



Planning Commission Agenda Item

Date: November 13,
2024

Item No: 8

TO: Planning Commission

FROM: Alfredo Melesio, Jr., AICP, EDFP, Director of Land Development &
Community Services
Prepared By: Sharianne Dotson, Principal Planner

SUBJECT: SUP-58-2024 TROPICAL / PECOS COMMERCIAL (Public Hearing).
Applicant: Intercapital Asset Management. Request: A Special Use Permit in a C-1, Neighborhood Commercial District (Proposed Property Reclassification to a C-2, General Commercial District), to Allow a Restricted Gaming "On-Sale" Liquor License with a Waiver from the Required 500-foot Separation from Developed Residential. Location: Southeast Corner of Pecos Road and Tropical Parkway. (APN 123-30-301-002). Ward 1. (For Possible Action)

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DESCRIPTION:

The applicant is requesting a special use permit to allow a Restricted Gaming "On-Sale" liquor license, with a request for a waiver from the required 500 foot separation from developed residential. The subject site is on a 10.41 acre parcel located at the southeast corner of Pecos Road and Tropical Parkway. The proposed building is 5,056 square feet, with a 1,260 square foot outdoor patio. The site has a zoning designation of C-1, Neighborhood Commercial District (proposed property reclassification to a C-2, General Commercial District) and the Comprehensive Master Plan Land Use designation is Neighborhood Commercial.

BACKGROUND INFORMATION:

Previous Action

A neighborhood meeting held on September 9, 2024, at 5:30 p.m. at the Skyview YMCA at 3050 East Centennial Parkway. According to the summary of the neighborhood meeting, stated 60 people attended the meeting. The main concerns were about the zone change to a higher commercial category, building height and the need for landscape buffering to the existing residential.

A Task Force meeting held on August 22, 2024 (TF-30-2024) for a proposed property reclassification from a C-1, Neighborhood Commercial District, to a C-2, General Commercial District for quick service restaurants (fast food), a mini warehouse, a hospital and retail

buildings.

AMP-40-06 an amendment to the Comprehensive Master Plan Land Use Map to Neighborhood Commercial was approved by the City Council on June 4, 2003

RELATED APPLICATIONS:

Application #	Application Request
ZN-17-2024	A property reclassification of 10.41 acres from C-1, Neighborhood Commercial District, to a C-2, General Commercial District
T-Map-12-2024	A single-lot commercial subdivision on 10.41 acres
SUP-56-2024	A special use permit to allow a mini warehouse establishment.
SUP-57-2024	A special use permit to allow a hospital.

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Neighborhood Commercial	C-1, Neighborhood Commercial District	Undeveloped
North	Single-Family Low	PUD, Planned Unit Development District	Existing single-family dwellings
South	Single-Family Low	PUD, Planned Unit Development District	Existing single-family dwellings
East	Single-Family Low	PUD, Planned Unit Development District	Existing single-family dwellings
West	Single-Family Low	R-1, Single-Family Low Density District	Existing single-family dwellings

DEPARTMENT COMMENTS:

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

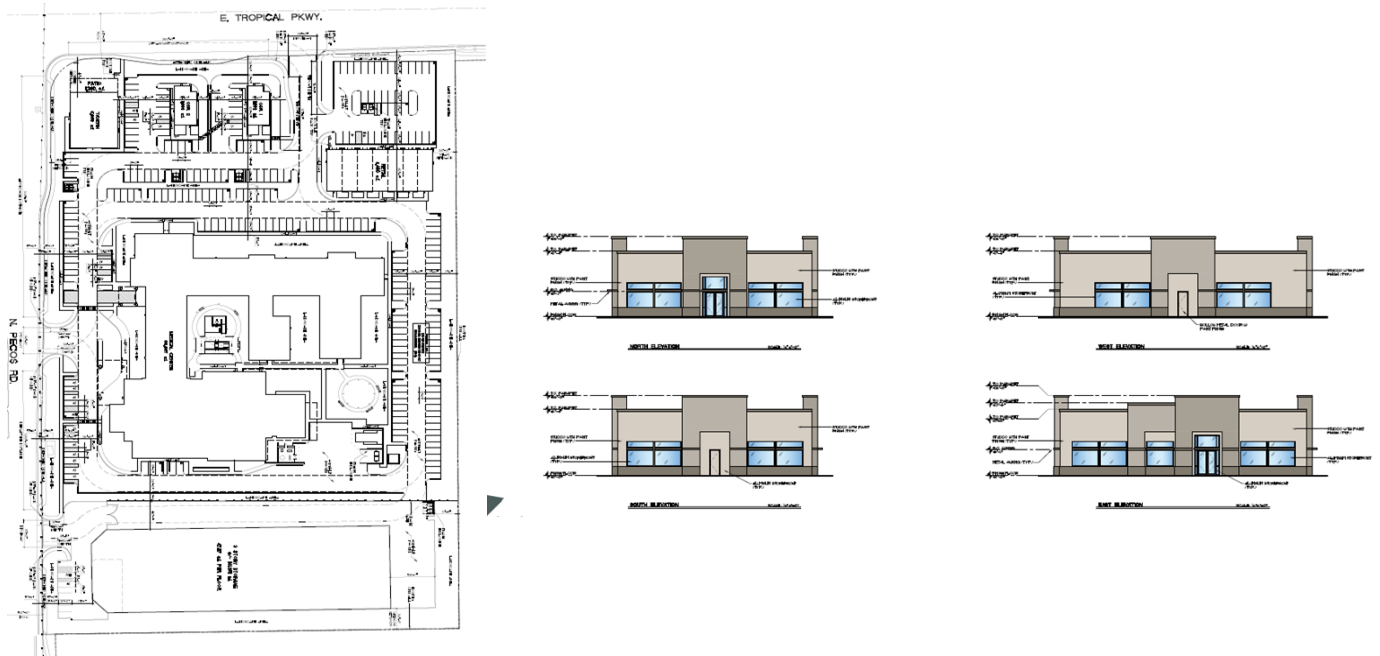
ANALYSIS:

