



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 19, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-26265 - APPLICANT: SMALLZ, LLC OWNER: VILLAGE OF CENTENNIAL SPRINGS PARTNERS, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. The hours of operation shall be 7:00 a.m. to 11:00 p.m. Sunday through Thursday and 7:00 a.m. to 12:00 a.m. Friday and Saturday.
2. Approval of and conformance to the Conditions of Approval for a Site Development Plan Review (SDR-12618), a Variance (VAR-7655), and three Special Use Permits (SUP-7660, SUP-7661, and SUP-7662), except as amended by conditions herein, shall be required. Those conditions that apply to residential areas that are not a part of this application will not apply.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit to allow restricted gaming in conjunction with a 3,623 square-foot, 128-seat sea food restaurant located in the Village of Centennial Springs mixed use development at 7551 Norman Rockwell Lane.

The site is zoned SX-TC (Suburban Mixed Use - Town Center). The SX-TC district permits the proposed general business related gaming establishment use with approval of a Special Use Permit. The proposed use is more than 330 feet from existing single family residential homes in the area. As this proposal is in compliance with all sections of the code, staff recommends approval. Per the conditions of the approved Site Development Review (SDR-12618) no uses in this development may be 24 hours.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-76-98) on property located within the area designated Town Center on the northwest amendment to the General Plan, From: U (Undeveloped), R-E (Residential Estates), R-PD7 (Residential Planned Development - 7 Units Per Acre), R-PD11 (Residential Planned Development - 11 Units Per Acre, R-PD13 (Residential Planned Development - 13 Units Per Acre, R-PD18 (Residential Planned Development - 18 Units Per Acre, R-CL (Residential Compact-Lot) , C-1 (Limited Commercial), C-2 (General Commercial), C-V (Civic), and P-D (Planned Development) TO: T-C (Town Center), SIZE: 1,468 acres. The Planning Commission recommended approval on 11/05/98 and staff recommended approval.
02/18/04	The City Council approved a General Plan Amendment (GPA-3497) to amend a portion of Map 4 (The Centennial Hills Town Center Land Use Plan) of the Centennial Hills Sector Plan from: SC-TC (Service Commercial Town Center) to: SX-TC (Suburban Mixed-Use Town Center). The Planning Commission recommended approval on 01/22/04 and staff recommended denial.
07/07/04	The City Council approved a Site Development Plan Review (SDR-4290) and a Waiver of the landscaping standards for a proposed mixed-use development on the subject property; a Variance (VAR-4300) to allow 1.94 acres of open space where 2.41 acres are required and a Special Use Permit (SUP-4299) for a proposed mixed-use development and a Waiver to allow the private streets to not be gated on the subject property. The Planning Commission recommended approval on 05/27/04 and staff recommended approval.

08/12/04	The Planning and Development Department Administrative Site Development Plan Review (SDR-4758) was approved for a proposed 7,770 square-foot office building on a portion of the subject property.
01/05/05	The Planning and Development Department Administrative approval was granted for a Tentative Map (TMP-4838) for a 213-lot subdivision located on the subject property.
05/18/05	The City Council approved a Site Development Plan Review (SDR-5948) for a proposed mixed-use development; a Waiver (WVR-6153) of Title 18.12.100 to allow 24-foot private street width at intersections where 37 feet is the minimum width required and a Variance (VAR-5949) to allow 824 parking spaces where 1,065 is the minimum required on the subject property. The Planning Commission recommended approval on 04/14/05 and staff recommended approval.
06/01/05	The City Council approved a General Plan Amendment (GPA-6362) to modify Exhibit 1 ("Multi-Use Transportation Trail") of the Transportation Trails Element of the Las Vegas 2020 Master Plan to allow an eight-foot concrete path where 10 feet is required for a proposed Multi-use Transportation Trail along the west side of Tule Springs Road and the south side of Farm Road. The Planning Commission recommended denial on 04/28/05 and staff recommended denial.
06/15/05	The City Council approved a Site Development Plan Review (SDR-6403) and a Special Use Permit (SUP-6405) for a 1,400 square-foot temporary sales trailer on the southwest corner of the subject property. The Planning Commission recommended approval on 05/12/05 and staff recommended denial.
12/21/05	The City Council approved a Variance (VAR-7655) request to allow 478 parking spaces where 844 spaces is the minimum required for a proposed commercial development on 15.74 acres at the southwest corner of Tule Springs Road and Farm Road. Condition number three specified the approval is for 524 spaces where 763 spaces are required and restaurant space shall be a maximum of 22,956 square feet interior and 1,800 square feet outdoor dining. All restaurant and supper club uses shall be located only along the project interior main street. No uses may be 24 hours. Any change to add any restaurant space or relocate uses will require submittal of a new site plan review for City Council approval. The Planning Commission recommended denial on 10/20/05 and staff recommended denial.
12/21/05	The City Council approved Special Use Permits (SUP-7660, SUP-7661 and SUP-7662) to allow the Supper Clubs with a waiver of the 400 foot distance separation. The Planning Commission recommended denial on 10/20/05 and staff recommended denial.

