

**NORTH LAS VEGAS CITY COUNCIL
AGENDA ITEM**

Number: **3**

SUBJECT:

UN-23-08, (Deer Springs Town Center Tavern); an application submitted by Deer Springs Town Center, LLC, property owner, for a use permit in a C-2, General Commercial District to allow the "on-sale" of alcoholic beverages in conjunction with a tavern. The property is generally located at the northeast corner of Deer Springs Way and North 5th Street.

REQUESTED BY:

Deer Springs Town Center, LLC, property owner

RECOMMENDATION OR RECOMMENDED MOTION:

It is recommended that on April 2, 2008, Council set a public hearing date for UN-23-08 for May 7, 2008. Following the public hearing, it is recommended that Council approve UN-23-08.

FISCAL IMPACT:

Amount: \$

Explanation:

ACCOUNT NUMBER:

STAFF COMMENTS AND BACKGROUND INFORMATION:

Ordinance Number 2185 was adopted on December 7, 2005, to increase the distance separation requirements between new and existing saloons, taverns/restaurants and nonprofit clubs from 1,500 feet to 2,500 feet. The ordinance also establishes a distance separation requirement of 1,500 feet between any new saloons, taverns/restaurants and nonprofit clubs and any existing or approved churches, schools, city-owned parks and childcare facilities licensed for more than twelve children. Additionally, some of the separation requirements can be waived if the proposed tavern is within a commercial center of 30 acres or more, more than 200,000 square feet of retail space and an "anchor" tenant with over 100,000 square feet. In this case, the proposed tavern would be within a 67±-acre commercial center with two "anchor" tenants each having over 130,000 square feet.

The proposed facility would be located within the "Pad 9" building identified on the approved site plan (date-stamped 1-4-07.) The entire shopping center is approximately 745,000 square feet in size and the proposed tavern/restaurant would be approximately 5,000 square feet and is estimated to seat approximately 100 patrons. Based on stamped surveys submitted with this application, there are no childcare facilities, city-owned parks, schools or nonprofit clubs within the required separation distances. Although there is one tavern within 2,500 feet (688 feet to the south) across Deer Springs Way within the shopping center at the southeast corner of Deer Springs Way and North 5th Street (UN-20-06), the exception rules, as mentioned above, could be applied.

The Planning & Zoning Department is recommending approval of this request subject to the conditions listed in the attached staff report because the proposed tavern appears to be in compliance with the minimum distance requirements, or the allowable waivers/alternatives/exceptions.

Attachment:

Staff Report with Attachments

LIST CITY COUNCIL GOAL(S):

Well-Planned Quality Growth

PREPARED BY:



Frank Fiori, AICP
Acting Planning and Zoning Director

**RESPECTFULLY
SUBMITTED BY:**



Gregory E. Rose
City Manager

**CITY COUNCIL
MEETING DATE:**

April 2, 2008
May 7, 2008

UN-23-08
Deer Springs Town Center
"On-Sale" (Tavern)
Public Hearing

STAFF REPORT

GENERAL INFORMATION:

Applicant:	Deer Springs Town Center, LLC
Property Owner:	Deer Springs Town Center, LLC
Requested Action:	A special use permit to allow the "on-sale" of alcoholic beverages in conjunction with a tavern
Lot Area:	67± acres
Comprehensive Plan:	Mixed-Use Commercial
Location:	Northeast corner of Deer Springs Way and North 5 th Street
Assessor's Parcel Number(s):	124-23-201-002
Existing Land Use and Zoning:	Under construction; C-2, General Commercial
Surrounding Land Use and Zoning:	North: CC-215 Beltway South: Shopping center under construction; C-2, General Commercial East: Undeveloped; MPC/RZ13 and MPC/PSP West: Multi-family under construction and undeveloped; PUD, Planned Unit Development and R-4, High Density Residential

BACKGROUND INFORMATION:

The subject 67±-acre site (SPR-41-06) was denied by the Planning Commission on November 8, 2006, appealed to the City Council and approved by the City Council on February 7, 2007. The site is approved to be constructed as a shopping center with a Super Target and Home Depot as co-anchor tenants. The Super Target is approved to be located within the northwest corner of the site and Home Depot within the southeast corner of the site. A copy of the City Council Meeting Minutes from February 7, 2007, is attached hereto for reference purposes.

A vacation, VAC-13-07, was approved by the City Council on September 19, 2007, to vacate a flood channel right-of-way generally traversing the northeast corner of the site.

A request for a review of conditions to the original site plan review was approved by the Planning Commission on January 9, 2008. Specifically, the applicant requested to amend Condition #50 by removing the requirement for an eight-foot decorative screen wall and, in-lieu thereof, allow landscaping to serve as a screen. Condition #50 was imposed by the City Council when the item was originally appealed, but was amended by the Planning Commission on January 9, 2008.

A variance (VN-01-08) to increase certain retaining wall heights from six feet to eight feet was also approved by the Planning Commission on January 9, 2008. The subject retaining walls would be adjacent to the eastern property line behind the Home Depot.

The applicant is now requesting Planning Commission approval to allow the "on-sale" of alcoholic beverages in conjunction with a tavern restaurant, which would be located within an approved 67±-acre shopping center that has approximately 745,469 square feet of retail space and two "anchor tenants." The "anchor tenants" are The Home Depot and Super Target, which have floor areas of approximately 140,000 square feet and 132,000 square feet, respectively. The floor plan indicates that the 5,000-square-foot establishment would seat approximately 100 patrons.

The proposed tavern restaurant is located within the Deer Springs Town (Commercial) Center, which is located at the northeast corner of Deer Springs Way and North 5th Street. More specifically, the "(Retail) Pad 9" building is fronting Dorrell Lane approximately 450 feet east of North 5th Street. A similar tavern restaurant (UN-20-06) was originally approved by the City Council on May 17, 2006, and was most recently granted an extension of time by the City Council on August 15, 2007. That tavern restaurant is approximately 688 feet south (across Deer Springs Way) within the Deer Springs Crossing Shopping Center. The site plan indicates that access to this site would be from shared driveways along Dorrell Lane, North 5th Street and Deer Springs Way.

DEPARTMENT COMMENTS:

Public Works: The Department of Public Works has no comment on this application.

Fire Department: There appears to be no outstanding Fire Department issues with this application.

Utilities Department: Please see the attached memorandum.

ANALYSIS:

Ordinance Number 2185 was adopted by the City Council on December 7, 2005, to increase the distance separation requirements between new (i.e., proposed) and existing (i.e., holding valid, unexpired liquor licenses) saloons, taverns/restaurants and nonprofit clubs from 1,500 feet to 2,500 feet. The ordinance also establishes a distance separation requirement of 1,500 feet between any existing or approved churches, schools, city-owned

parks and childcare facilities licensed for more than twelve children. Furthermore, a minimum distance of 500 feet is required between any developed residential district.

Section 5.26.020 (Definitions) of the North Las Vegas Municipal Code reads:

“Commercial center” means a concentration of proposed or existing retail stores consisting of not less than two hundred thousand (200,000) square feet, including an anchor retail store of not less than one hundred thousand (100,000) square feet, that share common parking lot driveways and/or spaces and which are situated upon not less than thirty (30) gross acres of land.

Section 5.26.360 (Other licensee proximity) of the North Las Vegas Municipal Code reads:

A. Saloons, Tavern/Restaurants or Nonprofit Clubs Holding a General On-Sale or General On-Off Sale Liquor License.

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2. Commercial Center Exception. The city council may consider no more than one general on-sale liquor license, general on-off sale liquor license or nonprofit club general liquor license for a new saloon, tavern/restaurant or nonprofit club within the boundaries of a commercial center (as defined at NLVMC 5.26.020) at a distance of less than two thousand five hundred (2,500) feet from another saloon, tavern/restaurant, nonprofit club or supper club which holds a valid, unexpired liquor license outside the boundaries of such commercial center.

