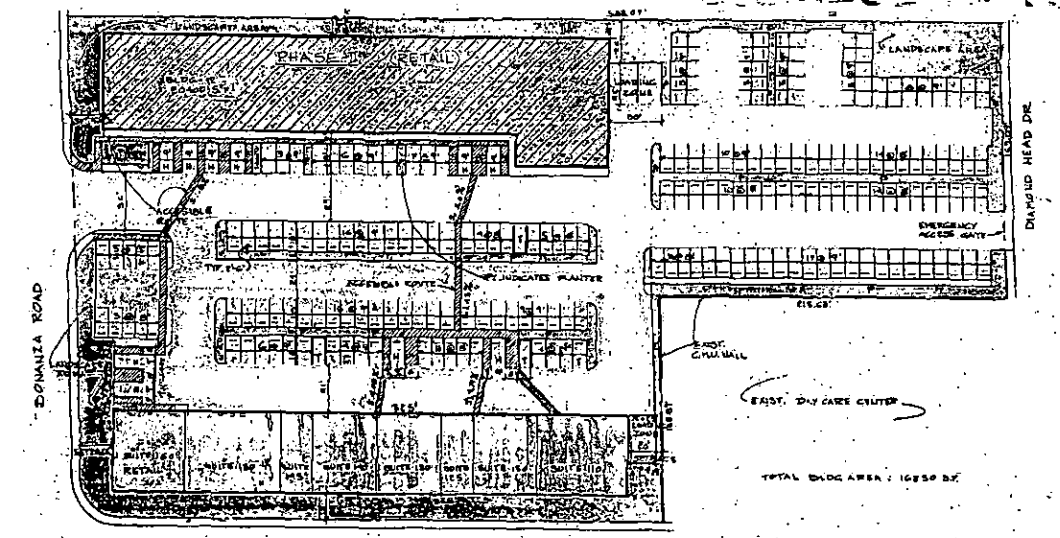
SUP-33611 (S) Stamped 3-4-09; PC 4-23-09 Denied



RECEIVED
MAR 04 2009

RECEIVED
JUN 11 2010
EOT-38524

ITEM
NO. 43



PLOT PLAN
1"=50'

RECEIVED
MAR 04 2009

RECEIVED
JUN 11 2010
EOT-38524

SUP-33611 (S) Stamped 3-4-09 ; PC 4-23-09 Denied

EOT-38524

DUPLICATE

FILE INFO

08/18/10 CC

City of Las Vegas Agenda Item No.: **84.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2010

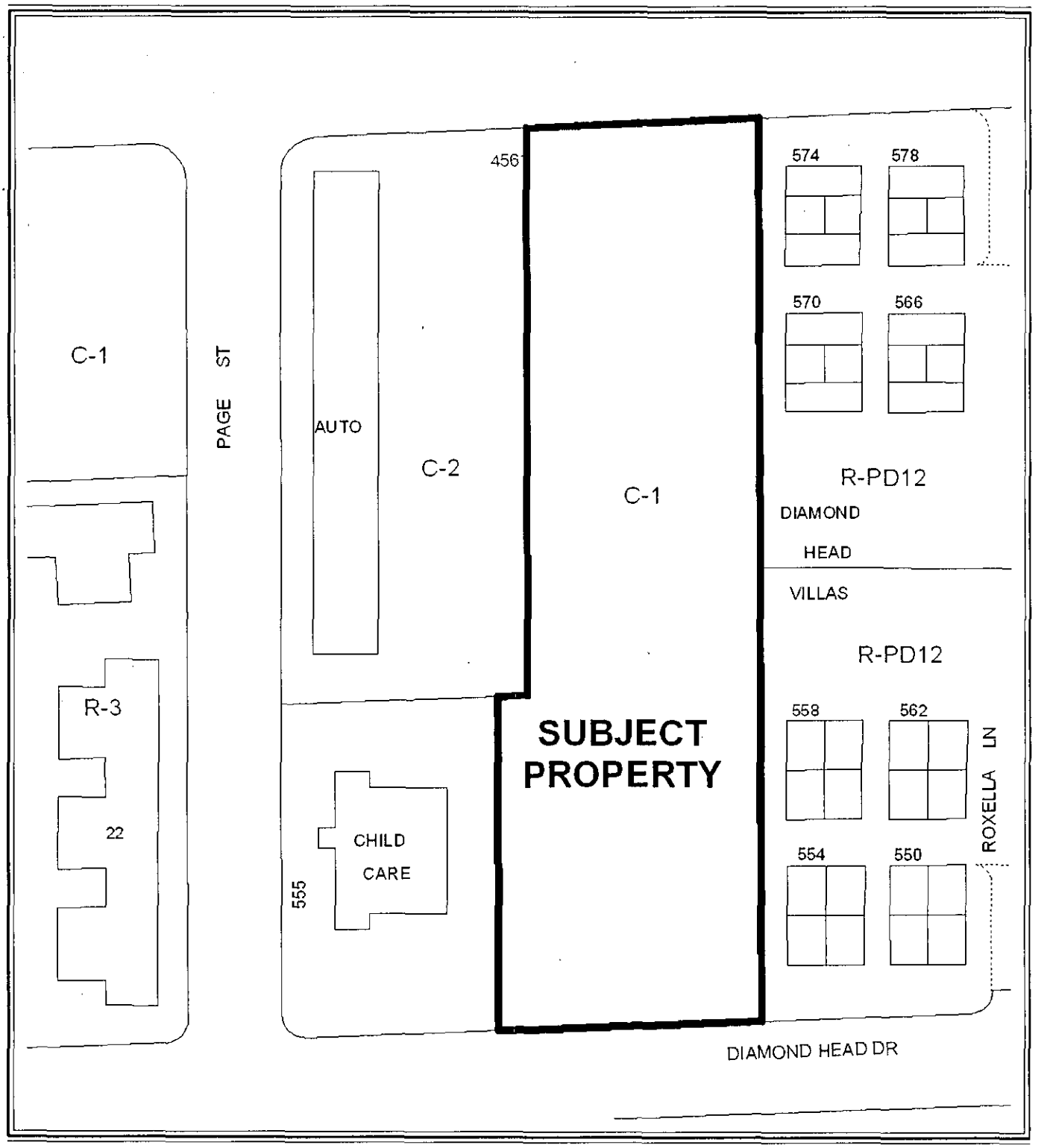
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
EOT-38524 – RECONSIDERATION - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: HECTOR CAMACHO - Request for an Extension of Time of a previously approved Special Use Permit (SUP-27933) FOR A PROPOSED RESTAURANT WITH A SERVICE BAR WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND TO ALLOW A 58-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 4561 East Bonanza Road (APN 140-32-101-016), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	1

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for SUP-27933
5. Justification Letter
6. Letter by Juanita Clark

