



**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: JUNE 12, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-27951 - APPLICANT/OWNER: OHDB, LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Hotel Lounge Bar use, including parking requirements.
2. 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.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
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**

This is a request for a Special Use Permit for a proposed Hotel Lounge Bar within a 43 room, 3story hotel located at 2651 Westwood Drive. This request would allow the hotel to serve alcoholic beverages only at tables and booths located within the lounge bar area of the hotel, within a pool area, or within hotel rooms as incidental to room service in the Industrial (M) zoning district.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
01/12/61	The Board of City Commissioners approved a request (Z-0062-60) for a Reclassification of Property, generally located south San Francisco [Sahara Avenue] between Highland Drive and the proposed freeway (Interstate 15), From: R-E (Residence Estates), To: M-1 (Light Industry).
03/15/89	The City Council approved a request for a Special Use Permit (U-0184-88) to allow a gaming establishment in conjunction with an existing hotel on property located at 1501 W. Sahara Avenue. The Board of Zoning Adjustment and staff recommended approval.
10/28/93	The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0062-60(1)] for a proposed warehouse and office on property located on the southwest corner of presidio Avenue and Westwood Drive. Staff recommended approval.
10/19/96	The City Council tabled (U-0070-96) this item indefinitely. The Board of Zoning Adjustment denied this request on 09/24/96, because it was not in compliance with the City of Las Vegas Sign Ordinance. Staff also recommended denial.
05/12/97	The City Council approved an appeal for a Variance (V-0025-97) to allow a 14 foot by 48 foot Off-Premise Advertising Sign to be approximately 200 feet from another Off-premise Advertising Sign where 300 feet is the minimum distance separation. The Board of Zoning denied the request because there was insufficient justification to warrant a deviation from the code. Staff also recommended denial.
05/27/99	The Planning Commission approved a request for a Site Development Plan Review [Z-0062-60(2)] on property located at 2701 Westwood Drive for a proposed 23,148 square foot addition to an existing print shop. Staff recommended approval.

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05/11/00	The Planning Commission denied a request for a Site Development Plan Review [Z-0062-60(3)] for a proposed used car lot on 0.80 acres on the east side of Highland Drive, south of Sahara Avenue. Staff recommended approval.
05/17/06	The City Council approved a request (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission recommended approval on 04/13/06. Staff also recommended approval.
04/25/07	Code Enforcement Case #52543 for graffiti on buildings. Case was closed on the same day.
<b><i>Related Building Permits/Business Licenses</i></b>	
02/07/03	A building permit (#3002559) was issued for a hotel remodel and certificate of occupancy at 2651 Westwood Drive for Blue Moon Resort, LLC. The permit expired on 03/12/05.
02/13/03	A building permit (#3003005) was issued for a pool, spa, and waterfall at 2651 Westwood Drive for Blue Moon Resort & Travel Lodge. The permit was finalized on 04/25/03.
03/07/03	A building permit (#3004580) was issued for a 170-foot by six-foot block wall at 2651 Westwood Drive for Blue Moon Resort, LLC. The permit was finalized on 03/31/03.
05/01/03	A business license (#M08-00194-5-108480) was issued for a motel or rooming house at 2651 Westwood Drive.
06/05/03	A business license (#M06-02746-5-108480) was issued for miscellaneous sales at 2651 Westwood Drive.
08/04/04	A business license (#L27-00036-0-001149) was issued for a special event general at 2651 Westwood Drive. The business license was marked out on 04/17/07.
06/23/06	A business license (#R07-00728-5-127432) was issued for a restaurant seating under 45 at 2651 Westwood Drive. The business license was marked out on 02/01/07.
11/14/07	A building permit (#102109) was issued to allow a six-foot high block wall, 56-feet along the rear of the property and 24-feet along the left side of the property. The permit has not been finalized.
08/17/07	A business license (#L27-00091-0-001533) was issued for a special event general at 2651 Westwood Drive. The business license was marked out on 09/22/07.
02/06/08	A business license (#L27-00112-0-001149) was issued for a special event general at 2651 Westwood Drive. The business license was marked out on 05/07/08.