Section 17.28.050.B.4.c of the North Las Vegas Municipal Code reads:

c. Proximity Distance Requirements.

i. The proposed saloon, tavern/restaurant or nonprofit club must be at a distance greater than two thousand five hundred (2,500) feet from all existing or approved saloon, tavern/restaurant or nonprofit clubs, unless otherwise excepted from such distance requirement pursuant to the “commercial center exception” NLVMC 5.26.360(A)(2) or a waiver is approved pursuant to NLVMC 17.28.050(B)(4)(d)(i), below. Such distance shall be measured utilizing the shortest direct line distance between the primary public entrance of the proposed saloon, tavern/restaurant or nonprofit club and the primary public entrance of all other existing and approved saloon, tavern/restaurant or nonprofit club.

ii. The proposed saloon, tavern/restaurant or nonprofit club must be at a distance greater than one thousand five hundred (1,500) feet from all existing or approved churches, schools, city-owned parks and child care facilities licensed for more than twelve children. Such distance shall be measured utilizing the shortest direct line distance between the primary

public entrance of the proposed saloon, tavern/restaurant or nonprofit club and the nearest property line of property whereupon there is located a church, school, city-owned park or child care facility licensed for more than twelve children. Property whereupon there is located a church, school, city-owned park or child care facility licensed for more than twelve (12) children" is defined as that parcel, lot or property upon which the church, school, city-owned park or child care facility licensed for more than twelve children is located, together with any other parcels, lots or properties that are primarily utilized by the church, school, city-owned park or child care facility licensed for more than twelve (12) children.

iii. The proposed saloon, tavern/restaurant or nonprofit club must be a distance greater than five hundred (500) feet from any developed residential district. For purposes of this section, "developed residential district" means a parcel of land zoned for residential use in which construction for at least one residential unit has begun on the date the applicant applied for the special use permit.

d. Waiver of Title 17 Proximity Distance Requirements for Saloon, Tavern/Restaurant or Nonprofit Club.

i. Waiver permitted for NLVMC 17.28.050(B)(4)(c)(i) only. – Findings Required.

A waiver of the two thousand five hundred (2,500) feet proximity distance requirement between a proposed saloon, tavern/restaurant, nonprofit club and an existing saloon, tavern/restaurant, nonprofit club or supper club may be granted by the city council upon a finding that the proposed saloon, tavern/restaurant or nonprofit club is entirely separated from another saloon, tavern/restaurant, nonprofit club or supper club by US Interstate 15 or Clark County Interstate 215, and the primary public entrance of the proposed saloon, tavern/restaurant or nonprofit club is at a distance of two thousand five hundred (2,500) feet from the closest boundary of any freeway crossover. The boundary limits of these freeways and freeway crossovers are as defined by the official Nevada Department of Transportation and Clark County right-of-way maps for such roadways, respectively.

ii. Waiver permitted for NLVMC 17.28.050(B)(4)(b)(ii) only – Findings Required.

A waiver of the one thousand five hundred (1,500) feet proximity distance requirement between a proposed saloon, tavern/restaurant, nonprofit club or supper club and a church, school, city-owned park or child care facility may be granted by the city council upon a finding that an "adequate barrier" exists between a church, school, city-owned park or child care facility licensed for more than twelve (12) children, and the proposed saloon, tavern/restaurant

or nonprofit club location. An "adequate barrier" is defined as: an improved drainage facility, Clark County Interstate 215, US Interstate 15, other constructed roadway with a minimum width of one hundred twenty (120) feet, or a topographical feature which prevents vehicular and pedestrian access between a church, school, city-owned park or child care facility licensed for more than twelve (12) children and the proposed saloon, tavern/restaurant or Nonprofit club. A topographical feature does not include any building, wall, fence or other man-made structure. The boundary limits of these streets, freeways and freeway crossovers are as defined by the official city of North Las Vegas, Nevada Department of Transportation and Clark County right-of-way maps for such roadways, respectively.

iii. NLVMC 5.26.350 Proximity Distance Requirements Shall Not Be Waived.

NLVMC 5.26.350 provides for a four hundred (400) feet minimum proximity distance requirement for all alcoholic beverage licensees from religious institutions, schools, city-owned parks and child care facilities licensed for more than twelve (12) children. Under no circumstance shall a proximity distance requirement waiver be granted pursuant to this chapter that would permit a saloon, tavern/restaurant or nonprofit club use at a distance closer than otherwise permitted for alcoholic beverage licensure pursuant to Section 5.26.350.

iv. NLVMC 17.28.050(B)(4)(c)(iii) Proximity Distance Requirements Shall Not Be Waived.

NLVMC 17.28.050(B)(4)(c)(iii) provides for a minimum proximity distance requirement of five hundred (500) feet between any proposed saloon, tavern/restaurant or nonprofit club and any developed residential district. Under no circumstances shall a proximity distance requirement waiver be granted pursuant to this chapter that would permit a saloon, tavern/restaurant or nonprofit club use at a distance closer than otherwise permitted pursuant to Section 17.28.050(B)(4)(c)(iii).

The applicant submitted graphic illustrations stamped by a Nevada-licensed surveyor indicating compliance with the separation requirements between the proposed facility and developed residential districts (500 feet); between the proposed facility and any city-owned park (1,500 feet); between the proposed facility and any childcare facility licensed for more than twelve children (1,500 feet); between the proposed facility and any schools (1,500 feet.) Based on staff's review, there are no objections to the provided survey.

Although there are a park and school identified within the Park Highlands Master Planned Community to the east, those sites have not been constructed, mapped or dedicated. Therefore, it is staff's opinion that the proposed tavern restaurant would be in compliance with the applicable code requirements.

The nearest approved facility currently holding, or approved for, an "on-sale" liquor license

is a tavern restaurant (UN-20-06) across Deer Springs Way approximately 688 feet to the south. As mentioned above, the existing tavern should not be a factor because the distance requirement can be waived if the proposed tavern restaurant is within a commercial center comprised of not less than 200,000 square feet, including an anchor retail store of not less than 100,000 square feet, and the site is 30 or more acres in size. Home Depot is approximately 140,000 square feet and Super Target is approximately 132,000 square feet.

It appears that the proposed tavern does not meet the minimum 20-foot setback from the regional trail, which is located along the south side of Dorrell Lane. Since the trail will be dedicated right-of-way, it would establish the front setback line. Therefore, a minimum 20 feet are required as the setback area. Staff would be amenable to working with this applicant to modify the landscaping within the setback area to be more pedestrian-friendly by creating a "hardscape" area, rather than the traditional xeriscape with trees, shrubs and decomposed granite groundcover. Trees in tree-wells with grates, decorative pavers and potted shrubs could be part of the "hardscape" plans that would be conducive to heavy pedestrian movements, especially adjacent to a regional trail.

RECOMMENDATION:

The Planning and Zoning Department recommends that UN-23-08 be approved subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, this development shall comply with all applicable codes and ordinances.
2. That UN-23-08 is site-specific and non-transferable.
3. That UN-23-08 comply with all appropriate conditions of SPR-41-06 and T-1292.
4. A minimum two bicycle parking spaces shall be provided within 15 feet of the building. The bicycle parking spaces shall not be located where they would interfere with required landscaping or pedestrian access.
5. Exterior roof ladders are not allowed. Access to the roof shall be from within the building.
6. The colors, design and materials shall be consistent with those approved for the shopping center under SPR-41-06.
7. Foundation landscaping, or a suitable alternative, shall be provided along the south and west sides of the building where they abut parking stalls or drive aisles. Wheel-stops may be required within the parking spaces that abut the building.
8. The trash enclosure is required to match the building in design, colors and materials, including a roof and solid metal gates hung approximately 8 inches above the ground.

9. The site plan shall be revised to identify a minimum 20-foot setback from the regional trail.
10. The 20 feet of landscaping within the front setback area (south of the regional trail along Dorrell Lane) may be designed as a "hardscape" area which would facilitate outdoor seating/dining, decorative pavers, tree wells with grates and appropriate lighting, subject to review and approval by staff prior to the issuance of a building permit.
11. If the tavern restaurant is constructed prior to other adjacent uses, then a sufficient number of parking spaces shall be provided in compliance with the requirements set forth in the Zoning Ordinance and said parking spaces, parking lot landscaping and lighting shall be provided prior to the issuance of a certificate of occupancy. Outdoor seating / dining would require additional parking.

ATTACHMENTS:

Utilities Memorandum
City Council Minutes (SPR-41-06) - February 7, 2007
Site Plan (approved with SPR-41-06, dated 1-4-07)
Letter of Intent
Stamped Survey
Mulligan's Menu
Floor Plan
Building Elevations
Site Plan
Location & Zoning Map

Prepared by: Bob Hoyes

CITY OF NORTH LAS VEGAS

INTEROFFICE MEMORANDUM

To: Robert Eastman, AICP, Principal Planner, Planning & Development Department
Cc: Bob Hoyes, Planner
From: Carolyn A. Keller, E.I., Engineering Assistant, Utilities Department
Subject: UN-23-08 Deer Springs Town Center
Date: February 20, 2008

For information purpose only:

1. The sample manhole shall be located as to provide twenty-four (24) hour access to the City.
2. All drains, sinks, with the exception of restrooms shall be routed through a grease interceptor and sample manhole.
3. Grease interceptor and sample manhole shall be pursuant to North Las Vegas standard drawings ENV-1 and ENV-2.
4. An enclosure shall be required for the bulk commodities container.
5. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.

