



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: CHRONIC TACO - OWNER: TRAILS VILLAGE CENTER COMPANY

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-37871	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37871 CONDITIONS

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for a Supper Club use, including parking requirements.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SV-0033-96) shall be required.
3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 3,728 square-foot Supper Club at 1910 Village Center Circle, Suites #1 and #2. The subject suite is currently vacant, was previously utilized for a restaurant, and is located within an existing 174,817 square-foot Shopping Center. The proposed use is compatible with the surrounding adjacent uses, is allowed with the approval of a Special Use Permit and is consistent with the VC (Village Commercial) Summerlin Land Use designation; therefore, staff is recommending approval of this request. If this application is denied, a supper club use will not be allowed at the site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/03/87	The City Council approved a request (Z-0044-87) to Rezone property from N-U (Non-Urban) to PC (Planned Community) generally located between Lake Mead Boulevard and Summerlin Parkway west of Rampart Boulevard. The Planning Commission and staff recommended approval.
12/18/96	The City Council approved a request (U-0126-96) for a Special Use Permit to allow a Package Liquor use on property located on the northwest corner of Village Center Circle and Trailwood Drive. The Board of Zoning Adjustment and staff recommended approval.
01/08/97	The Planning and Development Department administratively approved a request (SV-0033-96) to allow a 19.48 acre retail shopping center on the west side of Village Center Circle between Trailwood Drive and Trails Center Drive.
03/09/98	The City Council approved a request (U-0008-98) for a Special Use Permit for a Packaged Liquor use on property located on the northwest corner of Village Center Circle and Trailwood Drive. The Planning Commission and staff recommended approval.
04/13/98	The City Council approved a request (U-0016-98) for a Special Use Permit to allow the on-premise sale of beer and wine in conjunction with a proposed restaurant with a waiver of the minimum 400-foot separation distance requirement from a city park on property located on the northwest corner of Village Center Circle and Trailwood Drive. The Planning Commission and Staff recommended approval.
02/16/00	The City Council approved a request (U-0157-99) for a proposed 4,475 square-foot Supper Club in conjunction with an existing shopping center on at 1930 Village Center Circle. The Planning Commission and staff recommended approval.

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03/03/04	The City Council approved a request (SUP-3542) for a Special Use Permit for a Supper Club with a Waiver of the distance separation requirements at 1916 Village Center Circle, Suite #7. Planning Commission and staff recommended approval.
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<i>Most Recent Change of Ownership</i>	
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05/30/97	A deed was recorded for a change in ownership.
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<i>Related Building Permits/Business Licenses</i>	
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08/26/98	A business license (R09-00879) was issued for a restaurant with more than 45 seats at 1910 Village Center Circle, Suite #9. The license was marked out of business on 11/25/08.
08/26/98	A business license (L09-00147) was issued for a beer/wine/cooler on-sale at 1910 Village Center Circle, Suite #9. The license was marked out of business on 06/20/07.
06/08/99	A business license (R09-00937) was issued for a restaurant with more than 45 seats at 1910 Village Center Circle, Suite #1. The license was marked out of business on 02/06/08.
04/10/02	A business license (R07-00525) was issued for a restaurant with less than 45 seats at 1910 Village Center Circle, Suite #7. The license is still active.
03/09/10	A building permit (158097) was issued for interior demo at 1910 Village Center Circle, Suite #1. The permit has not been finalized.
03/30/10	A building permit (159752) was issued for a tenant improvement to receive a certificate of occupancy for a restaurant at 1910 Village Center Circle, Suite #1. The permit has not been finalized.

<i>Pre-Application Meeting</i>	
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03/29/10	A pre-application meeting was held on the indicated date and the following items were discussed: • A Special Use Permit is required for a Supper Club use. The submittal requirements for a Special Use Permit were discussed. • A minimum of 125 seats must be made available at all times the business is open. • A barrier between the bar and restaurant must be provided to prohibit access to the bar area by minors.
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<i>Neighborhood Meeting</i>	
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A neighborhood meeting is not required, nor was one held.	
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Field Check	
04/22/10	A field check was completed on the indicated date. The following items were observed by Planning and Development staff: • A well maintained shopping center free of trash and debris.

Details of Application Request	
Site Area	
Net Acres	20.02

Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Shopping Center	VC (Village Commercial Summerlin Land Use Designation)	P-C (Planned Community)
North	Recreation Center / Park	P (Park)	P-C (Planned Community)
South	Shopping Center	VC (Village Commercial Summerlin Land Use Designation)	P-C (Planned Community)
East	Single-Family Residences	SF3 (Single Family Detached – 10 Units per Acre)	P-C (Planned Community)
West	Shopping Center	VC (Village Commercial Summerlin Land Use Designation)	P-C (Planned Community)

Master Plan Areas	Yes	No	Compliance
Master Plan Area			
Summerlin	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
P-C (Planned Community) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	174,817 SF	1:250	686	14	877	21	Y
TOTAL SPACES REQUIRED							Y
TOTAL (With Handicapped)			700		898		Y

ANALYSIS

The applicant is proposing a 3,728 square-foot Supper Club located within a shopping center. The proposed use is consistent with the conditions of approval for a Supper Club use. Also, the proposed use is compatible with adjacent uses within the shopping center as there are similar restaurants within the center.

The proposed floor plan depicts a dining room capable of seating 139 guests, with a 1,476 square-foot interior dining room with seating available for 99 guests and a 1,300 square foot outdoor dining patio available for 40 guests. The remaining 952 square feet is dedicated as back of house area. The floor plan is in compliance with Title 19 which requires the site to have a minimum capacity for 125 guests; however, as the outdoor seating is necessary to meet this requirement, it must be available at all times during business hours. Also, the interior dining room includes a 13-seat indoor bar area separated from the indoor dining room by a 42-inch tall wall, which meets the Title 19 requirement that the bar area be separated from the restaurant area by a barrier sufficient enough to prevent access to the bar by minors.

The addition of the Supper Club use is compatible with Title 19, with the surrounding adjacent uses, is allowed in the P-C (Planned Community) zoning district with the approval of a Special Use Permit and is consistent with the VC (Village Commercial) Summerlin Land Use designation; therefore, staff is recommending approval of this request.

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FINDINGS (SUP-37871)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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 Supper Club use is located within a shopping center that can accommodate a variety of uses including retail sales, medical and professional offices, personal services, and restaurants. The addition of a Supper Club use within this shopping center is consistent with the VC (Village Commercial) Summerlin Land Use designation.

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

The subject site is physically suitable for the proposed Supper Club use as it will be operated within an existing shopping center with adequate parking and access.

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 has shared access to existing driveways onto Village Center Circle, a 100-foot Primary Arterial, and Trails Center Drive, a Local Street, as designated by the Master Plan of Streets and Highways. The proposed use will not increase the intensity of the existing use, and therefore, the roadways are adequate in size.

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 site will be subject to permitting, annual inspections and licensing by the City of Las Vegas, and will not compromise the public health, safety, and welfare, or the overall objectives of the General Plan.

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

The proposed use meets all applicable conditions of Title 19.04.

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NOTICES MAILED 1,101

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