



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: NOVEMBER 15, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-16488 - APPLICANT: MARCUS SGRIZI - OWNER: BOCA FASHION VILLAGE, LLC**

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

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

#### **Planning and Development**

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

This is a request for a Special Use Permit for a proposed Supper Club at 740 Rampart Boulevard, Suite #4. The proposed use is located within Phase III of Boca Park. Phase III consists of buildings six, seven and eight. The subject property is zoned PD (Planned Development) and is part of the Boca Park development. Boca Park is intended to provide for a variety of commercial, retail, and office uses including the proposed Supper Club, subject to approval of a Special Use Permit.

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/20/81                                                           | The City Council approved a Request for a Rezoning (Z-0034-81) of approximately 2,249.23 acres of land from: N-U (Non-Urban) to R-1 (Single Family Residential), R-2 (Medium-Low Density Residential), R-3 (Medium Density Residential), R-MHP (Residential Mobile/Manufactured Home Park), R-PD7 (Residential Planned Development 7 Units Per Acre), R-PD8 (Residential Planned Development 8 Units Per Acre), P-R (Professional Offices and Parking), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic) on property generally located north of Sahara Avenue, south of Westcliff Drive, west of Durango Drive, and east of Hualapai Way. The Planning Commission recommended approval. |
| 09/02/92                                                           | The City Council approved a request for Reclassification of Property (Z-0030-92) located on the east side of Rampart Boulevard, between Charleston Boulevard and Alta Drive, from: N-U (Non-Urban) (under Resolution of Intent to R-1 (Single Family Residential), C-1 (Limited Commercial), and C-2 (General Commercial), To: R-1 (Single Family Residence) and C-1 (Limited Commercial), proposed use: Regional Shopping Mall and Single Family Dwellings. The Planning Commission recommended approval.                                                                                                                                                                                                 |
| 06/07/95                                                           | The City Council approved a Review of Condition [Z-0010-82(2)] that required a planter to be constructed along the north property line. The Planning Commission recommended denial.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 04/27/98                                                           | The City Council approved a request for a Rezoning (Z-0012-98) on property located on the southeast corner of Rampart Boulevard and Alta Drive, from: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial) to: PD (Planned Development) proposed use: 248 room, five-story, non-gaming hotel, 650 seat amphitheater, 535,200 square foot retail, 57,600 square foot office, 125 unit condominium complex, a four-story parking garage, and a six-story parking garage, size: 47.4 acres. The Planning Commission recommended approval.                                                                                           |

|                                                   |                                                                                                                                                                                                                                                                                                |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 04/18/01                                          | The City Council approved a request for a Master Sign Plan Review [Z-0012-98(3)] for property located at the southeast corner of the intersection of Alta Drive and Rampart Boulevard (Boca Park, Phase III). The Planning Commission recommended approval.                                    |
| 07/05/01                                          | The City Council approved a request for a Special Use Permit (U-0054-01) for a 6,218 square foot Supper Club on 1.15 acres on the east side of Rampart Boulevard, approximately 220 feet north of Charleston Boulevard within Boca Park Phase 1. The Planning Commission recommended approval. |
| 02/20/02                                          | The City Council approved a Special Use Permit (U-0151-01) for a Supper Club in conjunction with a proposed restaurant on property located adjacent to the east side of Rampart Boulevard, approximately 750 feet south of Alta Drive. The Planning Commission recommended approval.           |
| 08/20/03                                          | The City Council approved a request for a Special Use Permit (SUP-2571) for a Supper Club on the subject site. The Planning Commission and Staff recommended approval.                                                                                                                         |
| 06/21/06                                          | The City Council approved a Special Use Permit (SUP-12804) for a Beer/Wine/Cooler On-Sale Establishment at 750 South Rampart Boulevard, Suite #7. The Planning Commission and staff recommended approval on 05/25/06.                                                                          |
| 10/19/06                                          | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #4/ng).                                                                                                                                                                                                                |
| <b>Related Building Permits/Business Licenses</b> |                                                                                                                                                                                                                                                                                                |
|                                                   | No building permits or business license have been issued for the subject site.                                                                                                                                                                                                                 |
| <b>Pre-Application Meeting</b>                    |                                                                                                                                                                                                                                                                                                |
| 07/13/06                                          | The elements of a pre-application meeting for a Supper Club use were discussed.                                                                                                                                                                                                                |
| <b>Neighborhood Meeting</b>                       |                                                                                                                                                                                                                                                                                                |
|                                                   | A neighborhood meeting is not required for this type of application.                                                                                                                                                                                                                           |

|                                       |      |
|---------------------------------------|------|
| <b>Details of Application Request</b> |      |
| <b>Site Area</b>                      |      |
| Gross Acres                           | 6.04 |