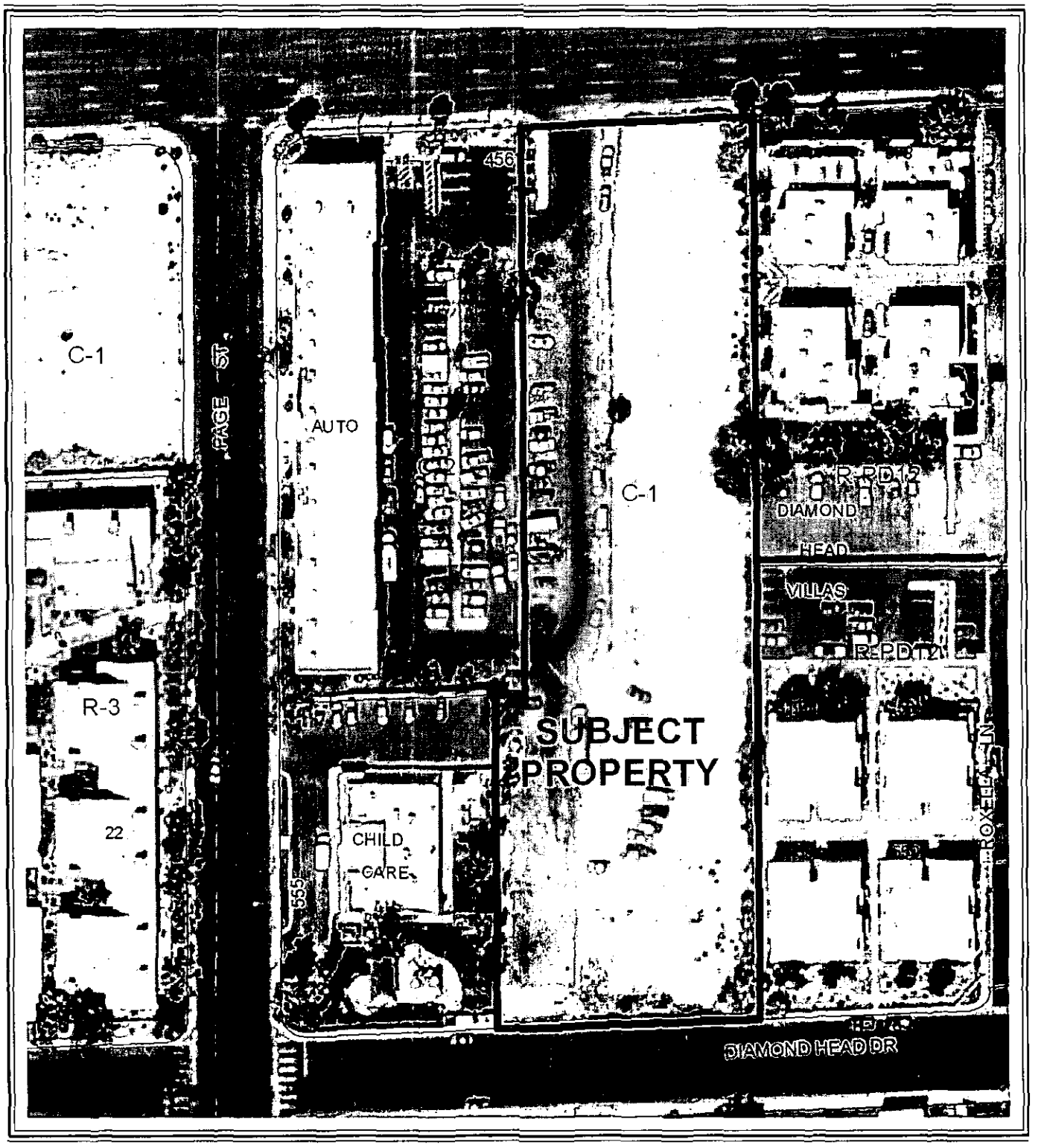


0 50 100 Feet

CASE: **EOT-38524**

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND C-1 (Limited Commercial)



0 50 100 Feet

CASE: **EOT-38524**

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND C-1 (Limited Commercial)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: HECTOR CAMACHO

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
EOT-38524	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

EOT-38524 CONDITIONS

Planning and Development

1. This Special Use Permit (SUP-27933) shall expire on July 16, 2012 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of Special Use Permit (SUP-27933) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

DS

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently undeveloped land with a previously approved Special Use Permit (SUP-27933) for a proposed Restaurant with Service Bar and waivers to allow a zero-foot distance separation from a child care facility and 58-foot distance separation from a school where 400 feet is required at 4561 East Bonanza Road. No building permits or business licenses have been issued for the proposed restaurant. There has been a change in land use in the surrounding area for a Fire Station to the west of the subject site. The applicant is requesting a five-year Extension of Time due to the current economic condition: staff does not have an objection to the Extension of Time, but recommends a two-year time limit. If the Extension of Time is denied, the Special Use Permit (SUP-27933) will expire.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/21/04	The City Council approved a request to amend a portion of the Southeast Sector Plan of the General Plan (GPA-2966) from SC (Service Commercial) to GC (General Commercial) on 3.41 acres adjacent to the southeast corner of Bonanza Road and Page Street. The Planning Commission recommended denial on 11/20/03.
	The City Council approved a related request for Rezoning (ZON-2967) from R-E (Residence Estates) under Resolution of Intent to O (Office) and C-1 (Limited Commercial) to C-2 (General Commercial).
	The City Council approved a related request for a Special Use Permit (SUP-3223) for an Auto Repair Garage, Major.
	The City Council approved a related request for a Site Development Plan Review (SDR-3224) for an Auto Repair Garage, Major and a proposed Self-Service Car Wash and a waiver of the perimeter and parking lot landscaping requirements.
11/19/04	The Planning and Development Department approved a request for a Reversionary Map (FMP-5529) for Diamondhead Townhomes on property located on the southeast corner of Bonanza Road and Page Street. The map was recorded on 01/19/05.
03/19/08	The City Council approved a request for a Variance (VAR-25220) to allow 201 parking spaces where 250 are required on 3.41 acres at the southeast corner of Page Street and Bonanza Road. The Planning Commission recommended denial on 02/14/08.

Staff Report Page Two
August 18, 2010 - City Council Meeting

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/19/08	The City Council approved a related request for a Site Development Plan Review (SDR-25148) to add a proposed 20,400 square-foot General Retail development to an existing 16,250 square-foot Auto Repair Garage, Major with waivers of perimeter landscape buffers to allow a five-foot buffer along a portion of the south property line where 15 feet is required and a five-foot buffer along a portion of the east property line where eight feet is required. The Site Development Plan Review expired on 03/19/10.
10/22/08	The Planning and Development Department approved a request for a technical review of a Parcel Map (PMP-27923) for 4.32 acres located at 4561 East Bonanza Road. The map was recorded on 06/09/09; file 116, page 81 record book 20060609.
07/16/08	The City Council approved a request for a Special Use Permit (SUP-27933) for a proposed Restaurant with a Service Bar with waivers to allow a zero-foot distance separation from a child care facility and to allow a 58-foot distance separation from a school where 400 feet is required at 4561 East Bonanza Road. The Planning Commission recommended denial on 06/12/08.
04/23/09	The Planning Commission recommended denial for a request for a Special Use Permit (SUP-33611) for a proposed Motor Vehicle Sales (Used) Establishment at 4561 East Bonanza Road.
07/21/10	The City Council voted to hold this item in abeyance to the August 4, 2010 City Council meeting at the request of Council.
08/04/10	The City Council voted to deny the request.

Related Building Permits/Business Licenses	
07/25/06	A business license (G02-00753) was issued for an Auto Repair Garage, Minor at 4561 East Bonanza Road, Ste 150. The license is still active.
10/10/06	A business license (G03-02372) was issued for an Auto Repair Garage, Major at 4561 east Bonanza Road, Ste 120. The license is still active.
10/04/07	A business license (A39-00431) was issued for Auto Parts sales at 4561 East Bonanza Road, Ste 160. The license is still active.
06/11/10	A business license (R05-00693) was issued for a Taco Trailer/Take Out at 4561 East Bonanza Road. The license is still active.

Pre-Application Meeting
A pre-application meeting was not required nor was one held.

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

DS

Field Check	
06/23/10	Staff conducted a field inspection of the subject site with the following observations: • The parcel is undeveloped land surrounded by chain-link fencing with sections of the fencing falling down, completely down, and/or missing a section at the south portion of a back parking lot area. • Bags full of trash, debris, and broken glass are scattered over the parcel with dead trees limbs set outside the fencing. • There is a car for sale at the northern end of the parcel at the entrance to the parking lot adjacent Bonanza Road. • A trash dumpster is placed outside the fenced area near Bonanza Road with graffiti on it. • A second yellow trash dumpster located in the parking lot directly in front of the parcel appeared filled to capacity with no lid.

Details of Application Request	
Site Area	
Gross Acres	1.32

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Auto Repair Garage, Minor and Major	GC (General Commercial)	C-2 (General Commercial)
North	Single Family Residences	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
South	Child Care Facility	SC (Service Commercial)	R-E (Residence Estates)
East	Undeveloped Land	GC (General Commercial)	C-1 (Limited Commercial)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
	Undeveloped Land-Proposed Fire Station	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
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	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first request for an Extension of Time of a previously approved Special Use Permit (SUP-27933) for a proposed Restaurant with Service Bar with waivers to allow a zero-foot distance separation from a child care facility and 58-foot distance separation from a school where 400 feet is required at 4561 East Bonanza Road. In addition to the above Special Use Permit, the applicant had received approval to add a 20,400 square foot General Retail Development to an existing 16,250 square-foot Auto Repair Garage, but the entitlement expired on 03/19/10. No building permits or business licenses have been issued for the proposed restaurant. Staff conducted a field check of the site and found the chain link fencing in need of repair, bags of trash scattered over the lot, broken glass, dead tree branches piled by the fence, a trash dumpster set outside the fencing with graffiti on it and a vehicle for sale parked at the north end near Bonanza Road.

FINDINGS

The Special Use Permit (SUP-27933) has not met Title 19.18.060 requirements to exercise the entitlement as a business license has not been issued for the proposed use. A report has been sent to Code Enforcement requesting correction of property maintenance violations. There has been a change in land use in the surrounding area for a Fire Station to the west of the subject site. The applicant is requesting an Extension of Time due to the current economic conditions in Las Vegas. Staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-27933) shall be required.