ACTION: APPROVED AS AMENDED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

3. AN APPEAL SUBMITTED BY JENNIFER LAZOVICH OF KUMMER KAEMPFER BONNER RENSHAW & FERRARIO, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY SPR-41-06 (5TH STREET MARKETPLACE); AN APPLICATION SUBMITTED BY NGA #2 LLC, ETAL, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-E RANCH ESTATES DISTRICT, A C-2 GENERAL COMMERCIAL DISTRICT, AND AN O-L OPEN LAND DISTRICT FOR APPROVAL OF A 650,000 SQUARE FOOT COMMERCIAL COMPLEX ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 5TH STREET AND DEER SPRINGS WAY. (CONTINUED JANUARY 3 AND JANUARY 17, 2007)

Councilman Eliason explained that he would be abstaining on this item.

Councilwoman Smith explained that she neglected to disclose on the previous item that she was employed by the School District and wanted it noted for the record.

Planning and Zoning Director Stewart explained that the application was for a Mixed Use, approximately 650,000 square feet commercial complex. The City had worked on the south side of the development with some site plan issues regarding the interface of the development with Deer Springs Way to the south. The Planning Department was satisfied with the changes to the site plan as proposed. There were still issues related to traffic and ingress and egress from the site at Dorrell Lane.

Jennifer Lazovich, Kummer Kaempfer Bonner Renshaw & Ferrario, 3800 Howard Hughes Parkway, Las Vegas, represented John Ritter along with Bob Gronauer, and explained that a month ago she went into detail about the site and the request for the signal at Dorrell Lane and North 5th Street. After that, it was decided the item be held and during the last thirty days she had worked on two issues. Ms. Lazovich met with neighbors that lived near the site on Deer Springs Way, and worked on the City policy that was adopted in August, 2006 for request of left in/left out along North 5th Street.

Ms. Lazovich explained that the neighbors commented on the location of the Home Depot, just south of Dorrell Lane and felt the location was too close to the residential community. The Home Depot could not be moved because the development would be covering the drainage channel and could not be moved to other locations because of the size. It was moved as far north as possible from the neighborhood.

It was agreed to construct a taller screen wall to block truck traffic and to plant at a minimum, nine foot tall trees when the perimeter landscaping was completed.

Another issue was the transition of Dorrell Lane to Park Highlands so the travel lanes could be matched. The concentration was to have the travel lanes that go into the site match the travel lanes that were approved for Park Highlands. Park Highlands would have two travel lanes in each direction that would be matched, with an eighty foot right-of-way.

Ms. Lazovich explained that she complied with the City policy and submitted a traffic study, which requested and supported a traffic light at North 5th Street and Dorrell Lane and was willing to agree to a condition that would require the light to be deed restricted.

Ms. Lazovich read into the record the following condition:

A signalized intersection allowing full turning movements shall be allowed at the intersection of North 5th Street and Dorrell Lane. Developers shall record a deed restriction against the property which will require the developer to remove the signal at this intersection if requested by the North Las Vegas City Council after completion of the 150 foot wide super arterial along North 5th Street between Owens Avenue and the I-215 as shown in Table 7-5 of the Regional Transportation Plan for fiscal year 2006-2030 approved by the Regional Transportation Commission on July 13, 2006 as may be amended by the RTC in the future. If the signal is removed, a permanent left turning movement shall be allowed at the location of the signalized intersection.

Ms. Lazovich recommended deleting condition #26, and replace it with the new condition.

Mayor Montandon questioned a non-signalized permanent left turn movement from southbound I-15 to the center, and a non-signalized left turn movement out of the center which was determined to be unsafe and asked if the left turning movement would be southbound only.

Ms. Lazovich re-read the last sentence of the condition which would say, if the signal is removed, a permanent left in turning movement shall be allowed at the location of the signalized intersection and stated it would not be a left out.

City Manager Rose advised Council when the traffic study was submitted it was reviewed and comments were submitted to them asking for responses, but Staff had not approved.

They did submit a traffic study that provided evidence that a light was justified at the location, but the City had some issues that needed to be resolved regarding the traffic study and was waiting for responses.

Acting Public Works Director Liu explained that according to the Municipal Code the traffic study must be approved prior to submission of the civil improvement plan.

Bob Borgersen, 7617 Island Rail Drive, North Las Vegas, commented about the convenience of North 5th Street for downtown access and was against the installation of a traffic signal.

Frank Digiovanni, 809 Evening Fawn Drive, North Las Vegas, explained the need for a traffic signal in the area for the safety of the children.

Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas, explained the neighbors had three issues and met with the applicant's attorneys, Ms. Lazovich and City Staff. One issue was the Home Depot location, the lack of a walking area and proximity to the park.

Mayor Montandon explained the site plan was different than previously submitted and changes had been made.

Mr. Ferber explained the other issue was traffic and felt that Deer Springs Way could not support the amount of traffic anticipated.

He explained that the neighbors suggested that these projects not proceed until the City showed a reasonable plan as to how the traffic would flow through the area.

Mayor Montandon explained that the City did not approve civil improvement plans until the traffic study was approved.

Public Works Director Al-Ghafry explained that a traffic study was reviewed by project and cumulative impact and felt the traffic study was incomplete and more information was needed to account for the cumulative impact as well as the project impact. He also explained the entire region was reviewed and the impact to the intersections in the vicinity of the project.

Mayor Pro Tempore Robinson explained that the neighbors had several opportunities to attend the Council Meetings and the issue needed to be resolved.

Councilwoman Smith explained there have been several town meetings by various Council Members, Staff had met with the neighbors and there had been numerous opportunities to gain information on the issues.

Mr. Ferber explained what he requested was that the neighbors had the opportunity to see the plan that showed how the traffic situation would be resolved.

Mayor Montandon explained that at nlvplan.com was the Comprehensive Master Plan that included the traffic, streets, and information of that sort. As traffic plans were approved it changed and was updated. The specific plans were available for public review. The plans for this specific project had not been approved.

Mr. Ferber asked how the public could view the proposed plans before they were approved. Mayor Montandon suggested he contact City Manager Rose or Public Works Director Al-Ghafry for the policy regarding the plans being presented to the public.

City Manager Rose explained the City would be happy to provide the citizens with any available public documents, but the process would not be able to be stopped.

Gay Shoaff, 5622 Midnight Breeze Street, North Las Vegas, questioned whether there were residential homes on Dorrell Lane and the route a resident would take to go southbound on North 5th Street from Dorrell Lane.

Mayor Montandon explained there are homes on the west side of Dorrell Lane and those residents would turn right to go southbound on North 5th Street.

Ms. Shoaff was concerned about retailers' hesitation of moving into the commercial area without a traffic light at the location.

Ms. Lazovich explained there were other conditions which would be new conditions. If Dorrell Lane had not been constructed when the adjacent parcels to the east required access to North 5th Street, the City would require developers to grant an easement for access along the Dorrell Lane alignment. If this project did not go in, in advance of Park Highlands developing, they would want to make sure they could get access out to North 5th Street. The other condition that was for the developer to work with Park Highlands on maintaining two travel lanes in each direction along Dorrell Lane and providing necessary transition of the travel lanes, so that the travel lanes could be matched on both sides.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, explained about the discussion regarding the eighty foot right-of-way on Dorrell Lane in between Donna Street and North 5th Street. Park Highlands wanted to be assured that there would be an eighty foot right-of-way since that was what was committed. On Park Highlands eighty foot right-of-way on Dorrell Lane, east of Donna Street, there would be transitioning for Park Highlands with respect to the bicycle paths. South of Dorrell Lane the bicycle paths would connect but the bicycle path on the north side of Dorrell Lane, which is on the east side of Donna Street may have to be eliminated in the future on Park Highlands.

Councilwoman Buck questioned the condition regarding the signalized intersection and wanted to make sure future discussions of the deed restriction would be a public hearing and not an administrative decision so the neighbors would be notified if the light was being removed or kept.

Ms. Lazovich explained that the language could be changed to note that the developers shall record a deed restriction against the property which would require the developer to remove the signal at this intersection if requested by the North Las Vegas City Council during a public hearing.

Ms. Lazovich explained two additional conditions would need to be added. The first would read a decorative eight foot screen wall shall be provided on the east property line behind the location of the Home Depot (including the garden center), Major H and the truck turnaround area behind Retail 3. Furthermore, the decorative wall shall continue along Deer Springs Way to screen the truck turnaround area behind retail 3. The decorative screen wall shall not encroach into the perimeter landscaping along Deer Springs Way or Dorrell Lane.

