

**AGENDA MEMO**

CITY COUNCIL MEETING DATE: AUGUST 18, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: HECTOR CAMACHO

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
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.

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**** 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

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
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.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
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.

<i>Related Building Permits/Business Licenses</i>	
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.

<i>Pre-Application Meeting</i>
A pre-application meeting was not required nor was one held.

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required nor was one held.

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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)

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<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	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