NOTICES MAILED N/A

APPROVALS 0

DS

PROTESTS 0

DS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-38524 APN: 140-32-101-017

Name of Property Owner: HECTOR CAMACHO

Name of Applicant: SAME

Name of Representative: SAME

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: HECTOR CAMACHO

Subscribed and sworn before me

This 11th day of June, 2010

Jeannie M Becknell

Notary Public in and for said County and State

State of Nevada
County of Clark

JEANNIE M. BECKNELL
Notary Public State of Nevada
No. 99-23658-1
My appt. exp. Apr. 10, 2011

RECEIVED
JUN 11 2010

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: EOT

Project Address (Location) 4561 E BONANZA

Project Name CAMACHO PLAZA Proposed Use

Assessor's Parcel #(s) 140 ~~[illegible]~~ 32 101 017 Ward # 3

General Plan: existing _____ proposed _____ Zoning: existing C1 proposed _____

Commercial Square Footage _____ Floor Area Ratio _____

Gross Acres _____ Lots/Units _____ Density _____

Additional Information _____

PROPERTY OWNER HECTOR CAMACHO **Contact** HECTOR

Address 1501 S MARYLAND PK **Phone** 460175 **Fax:**

City LV **State** NV **Zip** 89104

E-mail Address _____

APPLICANT HECTOR CAMACHO **Contact** HECTOR

Address 1501 S MARYLAND PK **Phone:** 460175 **Fax:**

City LV **State** NV **Zip** 89104

E-mail Address _____

REPRESENTATIVE HECTOR **Contact** 460175

Address 1501 S MARYLAND PK **Phone:** _____ **Fax:** _____

City LV **State** NV **Zip** 89104

E-mail Address _____

Property Owner Signature* [signature]

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Hector Camacho

Subscribed and sworn before me

This 11th day of June, 20 10.

[signature]

Notary Public in and for said County and State State of Nevada County of Clark

JEANNIE M. BECKNELL
Notary Public State of Nevada
No. 99-[illegible]-1
My appt. exp. Apr 16, 2011

Revised 10/27/08

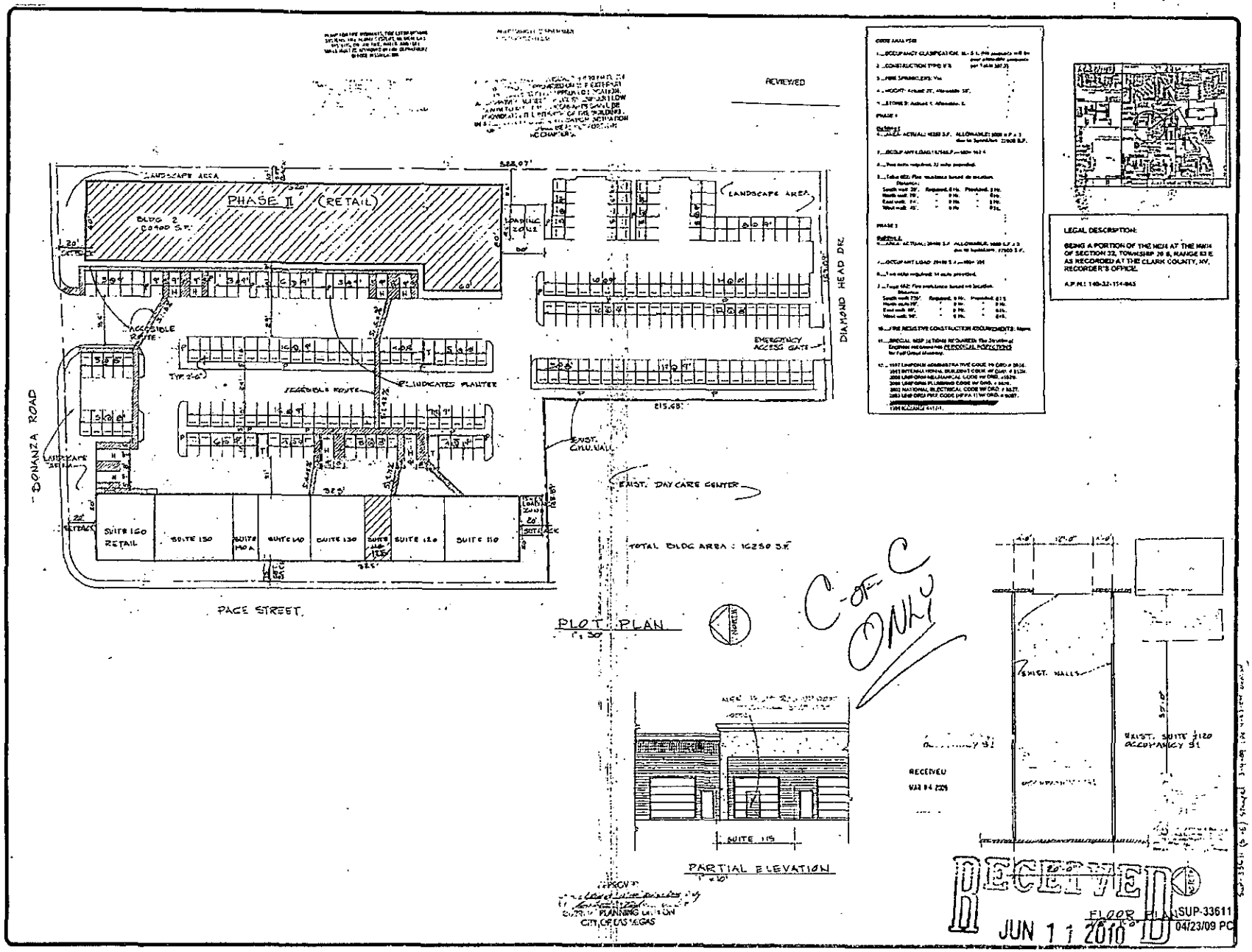
FOR DEPARTMENT USE ONLY

Case #	EOT-38524
Meeting Date:	7/21/04
Total Fee:	300 00
Date Received:*	6/11/04
Received By:	MRex

The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

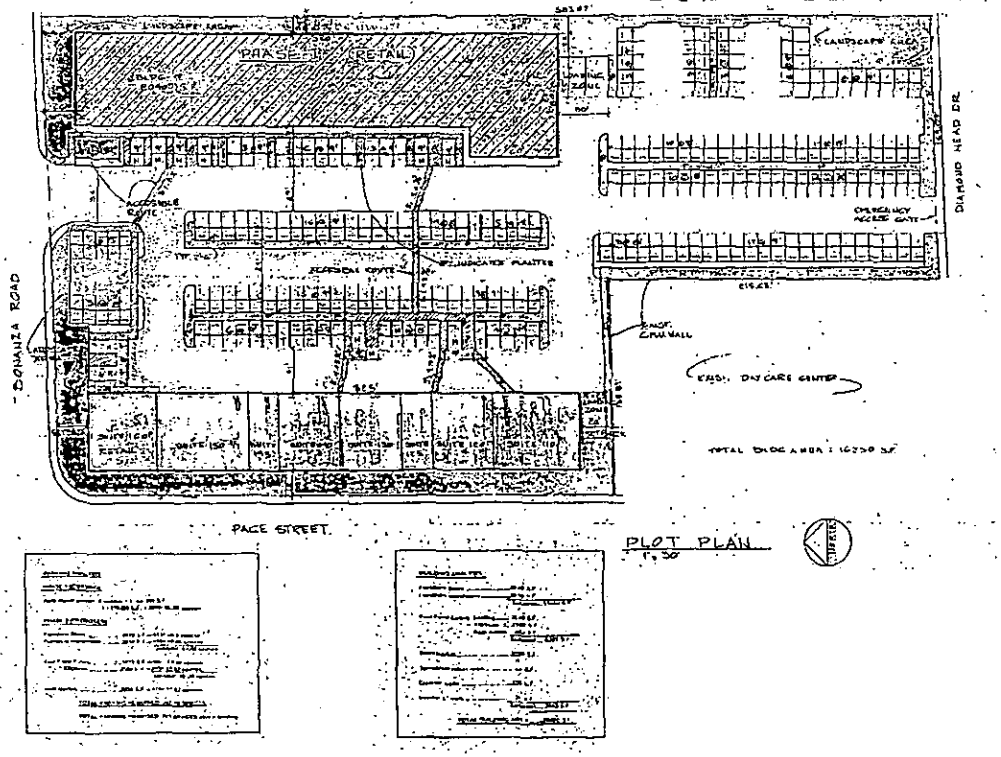
JUN 11 2010

f:\depot\Application Packet\Application Form.pdf


REVIEWED
LANDSCAPE AREA
PHASE II (RETAIL)
BLDG 2
LANDSCAPE AREA
DIAMOND HEAD DR.
ACCESSIBLE ROUTE
EMERGENCY ACCESS GATE
TYP. 2'-6"
INDICATES PLANTER
DONANZA ROAD
EXIST. CHU. WALL
EXIST. DAY CARE CENTER
SUITE 150 RETAIL
SUITE 150
SUITE 140A
SUITE 140
SUITE 130
SUITE 120
SUITE 110
TOTAL BLDG AREA : 16250 S.F.
PACE STREET
PLOT PLAN
1" = 30'
NORTH
C OF C ONLY
PARTIAL ELEVATION
SUITE 115
EXIST. WALLS
EXIST. SUITE 1120 OCCUPANCY B1
RECEIVED
JUN 11 2010
FLOOR PLAN
SUP-33611
04/23/09 PC
LEGAL DESCRIPTION:
BEING A PORTION OF THE NE¼ AT THE NW¼ OF SECTION 32, TOWNSHIP 20 S, RANGE 63 E AS RECORDED AT THE CLARK COUNTY, NV, RECORDER'S OFFICE.
A.P. NO.: 140-32-154-043
CITY OF LAS VEGAS

EOT-38524

SUP-33611(S) Stamped 3-4-09; PC 4-23-09 Denied



RECEIVED
MAR 04 2009

RECEIVED
JUN 11 2010

EOT-38524

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

FM-0044-08-09

August 5, 2010

Mr. Hector Camacho
1501 South Maryland Parkway
Las Vegas, Nevada 89104

RE: EOT-38524 - EXTENSION OF TIME
CITY COUNCIL MEETING OF AUGUST 4, 2010

Dear Mr. Camacho:

The City Council at a regular meeting held August 4, 2010 DENIED the request for an Extension of Time of a previously approved Special Use Permit (SUP-27933) FOR A PROPOSED RESTAURANT WITH A SERVICE BAR WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND TO ALLOW A 58-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 4561 East Bonanza Road (APN 140-32-101-016), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 5, 2010.

