

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-18053 - APPLICANT: GORDON BIRSCH RESTAURANT  
- OWNER: BOCA FASHION VILLAGE, LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL, subject to:**

**Planning and Development**

1. This Extension of Time will expire on December 21, 2007 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-9430) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

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

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
04/18/01	The City Council approved a request for a Master Sign Plan Review [Z-12-98(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.
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 on 07/24/03. This approval was for Kona Grill Restaurant and Bar.
12/21/05	The City Council approved a Special Use Permit (SUP-9430) for a proposed Supper Club located along the east side of Rampart Boulevard, approximately 900 feet south of Alta Drive. The Planning Commission and staff recommended approval on 11/17/05. This approval was for the subject Gordon Biersch restaurant.
<i>Related Building Permits/Business Licenses</i>	
	A business license (L-21-97900) is pending completion of the final inspection of the tenant improvement.
10/17/06	A building permit (C-238-06) was issued on the indicated date. A final inspection has not been completed since the tenant improvements have not been completed.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	6.04

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Retail Center	SC (Service Commercial)	PD (Planned Development)
North	Golf Course	PR-OS (Parks/Recreation/Open Space)	R-PD7 (Residential Planned Development 7 Units per Acre)
South	Retail Center	SC (Service Commercial)	PD (Planned Development)
East	Parking Garage	SC (Service Commercial)	PD (Planned Development)
West	Retail Center/Golf Course	SC (Service Commercial)/PR-OS (Parks/Recreation/Open Space)	C-1 (Limited Commercial)

		n Space	
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		<b>X</b>	
<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>	

**PROJECT DESCRIPTION**

This is a request for an Extension of Time of an approved Special Use Permit (SUP-9430) that allowed a Supper Club.

**ANALYSIS**

This is the first Extension of Time for the subject Special Use Permit (SUP-9430) for a Supper Club, which was approved by the City Council on 12/21/05. A site inspection indicates that tenant improvements are underway at the subject site. A business license is pending completion of the final inspection of the tenant improvement. A building permit was issued on 10/17/06. A final inspection has not been completed since the suite is currently under construction. The Special Use Permit is exercised upon the approval of a business license. The applicant has demonstrated that they are moving forward with the development of the subject site. Therefore, the Extension of Time can be supported to allow for additional time.

**Previous Conditions of Approval from Special Use Permit (SUP-9430)**

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. The applicant shall submit a revised site plan to show ADA compliance with regard to parking and a trash enclosure that meets code requirements.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

7. All City Code requirements and design standards of all City departments must be satisfied.

## **FINDINGS**

The applicant has demonstrated that they are working towards the opening of the subject Supper Club. The Extension of Time will allow enough time for the applicant to continue with the current construction and permitting process on the subject suite. A condition of approval has been added, which recommends that the extension be allowed for one year or until such time as another Extension of Time application is approved.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      N/A

**ASSEMBLY DISTRICT**                      N/A

**SENATE DISTRICT**                      N/A

**NOTICES MAILED**                      N/A

**APPROVALS**                      0

**PROTESTS**                      0