



Planning Commission Agenda Item

Date: August 11, 2021

Item No: 8.

TO: Planning Commission

FROM: Marc Jordan, Director Land Development & Community Services
Prepared By: Sharianne Dotson

SUBJECT: **UN-49-18 (PZ64830) THE LOOP (Public Hearing).** Applicant: Michael Angelo, LLC. Request: An extension of time for a special use permit in a C-2 (General Commercial District) to allow an "On-Sale" liquor license (Full On-Sale) with Restricted Gaming. Location: East of Lamb Boulevard, approximately 480 feet south of Centennial Parkway. (Ward 1)

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DESCRIPTION: (APN 123-29-101-002)

The applicant is requesting approval for an extension of time to allow a Full "On-Sale" liquor license with Restricted Gaming. The site is a 4.45 acre parcel generally located east of Lamb Boulevard, approximately 480 feet south of Centennial Parkway. The Comprehensive Master Plan Land Use designation for the subject site is Neighborhood Commercial.

BACKGROUND INFORMATION:

Previous Action
Special Use Permit (UN-146-04) for a tavern was approved by Planning Commission on October 24, 2004.
Special Use Permit (UN-146-04) was granted an extension of time by Planning Commission on April 13, 2005. This special use permit has since expired.
Tentative Map (T-1390) to allow a single lot commercial subdivision was approved by Planning Commission on November 9, 2016.
Special Use Permit (UN-50-18) for a convenience food store with gas pumps was approved by Planning Commission on September 12, 2018.
Special Use Permit (UN-52-18) for a vehicle washing establishment was approved by Planning Commission on September 12, 2018.
Special Use Permit (UN-49-18) for a Full "On-Sale" liquor license with Restricted Gaming extension of time was approved by Planning Commission on August 14, 2019.
Special Use Permit (UN-49-18) for a Full "On-Sale" liquor license with Restricted Gaming extension of time was approved by Planning Commission on September 9, 2020.
Special Use Permit (UN-50-18) for a convenience food store with gas pumps extension of time was approved by Planning Commission on September 9, 2020.

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Neighborhood Commercial	C-2, General Commercial District	Undeveloped
North	Employment	O-L, Open Land District	Undeveloped
South	Neighborhood Commercial	C-2, General Commercial District	Undeveloped
East	Single-Family Low	PUD, Planned Unit Development District	Existing Single-Family Development
West	Resort Commercial	C-2, General Commercial District	Undeveloped

DEPARTMENT COMMENTS:

Department	Comments
Public Works:	No Comment.
Police:	No Comment.
Fire:	No Comment.
Clark County School District:	No Comment.
Clark County Department of Aviation:	No Comment.

ANALYSIS

The applicant is requesting Planning Commission approval for an extension of time to allow a Full "On-Sale" liquor license with Restricted Gaming on a 4.45 acre parcel. The site is located approximately 480 feet south of the southeast corner of Centennial Parkway and Lamb Boulevard. The proposed tavern (Full "On-Sale" liquor license with Restricted Gaming) is part of a three (3) building future commercial center. The proposed site demonstrates three (3) buildings: the proposed tavern a future building pad and a convenience food store with gas pumps (UN-50-18). Access to the site for the tavern is from two (2) entrances from Lamb Boulevard and one (1) from Centennial Parkway. This is the third request for an extension of time. A second extension of time for the special use permit was approved by the Planning Commission on September 9, 2020.

The proposed building is 5,863 square feet and the elevations are in general compliance with the design standards for commercial uses. The applicant has submitted a building permit which is currently in process (#001693-2021). The elevations submitted show a stucco building with stone veneer wainscoting on all elevations of the exterior and a cornice element around the entire building. The building ranges in height between 25 and 30 feet. In addition, there is an 857 square foot outdoor patio area at the rear of the building and a 264 square foot vestibule area at the front entrance. The elevations show an anodized metal roof; metal is acceptable as long as it is not mirror like, shiny or highly reflective. Elevations for the trash enclosure were not submitted, but will be required to match the principal structure and have a roof.