Sincerely,

Gabriela Portillo-Brenner
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

FM-0044-08-09

July 22, 2010

Mr. Hector Camacho
1501 South Maryland Parkway
Las Vegas, Nevada 89104

RE: EOT-38524 - EXTENSION OF TIME
CITY COUNCIL MEETING OF JULY 21, 2010

Dear Mr. Camacho:

The City Council at a regular meeting held July 21, 2010 HELD IN ABEYANCE the request for an Extension of Time of a previously approved Special Use Permit (SUP-27933) FOR A PROPOSED RESTAURANT WITH A SERVICE BAR WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND TO ALLOW A 58-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 4561 East Bonanza Road (APN 140-32-101-016), C-1 (Limited Commercial) Zone.

This item will be heard during the 1:00 p.m. Planning and Development discussion portion of the August 4, 2010 City Council Meeting. It is recommended that you or your representative be in attendance at this meeting. If you or your representative chooses not to attend, the City Council may act in your absence without your input.

Sincerely,

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

731 S. Fourth Street
Las Vegas, NV 89101

Voice: 702-229-6301
Fax: 702-474-0352
TTY 702-386-9108

www.lasvegasnevada.gov

178188

July 9, 2010

Mr. Hector Camacho
1501 South Maryland Parkway
Las Vegas, Nevada 89104

RE: EOT-38524 - EXTENSION OF TIME - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF – JULY 21, 2010

Dear Mr. Camacho:

Please be advised the City Council at its regular meeting on ***July 21, 2010*** as referred to above, will consider your request. This meeting will be held at 1:00 P. M. at the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

A copy of staff's recommendations, any conditions related to your application and the ***final agenda*** will available on-line on ***Friday, July 16, 2010*** at www.lasvegasnevada.gov. If you do not have access to the Internet and would prefer receiving hard copies of the documentation, please call the Case Planning Division at (702) 229-6301 or come into the Development Services Center at 731 South Fourth Street to request your copies.

The City Council requires that you or your representative be present at this meeting.

Sincerely,

M. Margo Wheeler, AICP
Director, Planning and Development Department

MMW:clb

FM-0073-09-09 MD 32531

City of Las Vegas

Agenda Item No.:
<ITEM_OUTLINE>

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JULY 21, 2010

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

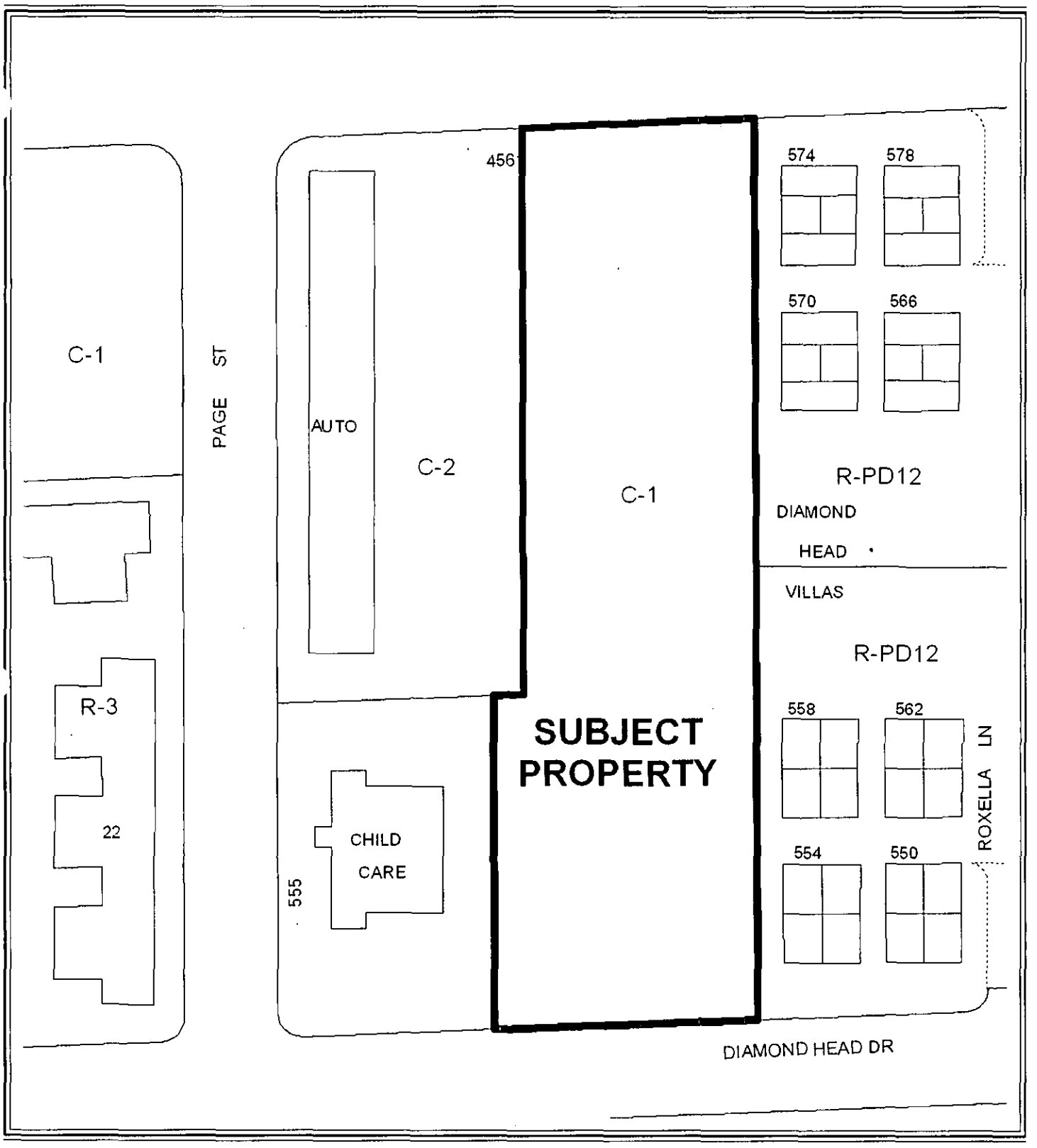
☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-38524 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: HECTOR CAMACHO - Request for an Extension of Time of a previously approved Special Use Permit (SUP-27933) FOR A PROPOSED RESTAURANT WITH A SERVICE BAR WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND TO ALLOW A 58-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 4561 East Bonanza Road (APN 140-32-101-016), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	1

RECOMMENDATION:
Staff recommends APPROVAL subject to conditions.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for SUP-27933
5. Justification Letter

