



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: FARMER BOYS FOOD, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL CENTER, LLC

** STAFF RECOMMENDATIONS **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-48160	Staff recommends APPROVAL, subject to conditions:	SDR-48158
SDR-48158	Staff recommends APPROVAL, subject to conditions:	SUP-48160

** CONDITIONS **

SUP-48160 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-48158) shall be required, if approved
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
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.

SDR-48158 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-48160) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the enlarged site and landscape plan labeled "ST2", floor plans, and building elevations, date stamped 01/24/13, except as amended by conditions herein.
4. Prior to the time application is made for a building permit, a sign plan that meets the criteria set forth in the Centennial Centre Development Criteria and Guidelines shall be approved by staff of the Planning and Development Department
5. 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.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.
8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Conditions Page Three
March 12, 2013 - Planning Commission Meeting

Public Works

10. A Drainage Study update must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map for this site. Provide and improve all drainageways recommended in the approved drainage study update.
11. Comply with all previous conditions of approval for Z-76-98(1) and all other subsequent site development review actions.

Staff Report Page One
March 12, 2013 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to develop a 3,195 square-foot Restaurant (with drive-through) at the southwest corner of Tropical Parkway and Centennial Center Boulevard, located within the Town Center Special Area Plan. The proposed restaurant is part of a larger Shopping Center located on the same lot to the south. The drive-through component of the Restaurant requires a Special Use Permit. Staff recommends approval of both requests, as the use is compatible and harmonious with the surrounding commercial uses.

ISSUES

- A Special Use Permit is required for a Restaurant (with drive-through) in Service Commercial Town Center districts.
- The specific location of the proposed Restaurant is currently used as additional parking for the existing Shopping Center; the proposed Special Use Permit is required for the Drive-Through component of the restaurant.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on this site as part of a larger request.
01/14/99	The Planning Commission approved the Centennial Center Tentative Map (TM -0066-98) on this site as part of a larger request.
02/08/99	The City Council approved a Site Development Plan Review [Z-0076-98(1)] for a proposed 1,217,000 square-foot retail commercial development with seven auto dealerships on this site as part of a larger request.
08/26/99	The Planning Commission approved the Centennial Center Unit-1 Final Map (FM-0068-99) on this site as part of a larger request.
12/05/01	The City Council approved a Special Use Permit (U-0138-01) for a proposed Outdoor Sales Lot for a farmers market on property located adjacent to the southwest corner of Centennial Center Boulevard and Tropical Parkway. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
12/28/12	A deed was recorded for a change in ownership.

Staff Report Page Two
March 12, 2013 - Planning Commission Meeting

Related Building Permits/Business Licenses

There are no building permits or business licenses for the subject site related to this proposal.

Pre-Application Meeting

01/07/13	A pre-application meeting was held with the applicant's representative to discuss the development requirements for a proposed Restaurant (with drive-through) use in the Town Center Master Plan Area. It was determined that a Site Development Plan Review would be required for the proposed structure and that a Special Use Permit would be required for the drive-through component of the Restaurant.
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Neighborhood Meeting

A neighborhood meeting is not required for this request, nor was one held.

Field Check

01/31/13	A field inspection was conducted by staff. The subject property was noted as a well maintained Shopping Center with a mature landscaping installed.
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Details of Application Request

Site Area

Net Acres	7.86
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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Shopping Center	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
North	Shopping Center	GC-TC (General Commercial – Town Center)	T-C (Town Center)
South	Detention Basin	PF-TC (Public Facilities – Town Center)	T-C (Town Center)
East	Restaurant	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
West	Shopping Center	SC-TC (Service Commercial – Town Center)	T-C (Town Center)

March 12, 2013 - Planning Commission Meeting

<i>Master Plan Areas</i>	<i>Compliance</i>
Town Center Special Area Plan	Y
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
T-C (Town Center) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	Y
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS*Pursuant to the Town Center Development Standards Manual, the following standards apply:*

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks			
• Front	15 Feet	96 Feet	Y
• Corner	15 Feet	83 Feet	Y
• Rear	20 Feet	500 Feet	Y
Max. Building Height	Two Stories	Single Story	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Enclosed	Y
Mech. Equipment	Screened	Screened	Y

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

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Required</i>	<i>Trees</i>		
Open Space	20%			
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	3 Trees	4 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		15 Feet	Y
• East	15 Feet		15 Feet	Y
• West	15 Feet		15 Feet	Y

Staff Report Page Four
March 12, 2013 - Planning Commission Meeting

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	351,207 SF	1:250 SF					
TOTAL SPACES REQUIRED		1,405			1,757		
Regular and Handicap Spaces Required			25		1,702	55	Y
Loading Spaces	>10,000 SF		1		1		Y

ANALYSIS

There are no Minimum Special Use Permit Requirements listed in the Town Center Special Area Plan for the Restaurant (with drive-through) use, nor is there a definition listed for this particular use listed in Title 19.18; however, the Town Center Special Area Plan requires that a Restaurant (with drive-through) use be reviewed on a case-by-case basis by means of a Special use Permit.