The second condition would relate to the landscaping. Large variety evergreen trees shall be planted a minimum of one tree every twenty feet on center behind Home Depot and Major H and along Deer Springs Way behind Retail 3. The trees shall be a minimum of nine feet in height (twenty four inch box at planting as approved by Staff).

Mayor Montandon closed the public hearing.

ACTION: APPROVED AS AMENDED; AMENDED AS FOLLOWS:

ADD NEW CONDITION:

1. A DECORATIVE EIGHT-FOOT SCREEN WALL SHALL BE PROVIDED ON THE EAST PROPERTY LINE BEHIND THE LOCATION OF THE HOME DEPOT (INCLUDING THE GARDEN CENTER), MAJOR H AND THE TRUCK TURN AROUND AREA BEHIND RETAIL 3. FURTHERMORE, THE DECORATIVE WALL SHALL CONTINUE ALONG DEER SPRINGS WAY TO SCREEN THE TRUCK TURN AROUND AREA BEHIND RETAIL 3. THE DECORATIVE SCREEN WALL SHALL NOT ENCROACH INTO THE PERIMETER LANDSCAPING ALONG DEER SPRINGS WAY AND DORRELL LANE.
2. LARGE VARIETY EVERGREEN TREES SHALL BE PLANTED A MINIMUM OF ONE (1) TREE EVERY TWENTY (20) FEET ON CENTER BEHIND HOME DEPOT AND MAJOR H AND ALONG DEER SPRINGS WAY BEHIND RETAIL 3. THE TREES SHALL BE A MINIMUM OF NINE (9) FEET IN HEIGHT (MINIMUM 24-INCH BOX) AT PLANTING, AS APPROVED BY STAFF.

3. IF DORRELL LANE HAS NOT BEEN CONSTRUCTED WHEN ADJACENT PARCELS TO THE EAST REQUIRE ACCESS TO NORTH 5TH STREET, THE CITY WILL REQUIRE DEVELOPER TO GRANT AN EASEMENT FOR ACCESS ALONG THE DORRELL LANE ALIGNMENT.
4. DEVELOPER WILL WORK WITH THE CITY AND PARK HIGHLANDS ON MAINTAINING TWO TRAVEL LANES IN EACH DIRECTION ALONG DORRELL LANE AND PROVIDING NECESSARY TRANSITION OF THE TRAVEL LANES.
5. DELETE CONDITION #26 AND REPLACE WITH NEW CONDITION #26 TO READ AS FOLLOWS:

A SIGNALIZED INTERSECTION ALLOWING FULL TURNING MOVEMENTS SHALL BE ALLOWED AT THE INTERSECTION OF NORTH 5TH STREET AND DORRELL LANE. DEVELOPER SHALL RECORD A DEED RESTRICTION AGAINST THE PROPERTY WHICH WILL REQUIRE THE DEVELOPER TO REMOVE THE SIGNAL AT THIS INTERSECTION IF REQUESTED BY THE NORTH LAS VEGAS CITY COUNCIL, DURING A PUBLIC HEARING, AFTER COMPLETION OF THE 150 FOOT WIDE SUPER ARTERIAL ALONG NORTH 5TH STREET BETWEEN OWENS AVENUE AND THE I-215 AS SHOWN IN TABLE 7-5: REGIONAL TRANSPORTATION PLAN FOR FY 2006-2030 APPROVED BY THE REGIONAL TRANSPORTATION COMMISSION ON JULY 13, 2006 AS MAY BE AMENDED BY THE RTC IN THE FUTURE. IF THE SIGNAL IS REMOVED, A PERMANENT LEFT-IN TURNING MOVEMENT SHALL BE ALLOWED AT THE LOCATION OF THE SIGNALIZED INTERSECTION.

MOTION: Councilwoman Smith
SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith and Buck
NAYS: None
ABSTAIN: Councilman Eliason

Mayor Montandon recessed the meeting at 7:56 p.m.

Mayor Montandon reconvened the meeting at 8:09 p.m.

January 22, 2008

Planning and Development
City of North Las Vegas
2200 Civic Center Drive
North Las Vegas, NV 89030



LAND
PLANNING



CIVIL
ENGINEERING



LANDSCAPE
ARCHITECTURE



LAND
SURVEY



WATER
RESOURCES

RE: Deer Springs Town Center (Regency Centers) – Tavern –SUP

Dear Planner,

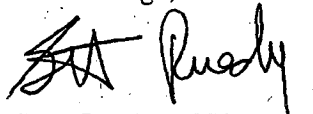
The applicant is requesting a special use permit and waiver for a tavern in an approved commercial shopping center. The proposed 5,000 square foot tavern (Goldfingers) is located on APN 124-23-201-002 and complies with North Las Vegas municipal code regarding the proximity distance of a tavern being a minimum of 500 feet from any developed residential district and 1,500 feet from a religious institution, school, city owned park, or child care facility licensed for more than twelve (12) children.

The proposed tavern is within the 2,500 proximity distance of an approved tavern. An approved tavern is located 688 feet to the south, across Deer Springs Way. However, the site does meet the definition of a Commercial Center as defined in 5.26.260. The commercial site is 61.4 net acres and has over 200,000 square feet of commercial space and includes two anchor stores over 100,000 square feet. Therefore, a waiver is not required to reduce the proximity distance requirement between taverns.

The proposed tavern will also offer food services. A floor plan has been submitted depicting the area floor area including all substantive fixtures. The tavern will be a compatible use within the commercial shopping center.

Please contact our office if you should have any questions or require any additional information.

Sincerely,
WRG Design, Inc.


Scott Ruedy, AICP
Planning Project Manager

3011 West
Horizon Ridge Pkwy.
Suite 100
Henderson, NV
89052

PH 702/990-9300
FX 702/990-9305

www.wrgdesign.com

January 22, 2008

Planning and Development
City of North Las Vegas
2200 Civic Center Drive
North Las Vegas, NV 89030



LAND
PLANNING



CIVIL
ENGINEERING



LANDSCAPE
ARCHITECTURE



LAND
SURVEY



WATER
RESOURCES

RE: Deer Springs Town Center (Regency Centers) - Tavern

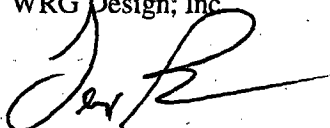
Dear Planner,

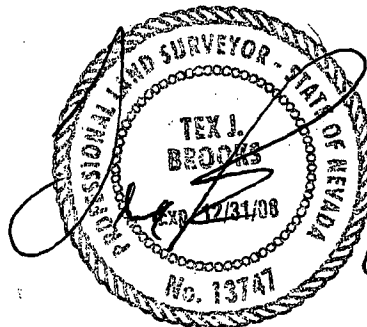
The proposed tavern (Goldfingers) located on APN 124-23-201-002 complies with North Las Vegas municipal code regarding the proximity distance of a tavern being a minimum of 500 feet from any developed residential district and 1,500 feet from a religious institution, school, city owned park, or child care facility licensed for more than twelve (12) children.

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Please contact our office if you should have any questions or require any additional information.

Sincerely,
WRG Design, Inc


Tex Brooks, PLS
Survey Manager



1-26-08

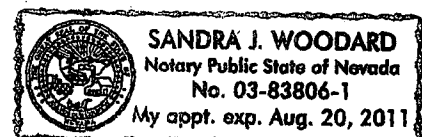
Jurat

State of Nevada
County of Clark

Subscribed and sworn/affirmed to before me this 7th day of Feb, 2008 by

Tex Brooks
Sandra J. Woodard
Notary Public

My Commission Expires Aug. 20, 2011



3011 West
Horizon Ridge Pkwy.
Suite 100
Henderson, NV
89052

PH 702/990-9300
FX 702/990-9305

www.wrgdesign.com

Burgers

Our burgers are a half pound of fresh ground chuck served on a bakery fresh kaiser roll. Burgers served with our own fresh made chips or fries. Substitute onion rings for fries or chips for only .50

Mushroom Swiss*

Fresh sliced mushrooms sautéed and covered with Swiss cheese - 7.45

★ Black & Bleu*

Blackened, topped with peppers and onions then topped with bleu cheese - 7.65

Pizza Burger*

Covered with pepperoni, onions, peppers, mushrooms, tomato sauce and mozzarella - 7.55

★ Bacon Cheese*

Hickory smoked bacon and loads of rich melted cheese - 7.65

Patty Melt*

This favorite has been around since the beginning of the old diners and is still an all time hit. Smothered in Swiss cheese and served on deli rye - 7.45

Western BBQ Burger*

A juicy burger patty loaded with sweet molasses BBQ sauce, hickory smoked bacon, a thick slab of cheese and topped with onion rings. Not for the timid - 7.85

Pay no more for meat. Notice: Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs increases your risk of food borne illness.