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<b>Pre-Application Meeting</b>	
04/10/08	A pre-application meeting was held where submittal requirements for a Special Use Permit for a Hotel Lounge Bar were discussed.
<b>Neighborhood Meeting</b>	
A neighborhood meeting was not required and none was held.	
<b>Field Check</b>	
05/08/08	The Department of Planning and Development conducted a site visit that noted the landscaping was in need of some maintenance. Among the items observed were overgrown weeds and tree stumps. Graffiti was noted on the fencing to the trash enclosure and on the utility box in the far southwest corner of the property. On the west façade of the building a non-permitted temporary sign (banner) was observed.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	.92

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Hotel	C (Downtown-Commercial)	M (Industrial)
North	Travel Lodge	C (Downtown-Commercial)	M (Industrial)
South	Warehouse	C (Downtown-Commercial)	M (Industrial)
East	Office	LI/R (Light Industrial / Research)	M (Industrial)
West	Palace Station Hotel & Casino	GTC (Tourist Commercial)	C-1 (Limited Commercial)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>			
Downtown Redevelopment Area/Las Vegas Redevelopment Plan	X		Y

**Downtown Redevelopment Area / Las Vegas Redevelopment Plan**

One of the goals of the Redevelopment Plan is to reduce and eliminate decline and deterioration, stimulate new investment, stabilize the tax base, and maintain the viability of existing businesses. This application is seeking to maintain, and possibly increase the viability of an existing business.

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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District	X		Y
<b>Trails</b>		X	
<b>Rural Preservation Overlay District</b>		X	
<b>Development Impact Notification Assessment</b>		X	
<b>Project of Regional Significance</b>		X	

**Airport Overlay District**

No structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations defined by the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map. The subject site is within the 175-foot contour limitations and does not violate the height limitations. The proposed use does not alter the structure in any way and is in compliance with the Airport Overlay District.

**DEVELOPMENT STANDARDS**

*Pursuant to Title 19.10, the following parking standards apply:*

<b>Parking Requirement</b>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Hotel, Motel or Hotel Suites	43 units	One space per guest room.	41	2	40	4	Y
<b>SubTotal</b>	43		41	2	40	4	
<b>TOTAL (including handicap)</b>	43		43		44		

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
A Special Use Permit for a Hotel Lounge Bar in a hotel with 43 rooms where 150 rooms are required.	150 rooms	Approval

NE

## ANALYSIS

- **Zoning**

The subject site is currently zoned M (Industrial), within the C (Downtown-Commercial) designation of the Las Vegas 2020 Master Plan. Although the M (Industrial) zoning is not in conformance with the Las Vegas Master Plan 2020 designation of C (Downtown-Commercial), The Hotel Lounge Bar use is permitted in the C (Downtown-Commercial) designation, and permitted in the M (Industrial) zone with the approval of a Special Use Permit.

- **Use**

A Hotel Lounge Bar is defined by Title 19 as a bar located in a lounge area of a hotel which has a minimum of 150 rooms, unless the City Council determines that public health, safety and welfare are not compromised by a lesser number of rooms, wherein;

1. Alcoholic beverages are served and consumed only at tables and booths located within the lounge bar area of the hotel, within a pool area, or within hotel rooms as an incident to room service.
2. Persons are not permitted to purchase or obtain alcoholic beverages directly from such lounge bar;
3. No other business, trade, profession or entertainment that requires a license under Title 6 is conducted or performed in the lounge bar area; and
4. The maximum available customer seating in the lounge bar area does not exceed seventy-five (75) seats.

- **Conditions**

Title 19.04.010 lists the following conditions for the Hotel Lounge Bar use.

1. Alcoholic beverages are served and consumed only at tables and booths located within the lounge bar area of the hotel, within a pool area, or within hotel rooms as incident to room service;
2. Persons are not permitted to purchase or obtain alcoholic beverages directly from such lounge bar;
3. No other business, trade, profession or entertainment that requires a license under Title 6 is conducted or performed in the lounge bar area; and

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4. The maximum available customer seating in the lounge bar area does not exceed 75 seats.

\*Although the proposed use does not meet the minimum requirement of a hotel with a minimum of 150 rooms, staff finds that public health, safety, and welfare are not compromised by a lesser number of rooms, and therefore recommends approval.

### **FINDINGS (SUP)**

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 the General Plan designation and can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

The proposed use conforms to both the General Plan and the Title 19 land use designations of the use with the approval of a Special Use Permit (SUP). The proposed use does not add any additional intensity to the existing land use, and is suitable for the type of land use in existence.

- 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 subject site is served by Westwood Drive, a 60-foot collector road on the Master Plan of Streets and Highways and of adequate capacity to serve 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 be subject to business licensing requirements and inspections and will not endanger the public health or general welfare.

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

The proposed use fails to comply with the minimum number of rooms specified by 19.04. However, pursuant to 19.04 a bar located in a lounge area of a Hotel with less than 150 rooms may be approved by the City Council if it is found that public health, safety and welfare are not compromised by a lesser number of rooms. Staff finds that public health, safety and welfare are not compromised by a lesser number of rooms, and recommends approval.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**ASSEMBLY DISTRICT** 10

**SENATE DISTRICT** 7

**NOTICES MAILED** 83

**APPROVALS** 0

**PROTESTS** 3