



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 14, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-26267 - APPLICANT: ADAM CORRIGAN - OWNER: THE HOWARD HUGHES CORPORATION

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for a Gaming Establishment, Restricted use.
2. Conformance to the conditions for Zoning (Z-0119-96), Summerlin Development Plan Review (SV-0042-98) and City Referral Group Site Development Plan Review (CRG-6661) shall be required.
3. 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.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit to allow a Gaming Establishment, Restricted within a recently approved pub, bar and lounge approved on located in a commercial center in the Summerlin Master Planned Community at 11770 West Charleston Boulevard, Suite 110. Sixteen gaming machines will be located on the bar top. To meet Business License requirements for a Gaming Establishment use, no more than 15 machines are allowed.

The Gaming Establishment, Restricted use meets the requirements of Title 19 and the Summerlin Development Standards, therefore, staff recommends approval of the Special Use Permit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/09/98	The City Council approved a Summerlin Development Plan Review (SV-0042-97) for Summerlin Village 20 within which the subject property is located.
02/12/98	The Planning Commission approved a Tentative Map (TM-0002-98) for 39 lots of Village 20 within the subject property is located.
11/30/04	The Planning Commission approved a Tentative Map (TMP-5708) for a two-lot commercial subdivision of property which included the subject property, at the northeast corner of Desert Foothills Drive and Charleston Boulevard.
05/25/05	The City Referral Group approved a Site Development Plan Review (CRG-6661) for a 56,000 square-foot grocery store at the northeast corner of Charleston Boulevard and Desert Foothills Drive.
07/06/05	The City Council approved a Special Use Permit (SUP-6500) for a liquor store at the northeast corner of Charleston Boulevard and Desert Foothills Drive.
03/31/06	A Final Map (FMP-6056) of a one-lot commercial subdivision was administratively approved for property, which included the subject property, at the northeast corner of Desert Foothills Drive and Charleston Boulevard.
01/03/07	The City Referral Group approved a Site Development Plan Review (CRG-18747) for a 3,350 square-foot convenience store (w/fuel pumps) on 0.91 acres located 280 feet north of Charleston Boulevard on the east side of Desert Foothills Drive.
08/15/07	The City Council approved a request for an Extension of Time (EOT-22994) of an approved Special Use Permit (SUP-6500) for a proposed liquor store at 11720 West Charleston Boulevard.
09/05/07	The City Council approved a request for a Special Use Permit (SUP-22488) for a proposed beer/wine/cooler in conjunction with an on-sale establishment (Pizza Restaurant) at 11710 West Charleston Boulevard, Suite #150.

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11/21/07	The City Council approved a request for a Special Use Permit (SUP-24265) for a proposed Pub, Bar, and Lounge at 11770 West Charleston Boulevard, Suite #110. The Planning Commission and Staff recommended approval.
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<i>Related Building Permits/Business Licenses</i>	
08/17/07 Completed	Retail Store for C of O 11720 W Charleston, Suite 140 (Permit 6007365)
10/23/07 Completed	Special Inspection/Owens Geotech (Permit 6002847)
11/27/07 Completed	Trash Enclosure 11730 W Charleston (Permit 7002759)
12/04/07 Completed	TI Build-out for C of O 11710 W Charleston (Permit 7002438) Bank
12/21/07 Completed	Shell Building D for C of C (Permit 6005989) Project completed.
12/21/07 Completed	Shell Building E for C of C 11760 W Charleston (Permit 6005990)
	BUSINESS LICENSES
Pending	Mark Richs NY Pizza (L09-93140) Need SUP for beer/wine and C of O for TI
Pending	Mark Richs NY Pizza (R09-93141) Need SUP for beer/wine and C of O for TI
08/14/07 Withdrawn	Albertsons Store (C05-02563) Tobacco Sales
	Albertsons Store (C08-94023)
09/14/07	Silver State Schools (C18-00024) Credit Union
09/14/07	Cardivan Company (C20-02305) Convention Hall Gaming Tax (Albertsons)
09/21/07	Cardivan Company (G01-02305) Gaming Restricted (Albertsons)
08/14/07	Albertsons Store (G05-01990) Grocery Store
08/14/07	Albertsons Store (L15-00136) Package Liquor
09/21/07	Redbox Automated (V07-00239) Rental Kiosk in Albertsons
<i>Pre-Application Meeting</i>	
12/13/07	A pre-application meeting was held. The applicant was informed that the site was under the VC (Village Center) special land use designation per the Summerlin Development Standards Manual. Also advised this is a Project of Regional Significance.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
09/07/07	Commercial Center under construction. Subject site fronts onto Charleston Blvd.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	6.9