THE MAIN COURSE

★ Beef or Chicken Fajitas

Marinated beef or chicken over sautéed peppers and onions served with refried beans and flour tortillas - 10.95

Linguine & Meatballs

Tender hand made meatballs with rich marinara sauce. Served with soup or salad - 8.25

★ Mushroom Steak Melt*

Juicy marinated steak cooked to your liking then smothered with cheese, sautéed mushrooms and onions. Served with mashed potatoes, gravy, veggie and soup or salad - 9.95

Sausage & Peppers

Sizzling Italian sausage with sautéed peppers and onions with linguine. Served with soup or salad - 8.25

Chicken Fried Steak

Juicy Angus beef breaded and fried golden brown served with potatoes and veggies. Served with soup or salad - 8.45

Chicken Cordon Bleu

A tender chicken breast rolled with ham and cheese then covered with bread crumbs and fried golden brown. Served with mashed potatoes, gravy, veggie and soup or salad - 8.45

Chicken Parmesan

Rich marinara sauce covers thinly sliced ham over a juicy chicken breast. Served with a side of pasta, veggie and soup or salad - 8.45

Pizza

Available in 10" and 14"

BBQ Chicken

Sweet molasses BBQ sauce with juicy chicken and topped with gouda cheese, peppers and onions. 10" - 8.95 14" - 13.95

The Super Deluxe

Italian sausage, pepperoni, salami, meatballs, mushrooms, peppers, onions, black olives, ham and tomatoes. 10" - 9.95 14" - 15.95

Italian Sausage

Sweet Italian sausage and rich tomato sauce. 10" - 8.25 14" - 13.25

Pepperoni

Loads of sliced pepperoni, rich tomato sauce and cheese. 10" - 8.25 14" - 13.25

Taco

Just like a giant taco spread over pizza dough. 10" - 8.25 14" - 13.95

White Asparagus

Garlic coated pizza dough piled with whole milk mozzarella and ricotta, topped with asparagus spears. 10" - 8.45 14" - 14.25

Wraps & Tacos

The Pizza Wrap

Pepperoni, Italian sausage, tomatoes, ham, black olives and mozzarella cheese all wrapped in a chipotle wrap - 7.65

Beef or Chicken Fajita Wrap

Marinated grilled beef or chicken rolled with rice, peppers, onion, lettuce and tomato - 7.65

Beef, Chicken or Fish Tacos

Your choice of beef, chicken or fish tacos served with refried beans, rice and salsa - 7.65

SANDWICHES

Our subs are baked and served oven fresh to you with our own fresh made chips or fries. Substitute onion rings for fries or chips for only .50

All American

Thin sliced ham, pepperoni, salami and cheese with lettuce, tomato, red onions, oil and vinegar - 7.45

★ Henry's Chicken Deluxe

Double breaded juicy chicken breast seasoned with a light cajun flavor. Topped with red onions and mayo - 7.95

Ham & Cheese

Thinly shaved ham piled high with melted cheese, lettuce, tomato and sliced onion - 7.25

Italian Sausage

Sweet Italian sausage smothered with grilled peppers, onions, marinara and provolone - 7.45

★ Southwest Philly

Moist roast beef topped with peppers, onions and mushrooms then smothered with provolone - 7.85
For a different twist, try it as a wrap!

Roasted Chicken

Juicy chicken breast, pepperoni, provolone and marinara. Topped with lettuce, tomato and onion - 7.95

★ Meatball

Tender meatballs covered with marinara sauce and provolone - 7.45

The Club

Chicken breast, ham, bacon, lettuce, tomato and cheese - 8.25

Tuna or Chicken Salad Sandwich

Marinated, broiled chicken breast or Albacore tuna served on our bakery fresh bread with lettuce, tomato and avocado - 7.25

BLTAPNB

A twist on an old favorite! Hickory smoked bacon, crisp lettuce, juicy tomatoes, avocado and peanut butter - you'll love it! - 6.95

Beer Battered Fish Fillet Sandwich

Moist fillet of cod dipped in a rich beer batter and fried to a golden brown. Served with fresh made potato chips and cole slaw on a kaiser roll - 7.25

Chicken Caesar

We marinate a chicken breast in Caesar dressing, broil it and top it with Caesar salad and mushrooms.

For a different twist, try it as a wrap - 7.95

BEER LIST

You will not find colder beer anywhere!
Our draft beer is served in 16 or 22 oz. frosty glasses.

Domestic Bottles

Budweiser	MGD
Bud Light	Michelob Light
Bud Select	Smirnoff Ice
Coors	Twisted Tea
Coors Light	O' Doul's
Miller Lite	

Imported Bottles

Amstel Light	Heineken
Corona	Heineken Light

Domestic Draft

Budweiser
Bud Light
Coors Light
Miller Lite
Michelob Ultra
Pyramid Hefeweizen
Fat Tire

Seasonal Micro Brews

Imported Draft

Bass	Guinness
Fosters	Newcastle

WINES

Available by the glass.

Chardonnay
White Zinfandel
Merlot
Cabernet Sauvignon

BREAKFAST

Served anytime.

Build Your Own Omelet

Create your own gastronomical delight.
Choose from anything in the kitchen such as:

Cheese • Tomatoes • Sausage • Bacon
Olives • Mushrooms • Chilis • Jalapeños

Served with hash browns and toast - 6.45

Add .50 for each item

Bacon or Sausage & Eggs

Two farm fresh eggs cooked to order served
with hash browns and toast - 5.95

★ Meatball Omelet

Yes Meatball! Served with marinara and gooey
mozzarella cheese. Served with toast and hash browns - 7.25

Southwest Steak & Eggs*

Tender marinated skirt steak, two eggs the way you like them,
hash browns, refried beans and tortillas or toast - 8.95

Southwest Club Omelet

Loaded with bacon bits, guacamole, tomatoes, green chilies
and cheese, served with toast and hash browns.

This is taste sensation you will remember - 7.95

★ French Toast

Thick slices of rich egg bread dipped in
cinnamon batter and cooked golden brown - 5.95

Chicken Fried Steak & Eggs

A tender beef steak breaded and fried 'til flaky and crisp.
Covered with creamy gravy and served with two eggs.
Served with toast and hash browns - 8.95

Mushroom Swiss Omelet

Lightly seasoned and sautéed mushrooms with
Swiss cheese. Served with toast and hash browns - 7.25

Bacon & Cheese Omelet

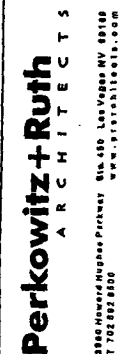
Smoked bacon with a mound of melted cheese folded into
three fluffy eggs. Served with toast and hash browns - 7.25

★ Pancake Sandwich

Three fluffy buttermilk cakes layered with sausage
or bacon and two eggs cooked to order - 6.95