06/07/06	The City Council approved a Site Development Review (SDR-12618). The originally approved site plan (SDR-5948) included residential development within the commercial town center area. This update removed all residential from the project. The applicant has also removed the parking area landscaped fingers and replaced them with diamond-shaped planters. This request is not supported as the original proposal accommodated a true mixing of uses per the intent of the General Plan and the Town Center Development Standards Manual. The Planning Commission recommended approval on 05/11/06 and staff recommended denial.
02/14/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/ed).

<i>Pre-Application Meeting</i>	
11/28/07	The requirement for a Special Use Permit was discussed with the applicant, as well as verification of meeting all necessary distance separation requirements.
<i>Neighborhood Meeting</i>	
No meeting was held, nor was one required.	
<i>Field Check</i>	
No field check was conducted	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	.19

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Under Construction /Commercial	TC(Town Center) [SX-TC (Suburban Mixed-Use - Town Center)]	T-C(Town Center)
North	Service Commercial	TC(Town Center) [SC-TC (Service Commercial Town Center)]	T-C(Town Center)
South	Single Family Residential	TC(Town Center) [SX-TC (Suburban Mixed-Use - Town Center)]	T-C(Town Center)
East	Parking for Commercial Center	TC(Town Center) [SX-TC (Suburban Mixed-Use - Town Center)]	T-C(Town Center)
West	Single Family Residential	TC(Town Center) [SX-TC (Suburban Mixed-Use - Town Center)]	T-C(Town Center)

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Town Center	X	
Special Overlay District		X
Trails	X	
Rural Preservation Overlay District	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

***Centennial Hills Town Center** This project will be subject to the development standards and related policies of the Centennial Hills Town Center.

DEVELOPMENT STANDARDS

Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required		Provided	
		Ratio	Parking		Parking
			Regular	Handicap	
Restaurant	22,956 SF.	1 Space / 50 SF Seating/Waiting area	303		
		1 Space / 200 SF Remaining	39		
		Outdoor Seating	36		
Retail	49,652 SF.	1 Space / 250 SF	199		
Office	55,805 SF.	1 Space / 300 SF	186		
Subtotal			763	16	524
TOTAL			763		524

The overall commercial center does not meet current parking standards as 524 parking spaces are provided where 763 are required. This represents a deviation of approximately 32%. However, a previous Variance (VAR-7655) allowed 524 spaces where 763 are required.

ANALYSIS

This request is for a Special Use Permit to allow restricted gaming in conjunction with a 3,623 square foot, 128-seat seafood restaurant located in the Village of Centennial Springs mixed use development, at 7551 Norman Rockwell Lane.

The site is zoned the SX-TC (Suburban Mixed Use - Town Center). The SX-TC (Suburban Mixed Use - Town Center) district permits the proposed general business related gaming establishment use with approval of a Special Use Permit. The proposed use would be compatible with existing and future surrounding land use and development. The proposed use is more than 330 feet from existing single family residential homes in the area. As this proposal is in compliance with all sections of the code, staff recommends approval.

- **Zoning**

The proposed project is located within the SX-TC (Suburban Mixed Use - Town Center). This Mixed Use District allows low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public/quasi-public uses. Hotels, motels and resort uses of a lower intensity may be allowed under certain conditions.

The SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation is zoned as T-C (Town Center) and is consistent with the requirements of the Town Center Development Standards Manual. The applicant is requesting a Gaming Establishment (Restricted) use in conjunction with a previously approved Special Use Permit (SUP-7662).

- **Use**

A Gaming Establishment, Restricted is an establishment which is used or intended to be used for gaming activities for which a restricted gaming license is required pursuant to Title 6. For informational purposes, this description refers to an establishment whose gaming operations are limited to not more than 15 slot machines, incidental to the primary business at the establishment, and no other game or gaming device.

The gaming use will be located within an approved supper club per the approved Site Development Review (SDR-12618). This location currently meets the necessary condition that requires a 330 foot separation from any single-family detached dwelling. As this proposal is in compliance with all sections of the code, staff recommends approval. The applicant indicates that they intend to install five slot machines into the bar top. The applicants justification letter states that the hours of operation shall be 7:00 a.m. to 11:00 p.m. Sunday through Thursday and 7:00 a.m. to 12:00 a.m. Friday and Saturday. Staff has included this as a condition of approval.

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 use is compatible with a restaurant in a mixed use development, and compatible with the mixed use development that it is within and the surround area.

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

The site is located within a mixed-use commercial center and is large enough to accommodate the intensity of the proposed use.

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.**

Farm Road, an 80-foot right-of-way, and Norman Rockwell Lane, a 50-foot frontage street, will provide access to the site. These facilities are more than adequate to meet the needs of 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 mixed-use compact development concept is consistent with the General Plan and does not endanger the public health, safety, or general welfare of the public.

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

The proposed use meets all Special Use Conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 149 by City Clerk

APPROVALS 0

PROTESTS 2