The applicant is requesting a special use permit to allow a Restricted Gaming "On-Sale" liquor license (tavern), with a request for a waiver from the required 500 foot separation from developed residential. The site is located on 10.41 acres at the southeast corner of Pecos Road and Tropical Parkway. The zoning designation of C-1, Neighborhood Commercial District (proposed property reclassification to a C-2, General Commercial District) and the Comprehensive Master Plan Land Use designation is Neighborhood Commercial. The proposed building is 5,056 square feet, with a 1,260 square foot outdoor patio. The letter of intent states the tavern will provide a sit down restaurant for families. Access to the proposed site is from two (2) entrances; one (1) entrance on Pecos Road and one (1) on Tropical Parkway. Additional access is indicated on the site plan for the proposed mini warehouse; however, it is not a public entrance for the proposed commercial development.

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. However, the stamped survey does indicate developed residential on the adjoining parcel to the south and the east of the proposed establishment. The applicant is requesting a waiver from the required 500-foot separation from developed residential to the south and the east of the proposed commercial development for the Restricted Gaming "On-Sale" (tavern).

The proposed building for the tavern is located at the northwest corner of the property. There is an existing block wall along the south and east property lines separating the proposed "On-Sale" liquor license establishment from the existing residential. There are two (2) fast food restaurants with a drive-thru and a parking area between the proposed tavern and the existing residential. There is a required 20-foot landscape buffer. This buffer area should be enhanced with a double row of off-set 24" box trees every 20 feet on center to help buffer the use from the adjacent residential to the south and the east. In addition, the proposed front door of the tavern is approximately 375 feet from the nearest residential property line. Therefore, staff can support the waiver request to allow Restricted Gaming "On-Sale" liquor license within 500 feet of the developed residential.

According to the site plan, the proposed tavern will be 5,056 square feet, with a 1,260 square foot outdoor patio. In addition, the proposed site plan indicates there is a mini warehouse establishment (SUP-56-2024) and a hospital (SUP-57-2024) that are "*not a part*" of this application. The proposed site plan includes an 8,400 square foot retail building and two (2) fast food restaurants with drive-thru of approximately 1,668 square feet each. These areas are also "*not a part*" of this request and are not being reviewed with this permit.



According to the building elevations provided, the proposed tavern building has multiple architectural parapets with a building height ranging from 21 feet to 26 feet. The building's exterior is identified as a stucco finish painted in three (3) shades of gray fading from light to dark. The proposed elevations are cohesive on all four sides; however, the building lacks decorative elements to break up the muted design. The proposed building elevation should incorporate other architectural features to reduce the visual length of long walls. The proposed hospital on the same site indicates stone veneer on their elevations. The applicant should incorporate the same stone veneer for this building. All four elevations indicate clear windows with aluminum framing; in addition, the east entrance elevation has an awning over the front door. The final color scheme and architectural design can be addressed with the building permit process. The applicant should apply the same color scheme and architectural accents to all the buildings for the proposed hospital, mini warehouse and restaurants with drive-thru to create a cohesive and coherent design for the overall commercial center. This can be addressed during the building permit process.

The proposed site plan indicates a trash enclosure south of the building for the proposed Restricted Gaming "On-Sale" liquor license use. Trash enclosures are required to be placed away from street fronts, primary driveway entrances, and pedestrian priority areas. The trash enclosure should be relocated away from Pecos Road. Elevations for the proposed trash enclosure were not provided, but the enclosure is required to use similar materials and color palette as the principal building. Additionally, landscape islands are needed on both sides of the trash enclosure. This is a minor change and can be addressed with the building permit process.

