



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: MOD-37375 - APPLICANT: MISS DOLLY'S TAVERN - OWNER:
MCW-RC NV-CENTENNIAL CROSSROADS PHASE 1, LLC**

**** CONDITIONS ****

Staff recommends DENIAL.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Modification of the Town Center Land Use Plan from SX-TC (Suburban Mixed Use – Town Center) to GC-TC (General Commercial – Town Center) on 8.63 acres within an existing shopping center located at the northwest corner of John Herbert Boulevard and Centennial Parkway. The applicant has also submitted a request for a Special Use Permit (SUP-37373) to allow a Liquor Establishment (Tavern) use on the affected parcel. The proposed designation is not compatible with the existing and proposed uses surrounding the site, nor is it consistent with existing land use designations in proximity to the site. For these reasons, staff recommends denial of the request. If denied, the property will remain designated SX-TC (Suburban Mixed Use – Town Center).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
01/12/97	The City Council approved a request for an Extension of Time [Z-0101-94(3)] for a previously approved 705,000 square foot retail shopping center located at the northwest corner of Centennial Parkway and Buffalo Drive. Planning Commission and staff recommended approval.
12/07/98	The City Council approved a Rezoning (Z-0076-98) for the reclassification of property from U (Undeveloped), R-E (Residential Estate), R-PD7 (Residential Planned Development – 7 Units Per Acre), R-PD11 (Residential Planned Development – 11 Units Per Acre), R-PD13 (Residential Planned Development – 13 Units Per Acre), R-PD18 (Residential Planned Development – 18 Units Per Acre), R-CL (Single Family Compact Lot), C-1 (Limited Commercial), C-2 (General Commercial), C-V (Civic), and PD (Planned Development) Zones to TC (Town Center) on 1,468 acres. Planning Commission and staff recommended approval.
01/19/00	The City Council approved a request for a Site Development Plan Review [Z-0076-98(10)] for a proposed commercial center located on the southwest corner of Buffalo Drive and Rome Boulevard. Planning Commission and staff recommended approval.
03/23/00	The Planning Commission approved a request for a Final Map (FMP-0017-00) for one lot at the northwest corner of Sky Pointe Drive and Buffalo Drive. Staff recommended approval.
01/03/01	The City Council approved a request for a Special Use Permit (U-0181-00) for a Packaged Liquor Sales use in conjunction with a proposed grocery store located at the southwest corner of the intersection of Buffalo Drive and Rome Boulevard. Planning Commission and staff recommended approval.

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07/12/01	The Planning Commission approved a request for a modification [Z-0076-98(21)] of an approved site plan [Z-0076-98(10)] to change the building footprints and pad site locations on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Staff recommended approval.
08/01/01	The City Council denied a request for a Variance (V-0035-01) to allow an eighty-foot high freestanding sign where an eight foot high freestanding sign is the maximum height allowed located on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended denial.
09/19/01	The City Council approved a request for a Master Sign Plan (MSP-0002-01) for an approved 265,000 square foot commercial center located at Sky Pointe Drive and John Herbert Drive. Planning Commission and staff recommended approval.
04/25/02	The Planning Commission approved a request for a Site Development Plan Review [Z-0076-98(29)] to modify one pad site and the parking layout of a previously approved site plan [Z-0076-98(10)] located on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Staff recommended approval.
05/07/02	The Centennial Hills Architectural Review Committee approved a request for a supplement (CHR-0001-02) to the Master Sign Plan (MSP-0002-01) to allow monument signs to be located within 300-feet of other monument signs located at Sky Point Drive and John Herbert Drive.
06/05/02	The City Council approved a request for a Special Use Permit (U-0038-02) to allow a convenience store with gasoline sales within 300 feet of existing single family dwelling units located adjacent on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval.
06/05/02	The City Council approved a request for a Special Use Permit (U-0039-02) to allow the sale of beer and wine in conjunction with a convenience store located on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval.
06/05/02	The City Council approved a request for a Special Use Permit (U-0040-02) to allow restricted gaming in conjunction with a proposed convenience store located adjacent to the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval.
06/05/02	The City Council approved a request for a Site Development Plan Review [Z-0076-98(30)] for a proposed convenience store with a waiver of the Town Center Development Standards to allow gasoline pumps adjacent to a public right-of-way located adjacent to the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval.

