



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: SEPTEMBER 11, 2018

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: TIB, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
EOT-74120	Staff recommends APPROVAL, subject to conditions:	
EOT-74122	Staff recommends APPROVAL, subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED N/A

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

EOT-74120 CONDITIONS

Planning

1. This Special Use Permit (SUP-65961) shall expire on September 13, 2020 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the conditions of approval for Special Use Permit (SUP-65961) and all other site related actions as required by the Department of Planning and the Department of Public Works.

EOT-74122 CONDITIONS

Planning

1. This Special Use Permit (SUP-65962) shall expire on September 13, 2020 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the conditions of approval for Special Use Permit (SUP-65962) and all other site related actions as required by the Department of Planning and the Department of Public Works.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a two-year Extension of Time of approved Special Use Permit (SUP-65961) and Special Use Permit (SUP-65962) for a proposed 4,922 square-foot Liquor Establishment and Gaming Establishment, Restricted License with a Waiver to allow the gaming within 330 feet of a single family detached dwelling on the east side of Oso Blanca Road at Farm Road.

ISSUES

- Special Use Permit (SUP-65961) and Special Use Permit (SUP-65962) will be expired as of September 13, 2018 unless an Extension of Time is granted for both.
- An application for an Extension of Time was received on 08/01/18 for both land entitlements.

ANALYSIS

On September 13, 2016 the Planning Commission approved a request for a Special Use Permit (SUP-65961) for a proposed 4,072 square-foot Liquor Establishment (Tavern) with 850 square feet of outdoor seating area; Special Use Permit (SUP-65962) for a proposed 4,922 square-foot Gaming Establishment, Restricted License with a Waiver to allow such use within 330 feet of a single family detached dwelling square-foot, and Site Development Plan Review (SDR-65963) 4,072 square-foot Liquor Establishment (Tavern) with 850 square feet of outdoor seating area on 1.77 acres located on the east side of Oso Blanca Road at Farm Road. Due to a right-of-way conflict, the applicant later submitted for a Variance (VAR-72401) to allow 25 parking spaces where 44 are required; and Site Development Plan Review (SDR-72415) for a proposed 3,869 square-foot Liquor Establishment (Tavern) on 1.77 acres located on the east side of Oso Blanca Road at Farm Road. Both requests were approved by the Planning Commission on February 13, 2018 and do not expire until 2020. Both approved Special Use Permit entitlements are eligible for an administrative review for a minor amendment since the change in floor area represents less than 50% of the total. The applicant has submitted for an administrative review of Special Use Permit (SUP-65961), Special Use Permit (SUP-65962), and Site Development Plan Review (SDR-72415) to adjust the square-footage of the proposed tavern since gaining the ability to use NDOT right-of-way for additional parking.

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In accordance with 19.16.260 which states: “an application for an Extension of Time shall be heard by the Planning Commission or City Council, whichever body took final action to approve the item subject to an Extension of Time,” The applicant has submitted the request for an Extension of Time of both Special Use Permit (SUP-65961) and Special Use Permit (SUP-65962) to be considered by the Planning Commission, as the Planning Commission was the body whom took final action on the applications.

The purpose of an Extension of Time is to provide a mechanism for extending the approval period of an approved application with time limitations imposed by the City Council or Planning Commission. The original time limitation set by the Planning Commission on September 13, 2016 was two years. As stated by the applicant in the justification letter the applicant has made several revisions due to NDOT right-of-way and has those revisions finalized and ready for building permit application. The applicant is requesting an additional two years to submit for building permits and begin construction.

FINDINGS (EOT-74120 and EOT-74122)

Staff finds the request to be in accordance with Title 19, as the applicant has demonstrated “good cause” for this request by demonstrating the need for additional time due to site plan revisions in order to accommodate NDOT right-of-way changes; therefore, staff is recommending approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
10/17/07	The City Council approved a Site Development Plan Review (SDR-23483) for a 110,773 square-foot commercial center on 11.3 acres at the intersection of Oso Blanca Road and Severence Lane. Planning Commission and staff recommended approval.
09/25/08	Staff administratively approved a Minor Amendment (SDR-29378) to a previously Site Development Plan Review (SDR-23483) for a 111,398 square-foot shopping center on 11.3 acres at the southeast corner of US-95 and Farm Road.
01/08/09	The Planning Commission approved a Tentative Map (TMP-31246) for a five-lot commercial subdivision on 15.80 acres at the southeast corner of Farm Road and U.S. 95. Staff recommended approval.
09/17/14	The City Council approved a Major Modification (MOD-54816) to the Town Center Land Use Plan from SX-TC (Suburban Mixed Use–Town Center) and SC-TC (Service Commercial–Town Center) to GC-TC (General Commercial–Town Center). Staff and the Planning Commission recommended approval.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
09/13/16	The Planning Commission approved a request for a Special Use Permit (SUP-65961) for a proposed 4,072 square-foot Liquor Establishment (Tavern) with 850 square feet of outdoor seating area on the east side of Oso Blanca Road at Farm Road. Staff recommended approval.
	The Planning Commission approved a request for a Special Use Permit (SUP-65962) for a proposed 4,922 square-foot Gaming Establishment, Restricted License with a Waiver to allow such use within 330 feet of a single family detached dwelling on the east side of Oso Blanca Road at Farm Road. Staff recommended approval.
	The Planning Commission approved a request for a Site Development Plan Review (SDR-65963) for a proposed 4,072 square-foot Liquor Establishment (Tavern) with 850 square feet of outdoor seating area on the east side of Oso Blanca Road at Farm Road. Staff recommended approval.
02/13/18	The Planning Commission approved a request for a Variance (VAR-72401) to allow 25 parking spaces where 44 are required on 1.77 acres on the east side of Oso Blanca Road at Farm Road. Staff recommended approval.
	The Planning Commission approved a request for a Site Development Plan Review (SDR-72415) for a proposed 3,869 square-foot Liquor Establishment (Tavern) on 1.77 acres on the east side of Oso Blanca Road at Farm Road. Staff recommended approval.

<i>Most Recent Change of Ownership</i>	
02/16/16	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
There are no related, relevant building permits or business licenses associated with the subject site.	

<i>Pre-Application Meeting</i>	
08/01/18	Staff conducted a pre-application meeting via the telephone to discuss the submittal requirements for an Extension of Time and provide the applicant a project number for submittal.

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

Field Check	
08/02/18	Staff conducted a routine field check of the subject site. Nothing of concern was noted by staff.

Details of Application Request	
Site Area	
Net Acres	1.77

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	GC-TC (General Commercial – Town Center)	T-C (Town Center)
North	Right-of-Way (US 95)	Right-of-Way (US 95)	Right-of-Way (US 95)
South	Mini-Storage Facility	GC-TC (General Commercial – Town Center)	T-C (Town Center)
East	Right-of-Way (US 95)	Right-of-Way (US 95)	Right-of-Way (US 95)
West	Single Family, Detached	SX-TC (Suburban Mixed Use – Town Center)	T-C (Town Center)

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

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<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Oso Blanca Road	Town Center Frontage Road	Town Center Development Standards Manual	90 Feet	Y