The proposed landscape plan indicates the perimeter landscaping area adjacent to Pecos Road ranges from 26 feet to approximately 34 feet at the widest portion and includes a

five-foot wide sidewalk, a five (5) foot walkway and landscaping. The required landscaping is fifteen (15) feet including a five (5) foot sidewalk.. The proposed site plan also provides the required 20-foot landscape buffer adjacent to the south and the east residential property line. The landscape buffer includes a pedestrian gate access and a pathway from the existing trail to the existing residential to the east. The proposed landscape plan indicates some foundation landscaping and the required parking lot landscaping for the Restricted Gaming "On-Sale" liquor license (tavern). The required landscaping is six (6) feet of foundation landscaping at the entrance to the building and at least three (3) feet of foundation landscaping where parking spaces are located at the sides of the building. Landscaped islands are required to be provided at the end of all parking rows within the parking lot. In addition, all vehicle parking areas abutting public or private right-of-ways shall be screened with a buffer wall or landscaped berm a minimum of three feet high. All areas to be landscaped should provide 50% ground coverage within two years of planting to comply with the municipal code. Minor adjustments may be needed during building permit process to ensure that proper foundational landscaping and parking lot landscaping are installed.

The proposed site plan for the commercial development indicates 252 parking spaces will be provided where 242 parking spaces is required for the proposed uses on the site plan. The required parking for the proposed 5,056 square foot tavern building is 75 parking spaces including the outdoor patio area. Therefore, sufficient parking has been provided for the proposed use.

The site plan provided the required bicycle facilities in front of the retail building and tavern building within the commercial plaza. A commercial development is required one (1) bicycle parking space per 5,000 square feet of gross floor area. The proposed site plan for this commercial development requires ten (10) bicycle parking spaces. The proposed site plan is providing ten (10) bicycle parking spaces and therefore is in compliance.

Commercial development of five acres in size or greater shall provide a minimum of 50 square feet of plaza space for each acre of land. The size of this development requires a 500 square foot plaza. The provided landscape plan indicates an approximate 19,000 square foot plaza is provided east of the hospital; therefore, this requirement has been met.

The proposed use permit is consistent with the zoning designation of C-1, Neighborhood Commercial District (*proposed property reclassification to a C-2, General Commercial District*), and the Comprehensive Master land use of Neighborhood Commercial. Within a mile of the proposed site, there are approximately three (3) other properties with a commercial zoning. The commercial areas consists of beauty salons, restaurants, retail, banks, grocery store and convenience food stores with gas pumps. The proposed use is compatible with the existing neighborhoods and should not pose a negative impact to the surrounding properties. Staff has no objections to the proposed use to allow Restricted Gaming "On-Sale" liquor license (tavern) with a waiver of the 500 feet separation from developed residential and is recommending approval subject to conditions.

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;
 - The Comprehensive Master Plan is Neighborhood Commercial, which consist of commercial zoning including but not limited to the proposed property reclassification to a C-2, General Commercial District.
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;
 - The purpose of the Neighborhood Commercial (C-1) and the proposed property reclassification to a C-2, General Commercial District is to provide goods and services for the convenience of the residents of the adjacent neighborhood and accessible by walking from the adjacent neighborhoods. The uses allowed in this district should provide goods and services on a neighborhood market scale that are compatible with the residential character of the surrounding neighborhood. The proposed Restricted Gaming "On-Sale" liquor license (tavern) is providing a service to the surrounding residents the ability to sit down and dine with family and friends.
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);
 - The proposed Restricted Gaming "On-Sale" liquor license (tavern) use should not create a negative impact on the existing business or neighboring residents.
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
 - To mitigate the impact of the proposed use and commercial development on the residents to the south and east, staff recommends that the 20 foot required landscaped buffer area be planted with a double row of off-set 24" box trees every 20 feet on center adjacent to the residential.
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.
 - The proposed Restricted Gaming "On-Sale" liquor license (tavern) use should not create a negative impact on the existing facilities or services.

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 required 20 foot landscaped buffer area adjacent from the existing residential to the south and east shall be planted with a double row of off-set 24" box trees staggered every 20 feet on center.
3. The applicant shall provide the required foundational landscaping of six (6) feet and required parking lot landscaping.
4. The tavern / restaurant shall maintain an equal or greater restaurant to bar ratio. The restaurant shall also be open for family dining during normal operating hours. Additionally, any restrooms shall be located to allow restaurant patrons direct access, without travel through the bar area.
5. Applicant shall relocate the trash enclosure away from the public right-of-way. The trash enclosure shall use similar materials and color palette as the principal building with six (6) feet landscape islands are required on both sides of the trash enclosure.
6. The applicant shall apply the same color scheme and enhanced architectural features to all the buildings to create a cohesive and coherent design for the overall commercial center.

Public Works:

7. This item shall comply with the conditions of the approval for T-Map-12-2024.

ATTACHMENTS:

Public Works Memorandum
Letter of Intent
Site Plan
Building Elevation
Floor Plan
Landscape Plan
Distance Separation Survey
Clark County Assessor's Map
Location and Zoning Map