



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2023
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CHEYENNE PINES, LLC

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0359-EOT1	Staff recommends APPROVAL, subject to conditions:	
23-0359-EOT2	Staff recommends APPROVAL, subject to conditions:	23-0359-EOT1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED N/A

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

23-0359-EOT1 CONDITIONS

Planning

1. This approval shall expire on 06/16/25 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Special Use Permit (20-0300-SUP1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0359-EOT2 CONDITIONS

Planning

1. This approval shall expire on 06/16/25 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Site Development Plan Review (20-0300-SDR1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is the first Extension of Time for a previously approved Special Use Permit (20-0300-SUP1) and Site Development Plan Review (20-0300-SDR1) for a proposed commercial development consisting of two drive-through restaurants with outdoor seating with an alternative parking standard on 0.88 acres at the northwest corner of Cheyenne Avenue and Torrey Pines Drive.

ISSUES

- This is the first request for an Extension of Time for a previously approved Special Use Permit (20-0300-SUP1) and Site Development Plan Review (20-0300-SDR1). Staff supports this request.
- If this Extension of Time is not approved, these entitlements shall expire on June 16, 2023.

ANALYSIS

In June 2021, the City Council approved Special Use Permit (20-0300-SUP1) and Site Development Plan Review (20-0300-SDR1) for a proposed commercial development consisting of two drive-through restaurants with outdoor seating and an alternative parking standard to allow 22 parking spaces where 24 are required due to the operational model of the proposed restaurants. The drive through restaurants provided zero interior seating, with the primary form of food delivery being through drive through lanes and a pick-up window for such services such as “Door Dash,” and “Uber Eats.” Minimal outdoor patio seating was made available. The entitlements were granted with a two-year approval period.

In accordance with Title 19.16, a Special Use Permit for an Alternative Parking Standard and a Site Development Plan Review is deemed exercised upon the issuance of a building permit for a principal structure on the site.

The applicant submitted for a Civil Review (L22-02523) on November 1, 2022, and a Building Permit application (C23-00250) on January 24, 2023 for two pre-manufactured buildings, trash enclosures, parking and landscaping. The building permit application is under review as of August 8, 2023, and no building permit has been issued for the primary structures on the subject site.

Staff Report Page Two
September 6, 2023 - City Council Meeting

FINDINGS (23-0282-EOT1 and 23-0282-EOT2)

There have been no significant changes in zoning or land use in this area since approval of the commercial development in 2021. In addition, the applicant has building permits under review and has demonstrated intent of development. Therefore, staff recommends approval, subject to a two-year time limitation.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
06/16/21	The City Council approved a General Plan Amendment request (20-0300-GPA1) from DR (Desert Rural Density Residential) to SC (Service Commercial) on 0.88 acres on the northwest corner of Cheyenne Avenue and Torrey Pines Drive. The Planning Commission and staff recommended approval.
06/16/21	The City Council approved a Rezoning request (20-0300-ZON1) from R-E (Residence Estates) to C-1 (Limited Commercial) on 0.88 acres on the northwest corner of Cheyenne Avenue and Torrey Pines Drive. The Planning Commission and staff recommended approval.
06/16/21	The City Council approved a Special Use Permit request (20-0300-SUP1) for an alternative parking standards to allow 22 parking spaces where 24 are required on 0.88 acres on the northwest corner of Cheyenne Avenue and Torrey Pines Drive. The Planning Commission and staff recommended approval.
06/16/21	The City Council approved a Site Development Plan Review request (20-0300-SDR1) for a commercial development consisting of two drive-through restaurants with outdoor seating at on 0.88 acres on the northwest corner of Cheyenne Avenue and Torrey Pines Drive. The Planning Commission and staff recommended approval.
05/10/22	The Planning Commission approved a Tentative Map request (22-0123-TMP1) for a one-lot commercial subdivision on 0.88 acres on the northwest corner of Cheyenne Avenue and Torrey Pines Drive. Staff recommended approval.
02/15/23	A Final Map application (100305-FMP) was received for a one-lot commercial subdivision 0.88 acres on the northwest corner of Cheyenne Avenue and Torrey Pines Drive. The application is under review by staff as of 08/21/23.

<i>Most Recent Change of Ownership</i>	
11/23/21	A deed was recorded for a change in ownership.

Staff Report Page Three
September 6, 2023 - City Council Meeting

Related Building Permits/Business Licenses	
06/28/23	A Building Permit for Civil Review (L22-02523) was issued for two, drive through restaurants at the northwest corner of Cheyenne Avenue and Torrey Pines Drive. The building permit has not been finalized.
01/24/23	A Building Permit application (C23-00250) was received for the West Modular Buildings with foundation; site work related to two, pre-manufactured buildings (approved by State of Nevada) including foundations, trash enclosures, curbs/parking areas and landscaping at the northwest corner of Cheyenne Avenue and Torrey Pines Drive. The permit is under review by staff as of 08/21/23.
02/22/23	A Building Permit application (C23-00561) is the child case of Building Permit application (C23-00250) and was received for the East Modular Buildings with foundation at the northwest corner of Cheyenne Avenue and Torrey Pines Drive. The permit is under review by staff as of 08/21/23.
03/24/23	A Building Permit (F23-00146) was issued for the installation of a pre-piped Captive Aire Ansul R-102 kitchen hood at 6408 West Cheyenne Avenue. The building permit has not been finalized.
04/21/23	A Building Permit application (C23-01356) was received for four (4) sets of illuminated channel letters, two (2) non-illuminated directional signs, and one (1) illuminated single-faced menu board at 6408 West Cheyenne Avenue. The permit is under review by staff as of 08/21/23.
08/09/23	A Building Permit (C23-01398) was issued on 05/18/23 for early grading, site imbalance, and soil imports at 6408 West Cheyenne Avenue. The building permit was finalized on 08/09/23.

Pre-Application Meeting

A pre-application meeting was not required, nor was one held.

Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.
--

Field Check

08/03/23	Staff conducted a routine field check to observe the site. Litter and debris was observed. No other issues were observed.
----------	---

Staff Report Page Four
September 6, 2023 - City Council Meeting

Details of Application Request	
Site Area	
Net Acres	0.88

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
North	Residential, Single Family, Detached	RN (Ranch Estate Neighborhood) [Clark County]	R-E (Ranch Estates Residential) [Clark County]
South	Church/House of Worship	R (Rural - up to 3.59 du/ac)	R-E (Residence Estates)
East	Office, Other than Listed	L (Low - up to 5.49)	P-O (Professional Office)
West	Residential, Single Family, Detached	RNP (Rural Neighborhood Preservation - up to 2 du/ac)	P-R (Professional Office and Parking)

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Centennial Hills	Y
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District (105 Feet)	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