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SUM (Summerlin)	P-C (Planned Community)
North	Single Family Residential	SUM (Summerlin)	P-C (Planned Community)
South	Clark County	Clark County	Clark County
East	Single Family Residential	SUM (Summerlin)	P-C (Planned Community)
West	Single Family Residential	SUM (Summerlin)	P-C (Planned Community)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Summerlin	X		Y
Special Purpose and Overlay Districts	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

Project of Regional Significance

This request is a Project of Regional Significance, due to the proximity to a boundary with Clark County. An Environmental Impact Assessment was submitted as part of the Special Use Permit applications and sent to affected agencies for comment. No comments were received.

ANALYSIS

The subject site is zoned P-C (Planned Community) and the Summerlin Master Plan depicts the subject property as having a VC (Village Center) land use designation. The Village Center (VC) will allow a mix of land uses including multi-family residential uses and commercial, cultural, recreational and meeting facilities that provide most of daily and weekly support services and activities for a village or a combination of villages. As per the Summerlin Development Standards, the proposed Gaming (Restricted) is within the range of uses permitted, with approval of a Special Use Permit, in the VC(Village Center) land use designation with P-C (Planned Community) zoning.

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The proposed Gaming Establishment use will be an accessory use to an approved 2,032 square foot Pub, Bar and Lounge. The site is located in an existing commercial center located on the northeast corner of Charleston Boulevard and Desert Foothills Drive. It is described by the applicant as a restaurant lounge with a casual atmosphere catering to families and people in the surrounding communities. Along with table seating for thirty-four people, seating for 16 is available at the bar. Gaming machines will be located in the bar top at each seat. A license for Gaming Restricted limits the number of gaming machines to not more than 15.

The Summerlin Development Standards requires a Special Use Permit for the Gaming (Restricted) use and defers to Title 19 for definition and requirements. Title 19.06 states: *That any issue of land use regulation that may arise in connection with the PC District and that is not addressed or provided for specifically in this chapter or in an approved Planned Community Program, the Director of the Department of Planning and Development may apply by analogy the general definitions, principles and procedures set forth in this Title, taking into consideration the intent of the approved Planned Community Program.*

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 project is compatible with the Summerlin land use designation and is located within a commercial center where a substantial concentration of major commercial development has occurred. A Gaming Restricted use is a compatible accessory use within an existing Pub, Bar, and Lounge use.

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

The location for the Gaming Restricted use is in a restaurant within a large commercial center where adequate parking facilities are available on site. This location is physically suitable for the type and intensity of land use proposed.

- 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.**

The restaurant will be accessed by Charleston Boulevard, a 100-foot wide primary arterial and Desert Foothills Road, a Summerlin 80-foot wide collector street. These roads have adequate capacity to serve the proposed use. The project will not have any negative traffic impact on residential neighborhoods in the area.

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- 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 public health, safety, and welfare and the objectives of the General Plan would not be compromised as a result of the approval of a Special Use Permit, because the proposed Gaming Restricted would be subject to licensing and inspections by Business Services.

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

An establishment which is used or intended for gaming activities for which a restricted gaming license is required pursuant to Title 6 requires that gaming operations are limited to not more than 15 slot machines.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 632

APPROVALS 2

PROTESTS 5