A landscape plan was not submitted for review. The site plan submitted appears to meet the required perimeter landscaping width of 15 feet along Lamb Boulevard and Centennial Parkway. The required perimeter landscaping is 15 feet which includes a five (5) foot wide sidewalk centered within the landscaping, however the site plan indicates the sidewalk is adjacent to the curb. The site plan will need to be redesigned to meet the Title 17 requirements for Lamb Boulevard and Centennial Parkway as well as keeping the sidewalk centered with the landscaping along Lamb Boulevard and Centennial Parkway. In addition, the applicant will be responsible to put in place a barrier to keep vehicles from driving through the remaining vacant property. The applicant will be required to provide a ten (10) foot landscape buffer around the extended parking area to the east of the tavern. The site plan appears to have landscaping within the parking lot and the required six (6) feet of landscaping around the building. The trash enclosure is required to provide six (6) feet of landscaping adjacent to the trash enclosure. This can be addressed at building permit process.

The proposed site plan shows approximately 76 parking spaces where 84 parking spaces are required. The proposed site is short eight (8) required parking spaces. The site plan should be redesigned to meet the required parking for the Full "On-Sale" liquor license with Restricted Gaming (tavern). Additionally, there is required bicycle parking that is not identified within the site plan. The applicant should provide two (2) bicycle parking stalls. This is minor and can be addressed at the building permit process.

The applicant is required to submit a survey plat stamped by a Nevada-licensed surveyor or a notarized statement indicating that the proximity distance requirements have been met. The applicant has submitted a stamped survey plat indicating the proposed establishment is not within 1,500 feet of any school, daycare, church or park. In addition, the survey indicates there are no other Restricted Gaming establishments within 2,500 feet of the proposed establishment. The applicant indicated the proposed use does not meet the 500-foot separation requirement from the developed residential to the west, and is therefore requesting a waiver of the separation requirement. The distance is measured from the primary entrance of the proposed location to the nearest property line of residential property for this requirement. Since the special use permit was originally approved in 2018 residential homes have been developed to the west. The roadway between the proposed use and the developed residential is Lamb Boulevard. Lamb Boulevard is a 120 foot right-of-way and can be considered an adequate barrier. Therefore, staff still has no objection to the waiver.

Requirements for Approval of a Special Use Permit

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the

following facts exist:

1. The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in Chapter 17.20 of this Code;
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.

Staff has no objections to the extension of time for the proposed use. The current special use permit is due to expire September 9, 2021, and is consistent with the zoning designation, the Comprehensive Master Plan, and should be compatible with the adjacent uses and surrounding neighborhood. The existing neighborhood has not had any significant changes since the original approval of the special use permit.

CONDITIONS:

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The perimeter sidewalk and landscaping shall comply with Title 17 requirements, including providing a minimum of 15 feet of landscaping with the sidewalk centered within the landscaping adjacent to Lamb Boulevard and Centennial Parkway.
3. Applicant shall provide 84 required parking spaces and two (2) bicycle parking stalls.
4. Applicant shall provide the required six (6) feet of foundation landscaping around the building and all required parking lot landscaping.
5. The trash enclosure shall utilize the same materials and colors of the principal structure, will contain a roof and have six feet of foundation landscaping.
6. Provide a ten (10) foot landscape buffer around the extended parking area to the east of the tavern.
7. The special use permit extension of time shall expire on August 11, 2022.

Public Works:

8. All known geologic hazards shall be shown on any preliminary development plans and civil improvement plans submitted to the City. Subsequent identification of additional hazards may substantially alter development plans.
9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. All existing easements must be shown on civil plans/studies submitted to Public Works for review.
11. Appropriate mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code* and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
12. The size and number of access points and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.040; Conformance may require modifications to the site.
13. All driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.1 and 225.
14. The property owner is required to grant a roadway easement for commercial driveways.
15. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and/or Highways* and *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Centennial Parkway
 - b. Azure Avenue
16. Right of way dedication and construction of a bus turn-out is required on Centennial Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
17. The proposed main access on Lamb Boulevard shall be located at the existing median break. The existing median and island in Lamb Boulevard shall remain. This driveway location shall not allow vehicles to turn left onto southbound Lamb Blvd.
18. The proposed right in-right out driveway located approximately 73' south of Centennial Parkway shall be relocated to meet the spacing requirements set forth in *North Las Vegas Municipal Code* section 17.24.040.

19. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.
20. Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope. A queuing analysis may be required.

ATTACHMENTS:

Revised Letter of Intent
Site Plan
Building Elevations
Elevation Color Photos
Floor Plan
Distance Separation Survey
Clark County Assessor's Map
Location and Zoning Map