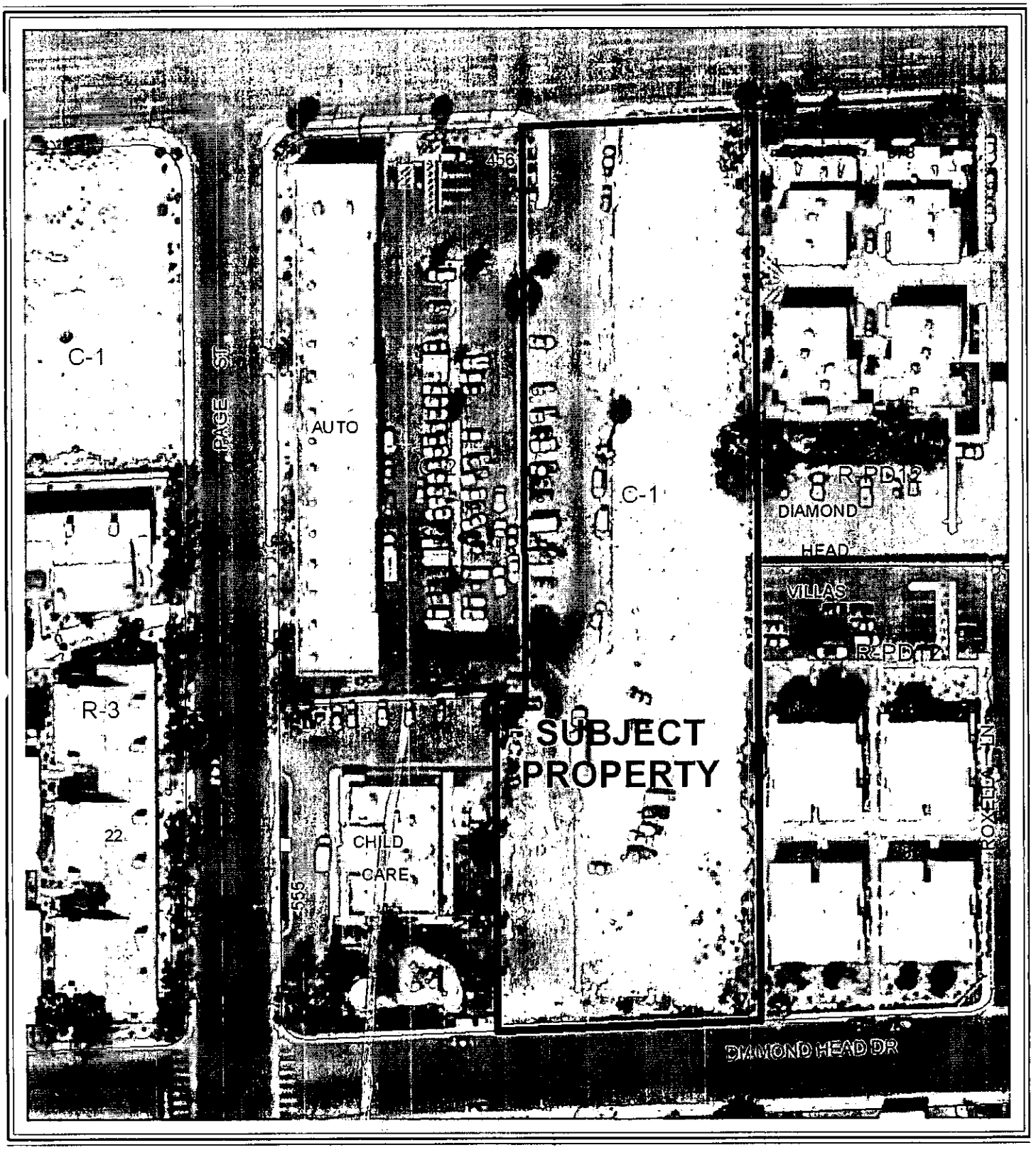


CASE: **EOT-38524**

0 50 100 Feet

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND C-1 (Limited Commercial)



0 50 100 Feet

CASE: **EOT-38524**

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND C-1 (Limited Commercial)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 21, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: HECTOR CAMACHO

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
EOT-38524	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

EOT-38524 CONDITIONS

Planning and Development

1. This Special Use Permit (SUP-27933) shall expire on July 16, 2012 unless another Extension of Time is approved by the City Council.

2. Conformance to the conditions of approval of Special Use Permit (SUP-27933) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

DS

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently undeveloped land with a previously approved Special Use Permit (SUP-27933) for a proposed Restaurant with Service Bar and waivers to allow a zero-foot distance separation from a child care facility and 58-foot distance separation from a school where 400 feet is required at 4561 East Bonanza Road. No building permits or business licenses have been issued for the proposed restaurant. There has been a change in land use in the surrounding area for a Fire Station to the west of the subject site. The applicant is requesting a five-year Extension of Time due to the current economic condition: staff does not have an objection to the Extension of Time, but recommends a two-year time limit. If the Extension of Time is denied, the Special Use Permit (SUP-27933) will expire.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/21/04	The City Council approved a request to amend a portion of the Southeast Sector Plan of the General Plan (GPA-2966) from SC (Service Commercial) to GC (General Commercial) on 3.41 acres adjacent to the southeast corner of Bonanza Road and Page Street. The Planning Commission recommended denial on 11/20/03.
	The City Council approved a related request for Rezoning (ZON-2967) from R-E (Residence Estates) under Resolution of Intent to O (Office) and C-1 (Limited Commercial) to C-2 (General Commercial).
	The City Council approved a related request for a Special Use Permit (SUP-3223) for an Auto Repair Garage, Major.
	The City Council approved a related request for a Site Development Plan Review (SDR-3224) for an Auto Repair Garage, Major and a proposed Self-Service Car Wash and a waiver of the perimeter and parking lot landscaping requirements.
11/19/04	The Planning and Development Department approved a request for a Reversionary Map (FMP-5529) for Diamondhead Townhomes on property located on the southeast corner of Bonanza Road and Page Street. The map was recorded on 01/19/05.
03/19/08	The City Council approved a request for a Variance (VAR-25220) to allow 201 parking spaces where 250 are required on 3.41 acres at the southeast corner of Page Street and Bonanza Road. The Planning Commission recommended denial on 02/14/08.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/19/08	The City Council approved a related request for a Site Development Plan Review (SDR-25148) to add a proposed 20,400 square-foot General Retail development to an existing 16,250 square-foot Auto Repair Garage, Major with waivers of perimeter landscape buffers to allow a five-foot buffer along a portion of the south property line where 15 feet is required and a five-foot buffer along a portion of the east property line where eight feet is required. The Site Development Plan Review expired on 03/19/10.
10/22/08	The Planning and Development Department approved a request for a technical review of a Parcel Map (PMP-27923) for 4.32 acres located at 4561 East Bonanza Road. The map was recorded on 06/09/09; file 116, page 81 record book 20060609.
07/16/08	The City Council approved a request for a Special Use Permit (SUP-27933) for a proposed Restaurant with a Service Bar with waivers to allow a zero-foot distance separation from a child care facility and to allow a 58-foot distance separation from a school where 400 feet is required at 4561 East Bonanza Road. The Planning Commission recommended denial on 06/12/08.
04/23/09	The Planning Commission recommended denial for a request for a Special Use Permit (SUP-33611) for a proposed Motor Vehicle Sales (Used) Establishment at 4561 East Bonanza Road.

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Pre-Application Meeting
A pre-application meeting was not required nor was one held.

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

Field Check	
06/23/10	Staff conducted a field inspection of the subject site with the following observations: • The parcel is undeveloped land surrounded by chain-link fencing with sections of the fencing falling down, completely down, and/or missing a section at the south portion of a back parking lot area. • Bags full of trash, debris, and broken glass are scattered over the parcel with dead trees limbs set outside the fencing. • There is a car for sale at the northern end of the parcel at the entrance to the parking lot adjacent Bonanza Road. • A trash dumpster is placed outside the fenced area near Bonanza Road with graffiti on it. • A second yellow trash dumpster located in the parking lot directly in front of the parcel appeared filled to capacity with no lid.

Details of Application Request	
Site Area	
Gross Acres	1.32

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Auto Repair Garage, Minor and Major	GC (General Commercial)	C-2 (General Commercial)
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East	Undeveloped Land	GC (General Commercial)	C-1 (Limited Commercial)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
	Undeveloped Land-Proposed Fire Station	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
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	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first request for an Extension of Time of a previously approved Special Use Permit (SUP-27933) for a proposed Restaurant with Service Bar with waivers to allow a zero-foot distance separation from a child care facility and 58-foot distance separation from a school where 400 feet is required at 4561 East Bonanza Road. In addition to the above Special Use Permit, the applicant had received approval to add a 20,400 square foot General Retail Development to an existing 16,250 square-foot Auto Repair Garage, but the entitlement expired on 03/19/10. No building permits or business licenses have been issued for the proposed restaurant. Staff conducted a field check of the site and found the chain link fencing in need of repair, bags of trash scattered over the lot, broken glass, dead tree branches piled by the fence, a trash dumpster set outside the fencing with graffiti on it and a vehicle for sale parked at the north end near Bonanza Road.

FINDINGS

The Special Use Permit (SUP-27933) has not met Title 19.18.060 requirements to exercise the entitlement as a business license has not been issued for the proposed use. A report has been sent to Code Enforcement requesting correction of property maintenance violations. There has been a change in land use in the surrounding area for a Fire Station to the west of the subject site. The applicant is requesting an Extension of Time due to the current economic conditions in Las Vegas. Staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-27933) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-38524 APN: 140-32-101-017

Name of Property Owner: HECTOR CAMACHO

Name of Applicant: SAME

Name of Representative: SAME

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: HECTOR CAMACHO

Subscribed and sworn before me

This 11th day of June, 2010

Jeannie M Becknell

Notary Public in and for said County and State

State of Nevada
County of Clark

JEANNIE M. BECKNELL
Notary Public State of Nevada
No. 99-23658-1
My appt. exp. Apr. 16, 2011

RECEIVED
JUN 11 2010

Revised 11-14-06

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: EOT

Project Address (Location) 4561 E BONANZA

Project Name CAMACHO PLAZA Proposed Use

Assessor's Parcel #(s) 140 32 101 017 Ward # 3

General Plan: existing _____ proposed _____ Zoning: existing C1 proposed _____

Commercial Square Footage _____ Floor Area Ratio _____

Gross Acres _____ Lots/Units _____ Density _____

Additional Information _____

PROPERTY OWNER HECTOR CAMACHO Contact HECTOR

Address 1501 S MARYLAND PK Phone 460175 Fax:

City LV State NV Zip 89104

E-mail Address

APPLICANT HECTOR CAMACHO Contact HECTOR

Address 1501 S MARYLAND PK Phone: 460175 Fax:

City LV State NV Zip 89104

E-mail Address

REPRESENTATIVE HECTOR Contact 460175

Address 1501 S MARYLAND PK Phone: Fax:

City LV State NV Zip 89104

E-mail Address

Property Owner Signature*

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Hector Camacho

Subscribed and sworn before me

This 11th day of June, 2010.