Biscuits & Gravy

Two flaky buttermilk biscuits
smothered in creamy gravy - 4.95



**Deer Springs Town Center
Retail Center**
North Las Vegas, NV

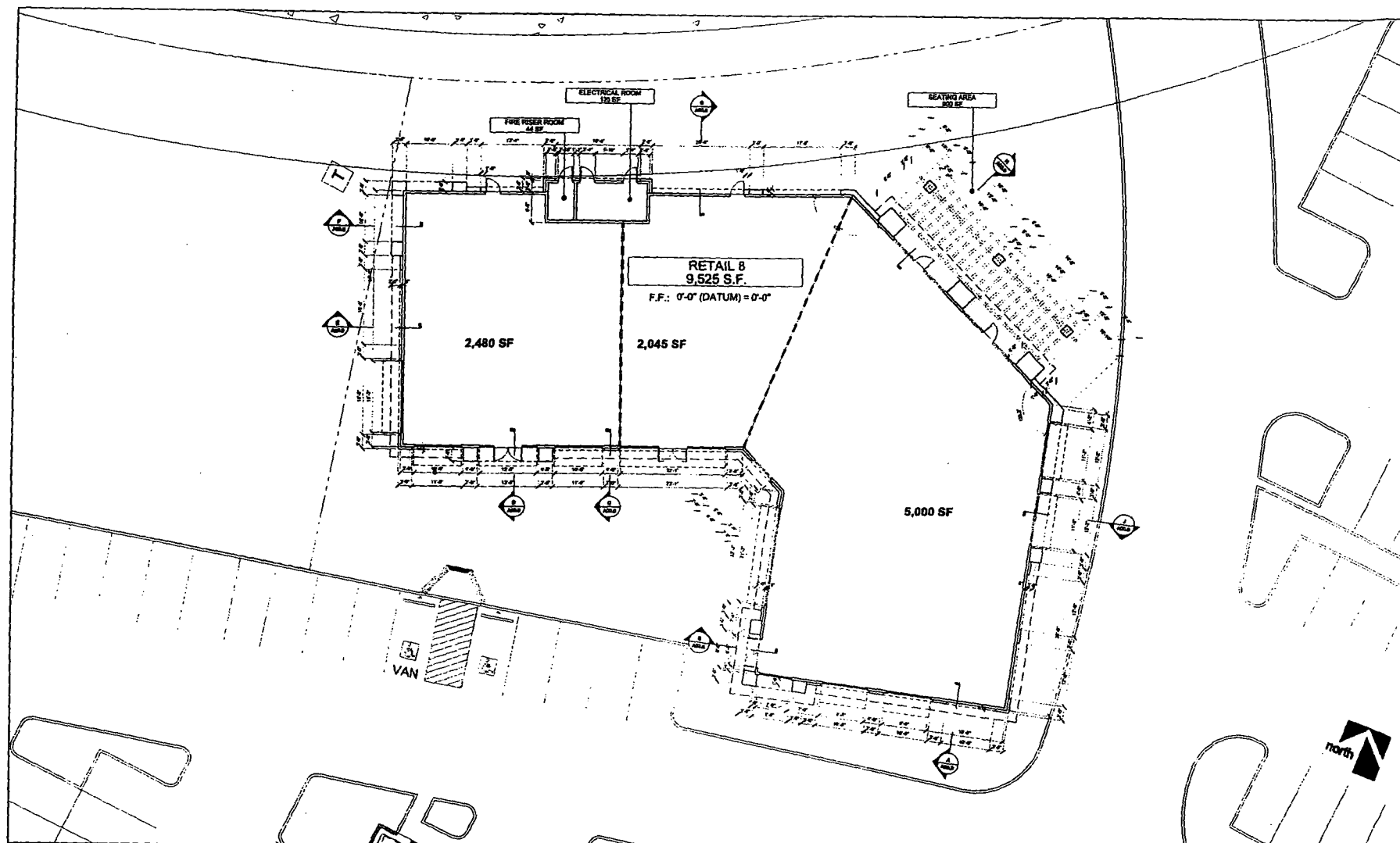
1993 Exhibit
 Penetration
 ▲ (1,500,000)
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Project No.: 08-325.11

Sheet Title:
FLOOR PLAN

RETAIL @

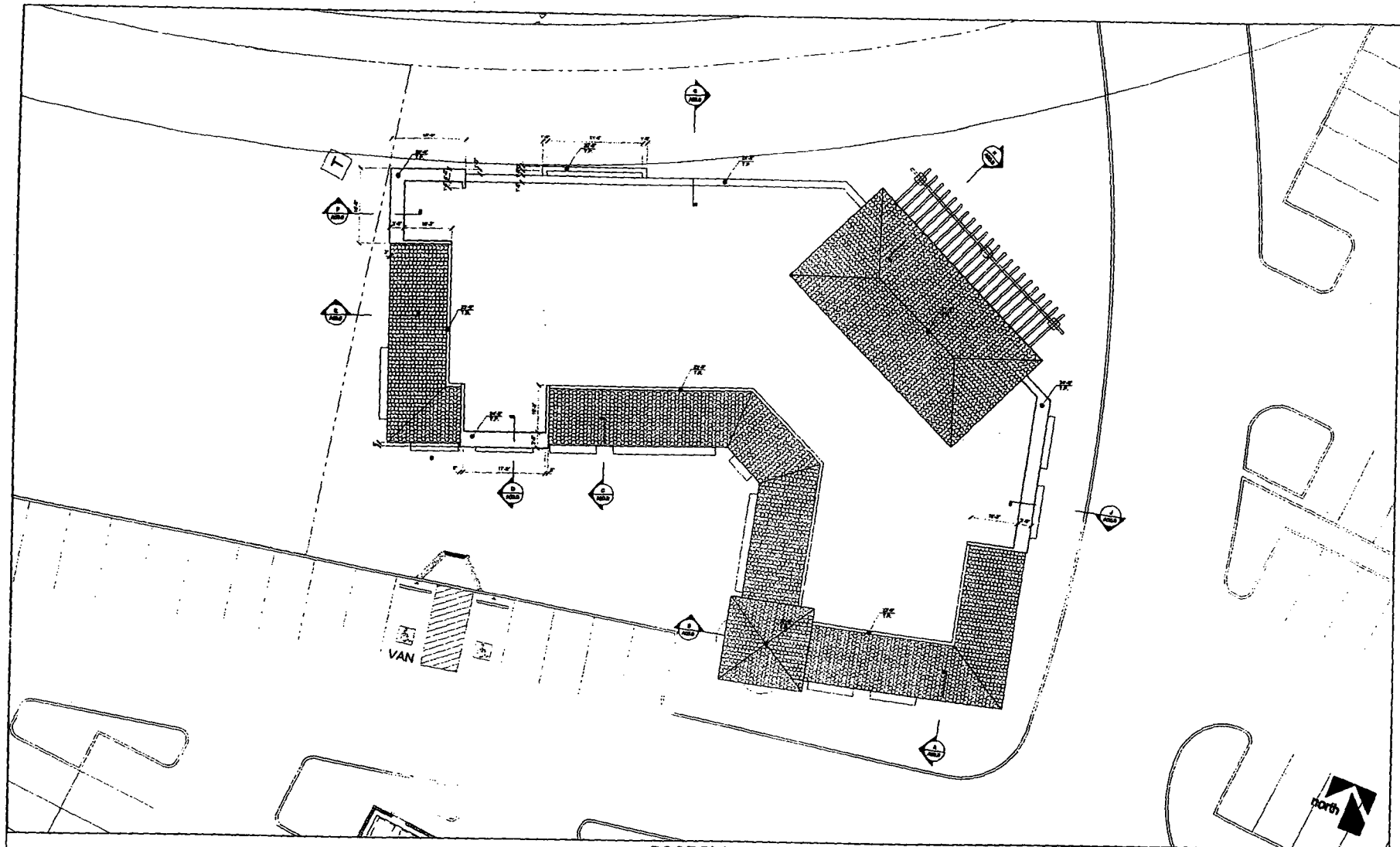
A01.01



FLOOR PLAN

SCALE: 1/8" = 1'-0"

FLOOR PLAN					SCALE: 1/8" = 1'-0"
FLOOR PLAN LEGEND	FLOOR PLAN NOTES	FLOOR PLAN KEYNOTES	INTERIOR FINISHES	KEY PLAN	



ROOF PLAN

SCALE: 1/8" = 1'-0"

ROOF PLAN LEGEND

ROOF PLAN NOTES

KEYNOTES

KEY PLAN

Ref. Detail	
Foundation	
1.00.01	
1.00.02	
1.00.03	
1.00.04	
1.00.05	
1.00.06	
1.00.07	
1.00.08	
1.00.09	
1.00.10	

Project No.: 05-005.11

Sheet Title:

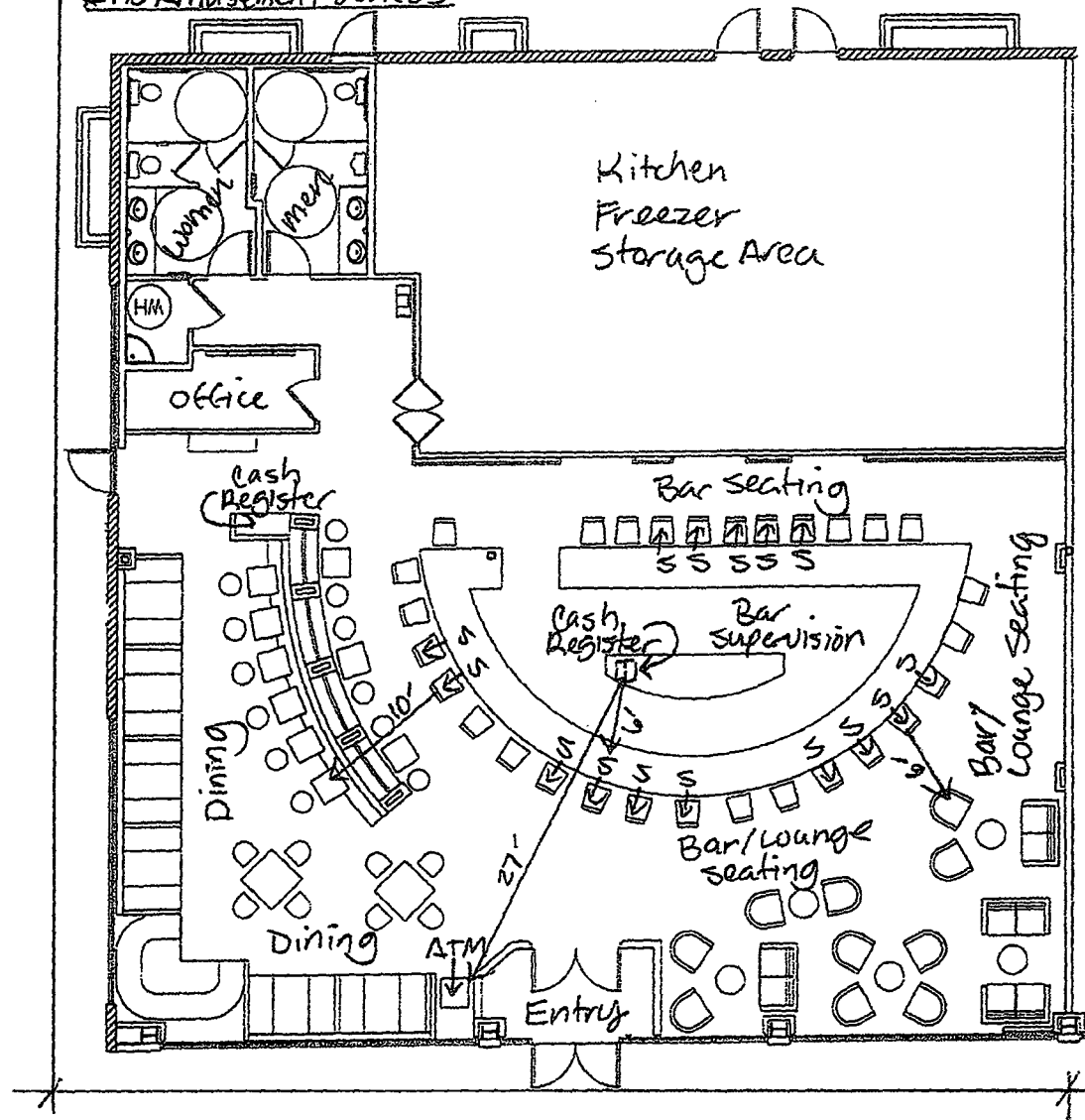
ROOF PLAN

RETAIL 6

A03.01

Notes *

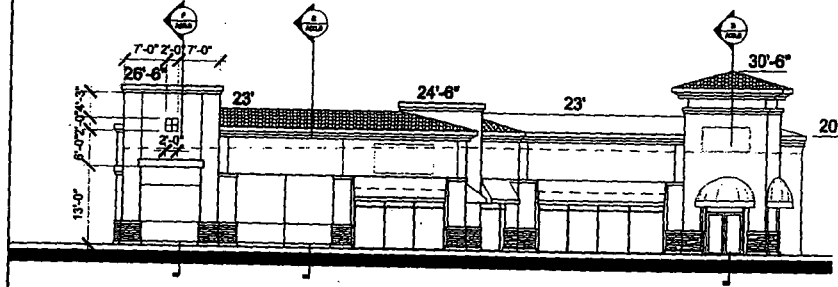
* 5 = 15 Bar Top slot machines
 * NO Amusement Devices



NOTE:

- NOT TO SCALE
- MAY VARY SLIGHTLY PER BUILDING LAYOUT

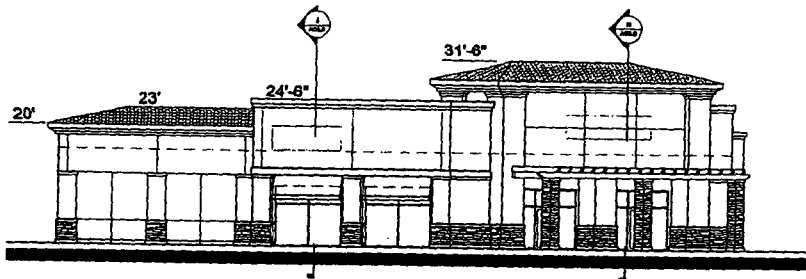
GOLD FINGERS - TYPICAL FLOOR PLAN
 5000 SQUARE FEET



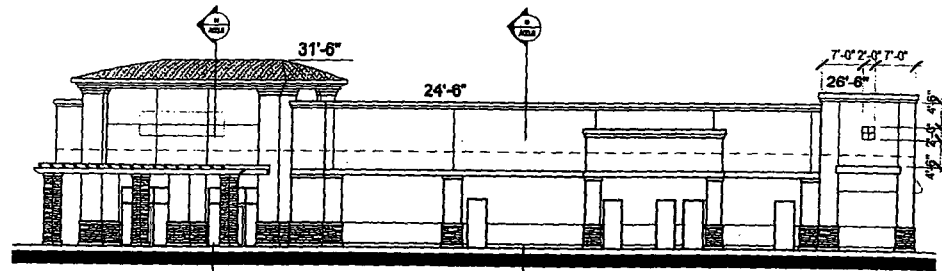
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

SCALE: 1/8" = 1'-0"



Perkowitz + Ruth
ARCHITECTS
3885 Howard Hughes Parkway, Ste. 400, Las Vegas, NV 89169
702.892.8880
www.perkowitzruth.com

