

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
TXT-37811	Staff recommends APPROVAL.	N/A



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** PROPOSED AMENDMENT(S) **

1. Table 2 of Title 19.04.010 is hereby amended by adding to the “Retail and Personal Services” element thereof an entry for the use “Beer/Wine/Cooler Cultural Establishment” reading as follows:

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
<u>Beer/Wine/Cooler Cultural Establishment</u>	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
																	<u>S</u>	<u>S</u>		<u>S</u>	<u>S</u>
Description: An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers, for consumption only, at a facility licensed as an art sales/display establishment or art studio and during the hours of an artistic exhibition, presentation or performance. The use is limited to the area located within the boundaries of the Las Vegas Arts District, as described in the Downtown Centennial Plan and as amended from time to time.																					
Minimum Special Use Permit Requirements: 1. No Gaming is permitted as part of this Special Use Permit. 2. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.																					
On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.																					

2. Table 2 of Title 19.04.010 is hereby amended by amending the entry for the use “Museum or Art Gallery (Private),” as found in the “Retail and Personal Services” element of Table 2, to read as follows:

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
<u>Museum or Art Gallery Sales and Display (Private)</u>	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
													S	P	P	P	P	P	P	P	P
Description: A privately-operated facility or area for the acquisition, <u>sale</u> , preservation, study, and exhibition of works of artistic, historic or scientific value.																					
On-site Parking Requirement: One space per 300 square feet of gross floor area.																					

3. Title 19.20.020 is hereby amended by amending the definition of the term “Museum or Art Gallery (Private),” to read as follows:

“Museum or Art Gallery Sales and Display (Private)” means a privately-operated facility or area for the acquisition, preservation, study, and exhibition of works of artistic, historic or scientific value.

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4. Title 19.20.020 is hereby amended by adding thereto the following term and its corresponding definition:

“Beer/Wine/Cooler Cultural Establishment” means an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers, for consumption only, at a facility licensed as an art sales/display establishment or art studio and during the hours of an artistic exhibition, presentation or performance. The use is limited to the area located within the boundaries of the Las Vegas Arts District, as described in the Downtown Centennial Plan and as amended from time to time.

5. Section VII (D)(2)(5) of the Las Vegas Downtown Centennial Plan, “18b The Las Vegas Arts District,” is hereby amended by amending the “Museum or Art Gallery-Private” use under the category of “Retail and Personal Services” as follows:

- ~~Museum or Art Gallery~~ Sales and Display-Private

6. Section VII (D)(2) of the Las Vegas Downtown Centennial Plan, “18b The Las Vegas Arts District,” is hereby amended by adding the “Outdoor Event” category of “Permitted Uses” as follows:

10. Outdoor Events

- Must take place on the same site as, and is in conjunction with, the operation of an established commercial business with a valid business license for that site
- Outdoor events are limited to Thursday s, Fridays, Saturdays and Sundays
- Outdoor events are limited to the hours of 10 am to 12 am
- Measures to prevent or reduce nuisance factors such as glare, excessive illumination noise, vibration, smoke, dust, dirt, odors, gases and heat must be in place
- Provision for sanitary facilities and for waste collection and disposal must be provided
- Measures to promote safety and security must be provided
- Outdoor events that are outside of the limits of the days and times stated above shall require the approval of a Temporary Commercial Permit pursuant to Title 19.18.

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**** STAFF REPORT ****

EXECUTIVE SUMMARY

This action is to amend Title 19.04, 19.18, 19.20 and the Downtown Centennial Plan to add the Beer/Wine/Cooler Cultural Establishment, to not require outdoor events in the Arts District to obtain a Temporary Commercial Permit and to amend the use of Museum or Art Gallery.

BACKGROUND INFORMATION

The Downtown Centennial Plan sets forth a long-term strategy to re-establish Downtown Las Vegas as the region's premier artistic, cultural, civic, financial and urban residential center of the valley. Downtown is becoming a destination that tourists, residents, and business people seek out for its employment and residential opportunities, ease of access, and unique cultural opportunities. The 18b Arts District has become part of these unique cultural opportunities. In order to further the goals of the Downtown Centennial Plan and the 18b Arts District additional opportunities for cultural events need to be made available. The proposed changes to Title 19 and the Downtown Centennial Plan will do so by adding a specific alcohol use for cultural events, removed misconceptions about art sales and their occupancy requirements and removing administrative requirements for out events.

ANALYSIS

Currently, art galleries, art studios and performing arts theaters within the 18b Arts District who wish to hold cultural events and serve wine must seek a special event permit for each event. The special event permit must be approved by the City Council. This process is restrictive and cumbersome. The addition of the Beer/Wine/Cooler Cultural Establishment use will allow for art galleries, art studios and performing arts theaters within the 18b Arts District to hold events with limited alcohol and no longer have to seek permission for each event.

The term Art Gallery has lead to some Art Retail locations to be classified as assembly occupancy. This classification may require upgrading ingress and egress and fire sprinklers. The proposed change would better define the use of selling and displaying art versus an establishment which displays art for the public to view.

The outdoor display of all forms of art as part of an event is vital to the success of any Arts District. The proposed changes would allow as a permitted use outdoor events with displays without the need for a Temporary Commercial Permit. These events would be limited to certain days and times. Those doing the events will still be required to reduce the impact of the event on the surrounding properties. Outdoor events that take place outside of the days and time limits could still apply for a Temporary Commercial Permit.

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NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0