



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-21500 - APPLICANT: DRAKE DEVELOPMENTS, LLC -
OWNER: TENAYA MB, LLC**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of this Special Use Permit does not constitute approval of a liquor license.
2. The sale of individual containers of any size of beer or wine coolers 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.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. Business hours shall be limited to the hours of 6:00 a.m. to 12:00 a.m. for all operating days.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-sale at 9350 West Lake Mead Boulevard. The proposed alcohol use will operate in conjunction with a General Retail (Grocery Store) use within an existing commercial building. The proposed use adequately addresses all Title 19.04 Special Use Permit conditions including the distance separation requirements for protected uses. Staff recommendation is for approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/03/87	The City Council approved a request for Rezoning on this property from N-U (NonUrban) to P-C (Planned Community) as part of a larger request (Z-44-87).
06/10/87	This property was annexed into the City of Las Vegas as part of larger request [A2086(A)].
05/31/00	The City Referral Group approved a request for a Site Development Plan Review on this property for a proposed 15,618 square foot drugstore (SC-0001-00).
06/14/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #8/ja).
<i>Related Building Permits/Business Licenses</i>	
12/13/06	A Package Liquor License (L15-00118) became Inactive for a General Retail store located at 9350 West Lake Mead.
<i>Pre-Application Meeting</i>	
03/26/07	A Pre-Application Meeting was held where Planning staff advised the applicant of the Special Use Permit Requirements.
<i>Neighborhood Meeting</i>	
NA	
<i>Field Check</i>	
05/10/07	A site visit was conducted and the project parcel is developed with a vacant building and associated parking. The site is adjacent to existing office, institutional, retail, and single family residential development.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.22 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant Commercial Building	SC: Service Comercial	P-C: Planned Community
North	Commercial Office	SC: Service Comercial	P-C: Planned Community
South	Single-family Residential	ML: Medium Low Density Residential	P-C: Planned Community
East	Animal Hospital	SC: Service Comercial	P-C: Planned Community
West	Financial Institution	SC: Service Comercial	P-C: Planned Community

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Summerlin/Sun City	X		Y
Special Districts/Zones	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
P-C Planned Community District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store (3,500 square feet or more)	15,638 square feet	1 space/ 175 square feet	89	4	79 (48 on-site, 31 off-site)	5 (3 on-site, 2 off-site)	N*
TOTAL			89		79		

*The proposed use will be located within an existing retail building site with associated surface parking and no expansion of the existing facility is proposed. The project location is considered parking impaired pursuant to Title 19.10.

ANALYSIS

The proposed use is a request to provide Accessory Package Liquor Off sale within a proposed General Retail (grocery store) establishment. The use will be operated within a vacant 15,638 square foot retail structure located at the northeast corner of Lake Mead Boulevard and Del Webb Boulevard. The proposal will not involve expansion of the existing retail structure; only modifications to the building interior are proposed. Liquor sales will be limited to 525 square feet of the sales floor area. Store operating hours will be limited to between 6:00 a.m. and 12:00 a.m. for all operating days.

In accordance with Title 19.04 Special Use Requirements, the proposed Retail Establishment with Accessory Package Liquor Off sale is subject to the 400-foot distance separation requirement from any church, synagogue, school, child care facility licensed for more than 12 children, or City park. The project parcel is located greater than the minimum separation distance from all of the aforementioned uses and as such conforms to Title 19.04.

The proposed use will have 79 parking spaces available where 89 are required under current zoning requirements. A shared access and parking agreement exists for the project parcel and the adjoining property to the east (Animal Hospital). In accordance with Title 19.04 and 19.10, no additional parking is required for the proposed use beyond that which is provided for the primary use on the subject parcel. The project location is considered parking impaired pursuant to Title 19.10.

FINDINGS

The following findings must be made for a Special Use Permit:

- 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 Retail Establishment with Accessory Package Liquor Off-sale is a compatible use with neighboring retail, office, institutional, and residential uses.

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

The project will be established within an existing commercial building with associated surface parking.

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.

Vehicular access to the project site is existing along Del Webb Boulevard and West Lake Mead Boulevard and street capacity and road operations are sufficient to accommodate trips associated with 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.

The proposed use will not result in detrimental effects to the human health and public safety as the project must comply with Chapter 6.50 of the Municipal Code as well as Section 268.090 of the Nevada Revised Statutes which further governs the sale and distribution of alcoholic beverages.

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

The proposed use conforms with the Minimum Special Use Requirements of Title 19.04.

PLANNING COMMISSION ACTION

Condition #2 was amended as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 4

SENATE DISTRICT 6

NOTICES MAILED 634 by City Clerk

APPROVALS 0

PROTESTS 5