



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-14721 - APPLICANT/OWNER: RESTAURANT ROW LLC**

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### **\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

#### **Planning and Development**

1. Conformance to the Conditions of Approval for Rezoning (Z-84-96) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Special Use Permit for a proposed general business related gaming establishment in conjunction with an existing supper club at 1991 North Rainbow Boulevard.

**EXECUTIVE SUMMARY**

The site is zoned C-1 (Limited Commercial). The C-1 District permits the proposed general business related gaming establishment use with approval of a Special Use Permit. The proposed use would be compatible with existing and future surrounding land use and development.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 09/18/96      The City Council approved a Rezoning from N-U (Non-Urban) to C-1 (General Commercial) on this site as part of a larger request (Z-84-96). The Planning Commission and staff had recommended approval.
- 02/19/97      The City Council approved a Special Use Permit to allow a supper club on this site (U-157-96). The Board of Zoning Adjustment and staff had recommended approval.
- 08/10/06      The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/ng).

***B) Pre-Application Meeting***

- 05/17/06      At the pre-application meeting, staff requested that the location of the gaming machines be shown on a floor plan. The applicant has provided that information

***C) Neighborhood Meetings***

A neighborhood meeting is not required as part of this application request, nor was one held.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Net Acres:            1.81 Acres

**B) Existing Land Use**

Subject Property: Restaurant  
 North: Lake Mead Boulevard right-of-way  
 South: Restaurant  
 East: Rainbow Boulevard right-of-way  
 West: U.S. 95 right-of-way

**C) Planned Land Use**

Subject Property: SC (Service Commercial)  
 North: Right-of-way  
 South: SC (Service Commercial)  
 East: Right-of-way  
 West: Right-of-way

**D) Existing Zoning**

Subject Property: C-1 (Limited Commercial)  
 North: Right-of-way  
 South: C-1 (Limited Commercial)  
 East: Right-of-way  
 West: Right-of-way

**E) General Plan Compliance**

The existing C-1 (Limited Commercial) zoning of the subject site is in conformance with the SC (Service Commercial) General Plan designation.

<b><i>SPECIAL DISTRICTS/ZONES</i></b>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>		<b>X</b>
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>		<b>X</b>
<b>Rural Preservation Overlay District</b>		<b>X</b>
<b>County/North Las Vegas/HOA Notification</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

**ANALYSIS**

**A) Zoning Code Compliance**

A1) Parking and Traffic Standards

The subject site is part of a larger commercial subdivision. The uses within the subdivision require 533 spaces, and 542 are provided. The site is in conformance with the city's parking standards.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed general business related gaming establishment use.

**B) *General Analysis and Discussion***

•Zoning

The site is zoned C-1 (Limited Commercial). The C-1 District permits the proposed general business related gaming establishment use with approval of a Special Use Permit. This application would satisfy that requirement if approved.

•Use

A Gaming Establishment, Restricted. An establishment which is used or intended to be used for gaming activities for which a restricted gaming license is required pursuant to Title 6 of the Las Vegas Municipal Code. For informational purposes, the term refers to an establishment whose gaming operations are limited to not more than fifteen slot machines, incidental to the primary business at the establishment, and no other game or gaming device.

•Conditions

There are no standard conditions for this use.

**FINDINGS**

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The majority of the properties near the subject site are designated for commercial uses. The proposed use would be compatible with existing and future surrounding land use and development.

**2. The subject site is physically suitable for the type and intensity of land use proposed.**

The subject site is physically suitable for the proposed use. The use will not be too intense for this area of the City.

**3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

The site gains access from Rainbow Boulevard, which is designated by the Master Plan of Streets and Highways as an 80-foot Secondary Collector and which provides adequate access to the site.

**4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

The site would be subject to frequent inspections and would not compromise public health or safety.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 5

**ASSEMBLY DISTRICT** 34

**SENATE DISTRICT** 3

**NOTICES MAILED** 184 by City Clerk

**APPROVALS** 0

**PROTESTS** 0