Jeannie Becknell

Notary Public in and for said County and State State of Nevada County of Clark

JEANNIE M. BECKNELL
Notary Public State of Nevada
No. 99-33668-1
My appt. exp. Apr. 10, 2011

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	EOT-38524
Meeting Date:	7/21/04
Total Fee:	300 00
Date Received:*	6/11/10
Received By:	MRex

The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

JUN 11 2010

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REVIEWED

PHASE II (RETAIL)

BLDG 2 20,000 S.F.

LANDSCAPE AREA

LOADING ZONE

ACCESSIBLE ROUTE

TYP. 2'-0"

PEDESTRIAN ROUTE

SP1 INDICATES PLANTER

EMERGENCY ACCESS GATE

DIAMOND HEAD DR.

BONANZA ROAD

EXIST. CMU WALL

EXIST. DAYCARE CENTER

SUITE 150 RETAIL | SUITE 150 | SUITE 140A | SUITE 140 | SUITE 130 | SUITE 120 | SUITE 114 | SUITE 110

TOTAL BLDG AREA = 10250 S.F.

PAGE STREET

PLOT PLAN

1" = 30'

C-OF-C ONLY

PARTIAL ELEVATION

SUITE 115

APPROVED
SUPERVISOR PLANNING DIVISION
CITY OF LAS VEGAS

CODE ANALYSIS

1. OCCUPANCY CLASSIFICATION: M, S-1, (the remainder will be over allowable unlimited per Table 307.7)

2. CONSTRUCTION TYPE V-B

3. FIRE SPRINKLERS: Yes

4. HEIGHT: Actual 27', Allowable 50'.

5. STORIES: Actual 1, Allowable 2.

PHASE I

Building:
AREA: ACTUAL: 10250 S.F. ALLOWABLE: 18000 S.F. x 3 due to Sprinkler = 54000 S.F.

7. OCCUPANT LOAD: 14,000 S.F. / 100 = 140 p.p.

8. Two exits required. 22 exits provided.

9. Table 602: Fire resistance based on location.

Distance:

	Required	Provided
South wall: 20'.	0 Hr.	1 Hr.
North wall: 75'.	0 Hr.	0 Hr.
East wall: 74'.	0 Hr.	0 Hr.
West wall: 60'.	0 Hr.	0 Hr.

PHASE 2

Building:
AREA: ACTUAL: 20000 S.F. ALLOWABLE: 18000 S.F. x 3 due to Sprinkler = 27000 S.F.

4. OCCUPANT LOAD: 20000 S.F. / 100 = 200 p.p.

5. 2 exits required. 14 exits provided.

2. Table 602: Fire resistance based on location.

Distance:

	Required	Provided
South wall: 73'.	0 Hr.	0 Hr.
North wall: 75'.	0 Hr.	0 Hr.
East wall: 60'.	0 Hr.	0 Hr.
West wall: 60'.	0 Hr.	0 Hr.

10. FIRE RESISTIVE CONSTRUCTION REQUIREMENTS: None.

11. SPECIAL INSPECTIONS REQUIRED: The Structural Engineer will determine PERIODICAL INSPECTIONS for Fall Guard Academy.

12. 2001 UNIFORM ADMINISTRATIVE CODE W/ ORD. # 5437.
2003 INTERNATIONAL BUILDING CODE W/ ORD. # 5439.
2006 UNIFORM MECHANICAL CODE W/ ORD. #5228.
2006 UNIFORM PLUMBING CODE W/ ORD. # 5636.
2002 NATIONAL ELECTRICAL CODE W/ ORD. # 5637.
2003 UNIFORM FIRE CODE (NFPA 1) W/ ORD. # 5447.
2006 NEVADA ADDITIONS.

LEGAL DESCRIPTION

BEING A PORTION OF THE NE¼ AT THE NW¼ OF SECTION 22, TOWNSHIP 20 S, RANGE 63 E AS RECORDED AT THE CLARK COUNTY, NV, RECORDER'S OFFICE.

A.P.N.: 140-22-114-045

EXIST. WALLS

EXIST. SUITE 1120 OCCUPANCY S1

OCCUPANCY S1

RECEIVED
MAR 24 2009

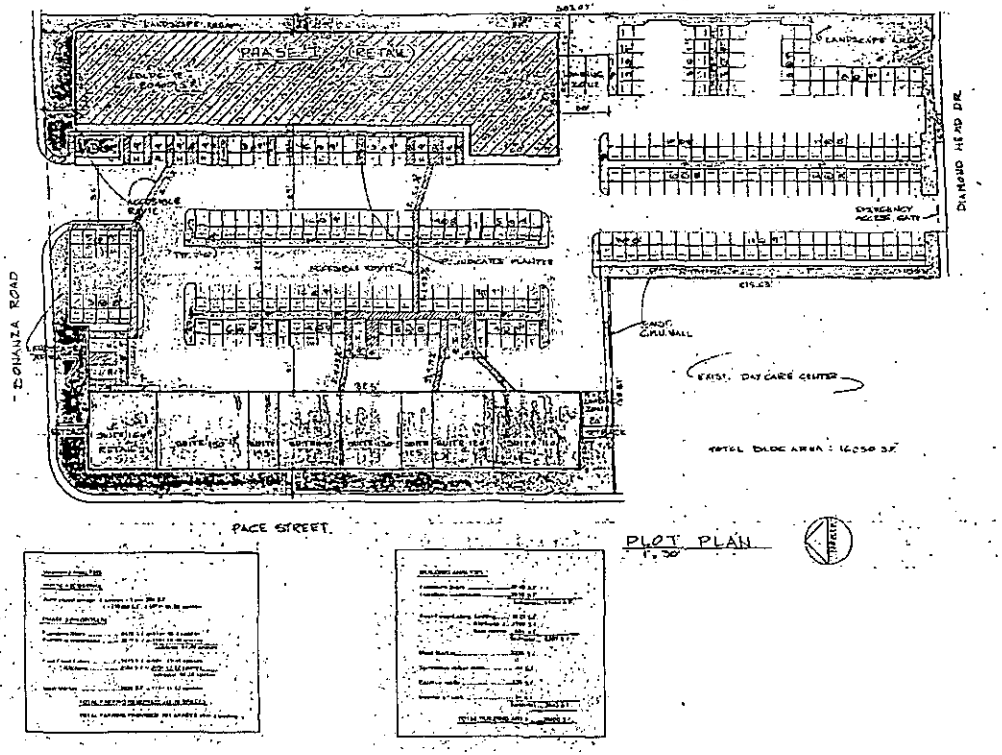
RECEIVED
JUN 11 2010

FLOOR PLAN

SUP-33611
04/23/09 PC

EOT-38524

SUP-33611(S) Stamped 3-4-09; PC 4-23-09 Denied



RECEIVED
MAR 04 2009

RECEIVED
JUN 11 2010

EOT-38524

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

August 6, 2008

Mr. Hector Camacho
1501 South Maryland Parkway
Las Vegas, Nevada 89104

RE: SUP-27933 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF JULY 16, 2008

Dear Mr. Camacho:

The City Council at a regular meeting held July 16, 2008 considered the Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED RESTAURANT WITH A SERVICE BAR WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND TO ALLOW A 58-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 4561 East Bonanza Road (APN 140-32-101-013), C-1 (Limited Commercial) Zone.

The City Council APPROVED the Appeal, thereby approving the Special Use Permit. The Notice of Final Action was filed with the Las Vegas City Clerk on July 17, 2008. This approval is subject to:

Added Conditions

A. The hours of operation of the alcohol sale shall be limited to 4:00 p.m. to 12:00 a.m. daily.

B. A property management company shall remain on site at all times and the telephone number of the contact person shall be made available to the City Council Office at all times.

C. There shall be a three-month review after issuance of the business license at a public hearing of the City Council and the applicant shall pay for the public hearing review.

Planning & Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Restaurant with Service Bar use, including parking requirements.

2. Conformance to the conditions for Site Development Plan Review (SDR-25148) and Variance (VAR-25220) if approved.

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. An address must be assigned for the Restaurant with Service Bar use at the time of building permits.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Angela Crolli
Senior Deputy City Clerk for
Beverly K. Bridges, CMC, City Clerk

M. Margo Wheeler, AICP
Director
Planning and Development Department

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Angela Crolli
Senior Deputy City Clerk for
Beverly K. Bridges, CMC, City Clerk

M. Margo Wheeler, AICP
Director
Planning and Development Department

HECTOR CAMACHO
1501 S. MARYLAND PKWY
LAS VEGAS, NEVADA 89104
(702)460-1775

May 10, 2010

Attn: CITY OF LAS VEGAS, NEVADA

Re: JUSTIFICATION LETTER
SUP-27933-SPECIAL USE PERMIT
CITY COUNCIL MEETING OF JULY 16, 2008

I am formally requesting an extension of Five Years for my Special Use Permit due to the current economic situation. The reason for my request is because the economy should rebound with in that five year extension.

