



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JUNE 1, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: MLK GAS MART - OWNER: JAE KWON, JI KWON, BOK KWON

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-41498	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

EOT-41498 CONDITIONS

Planning

1. This Special Use Permit (SUP-37198) shall expire on April 7, 2012 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of the Special Use Permit (SUP-37198) and all other site related actions as required by the Department of Planning and Department of Public Works.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is located within a C-1 (Limited Commercial) zoning district with previous approval for a Special Use Permit (SUP-37198) to add a Gaming Establishment, General Business -Related use (four gaming machines) within the existing Convenience Store located at 1600 North Martin L. King Boulevard. The applicant is requesting an Extension of Time to allow the Nevada Gaming Control Board to process their request for a gaming license.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/18/94	The City Council approved a request for Rezoning (Z-0005-94) from R-4 (Apartment Residence) and R-3 (Limited Multiple Residence) to C-1 (Limited Commercial) for a proposed Convenience Store with Gasoline Sales on property generally located on the northeast corner of Owens Avenue and Martin L. King Boulevard. The Planning Commission recommended approval.
07/20/94	The City Council approved a request for a Special Use Permit (U-0080-94) for the sale of beer and wine and the sale of gasoline at a proposed Convenience Store at the northeast corner of Owens Avenue and Martin L. King Boulevard. The Board of Zoning Adjustments recommended approval.
04/21/04	The City Council approved a request for a Special Use Permit (SUP-3875) for Gasoline Sales in conjunction with a 4,500 square-foot Convenience Store at 1600 North Martin L. King Boulevard. The Planning Commission and staff recommended approval.
04/07/10	The City Council approved a request for a Special Use Permit (SUP-37198) to add a Gaming Establishment, General Business-Related use (four gaming machines) within an existing Convenience Store at 1600 North Martin L. King Boulevard. The Planning Commission and staff recommended approval.
04/04/11	A Code Enforcement case (99967) was processed for missing landscaping and illegal signs at 1600 North Martin L. King Boulevard. The case is still open.

<i>Most Recent Change of Ownership</i>	
02/23/06	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
01/25/08	A business license (C05-02361) was issued for Tobacco Sales at 1600 North Martin L. King Boulevard. The license is still active.
02/06/08	A business license (C15-00327) was issued for a Convenience Store at 1600 North Martin L. King Boulevard. The license is still active.
11/20/08	A business license (R06-00608) was issued for Take Out Food at 1600 North Martin L. King Boulevard. The license is still active.
08/09/10	A business license (C07-04042) was issued for Clothing sales at 1600 North Martin L. King Boulevard. The license is still active.
There have been no recent building permits issued for the subject site.	

<i>Pre-Application Meeting</i>
A pre-application meeting was not required, nor was one held.

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required, nor was one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.90

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Convenience Store	C (Commercial)	C-1 (Limited Commercial)
North	Multi-Family Residential	MXU (Mixed-Use)	R-4 (High Density Residential)
	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Convenience Store	C (Commercial)	C-2 (General Commercial)
	Undeveloped Land	C (Commercial)	R-E (Residential Estates)
East	Undeveloped Land	C (Commercial)	C-1 (Limited Commercial)
West	Retail Establishment and Parking Lot	LI/R (Light Industry/Research)	C-PB (Planned Business Park)

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<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
West Las Vegas Plan	X		Y
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (140 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first request for an Extension of Time of a previously approved Special Use Permit (SUP-37198) to add a Gaming Establishment, General Business Related use (four gaming machines) within an existing Convenience Store located at 1600 North Martin L. King Boulevard. The site is located in a C-1 (Limited Commercial) zoning district.

Title 19.16.110 of the Unified Development Code deems a Special Use Permit exercised upon the issuance of a business license for the use.

FINDINGS

The Special Use Permit (SUP-37198) had not met the requirements of Title 19.16.110 of the Unified Development Code to exercise the entitlement as a business license has not yet been issued. The applicant is requesting an Extension of Time as their gaming license is pending at the Nevada Gaming Control Board and additional time is needed to allow the process to be completed. Staff is recommending approval of this request with a one-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-37198) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0