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08/06/02	The Centennial Hills Architectural Review Committee approved a request for a Master Sign Plan (CHR-0006-02) for a 266,000 square foot commercial center located at Sky Point Drive and John Herbert Drive.
03/25/10	The Planning Commission will consider a related Special Use Permit (SUP-37373) to allow a Liquor Establishment (Tavern) use within an existing shopping center at 6430 Sky Pointe Drive, Suite #130.
<i>Related Building Permits/Business Licenses</i>	
11/08/02	A business license (L15-00125) was issued for packaged liquor sales at 6450 Sky Pointe Drive. The license is still active.
11/21/02	A business license (G01-02100) was issued for restricted gaming at 6450 Sky Pointe Drive. The license is still active.
03/17/03	A building permit (537293) for a retail shell certificate of completion was issued at 6430 Sky Pointe Drive. The building permit was finalized on 08/18/03.
10/02/03	A business license (C14-00402) was issued for a clinic at 6430 Sky Pointe Drive, Suite 150. The license is still active.
10/29/03	A business license (C05-02289) was issued for a novelty shop at 6430 Sky Pointe Drive, Suite 120. The license is still active.
11/03/03	A building permit (570700) for a tenant improvement was issued at 6430 Sky Pointe Drive, Suites 130 and 140. The building permit was never finalized and expired on 08/07/04.
03/03/04	A business license (R07-00636) was issued for a restaurant at 6430 Sky Pointe Drive, Suite 110. The license is still active.
03/25/04	A business license (F86-00016) was issued for a bank at 6430 Sky Pointe Drive, Suite 130. The license is marked out of business.
<i>Pre-Application Meeting</i>	
01/08/10	A pre-application meeting was held with the following topics addressed: • A Major Modification (MOD) of the Town Center Land Use Plan from UC-TC (Urban Center Mixed Use – Town Center) to SC-TC (Service Commercial – Town Center) or GC-TC (General Commercial – Town Center) or EC-TC (Employment Center Mixed Use – Town Center) is required. • A Special Use Permit is required for a Liquor Establishment, Tavern.
<i>Neighborhood Meeting</i>	
03/09/10	Pursuant to the Town Center Development Standards Manual Subsection A.4.c, a neighborhood meeting is required when a waiver of the distance separation requirements is requested. A neighborhood meeting was held from 6:00 to 6:40 pm at the Centennial Hills Community Center located at 6601 N. Buffalo Drive, Las Vegas, Nevada, 89131. There were four attendees for the general public, six attendees representing the applicant and one staff member (Planning and Development). Concerns raised included:

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	• Could another Tavern open in this shopping center with the change in zoning? Response: “Yes, as there are no distance separation requirements between tavern uses in Town Center.” • A concern about the waiver of the park distance was also noted.
Field Check	
02/18/10	Staff conducted a field check on the indicated date. The following items were noted: • A well maintained shopping center was noted. • Suite #130 is currently a vacant suite.

Details of Application Request	
Site Area	
Net Acres	8.63

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SX-TC (Suburban Mixed-Use)	T-C (Town Center)
North	Library	PF-TC (Public Facilities)	C-V (Civic)
	Community Recreation Facility	PF-TC (Public Facilities)	C-V (Civic)
South	ROW (CC 215)	ROW (CC 215)	ROW (CC 215)
East	Single Family Residential	Clark County	Clark County
	Undeveloped	SX-TC (Suburban Mixed-Use)	T-C (Town Center)
	Undeveloped	R (Rural Density Residential)	U (Undeveloped)
West	Shopping Center	SX-TC (Suburban Mixed-Use)	T-C (Town Center)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan	X		Y
T-C Town Center District	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		Y
T-C Town Center District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A

GK

Project of Regional Significance		X	N/A
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DEVELOPMENT STANDARDS

Pursuant to the Town Center Development Standards Manual, the following standards apply to the subject property:

<i>Standard</i>	<i>Existing SX-TC</i>	<i>Proposed GC-TC</i>
Min. Lot Size	N/A	N/A
Min. Lot Width	N/A	N/A
Min. Setbacks		
• Front	15 feet	15 feet
• Side	10 feet	10 feet
• Corner	15 feet	15 feet
• Rear	20 feet	20 feet

ANALYSIS

Approval of this request would change the special land use designation of the subject property from SX-TC (Suburban Mixed Use – Town Center) to GC-TC (General Commercial – Town Center).

The existing SX-TC (Suburban Mixed Use – Town Center) District is intended to enable development with imaginative adjacency standards. Building and site designs which reflect a mixture of compatible land uses having either vertical or horizontal character will maximize employment and housing opportunities. This district is also more reflective of suburban development than the Urban Center Mixed Use category.

The applicant requests that the subject site be designated GC-TC (General Commercial – Town Center). The General Commercial District allows all types of retail, service, office and other general business uses of a more intense commercial character. These uses will normally require a Special Use Permit and will commonly include limited outdoor display of product and lights or other characteristics not generally compatible with the adjoining residential areas without significant transition. Examples include new and used car sales, highway commercial uses such as hotels and motels, taverns, and tourist commercial uses such as resorts and recreational facilities. Local supporting land uses such as parks, other public recreational facilities, some schools and churches are also allowed in this district.

Staff cannot support this request, as the proposal is not consistent with development occurring in the area or with land use designations currently existing on adjacent properties. To the east and west, the adjacent parcels are designated as SX-TC (Suburban Mixed Use – Town Center). Furthermore, the closest area with a GC-TC (General Commercial) land use designation is located approximately 945 feet south of the subject site, across Clark County 215. Also, parcels to the east of the subject site are currently zoned for low density residential within Clark County. The single family residences require a significant transition from intense uses allowed under the GC-TC (General Commercial) land use designation, which cannot be provided with this proposal;

therefore, staff recommends denial of this application.

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FINDINGS

The intensity of the proposed modification to the Town Center Land Use Plan is not compatible or consistent with the existing single family residential to the east of the subject site, located within Clark County. Uses that would be allowed by the proposed designation are better suited to a location south of Clark County 215. Street facilities providing access to the subject property are less appropriate for the proposed designation, as the higher intensity uses allowed typically demand more roadway capacity. Note that the site is nearly all developed with uses appropriate to the SX-TC (Suburban Mixed Use – Town Center) zoning designation.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

23

NOTICES MAILED

109

APPROVALS

0

PROTESTS

3