



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: AUGUST 1, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SUP-21913 - APPLICANT: 7-ELEVEN, INC. - OWNER: CAP II-FARM/DURANGO, 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. 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 on the north side of Durango Drive, approximately 350 feet north of El Capitan Way. The project conforms with the Special Use Permit requirements of Title 19.04 therefore staff is recommending approval.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
01/07/04	The City Council approved Site Development Plan Review (SDR-3191) and a Waiver of Town Center Build-to-Line standards for a 29,120 square feet of retail space on five pad sites. Planning Commission and Staff recommended denial on 12/04/03.
01/22/04	The Planning Commission approved a Tentative Map (TMP-3272) for a two-lot commercial subdivision on 4.91 acres. Staff recommended approval.
12/03/04	Planning Staff administratively approved a Minor Amendment to an approved Site Development Plan Review (SDR-3191) to allow minor changes of building footprints and to allow 29,315 square feet of retail space on four pad sites.
01/13/05	The Planning Commission denied a Special Use Permit (SUP-5684) and a Site Development Plan Review (SDR-5681) for a proposed Restaurant with Drive-through. Staff had recommended approval.
01/27/05	The Planning Commission accepted the applicants request to Withdraw Without Prejudice Special Use Permit (SUP-5740) for a proposed Liquor Establishment (Tavern). Staff had recommended denial.
03/21/05	Planning Staff administratively approved a minor amendment to an approved Site Development Plan Review (SDR-3191) to allow minor changes of building footprints and to allow 28,315 square feet of retail space on three pad sites.
06/28/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #50/ja).
<b><i>Related Building Permits/Business Licenses</i></b>	
NA	
<b><i>Pre-Application Meeting</i></b>	
04/27/07	A Pre-Application Meeting was held where Planning staff advised the applicant of the Special Use Permit requirement for alcohol sales.
<b><i>Neighborhood Meeting</i></b>	
NA	

<b>Field Check</b>	
A site visit was not conducted.	

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

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	SC-TC: Town Center	T-C: Town Center
North	Residential	PCD: Planned Community Development	R-CL: Single Family Compact Lots
South	Commercial	SC-TC: Town Center	T-C: Town Center
East	Commercial	SC-TC: Town Center	T-C: Town Center
West	Undeveloped vacant dirt lot	SC-TC: Town Center	T-C: Town Center

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

**ANALYSIS**

The proposed project is located within the Town Center District of the Centennial Hills Sector Plan and is within an area designated as SC-TC (Service Commercial Town Center). Retail Establishment with Accessory Package Liquor Off-sale is a permitted use within the GC-TC land use via a Special Use Permit.

Town Center Development Standards Manual Special Use Permit requirements restricts the location of a Retail Establishment with Accessory Package Liquor - Off-Sale, through a distance separation limit which 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. The subject proposal will be operated within an existing shopping center located beyond a 400 foot radius of the aforementioned protected uses. Staff recommends 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.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT** 37

**SENATE DISTRICT** 6

**NOTICES MAILED** 725 by City Clerk

**APPROVALS** 1

**PROTESTS** 8