Included with the requested Special Use Permit is a Site Development Plan Review for the proposed construction of a 3,195 square-foot Restaurant (with drive-through) located at the northernmost tip of the commercial subdivision. The applicant proposes to develop a portion of the lot currently underutilized as parking overage for the Shopping Center. It is noted that the proposed building is close to a Las Vegas Valley Water District (LVVWD) easement. It is recommended that the applicant coordinate any work within the LVVWD easement with the Water District prior to submitting construction drawings to the City. The existing perimeter landscaping will remain and only minor changes to the parking lot landscape islands will occur. The proposed development meets all criteria specifically listed for the Fast Food Restaurant, as set forth by the Town Center Development Standards Manual.

The proposed development is typical of the surrounding retail and restaurant uses and meets the development requirements listed for the SC-TC (Service Commercial – Town Center) special land use district; therefore, staff recommends approval of this request.

FINDINGS (SUP-48160)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

Staff Report Page Five
March 12, 2013 - Planning Commission Meeting

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 3,195 square-foot Restaurant (with drive-through) is located within a Shopping Center in the SC-TC (Service Commercial – Town Center) special land use area. The proposed use can be conducted in a manner that is harmonious and compatible with the uses on the existing site and with the commercial uses on the adjacent properties.

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

The subject site is suitable for the type and intensity associated with the Restaurant (with drive-through) use, which will occupy the developable northern portion of the existing Shopping Center parking overflow.

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.

Site access is provided from Centennial Center Boulevard, a 90-foot Town Center Frontage Road, a sufficient size to accommodate the needs of the proposed Restaurant (with drive-through) 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.

Approval of a Special Use Permit for the proposed Restaurant (with drive-through) will not compromise the public health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas. The use is consistent with the existing SC-TC (Service Commercial - Town Center) special land use designation.

5.The use meets all of the applicable conditions per Title 19.12.

There are no applicable conditions listed in Title 19.12 or the Town Center Development Standards Manual for the drive-through component of the proposed Restaurant; however, the Town Center Development Standards Manual does require a Restaurant (with drive-through) use to be reviewed and conditioned on a case-by-case basis.

FINDINGS (SDR-48158)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

Staff Report Page Six
March 12, 2013 - Planning Commission Meeting

1.The proposed development is compatible with adjacent development and development in the area;

The proposed Restaurant (with drive-through) is located within the northern portion of a parking lot that serves an existing Shopping Center. The surrounding area is used for both large and small commercial developments featuring various restaurant and retail uses. The development is compatible to adjacent land uses and in the architectural style of buildings in the area.

2.The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

The proposed development is consistent with the Town Center Development Standards Manual. Development conditions specific to the Restaurant (with drive-through) use have been met; particularly that the drive-through lane does not wrap around more than two side of the building.

3.Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

The subject property is accessed from Centennial Center Boulevard, a Town Center Frontage Road with a designed right-of-way width of 90 feet. The street is adequate to meet the requirements of the proposed use.

4.Building and landscape materials are appropriate for the area and for the City;

The proposed building materials are in compliance with standards and are appropriate for the area. The applicant is proposing a modest storefront with masonry veneer base topped with a smooth-coat stucco finish. Although there are no proposed changes to the existing perimeter landscape materials, the applicant has provided ample landscaping that surrounds the structure.

5.Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed building design characteristics are typical of the surrounding commercial development and are in conformance with the Centennial Centre requirements. The applicant has provided a covered drive-through service window that is incorporated into the design of the remaining building.

Staff Report Page Seven
March 12, 2013 - Planning Commission Meeting

6.Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed Restaurant (with drive-thought) will be subject to building inspections throughout construction and will continue with ongoing business licensing reviews; therefore, the development will not compromise public health or safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 32

NOTICES MAILED 381

APPROVALS 0

PROTESTS 0