



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: FEBRUARY 14, 2017

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: CARDENAS - OWNER: LAMANZA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
ROC-68393	Staff recommends DENIAL, if approved subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 25

NOTICES MAILED 569

APPROVALS 1

PROTESTS 0

**** CONDITIONS ****

ROC-68393 CONDITIONS

Planning

1. Conformance to the approved conditions for Special Use Permit (SUP-38860), except as amended by conditions herein.
2. Condition Number Eight of the approval for Special Use Permit (SUP-38860) shall be removed to allow the sale of beer and wine coolers in configurations other than four and six packs.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to remove Condition Number Eight of Special Use Permit (SUP-38860) which states, "All beer and wine coolers shall remain in their original manufacturer's configuration of four or six packs." The subject site is home to Cardenas Grocery Store located at 4700 Meadows Lane.

ISSUES

- A Review of Condition is required to remove Special Use Permit (SUP-38860) Condition of Approval Number Eight which states, "All beer and wine coolers shall remain in their original manufacturer's configuration of four or six packs." Staff recommends denial.

ANALYSIS

The subject site is home to Cardenas Grocery Store. It currently holds business license permit (#L15-00228), which allows for the sale of packaged liquor. The applicant is requesting the removal of the condition in order to offer a wider variety of packaged liquor options to their customers. Other than the subject grocery store, currently there are no other active liquor related licenses within the subject shopping center.

Staff supports the original condition placed by the Planning Commission and recommends denial of the applicant's proposal to have Condition Number Eight removed. If the condition is removed as requested, the applicant will no longer be limited to selling beer and wine coolers in configurations of four and six packs only.

FINDINGS (ROC-68393)

The Special Use Permit (SUP-38860) for a 500 square-foot accessory package liquor off-sale use within a grocery store was approved on September 23, 2010 subject to conditions. Removal of Condition Number Eight will allow the applicant to sell beer and wine coolers in configurations other than four and six-packs.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/23/1974	The City Council denied the request to Rezone (Z-0102-73) 100 acres from R-1 (Single-Family Residential) and C-V (Civic) to C-1 (Limited Commercial) for a Regional Shopping Mall. The Planning Commission recommended approval.
02/05/1975	The Board of City Commissioners adopted Ordinance No. 1014 to Rezone (Z-0102-73) 100 acres from R-1 (Single-Family Residential) and C-V (Civic) to C-1 (Limited Commercial) for a Regional Shopping Mall as required by the District Court and affirmed by the Supreme Court of Nevada.
12/28/1977	The Board of City Commissioners approved a Plot Plan Review (Z-0102-73) for property located at the northeast corner of Decatur Boulevard and Meadows Lane. The City Planning Commission recommended approval on 12/08/1977.
08/30/10	The Planning Department administratively approved Site Development Plan Review (SDR-38861) for modified landscape materials and elevations associated with the proposed conversion of an existing 76,637 square-foot general retail store to a grocery store on 6.31 acres at 4700 Meadows Lane.
09/23/10	The Planning Commission approved a request for a Special Use Permit (SUP-38860) to allow a 500 square-foot Accessory Package Liquor Off-Sale use within a proposed 66,926 square-foot Retail Establishment (Grocery Store) at 4700 Meadows Lane. Staff recommends approval of this request.
04/18/12	The City Council approved a request for a General Plan Amendment (GPA-43991) to establish Redevelopment Area 2 and change the future land use designation on various parcels within the redevelopment area to commercial or mixed use. The Planning Commission recommended approval on 03/13/12.
08/20/14	The City Council approved a request for a Special Use Permit (SUP-53863) for a proposed 2,649 square-foot Auto Title Loan use with waivers to allow a 100-foot distance separation from a residential use where 200 feet is required and to allow a 130-foot distance separation from a similar use where 1,000 feet is required at 4700 Meadows Lane, Suite #110.

<i>Most Recent Change of Ownership</i>	
08/11/10	A deed was recorded for a change in ownership.

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Related Building Permits/Business Licenses	
1978	Building Permits were issued against Plan Check C-0142-78 for a new Retail Building located at 4700 Meadows Lane.
05/10/79	A Business License (#D16-00004) was issued for a Department Store at 4700 Meadows Lane. This license expired and was marked out of business 01/13/2009.
04/28/10	A Building Permit (#161092) was issued for a Non-Work Certificate of Occupancy for 4700 Meadows Lane. A final inspection was completed on 04/28/2010.
11/24/10	A Business License (#G60-00077) was issued for a full service grocery store. The license remains active.
11/24/10	A Business License (#C05-02754) was issued for a tobacco dealer within a grocery store. The license remains active.
11/24/10	A Business License (#C08-01953) was issued for amusement machines. The license remains active.
12/23/10	A Business License (#G50-07504) was issued for cell phone sales. The license remains active.
03/14/11	A Building Permit (#176028) was issued over the counter for interior work to retail suites 110-150. This permit has not received a final inspection.
07/12/11	A Business License (#G01-2423) was issued for 15 restrictive gaming slots within Cardenas Market. The license remains active.
04/09/12	A Business License (#R10-01074) was issued for a 55 seat Subway Restaurant. The license remains active.
05/21/13	A Business License (#L 15-00228) was issued for the sale of packaged liquor. The license remains active.

Pre-Application Meeting	
12/12/16	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed.

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

Field Check	
01/05/17	Staff conducted a routine field check and found a well maintained shopping center. The site was free of debris.

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Details of Application Request	
Site Area	
Net Acres	6.8

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Shopping Center	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Right-of-Way (US 95)	Right-of-Way (US 95)	Right-of-Way (US 95)
South	Restaurant	MXU (Mixed Use)	C-2 (General Commercial)
	Minor Auto Repair	MXU (Mixed Use)	C-2 (General Commercial)
	Landscape buffer	SC (Service Commercial)	C-1 (Limited Commercial)
	Single-Family Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	MXU (Mixed Use)	C-1 (Limited Commercial)
	Convenience Store	MXU (Mixed Use)	C-2 (General Commercial)
	Office	O (Office)	P-R (Professional Office and Parking)

Master Plan Areas	Compliance
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	Compliance
A-O (Airport Overlay) District	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A