| Surrounding Property | Existing Land Use    | Planned Land Use        | Existing Zoning          |
|----------------------|----------------------|-------------------------|--------------------------|
| Subject Property     | Commercial/Boca Park | SC (Service Commercial) | PD (Planned Development) |
| North                | Commercial/Boca Park | SC (Service Commercial) | PD (Planned Development) |
| South                | Commercial/Boca Park | SC (Service Commercial) | PD (Planned Development) |
| East                 | Commercial/Boca Park | SC (Service Commercial) | PD (Planned Development) |
| West                 | Commercial/Boca Park | SC (Service Commercial) | C-1 (Limited Commercial) |

| <i>Special Districts/Zones</i>                    | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---------------------------------------------------|------------|-----------|-------------------|
| <b>Special Area Plan</b>                          | <b>X</b>   |           |                   |
| Boca Park                                         | <b>X</b>   |           | Y                 |
| <i>Special Districts/Zones</i>                    | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| <b>Special Purpose and Overlay Districts</b>      |            | <b>X</b>  |                   |
| <b>Trails</b>                                     |            | <b>X</b>  |                   |
| <b>Rural Preservation Overlay District</b>        |            | <b>X</b>  |                   |
| <b>Development Impact Notification Assessment</b> |            | <b>X</b>  |                   |
| <b>Project of Regional Significance</b>           |            | <b>X</b>  |                   |

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.10, the following parking standards apply:*

| Parking Requirement                                    |                                     |               |         |              |          |              |            |
|--------------------------------------------------------|-------------------------------------|---------------|---------|--------------|----------|--------------|------------|
| Use                                                    | Gross Floor Area or Number of Units | Required      |         |              | Provided |              | Compliance |
|                                                        |                                     | Parking Ratio | Parking |              | Parking  |              |            |
|                                                        |                                     |               | Regular | Handi-capped | Regular  | Handi-capped |            |
| Proposed Supper Club located in Suite #4 of Building 7 | 4,575 s.f.                          | 1/250         | 19      | 1            | *        | *            | *          |
| Buildings 6, 7 and 8                                   | 291,260 s.f.                        | -             | 1,165   | 20           | *        | *            | *          |
| TOTAL                                                  | 295,835 s.f.                        | -             | 1,184   | 21           | *        | *            | *          |

\*The proposed development is located within Phase III of Boca Park. Phase III includes; buildings 6, 7 and 8. These buildings consist of approximately 295,835 square feet. Parking for Boca Park was originally addressed within the development agreement, the current parking statistics are noted in the above table. The site is in compliance with parking requirements within the Development Agreement established by [Z-0030-92(5)].

## ANALYSIS

The applicant is proposing a 4,575 square-foot Supper Club located within the Boca Park shopping center. The proposed use is consistent with the conditions of approval for a Supper Club use as conditioned. Also, the proposed use is consistent with adjacent uses within Boca Park as there are similar restaurants within the center. There are 19 parking spaces required for the restaurant. The parking requirements for Boca Park were established by a Development Agreement, which was established as a part of Site Development Plan Review [Z-0030-92(5)].

The overall development shares parking. The recent adoption of revised land use table allows for shopping centers to be calculated at one parking space for every 250 square feet. Therefore, the overall center provides adequate parking for the proposed use. The addition of the Supper Club will be compatible with similar uses as conditioned.

### **CONDITIONS FOR A SUPPER CLUB USE**

1. The bar area is separated from the restaurant area by a barrier sufficient to prevent access to the bar by minor;
2. The actual seating available at all times within the restaurant area will accommodate at least 125 persons;
3. Alcoholic beverages are served in the restaurant area only in conjunction with the service of food;
4. Full course meal is available during all hours the bar area is open to the public;
5. A cook and food server, other than a bartender, are available at all times the bar area is open to the public; and
6. The restaurant operation is the principal portion of the business.

### **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 Supper Club is located within the Boca Park shopping center. There are several other Supper Clubs located within the development. Therefore, the proposed use is harmonious with the existing and future land uses as projected by the General Plan.

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

The subject site is suitable for retail/restaurant uses. There are several similar businesses within the existing development. Therefore, the subject Supper Club is appropriate for the subject site as proposed.

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 subject site has access via S. Rampart Boulevard a Primary (100-foot) Arterial and Alta Drive a Secondary (80-foot) Collector. Given the size of the existing development, the addition of the Supper Club will have a negligible effect on the transportation infrastructure currently serving 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 proposal conforms to the goals and objectives of the General Plan designation in which it is located. As such, it will not endanger the public health, safety, or welfare of the populace or be inconsistent with the objectives of the General Plan.

**5. The use meets all of the applicable conditions per Title 19.04.**

The site meets all applicable conditions per Title 19.04 for a Supper Club. The use conforms to Title 19 as conditioned.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT** 3

**SENATE DISTRICT** 8

**NOTICES MAILED** 435 by City Clerk

**APPROVALS** 0

**PROTESTS** 0