



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: SEPTEMBER 11, 2018

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: DEE MALLAS - OWNER: FARM AND
DURANGO INVESTORS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SUP-74079	Staff recommends APPROVAL, subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 58

NOTICES MAILED 809

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

SUP-74079 CONDITIONS

Planning

1. 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.
2. 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.
3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. 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

The applicant is proposing to offer beer and wine served in conjunction with meals at a proposed restaurant at 8431 Farm Road, Suite #130.

ISSUES

- A Beer/Wine/Cooler On-Sale Establishment Use is a permitted use in the T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Land Use Designation] with the approval of a Special Use Permit.

ANALYSIS

The subject site is a tenant space located within an existing shopping center. The applicant is proposing to operate a restaurant within suite #130 and would like to offer beer and wine served in conjunction with meals. The site is zoned TC (Town Center) and has a SC-TC (Service Commercial – Town Center) land use designation.

The site is located in Town Center Master Plan Area and must conform to the requirements of the Town Center Development Standards Manual. A Beer/Wine/Cooler On-Sale Establishment is permitted in the SC-TC (Service Commercial – Town Center) land use designation with the approval of a Special Use Permit. The Town Center Development Standards Manual requires that a Beer/Wine/Cooler On Sale Establishment comply with the minimum conditions, standards and requirements set forth by Title 19 of the Las Vegas Municipal Code.

The Beer/Wine/Cooler On-Sale Establishment use is defined by Title 19 as “An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers only for consumption on the premises where the same is sold.” The proposed use meets the definition as the applicant’s justification letter, date stamped 08/01/18, states they would like to offer beer and wine to customers while they dine at the establishment.

There are no Minimum Special Use Permit Requirements for this use.

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The subject suite is located within a well-established commercial shopping center that includes several restaurants that offer alcoholic beverage service that is equal to or more intense than the proposed Beer/Wine/Cooler On-Sale Establishment use; therefore, staff recommends approval subject to conditions.

FINDINGS (SUP-74079)

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:

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 Beer/Wine/Cool On-Sale Establishment use can be conducted in a manner that is harmonious and compatible with the existing uses within the shopping center and the surrounding area.

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

The subject site is developed within an existing commercial shopping center that has several similar and more intense alcohol uses within existing restaurants.

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.

Access to the site is provided by Farm Road, a Town Center Arterial and Durango Drive, a Primary Arterial as defined by the Town Center Development Standards Manual. Both are adequate in size to meet the requirements of the proposed 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.

The proposed Beer/Wine/Cooler On-Sale Establishment use will be subject to business license review to assure it will not compromise the public health, safety and welfare.

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

There are no minimum requirements associated with a Beer/Wine/Cooler On-Sale Establishment Use in Title 19.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/23/14	Code Enforcement processed a complaint (#145932) for political signs on a vacant lot on the southwest corner of Farm Road and Durango Drive. The case was resolved on 09/29/14.
04/09/15	A three-lot Parcel Map (PMP-55183) on 12.04 acres adjacent to the east side of U.S. 95, approximately 800 feet south of the Gilcrease Avenue alignment was recorded.
05/14/15	Code Enforcement processed a complaint (#154910) for an unlicensed vendor on a vacant lot on the southwest corner of Farm Road and Durango Drive. The case was resolved on 05/14/15.
11/18/15	The City Council approved a request for a Major Modification (MOD-61253) of the Town Center Land Use Plan to amend the Special Land Use Designation from SC-TC (Service Commercial – Town Center) to GC-TC (General Commercial – Town Center) on 1.62 acres on the east side of Durango Drive, approximately 375 feet south of Farm Road. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (SUP-61067) for a proposed 5,000 square-foot Restaurant with Service Bar use with 1,500 square feet of outdoor seating area at the southwest corner of Farm Road and Durango Drive. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (SUP-61068) for a proposed 12,900 square-foot Package Liquor Off-Sale Establishment use at the southwest corner of Farm Road and Durango Drive. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (SUP-61071) for a Beer/Wine/Cooler Off-Sale Establishment within a proposed 30,000 square-foot General Retail Store at the southwest corner of Farm Road and Durango Drive. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Site Development Plan Review (SDR-61074) for a proposed 65,935 square-foot shopping center with Waivers of the Town Center Standards Manual and Title 19.08 to allow mini-mall commercial buildings to be located away from public rights-of-way and landscape buffers, and to allow one 40-foot tall pylon sign where 24 feet is allowed on 9.61 acres at the southwest corner of Farm Road and Durango Drive. The Planning Commission recommended approval, staff recommended denial.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
	The City Council approved a request for a Tentative Map (TMP-61075) for a one-lot commercial subdivision on 9.61 acres at the southwest corner of Farm Road and Durango Drive. The Planning Commission and staff recommended approval.
04/13/16	Code Enforcement processed a complaint (#137305) for vehicles for sale on a vacant lot at 8451 Farm Road. The case was resolved on 04/13/06.
09/21/16	Staff approved a request for an administrative Site Development Plan Review (SDR-65904) for a Minor Amendment of an approved Site Development Plan Review (SDR-61074) for a 3,302 square-foot addition to an approved 65,935 square-foot shopping center and for revised building elevations on 9.62 acres at the southeast corner of Farm Road and Durango Drive.
11/17/16	A Final Map (FMP-64810) was recorded for a one-lot commercial subdivision on 9.62 acres at the southeast corner of Farm Road and Durango Drive.
01/15/17	Staff approved a request for an administrative Site Development Plan Review (SDR-68262) for a Minor Amendment of an approved Site Development Plan Review (SDR-61074) to increase Pad "E" from 4,000 square feet to 4,400 square feet; to decrease Pad "D" 4,379 square feet to 2,800 square feet; and to increase Pad "B" from 12,900 square feet to 13,013 square feet and to relocate a driveway adjacent to Farm Road and reconfigure the parking lot on 9.62 acres at 8451 Farm Road.

<i>Most Recent Change of Ownership</i>	
08/12/14	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
01/16/18	Building Permit (#C17-02500) was issued for a Tenant Improvement at 8431 Farm Road, Suite 1#30. The Certificate of Occupancy was issued on 06/19/18.
06/19/18	Business License (#G66-04309) was issued for a Restaurant at 8431 Farm Road, Suite #130. The permit remains active.

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<i>Pre-Application Meeting</i>	
06/19/18	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Special Use Permit.

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

<i>Field Check</i>	
08/02/18	Staff conducted a routine field check and found an active shopping center. There were no signs of trash or debris.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	9.50

<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	GC-TC (General Commercial – Town Center)	T-C (Town Center)
North	Shopping Center	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
South	Single Family, Detached	SX-TC (Suburban Mixed-Use – Town Center)	T-C (Town Center)
East	Shopping Center	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
West	Shopping Center	SC-TC (Service Commercial – Town Center)	T-C (Town Center)

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Master Plan Areas	Compliance
Town Center Master Plan	Y
Special Purpose and Overlay Districts	Compliance
T-C (Town Center) District	Y
Other Plans or Special Requirements	Compliance
Northwest Open Space Plan	Y
Centennial Hills Sector Plan	Y
Trails – Town Center Multi-Use Trail	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

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Farm Road	Town Center Arterial	Town Center Development Standards Manual	90	Y
Durango Drive	Primary Arterial	Town Center Development Standards Manual	130	Y

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	68,171 SF	1 Space Per 250 SF GFA	273				
TOTAL SPACES REQUIRED			273		386		Y
Regular and Handicap Spaces Required			281	8	369	17	Y