Deer Springs Town Center
Retail Center
North Las Vegas, NV

REV	DATE	DESCRIPTION
1	08/01/08	ISSUED FOR PERMITS
2		
3		
4		
5		
6		
7		
8		

Project No.: 08-205.11

Sheet Title:
EXTERIOR ELEVATIONS

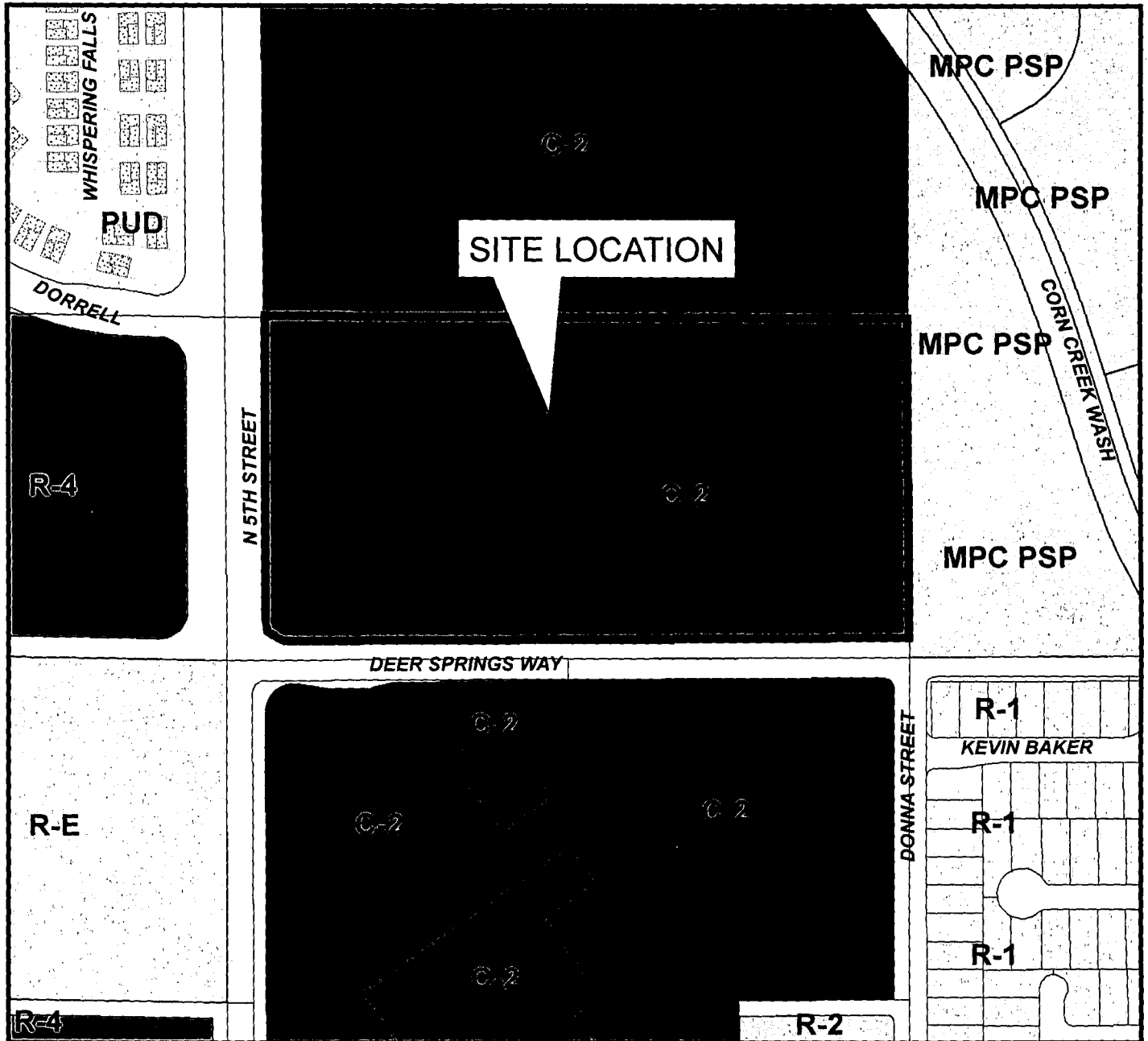
RETAIL 1

A04.01

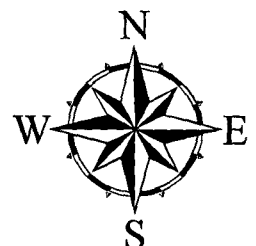


THE CITY OF NORTH LAS VEGAS

Location & Zoning Map



Applicant: Deer Springs Town Center, LLC
Application Type: Special Use Permit
Request: "On-sale" alcoholic beverages in conjunction with a tavern
Project Info: C-2, General Commercial District
Case Number: UN-23-08



CITY OF NORTH LAS VEGAS - PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City Council of the City of North Las Vegas will conduct a Public Hearing concerning:

UN-23-08 (34332) DEER SPRINGS TOWN CENTER TAVERN

AN APPLICATION SUBMITTED BY DEER SPRINGS TOWN CENTER, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND NORTH 5TH STREET.

TIME: At or about 6:15 P.M.
DATE: May 7, 2008
PLACE: Council Chambers
City Hall
2200 Civic Center Drive
North Las Vegas, Nevada

The public is invited and encouraged to attend and submit written or oral comments.

The North Las Vegas City Council Chamber is accessible to all persons. Members of the public who require special assistance or accommodations at the meetings are requested to notify the City ADA Coordinator at (702) 633-1510 or TDD (800) 326-6868 at least seventy-two (72) hours in advance of the meeting.

PUBLISH: Las Vegas Review-Journal

DATE: Saturday, April 26, 2008

CIUDAD DE NORTH LAS VEGAS - AVISO DE AUDIENCIA PÚBLICA

EL AVISO AQUÍ PRESENTE por el cual el Concejo Municipal de la Ciudad de North Las Vegas llevará a cabo una Audiencia Pública con respecto a:


UN-23-08 (34332) DEER SPRINGS TOWN CENTER TAVERN

UNA SOLICITUD PRESENTADA POR DEER SPRINGS TOWN CENTER, LLC, DUEÑO DE PROPIEDAD, PARA UN PERMISO DE USO EN UN DISTRITO DE COMERCIO GENERAL C-2 PARA PERMITIR LA VENTA DE BEBIDAS ALCOHÓLICAS "DE CONSUMO" JUNTO CON UNA TABERNA EN UNA PROPIEDAD LOCALIZADA EN LA ESQUINA AL NORESTE DE DEER SPRINGS WAY Y NORTH 5TH STREET.

HORA: A las 6:15 P.M. o
alrededor de esa hora
FECHA: 7 de mayo del 2008
LUGAR: Council Chambers
(Despacho del Concejo)
City Hall (Ayuntamiento)
2200 Civic Center Drive
North Las Vegas, Nevada

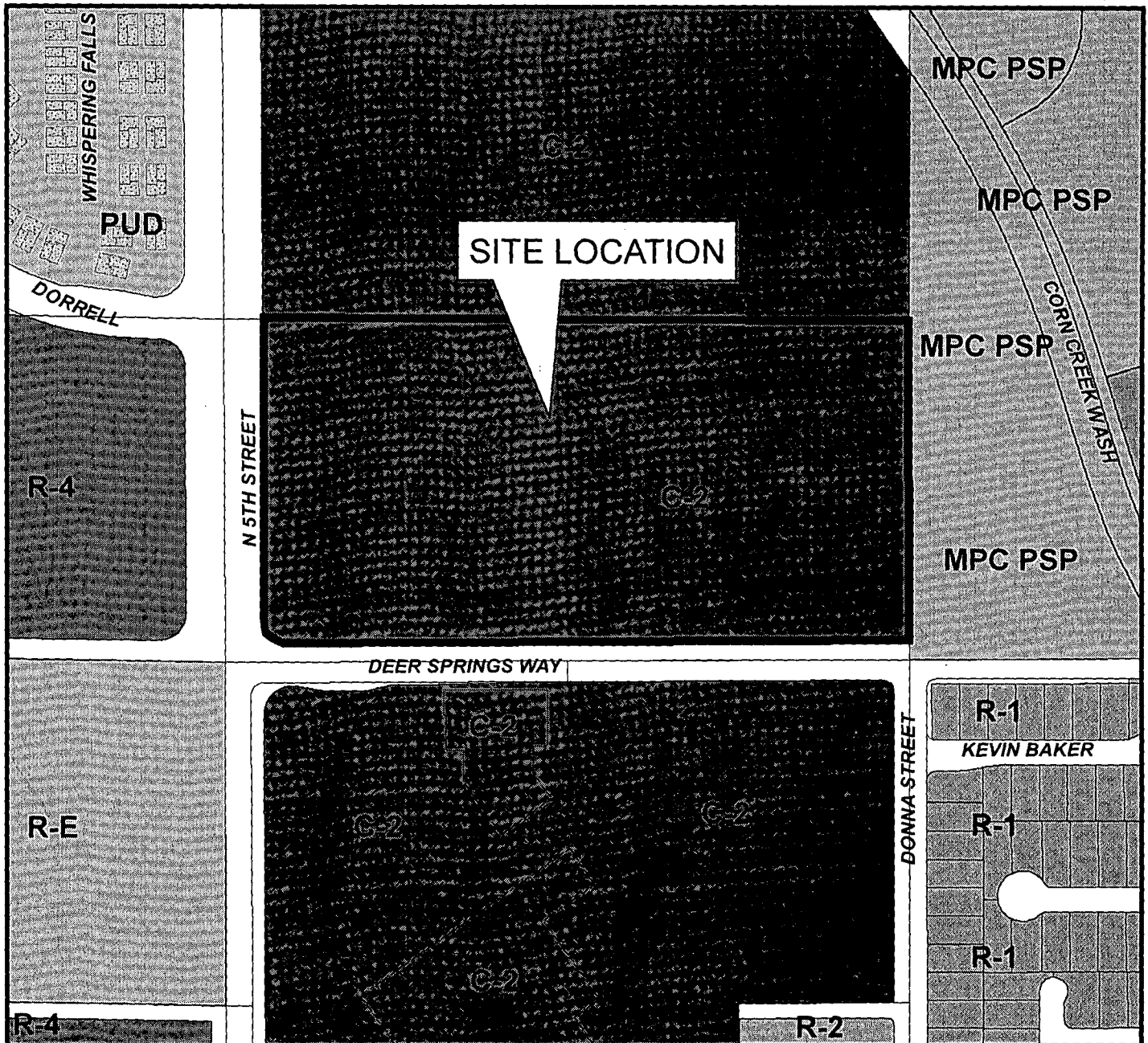
Se le invita y anima al público para que asista y presente sus comentarios orales o por escrito.

El Despacho del Concejo Municipal de North Las Vegas está accesible para todas las personas. Se les pide a los miembros del público que requieren asistencia especial o acomodaciones para las juntas que notifiquen al Coordinador para cubrir las necesidades de personas con discapacidades (ADA) y llamen al (702) 633-1510, o para los de deficiencias auditivas (TTY) llamen al (800) 326-6868 al menos setenta y dos (72) horas antes de la junta.


Karen L. Storms, CMC, City Clerk



THE CITY OF NORTH LAS VEGAS AREA NOTIFICATION MAP



0 150 300 600
Feet

Applicant: Deer Springs Town Center, LLC
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