Respectfully,

HECTOR CAMACHO

EOT-38524

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August 6, 2008

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CITY COUNCIL MEETING OF JULY 16, 2008

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The City Council APPROVED the Appeal, thereby approving the Special Use Permit. The Notice of Final Action was filed with the Las Vegas City Clerk on July 17, 2008. This approval is subject to:

Added Conditions

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Angela Crolli
Senior Deputy City Clerk for
Beverly K. Bridges, CMC, City Clerk

M. Margo Wheeler, AICP
Director
Planning and Development Department

City of Las Vegas Agenda Item No.: **98.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 16, 2008

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-27933 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: HECTOR CAMACHO – Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED RESTAURANT WITH A SERVICE BAR WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND TO ALLOW A 58-FOOT DISTANCE SEPARATION FROM A SCHOOL WHERE 400 FEET IS REQUIRED at 4561 East Bonanza Road (APN 140-32-101-013), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	14	**Planning Commission Mtg.**	1
City Council Meeting	19	**City Council Meeting**	1

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Location, Aerial Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal letter filed by Hector Camacho
7. Protest Postcards
8. Submitted after Final Agenda – Protest/Support Postcards
9. Backup Referenced from the 06-12-08 Planning Commission Meeting Item 30

Motion made by GARY REESE to Approve subject to conditions and adding the following conditions as read for the record:

A. The hours of operation of the alcohol sale shall be limited to 4:00 p.m. to 12:00 a.m. daily.

B. A property management company shall remain on site at all times and the telephone number of the contact person shall be made available to the City Council Office at all times.

C. There shall be a three-month review after issuance of the business license at a public hearing of the City Council and the applicant shall pay for the public hearing review.

CITY COUNCIL MEETING OF: JULY 16, 2008

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICKI Y. BARLOW)

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

HECTOR CAMACHO, applicant, stated the site is 3.5 acres. COUNCILMAN REESE explained that 50 percent of the acreage has been developed but MR. CAMACHO desires to build out the remaining portion. The Councilman was comfortable with the distance separation from the church and daycare facilities, as it is measured from property line to property line. MR. CAMACHO is willing to work with the Councilman on hours of operation and is open to hiring a management company. Having one will benefit MR. CAMACHO and the residents within the community.

KENT RIRIE, 4604 Julene Court, spoke in opposition. The childcare employees do not live in the area but would be disappointed to see such a business in this area within the close distance. The Councilman clarified that the business is not a bar; it is more so a restaurant court with a service bar in a family friendly atmosphere. The alcohol area is closer to the Bonanza Road side where there are liquor establishments. VALERIE ADAMSON, 4601 Julene Court, also spoke in opposition for the aforementioned reasons.

MARS FREIDMAN, DT Mark Properties and owner of Childtime, 161 Ventura Blvd., Los Angeles, California emphasized the need for his tenants to be able to provide a safe environment for their children. The applicant's development has proceeded with continued concessions. There have been landscape buffers filled with trash, many citations, a restraining order against the applicant and, now, more concessions. Council has given this applicant a larger footprint, a 20 percent parking reduction and now a service bar. The application notes the restaurant in the middle, but in essence, it is one big parking lot filled with many drinkers. He asked Council to do what's best for the community.

COUNCILMAN REESE noted there is no access off of Page Avenue and Diamond Head but only on Bonanza Road, so individuals would only exit/enter from Bonanza Road. MR. FRIEDMAN stated that on Diamond Head there is a crash gate that individuals have driven through heading directly towards the elementary school. The Councilman explained that he has requested the applicant hire a management company, but MR. FRIEDMAN did not believe it would suffice.

MR. CAMACHO rebutted that his business will cater to families and the alcohol portion is needed given the economy. He emphasized the financing, approximately three million, is already in place and can be verified.

COUNCILMAN REESE trailed the item to further discuss the issues with the applicant and residents present. In doing so, he confirmed that the residents do not oppose the agreed upon hours of operation and are adamant that a management company is hired to maintain the site. MR. FRIEDMAN stated the Childtime lease is up for renewal in January 2009; it is possible that this business could be replaced with MR. CAMACHO'S business.

MARGO WHEELER, Director of Planning and Development, clarified the conditions: hours are daily from 4:00 p.m. to 12:00 a.m. for alcohol sales, a management company on site at all times with contact number on record in City Council's Office and a three-month review.

COUNCILWOMAN TARKANIAN appreciated the Councilman's concern for families and communities. Although she would not normally support alcohol being this close to a school, she could trust the Councilman's judgment and decision to support.

MAYOR GOODMAN declared the Public Hearing closed.

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 16, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-27933 - APPLICANT/OWNER: HECTOR CAMACHO

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend DENIAL.

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Restaurant with Service Bar use, including parking requirements.

2. Conformance to the conditions for Site Development Plan Review (SDR-25148) and Variance (VAR-25220) if approved.

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5. An address must be assigned for the Restaurant with Service Bar use at the time of building permits.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a proposed Restaurant with Service Bar at 4561 East Bonanza Road in an approved 36,650 commercial center. The first phase of the commercial center 16,250 square foot automotive repair facility is complete and in operation. The second approved phase of the project will add an additional 20,400 square-foot of commercial space. The phase II expansion is to include a 11,550 square-foot furniture store, a 6,207 square-foot fast food restaurant and a 2,035 square-foot meat market. The applicant is requesting the addition of a Service Bar to the approved 6,207 square foot restaurant.

This proposed use requires Waivers of the 400-foot distance separation requirements from Title 19.04.050 for the Restaurant with Service Bar use. Section 19.04.050 of the City of Las Vegas Zoning Code establishes the criteria for the approval of alcohol-related uses. The Code requires a restaurant service bar to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or city park as measured from property line to property line. The subject site is zero-feet from an existing child care facility and 51-feet from a public elementary school.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
09/02/03	Code Enforcement cited (#3208) the property for trash, debris, high vegetation and large piles of dirt on the site. The citation was resolved on 10/24/03
10/30/03	Code Enforcement cited (#6336) the property for high and dry vegetation and litter. The citation was resolved on 12/15/03.
01/24/04	City Council approved a General Plan Amendment (GPA-2966) from SC (Service Commercial) to GC (General Commercial), a Rezoning (ZON-2967) from R-E (Residence Estates) Zone under Resolution of Intent to O (Office) and C-1 (Limited Commercial) to C-2 (General Commercial), a Special Use Permit (SUP-3223) and Site Development Plan Review (SDR-3224) for an Auto Repair Garage (Major) and a proposed Self Serve Car Wash on 3.41 acres adjacent to the southeast corner of Bonanza Road and Page Street. Planning Commission and staff recommended denial. NOTE: the area designated phase 2 on the site plan was zoned to C-1 (Limited Commercial).
03/02/04	Code Enforcement cited (#10625) the property for graffiti. The citation was resolved on 03/19/04.
06/21/04	Code Enforcement cited (#16380) the property for trash on the vacant lot portion of the site. The citation was resolved on 06/30/04.
07/27/04	Code Enforcement cited (#19314) the property for trash and piles of debris. The citation was resolved on 12/06/04.

03/02/05	Code Enforcement cited (#26624) the property for graffiti and a broken fence on the property. The citation was resolved on 04/04/05.
04/20/06	Code Enforcement cited (#40443) the property for graffiti and abandoned cars. The citation was resolved on 07/06/06.
07/21/06	Code Enforcement cited (#44724) the property for graffiti and a broken fence on the property. The citation was resolved on 02/10/07.
01/09/08	A site inspection was conducted for Special Use Permit (SUP-3223). The following violations were observed by staff: Temporary signage was observed at 4561 E. Bonanza Road. Per Title 19.14.090, a temporary sign certificate is required for all temporary signage, including banners and small temporary advertising signs. Please remove the temporary signage, or obtain the required sign certificate. Window sign(s) covering more than twenty-five (25) percent of the total window area were observed at 4561 E. Bonanza Road. Per Title 19.14.060.F.12.a, "Window signs shall not cover more than 25 percent of the total area of all windows located on a building elevation. The total combined area of all wall, window, roof, awning and marquee signs shall not exceed 20 percent of the building elevation to which they are attached." Please reduce the window sign(s) to 25 percent of the total window area. Per condition #7 of SUP-3223, "All disabled vehicles shall be stored in an area that is screened from view from the surrounding properties and adjoining streets." Disabled vehicles were noted in the parking lot of 4561 E. Bonanza Road. Please keep disabled vehicles within the enclosed building or remove them from the property. The landscaping at 4561 E. Bonanza Road has died and is not in compliance with Landscape Plan date stamped 01-20-04. Per Title 19.12.030.A.3, "The owner, developer and occupant of the property are jointly and severally responsible for maintaining or assuring the ongoing maintenance of installed landscaping so that the landscaping continues to thrive..." Please replace the dead landscaping and bring the landscaping into compliance with Title 19 standards.

