

## AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 1, 2007  
DEPARTMENT: PLANNING AND DEVELOPMENT  
ITEM DESCRIPTION: SUP-21954 - APPLICANT: JOSEPH ANTHONY PIERRO -  
OWNER: CENTENNIAL CENTRE, LLC

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

The Planning Commission (7-0 vote) and staff recommend 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. Operating hours shall be limited to 11:00 a.m. to 9:00 p.m. Sunday through Thursday, and 11:00 a.m. to 10:00 p.m. Friday and Saturday.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

Request for a Special Use Permit for a proposed Beer/Wine/Cooler On-Sale Establishment at 7920 West Tropical Parkway, Suite #170. The proposed alcohol sales use will conform with the Special Use Permit requirements of Title 19.04. Staff recommendation is for approval.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
12/07/98	The City Council approved a request to Rezone this site to T-C (Town Center) as part of a larger request (Z-0076-98). The Planning Commission and staff recommended approval.
02/08/99	The City Council approved a request for a Site Development Plan Review [Z0076-98(1)] for a proposed retail development (Centennial Centre) totaling approximately 827,000 square feet and seven proposed automobile dealerships. The Planning Commission and staff recommended approval.
09/05/01	The City Council approved Special Use Permits for five Supper Clubs (U-007501, U-0076-01, U-0077-01, U-0078-01, U-0079-01) on the subject parcel, including the subject restaurant. The Planning Commission and staff recommended approval.
11/19/03	The City Council approved Extensions of Time (EOT-3010, EOT-3011, EOT3012, EOT-3013) of four approved Supper Clubs on the subject parcel, including the subject restaurant. The Planning Commission and staff recommended approval.
10/17/05	A business license (L21-00005) was issued for a Supper Club (Vallartas Mexican Restaurant) at 7870 West Tropical Parkway.
10/19/05	A Certificate of Occupancy was issued for Vallartas Mexican Restaurant at 7870 West Tropical Parkway.
06/21/06	The City Council approved a Special Use Permit (SUP-12743) for a proposed gaming (restricted) use in conjunction with an existing restaurant at 7870 West Tropical Parkway. Planning Commission and Staff recommended approval.
06/28/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/ja).

<b><i>Related Building Permits/Business Licenses</i></b>	
NA	
<b><i>Pre-Application Meeting</i></b>	
04/30/07	A Pre-Application Meeting was held where Planning staff advised the applicant of the Special Use Permit requirements for alcohol sales.

<i>Neighborhood Meeting</i>	
NA	

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

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	GC-TC: Town Center General Commercial	T-C: Town Center
North	Vacant dirt lot	GC-TC: Town Center General Commercial	T-C: Town Center
South	Shopping Center	GC-TC: Town Center General Commercial	T-C: Town Center
East	Shopping Center	GC-TC: Town Center General Commercial	T-C: Town Center
West	Shopping Center	GC-TC: Town Center General Commercial	T-C: Town Center

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
T-C (Town Center) District	X		Y
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	Y
<b>Project of Regional Significance</b>		X	Y

**ANALYSIS**

The proposed project is located within the Town Center District of the Centennial Hills Sector Plan and is within an area designated as GC-TC (General Commercial Town Center). Beer/Wine/Cooler On-sale establishments are a permitted use with the GC-TC land use via a Special Use Permit.

The proposed Special Use Permit is subject to Title 19.04 requirements which restricts the location of Beer/Wine/Cooler On-Sale Establishments through a separation distance limit. This precludes such use from locating on property within 400 feet of any church, synagogue, school, child care facility (licensed for more than 12 children), or city park. As proposed, the proposed alcohol use will be operated within an existing shopping center that is located beyond a 400 foot radius of the aforementioned protected uses in compliance with Title 19. Staff is recommending approval.

## **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 compatible with existing surrounding commercial uses and future land use projected by the Town Center Plan.

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

The site is capable of accommodating the proposed use as the project location is an existing developed commercial center with existing 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.**

Automobile access to the project location is adequate along existing surface collector streets.

- 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 be subject to inspections by local and state regulatory agencies and will therefore not result in detrimental effects to human health and public safety.

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

The proposed use conforms with all applicable Title 19.04 - Special Use Conditions as required by the Town Center Development Standards Manual.

**PLANNING COMMISSION ACTION**

Staff will be requesting a modification of condition #3 regarding recent information.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 8

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 308 by City Clerk

**APPROVALS** 0

**PROTESTS** 3