



City of Las Vegas

Agenda Item No.: 7.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 11, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: SUP-3706 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LOVETT COMPANY, S - OWNER: SPANISH LAS AT SAHARA, LLC - Request for a Special Use Permit FOR A SUPPER CLUB WITHIN AN EXISTING 17,425 SQUARE-FOOT BUILDING at 3100 West Sahara Avenue (APN 162-05-403-001), C-1 (Limited Commercial) Zone, Ward 1 (Tahitian)

C.C.: 03/17/2010

IF DENIED, P.C. MAY FILE A PETITION FOR WRIT OF HABEAS CORPUS (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

6

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

13

City Council Meeting

0

RECOMMENDATION:

NONE

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted after Final Agenda Protest Postcards/Letter

Motion made by VICKI QUINN to Hold in abeyance to 3/25/2010

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

VICKI QUINN, BYRON GOYNES, RICHARD TRUESDELL, KEEN ELLSWORTH, STEVEN EVANS, GUS FLANGAS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-GLENN TROWBRIDGE)

Minutes:

CHAIR TRUESDELL declared the Public Hearing open.

DOUG RANKIN, Planning and Development, reported that the site was previously approved for a non-conforming liquor establishment. The business license became inactive 6/2008. The applicant is proposing a supper club that meets the requirements of Title 19, can be conducted

PLANNING COMMISSION MEETING OF: FEBRUARY 11, 2010

harmoniously and is compatible with the surrounding uses. He recommended approval, noting that if the special use permit is denied, the supper club use will not be permitted at this location, and that additional protest and support letters were received.

HOWARD MANN appeared on behalf of the owner and was accompanied by CLIFF TIFFY, representing Lovett Companies. MR. MANN indicated that millions of dollars were invested in the office development and the plan is to make this use compatible.

COMMISSIONER GOYNES questioned the business plan. MR. TIFFY explained that the intent is to modernize the property and offer a contemporary, family-style supper club that will serve lunch and dinner, as well as to accommodate special events, such as Bat Mitzvahs and weddings, on the lower level.

COMMISSIONER GOYNES commented that the property has a history of holding rowdy parties that disturbed the adjacent Spanish Oaks neighborhood. He asked how the applicant intends to ensure that it will not happen again. MR. TIFFY responded that the applicant intends to create a modest environment that will attract a modest clientele. As far as entertainment, the club will offer light entertainment with jazz bands and live acoustic music, but no rock bands, unless approved through a special event permit. In hopes to join the newer establishments and restaurants coming to casinos and resorts, BRENN LOVETT, owner of Lovett Companies, is an architect by trade, so she has a history of working on restaurant and entertainment developments. The chef will be TALLE YOUNG, who is the head chef at the Hard Rock Hotel/Casino and previously worked at the Paris Hotel/Casino. She will be a great asset to the restaurant.

MR. MANN added that the budget for this project is over \$2 million to make it very nice in order to attract repeat business and to meet the needs of the community. There is a need for locations to hold community events at more reasonable prices than that offered at hotels on the Strip.

COMMISSIONER EVANS commented that after discussions with many of the Spanish Oaks residents, he inferred that there is a tremendous yearning for a nice restaurant within walking distance, so there is a tremendous opportunity for this project to succeed. MR. MANN explained that the former use was more entertainment driven and held during late hours; however, the lender for this project has indicated that the use has to be compatible with the existing businesses in the office development.

CHAIR TRUESDELL stated that the building has always been deficient in parking and has created many problems for the neighbors. MR. MANN indicated that the parking was reconfigured to surpass the required spaces under the code by 90 spaces. With the office aspect operating from 8:00 a.m. to 5:00 p.m., many parking spaces will be available during the evening hours and on weekends.

COMMISSIONER QUINN verified with MR. MANN that this is the first project he and MR. LOVETT have worked on together. She then commented that many people in Spanish Oaks are

PLANNING COMMISSION MEETING OF: FEBRUARY 11, 2010

very excited about this project, but because there have been concerns with the past business practices of Lovett Companies, she enumerated all the requirements the applicant must comply with under the code. MR. MANN assured the Commissioner that he is prepared to comply with all code requirements, adding that he has developed over 2.5 million square feet of institutional grade commercial real estate, as well as owned and operated a very successful restaurant in another city. He intends to offer the necessary contemporary environment to attract the desired clientele in order to generate the revenue necessary to support a 16,000 square-foot restaurant.

COMMISSIONER QUINN asked if the last dinner reservation would be taken at 11:00 p.m. or the restaurant would be closed by that time, to which MR. MANN replied that he was under the impression that the facility would be able to offer gaming, so the facility would be open 24 hours. CHAIR TRUESDELL rejoined that a supper club has limited gaming and is not a tavern that can be open 24 hours. MR. MANN was unable to having the limited gaming allowed under the supper club requirements.

CHAIR TRUESDELL feared that all the improvements represented do not have to be done if this special use permit is approved, and then the City would wind up with the same type of problem that previously existed on the property. MR. MANN reasoned that he has to comply with all the City codes and requirements as well as with the requirements of the lender in order to open for business.

In reviewing the site plan, COMMISSIONER GOYNES inferred that the supper club space is not sufficient and wondered what meals would be served. MR. MANN pointed out that the upper level has an entire restaurant with seating, full kitchen and bar. The plans for the first and second floors will be redesigned.

COMMISSIONER GOYNES stressed that it is important to ensure profitability for this supper club, or else the bottom floor will be rented out to anybody in order to make a profit, which will create problems for the residents.

Since the justification letter represented that the supper club would close at 11:00 p.m., COMMISSIONER QUINN indicated she could not move forward on this matter without the applicant first holding a neighborhood meeting with the Spanish Oaks residents. She suggested holding this matter in abeyance.

COMMISSIONER EVANS and CHAIR TRUESDELL agreed that it would be better for the applicant to hold a neighborhood meeting and obtain the support of the residents. They also advised MR. MANN that he should come back better prepared and present building elevations with color schemes, landscaping plans and a business plan to ensure the success of the supper club. MR. MANN understood the requests of the Commissioners and requested this matter be held in abeyance to allow him time to prepare a more detailed description of what he intends for the site.

CHAIR TRUESDELL declared the Public Hearing closed.