

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-16702 - APPLICANT: TERRIBLE HERBST, INC. -
OWNER: CHEYENNE AND BELTWAY 2005, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on October 18, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Special Use Permit (U-0112-00) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/18/00	The City Council approved a Special Use Permit (U-0112-00) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed Convenience Store on the northwest corner of the intersection of Cheyenne Avenue and the Beltway alignment within the Lone Mountain Master Plan. The Planning Commission and staff recommended approval on 08/24/00.
08/07/02	The City Council approved an Extension of Time [U-0112-00(1)] for an approved Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed Convenience Store on the northwest corner of the intersection of Cheyenne Avenue and the Beltway alignment within the Lone Mountain Master Plan. The Planning Commission and staff recommended approval on 06/27/02.
07/07/04	The City Council approved an Extension of Time (EOT-4448) of an approved Special Use Permit (U-0112-00) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed Convenience Store on the northwest corner of Cliff Shadows Parkway and the Beltway alignment. Staff recommended approval of the subject case.
11/01/06	The City Council approved a Site Development Plan Review (SDR-15956) for a 3,200 square foot Service Station with an 1,821 square foot Auto Repair Garage, Minor, and a 3,480 square foot Car Wash with a Waiver of the Perimeter Landscape Standards and a Special Use Permit (SUP-15959) for an Auto Repair Garage, Minor at the northwest corner of Cliff Shadows Parkway and the Clark County 215 Beltway Alignment. The Planning Commission and staff recommended approval on 10/05/06.
<i>Related Building Permits/Business Licenses</i>	
	The applicant has not submitted building plans or civil improvement plans.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	8.65

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)

North	Multi-tenant retail building	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
South	Undeveloped	PCD (Planned Community Development)	Right-Of-Way (215 Beltway)
East	Right-Of-Way (215 Beltway)	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
West	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
Lone Mountain	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (U-0112-00) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed convenience store property located at the northwest corner of Cliff Shadows Parkway and the Beltway alignment.

ANALYSIS

This is the third Extension of Time for the subject Special Use Permit for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed convenience store. The original Special Use Permit was approved by the City Council on 10/18/00.

The applicant has indicated that they will be moving forward with the development of the subject site. All necessary approvals have been obtained, which include; Site Development Plan Review (SDR-15956) for a 3,200 square foot Service Station with an 1,821 square foot Auto Repair Garage, Minor, and a 3,480 square foot Car Wash; Special Use Permit (SUP-15959) for a Auto Repair Garage, Minor; and Special Use Permit (U-0112-00) for a Liquor Establishment (Off-Premise Consumption). Therefore, staff is recommending approval of the subject application.

Previous Conditions of Approval from Special Use Permit (U-0112-00) and Extension of Time (EOT-4448)

Special Use Permit (U-0112-00)

1. Approval of this Special Use Permit does not constitute approval of a liquor license.
2. The sale of individual containers of any size beer, wine coolers, or screw cap wine is prohibited.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. Conformance to the Conditions of Approval for Site Development Plan Review [Z003397(17) & Z-0024-99(6)].
5. If this Special Use Permit is not exercised within two years after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
6. All City Code requirements and all City departments design standards shall be met.

Extension of Time (EOT-4448)

1. This Extension of Time will expire on October 18, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (U-0112-00) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

FINDINGS

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. The Extension of Time will allow enough time for the applicant to submit plans for the plan review and permitting process. A condition of approval has been added, which recommends that the extension be allowed for two years or until such time as another Extension of Time application is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0