



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-14973 - APPLICANT: PYONG CHAL AN - OWNER:
CANYON LAKES GLASER, LLC**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for General Business-Related Gaming use.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-14190) shall be required.
3. 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.
4. 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 General Business-Related Gaming Establishment at 9026 West Sahara Avenue.

EXECUTIVE SUMMARY

The proposed General Business-Related Gaming use in conjunction with the conversion of an existing restaurant to a Supper Club is in compliance with all applicable plans and policies. The conversion will include the expansion of the restaurant into an adjacent suite. There is a companion Special Use Permit (SUP-14190) for the conversion of an existing restaurant to a Supper Club that will be heard concurrently with this item. Approval of this request is recommended.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|--|
| 08/15/90 | The City Council approved a Special Use Permit (U-0129-90) to allow the sale of Beer and Wine (On-Premise) for an existing restaurant. Staff recommended approval. |
| 09/19/90 | The City Council approved a Special Use Permit (U-0153-90) to allow the sale of Package Liquor as part of an existing drug store. |
| 10/23/91 | The City Council approved a Variance (V-0155-91) to allow 575 parking spaces where 589 Parking spaces are the minimum required. |
| 02/03/93 | The City Council approved a Special Use Permit (U-0207-92) to allow an additional five gaming machines, for a total of 20 machines, in an existing drug store. |
| 09/21/06 | The Planning Commission recommended approval of companion item SUP-14190 concurrently with this application. |
| 09/21/06 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #6/ng). |

B) Pre-Application Meeting

05/15/06 A pre-application meeting was held and elements of a Special Use Permit were discussed. Details noted included parking requirements, a parking analysis was requested, and the applicant was informed that a Development Impact Notification Assessment (DINA) would be required.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 5.57

B) Existing Land Use

Subject Property: Shopping Center
North: Multi-Family Residential
South: Shopping Center
East: Multi-Family Residential
West: Shopping Center

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: M (Medium Density Residential)
South: SC (Service Commercial)
East: M (Medium Density Residential)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-PD18 (Residential Planned Development 18 Units Per Acre)
South: C-1 (Limited Commercial)
East: R-PD18 (Residential Planned Development 18 Units Per Acre)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject property is designated as SC (Service Commercial) under the Southwest Sector Plan of the General Plan. The Service Commercial land use designation allows a variety of commercial uses including the proposed General Business-Related Gaming in conjunction with the conversion of an existing restaurant to a Supper Club. The proposal is in compliance with the General Plan.

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

Canyon Gate

The subject property is located in the Canyon Gate Master Planned Community. The Canyon Gate Community does not have specific guidelines regarding development standards and no special action is required regarding the proposed General Business-Related Gaming in conjunction with the conversion of an existing restaurant to a Supper Club.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.04 and Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Shopping Center	63,247 SF.	1/250 GFA	253	7	318	9

This restaurant is located in a Shopping Center, which allows the entire site to be calculated at a ratio of 1:250. The site is in compliance with Title 19.04 and Title 19.10 parking requirements.

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 use; however, there are Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed companion Supper Club use as noted in SUP-14190.

B) General Analysis and Discussion

•Zoning

The subject property is located in a C-1 (Limited Commercial) District. The C-1 (Limited Commercial) District is intended to provide most retail shopping and personal services, and may be appropriate for mixed-use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the Service Commercial, and the Neighborhood Center categories of the General Plan. The proposed General Business-Related Gaming use in conjunction with the conversion of an existing restaurant to a Supper Club is permissible in the C-1 (Limited Commercial) District with approval of a Special Use Permit. This application is intended to satisfy that requirement; if approved.

•Use

The proposed General Business-Related Gaming use allows a building or structure which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Title 6.

For the purposes of this request the gaming use would be permitted in conjunction with a Supper Club. There are no other requirements for a General Business-Related Gaming use pursuant to Title 19.04.

•Conditions

There are no special conditions related to this Special Use Permit request.

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 proposed use is a General Business-Related Gaming Establishment in conjunction with the conversion of an existing restaurant to a Supper Club. This business is located in a shopping center. The proposed change will be harmonious and compatible with surrounding development. Approval of this request is recommended.

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

The subject site is part of a shopping center. The increase in intensity of the use is accommodated through the expansion of the restaurant into an adjacent suite. The subject site is physically suitable for this type of development.

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 Sahara Avenue and Fort Apache Road, both are 100-foot Primary Arterials. These streets are designed to handle a large traffic flow and are able to accommodate the proposed use.

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.

Approval of this Special Use Permit will not compromise the public health or the General Welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 937 by City Clerk

APPROVALS 0

PROTESTS 0