

06/01/21 PC AGENDA SHEET

OUTSIDE DINING
(TITLE 30)

MARYLAND PKWY/CACTUS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0169-DURANGO BOSECK, LP:

USE PERMIT to not provide pedestrian access around the perimeter of an outside dining area.
DESIGN REVIEW for an outside dining area in conjunction with an existing tavern on 1.2 acres in a C-1 (Local Business) Zone.

Generally located on the east side of Maryland Parkway, 700 feet south of Cactus Avenue within Enterprise. MN/sd/jo (For possible action)

RELATED INFORMATION:

APN:

177-34-514-002

USE PERMIT:

To allow an outside dining, drinking, and cooking area (lounge) without pedestrian access around the perimeter, where 48 inch pedestrian access is required per Table 30.44-1.

LAND USE PLAN:

ENTERPRISE - COMMERCIAL NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: 10648 Maryland Parkway
- Site Acreage: 1.2
- Project Type: Outside dining
- Parking Required/Provided: 146/148 (entire shopping center)

Overview

The request is for a lounge area extending from the tavern through a proposed overhead door. An outside seating area is included in the definition of outside dining, drinking and cooking. Landscaping from an existing parking lot landscape area will be removed and a patio will be constructed for the outside area, with a railing around the perimeter. A use permit is necessary since the required 48 inch wide pedestrian walkway will not be provided.

Site Plan

The site plan depicts an existing tavern located in the northern portion of an existing shopping center. Setbacks for the tavern are 10 feet from the western property line along Maryland Parkway and 40 feet from the eastern property line. The outside dining area will be located on the northeast side of the building, set back 66 feet from the western property line along Maryland Parkway and approximately 30 feet from the eastern property line. A 40 inch high guardrail will enclose the outside dining area, and 2 secondary swinging gates will be installed, 1 on the west side and 1 on the southeast side of the outside dining area.

Landscaping

Landscaping is shown on the landscape plans and is not a part of this application.

Elevations

The plans depict a 328 square foot patio cover over an existing concrete patio area. The existing roof canopy will remain, yet the applicant will add a 42 inch guardrail of wrought iron around the outdoor area, and will include installation of a new overhead door that will lead into this area from the tavern.

Floor Plans

The plans depict a 328 square foot outdoor area for patrons who are waiting for their table.

Applicant's Justification

The area being requested for the outdoor lounge area is only 328 square feet.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0232-11	Communication tower	Approved by PC	August 2011
DR-0687-02	Tavern in conjunction with an approved shopping center	Approved by BCC	June 2002
ZC-1598-00	Reclassified 3.6 acres from R-E to C-1 zoning for a shopping center and a freestanding tavern	Approved by BCC	October 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Residential High (8 du/ac to 18 du/ac)	R-3	Multiple family residential
South	Commercial Neighborhood	C-1	Shopping center
East	City of Henderson	I-G	Industrial facility

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permit & Design Review

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The outside patio is harmonious with the existing tavern and the immediate area. The proposed structures are small in scale and will aid in providing additional amenities to patrons of the tavern. The proposed outside dining will not incorporate a pedestrian sidewalk around the outdoor dining area where required, but it should not have an adverse impact to the site or reduce pedestrian safety. Pedestrian walkways currently exist throughout the complex and around the exterior of the tavern per Code.

Staff finds the proposed exterior remodel and enhancements comply with Commercial Policy 78 of the Comprehensive Master Plan, which encourages architectural treatments on all building sides to eliminate blank building elevations along public rights-of-way and areas visible to the general public to improve visual quality. Staff finds the exterior remodel provides an enhanced and unified design to the existing building; therefore, staff can support this request.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: THOMAS MCCLEISTER

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