01/09/08	Per condition #10 of SUP-3223, "A revised site plan that shows two additional handicap spaces and a trash enclosure shall be submitted to the Planning and Development Department prior to issuance of building permits." As of this date, there has not been a revised site plan submitted to Planning and Development. Also, the trash enclosure(s) that have been constructed on site do not have the proper building permits, nor are they constructed per Title 19 standards. Please submit a revised site / landscape plan, and submit for the appropriate building permit(s) for the trash enclosure(s) and bring them into compliance with Title 19 standards. Graffiti was observed on the walls surrounding the monopole, and on the monopole itself. Per condition #11 SUP-3223, "All City Code requirements and all City departments' design standards shall be met," please remove the graffiti from the walls of the trash enclosure(s), and the building addressed 4561 E. Bonanza Road. A letter has been sent by staff requesting that if these issues have not been corrected by February 15, or the owner has not contacted staff to make other arrangements, this matter will be referred to the City of Las Vegas Code Enforcement Department for further action. As of 05/29/08 Code enforcement has not been able to confirm compliance on these issues.
03/19/08	The City Council approved a Site Development Plan Review (SDR-25148) which was a request to add a 20,400 square-foot addition to an existing 16,400 square-foot commercial center. Associated to that item was a request for a Variance (VAR-25220) to allow 201 parking spaces where 250 are required. The Planning Commission and staff recommended denial.
06/12/08	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #30/leh).
Related Building Permits/Business Licenses	
07/25/06	A Business License #G02-00753 was issued for Garage/Tire Sales at 4561 East Bonanza Road.
10/10/06	A Business License #G03-02372 was issued for Major Car Repair at 4561 East Bonanza Road.
06/15/06	A Business License #G02-00751 was issued for Minor Auto Repair at 4561 East Bonanza Road.
06/22/06	A Business License #G03-02357 was issued for Major Auto Repair at 4561 East Bonanza Road.
07/20/06	A Business License #G02-00745 was issued for Minor Auto Repair at 4561 East Bonanza Road.
Field Check	
05/08/08	A site visit by staff reveled storage of vehicles undergoing various stages of automotive repair from the adjacent auto repair facility being stored in the existing parking lot. A trash container enclosures was not being used for dumpsters, rather it is in such disrepair wild vegetation has over grown it.

	Landscaping has been allowed to die and graffiti was seen on the site in numerous locations.

Details of Application Request	
Site Area	
Net Acres	3.42

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive Repair/Approved Retail	GC (General Commercial)	C-1 (Limited Commercial)
North	Single family Homes	ML (Medium-Low Density Residential)	R-CL (Single Family Compact Lot)
South	Public Elementary School	PF (Public Facility)	C-V (Civic)
East	Condominium Complex	ML (Medium-Low Density Residential)	R-PD12
West	Automotive Repair/Child Care Facility	GC (General Commercial) / SC (Service Commercial)	C-2 (General Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		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							
	Gross Floor Area or Number of Units	*Required*			*Provided*		*Compliance*
			Parking		*Parking*		
Use		*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Existing Auto Repair Garage Major	16,250 SF	1:200, +5 spaces	87				
General Retail Store (Furniture Store)	11,280 SF	1:175	65				

Restaurant 2,000 SF or more (without Drive-through)	3,623 SF	1:50 SF of Public Seating	73				
	2,584 SF	1:200 SF of total remaining GFA	13				
General Retail Store (Meat Market)	2,035 SF	1:175	12				
SubTotal			243	7	194	7	
TOTAL			250		201		Yes*
Loading Spaces			3		3		

A Variance (VAR25220) to allow 201 Spaces where 250 are required was approved on 03/19/08.

ANALYSIS

This is a request for a proposed Restaurant with Service Bar at 4561 East Bonanza Road in an approved 36,650 square-foot commercial center. The first phase of the commercial center is a16,250 square foot automotive repair facility. The second phase which was approved on 03/19/08 includes an additional 20,400 square foot of commercial space. Note there is a request for two Waivers from the 400-foot distance separation requirements between the proposed use and a childcare facility and a public elementary school. Staff is recommending denial.

- **Land Use and Zoning**

  This project is located within the C-1 (Limited Commercial) zoning district. This 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 (Limited Commercial) zoning district is consistent with the GC (General Commercial) category of the General Plan. The subject site is in conformance with the current General Plan Designation. The Restaurant with Service Bar use is allowable with a Special Use Permit on a C-1 (Limited Commercial) zoned parcel.

- **Use**

  The Restaurant with Service Bar use is described in Table Two of Title 19.04.010 as, "A bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption." This Restaurant with Service Bar use can not be located within 400-feet of any church, synagogue, school, child care facility licensed for more than 12 children or City Park. The subject site is zero-feet from a child care facility, and 51-feet from a public elementary school (Elbert Edwards Elementary School).

- **Site Plan**

  On the subject site there is an approved Site Development Plan Review to build a 20,400 square-foot retail building on the undeveloped eastern portion of the parcel. This application is related to the fast food eatery portion of this development which is a 3,623 square-foot facility. The fast food eatery is position between a meat market and a home furnishings store in the center of a 520-foot long commercial center that is to be located on the south eastern side of the subject site. The western portion of the parcel contains an existing 16,250 square-foot auto repair facility. Vehicular access to the site is provided by Bonanza Road, a 100-foot right-of-way as driveway to the site with an emergency crash gate at the south end of the site. The parking provided is located around the existing and proposed buildings with the majority positioned at the southeast portion of the site. A Variance (VAR-25220) for parking to allow 201 spaces, where 250 are required was approved, thus the site has been deemed to have adequate parking for this use.

- **Waivers**

  Section 19.04.010 of the City of Las Vegas Zoning Code establishes the criteria for the approval of alcohol-related uses. The Code requires a restaurant service bar to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or city park as measured from property line to property line.
  There is an existing child care facility directly abutting the subject site to the south. There is a public elementary school to the south of the site approximately 51 feet away (Elbert Edwards Elementary School). Staff recommends denial of the waiver to allow a zero-foot distance separation where 400-feet is required between a restaurant with service bar and a child care facility. Staff also recommends denial of the request to allow a waiver of the 400-foot distance requirement between the Restaurant with Service Bar use and a school.

- **Floor Plan**

  The floor plan depicts a building divided into four proposed uses. On the south side of the building, the applicant proposes an approximately 6,200 square-foot "fast food eatery" and

2,035 square-foot "meat market" with an 11,550 square-foot "furniture store" on the north portion.

- **Minimum Special Use Permit Requirements:**

1. No restaurant service bar shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children or City park.

2. Except as otherwise provided in Requirement 3 below, the minimum distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed restaurant service bar which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed restaurant service bar. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term property line refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or
b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation describe in Requirement 1.

3. In the case of a restaurant service bar proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the restaurant service bar will be located, without regard to intervening obstacles; or

b. In the case of a proposed restaurant service bar which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the restaurant service bar will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a restaurant service bar which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

5. The minimum distance requirement in Requirement 1 does not apply to 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.

*6. In the O District, a restaurant service bar is permitted only as an accessory use.

*7. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

FINDINGS

The following findings must be made for a Special Use Permit:

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 land use requires two Waivers from the 400-foot distance separation requirements contained in Section 19.04.050 of the City of Las Vegas Zoning Code. The Code requires a restaurant service bar to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. This proposed Restaurant with Service Bar is directly abutting, zero-feet, from a child care facility, and is within 51-feet of a public elementary school. This use is too intense for the area and is not harmonious or compatible with the surrounding area.

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

   The proximity of this site to the protected uses of a child care center and a public elementary school renders it unsuitable for the level of intensity of the proposed land use.

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."**

   Vehicular Access to the site is provided by Bonanza Road, a 100-foot right-of-way as designated on the city's Master Plan of Streets and Highways. The adjacent roadways are adequate to meet the demands of the proposed 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."**

   The proposed use will not result in detrimental effects to the human health and public safety as the project must comply with Chapter 6.50 of the Municipal Code, as well as Section 268.090 of the Nevada Revised Statutes, which further governs the sale and distribution of alcoholic beverages.

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

   The applicant is requesting waivers from the 400-foot separation requirement between a Restaurant with Service Bar and a child care facility (zero-feet) and a public elementary school (51 feet). Therefore the proposed use fails to meet the base Special Use Permit requirements set forth in Section 19.04.010 for a Restaurant Service Bar and staff is recommending denial of this application.

PLANNING COMMISSION ACTION

There were two speakers opposed to this application at the Planning Commission meeting. The hours of operation were discussed by the Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

ASSEMBLY DISTRICT 14

SENATE DISTRICT 10

NOTICES MAILED 1457 by City Clerk

APPROVALS 1

PROTESTS 2