

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JULY 26, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SUP-22579 - APPLICANT: SABBIADORO ENTERPRISES -****OWNER: LAPOUR GRAND CENTRAL**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:***Planning and Development***

1. 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.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. 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.
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.

**SUP-22579 - Staff Report Page One
July 26, 2007 - Planning Commission Meeting**

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for a proposed Beer/Wine/Cooler On- and Off-Sale Establishment at 241 West Charleston Boulevard, Suite #101. The project features an outdoor patio and special events courtyard areas.

The project meets the minimum Special Use Permit requirements of Title 19.04 for an alcohol service operation. Staff recommends approval

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/17/03	The City Council approved a Variance (VAR-3202) request to allow 101 parking spaces where 150 spaces are required on 2.25 acres at 299 West Charleston Boulevard. The Planning Commission and staff recommended approval.
12/17/03	The City Council approved a Site Development Plan Review (SDR-3199) for a 36,223 square foot existing commercial building and a Waiver of parking lot perimeter landscape standards on 2.25 acres at 299 West Charleston Boulevard. Staff recommended approval
05/27/04	The Planning Commission approved a Site Development Plan Review (SDR-4292) and a Waiver of landscaping requirements for a proposed 6,666 square foot commercial building on 0.27 acres at 219 West Charleston Boulevard. Staff recommended approval.
09/22/05	The Planning Commission approved a Site Development Plan Review (SDR-8692) for Major Amendment to an approved Site Development Plan Review (SDR-3199) for an existing 43,167 square-foot commercial building on 2.25 acres at 231 and 241 West Charleston Boulevard. Staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
NA	
<i>Pre-Application Meeting</i>	
05/30/07	A Pre-Application Meeting was held where Planning staff advised the applicant of the Special Use Permit requirements.
<i>Neighborhood Meeting</i>	
NA	

SUP-22579 - Staff Report Page Two
July 26, 2007 - Planning Commission Meeting

<i>Field Check</i>	
06/19/07	A site visit was conducted and the project parcel is developed with mixed uses and surface parking.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.59 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Mixed Use	MXU (Mixed Use)	M (Industrial)
North	Industrial	MXU (Mixed Use)	PD (Planned Development)
South	Commercial/Industrial	MXU (Mixed Use)	M (Industrial)
East	UP RR (Union Pacific Rail Road right-of-way)	UP RR (Union Pacific Rail Road right-of-way)	UP RR (Union Pacific Rail Road right-of-way)
West	Commercial/Industrial	MXU (Mixed Use)	M (Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Redevelopment Plan	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	NA
Airport Overlay 200	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

ANALYSIS

The proposed alcohol use is permitted within the underlying M (Industrial) zone with a Special Use Permit in accordance with Title 19.04. The use will be operated in conjunction with an existing restaurant within an existing commercial facility. In conformance with the Title 19.04 Special Use Permit requirements, the project parcel is located greater than 400 feet from any religious facility, school, city park, or childcare facility. Implementation of the proposed alcohol operation will include an adjustment to the existing restaurant hours of 8 a.m. to 3 p.m. to the new hours of 11 a.m. to 9 p.m. Per Title 19.04, no additional parking is required beyond that of the primary restaurant use.

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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 alcohol use can be conducted to complement the existing restaurant operation and neighboring mixed uses.

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

The project does not involve development of any new structures. The proposed use will be sited upon an existing developed mixed-use site and will operate within an existing restaurant establishment.

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.**

Automobile and pedestrian access exists along Charleston Boulevard and is capable of accommodating associated vehicular trips to the project 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 proposed alcohol use will not adversely affect human health as the project will be subject regular inspection and will operate within an area adequately served by public safety services.

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

The proposed use will conform to the Title 19.04 minimum Special Use Permit requirements for Beer/Wine/Cooler On- and Off-sale establishments.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

SUP-22579 - Staff Report Page Four
July 26, 2007 - Planning Commission Meeting

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 204

APPROVALS 1

PROTESTS 6