



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 29, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: ARCHWAY STUDIOS, INC. - OWNER: S & F GENESEE, LLC, ET AL

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-38591	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-38591 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Urban Lounge use.
2. This approval shall be void two years 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.
3. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.

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6.This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

7.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 4,324 square-foot Urban Lounge located at 1025 South 1st Street, which is located in the 18b Las Vegas Arts District. Currently, the space is an unoccupied 6,985 square-foot building. The proposed use requires no Waivers of Title 19 standards, meets all the Title 19.04 standards for an Urban Lounge and can be conducted in a manner that is harmonious and compatible with existing surrounding land uses; therefore, staff recommends approval. If this request is denied, the proposed use will not be permitted at this location and the building would remain vacant.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
04/15/09	The City Council approved a request for Rezoning (ZON-33008) from C-M (Commercial/Industrial) and C-2(General Commercial) to C-2 (General Commercial). The Planning Commission and staff recommended approval.
04/15/09	The City Council approved a request for a Site Development Plan Review (SDR-33087) at 1025 South 1 st Street for an Office and Retail Development consisting of a two-story 43,110 square-foot building, a two-story 51,630 square-foot building, and a eight-story parking garage with 78,280 square feet of commercial space with a Waiver of the Downtown Centennial Street Standards for a portion of the frontage on Casino Center Boulevard. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
04/30/10	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
C.1951	The building was constructed in 1951.
01/25/90	A building permit (90054364) was issued for an interior remodel. The permit was expired on 02/07/04.
03/20/90	A building permit (90061230) was issued for electrical. The permit was finaled on 04/05/90.
02/10/93	A building permit (93175407) was issued for reroofing. The permit was finaled on 06/23/93.
02/11/08	A business license (B10-02477) was issued for Building Supplies/Hardware at 1025 South 1 st Street; the licensee has vacated the building.

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09/18/08	A business license (A48-00188) was issued for an Art Gallery-Retail at 1025 South 1 st Street; the license was expired on 05/15/10.
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<i>Pre-Application Meeting</i>	
05/21/10	A pre application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed. Topics included: • There was a discussion about the minimum Special Use requirements regarding an Urban Lounge use. • No patio seating will be provided. • Any DJ's, bands or live entertainment will require additional licenses.

<i>Neighborhood Meeting</i>
A neighborhood meeting is not required for this application, nor has one been conducted.

<i>Field Check</i>	
06/24/10	Staff conducted a field check of the subject property and noted a vacant former Art Gallery.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	.16

<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	Vacant	MXU (Mixed Use)	C-2 (General Commercial)
North	Vacant	MXU (Mixed Use)	C-2 (General Commercial)
South	Art Galleries/ Restaurant	C (Commercial Downtown Land-Use)	C-2 (General Commercial)
East	Vacant	MXU (Mixed Use)	C-2 (General Commercial)
West	Industrial/ Commercial shops	MXU (Mixed Use)	C-M (Commercial/ Industrial)

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Master Plan Areas	Yes	No	Compliance
Master Plan Area			
Downtown Centennial Plan (18b Las Vegas Arts District)	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		Y
A-O (Airport Overlay) District (200 Feet)	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
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

DEVELOPMENT STANDARDS

Per Title 19.04.010 and Title 6.50, the following standards apply:

Urban Lounge Requirements	Bar Seats	Lounge Seats (Required: 2 per bar seat)	Compliance
Urban Lounge	21	85	Y

ANALYSIS

This request is for a Special Use Permit to allow an Urban Lounge at 1025 South 1st Street. An Urban Lounge is defined by Title 19 as “an establishment that is licensed for the sale of alcoholic beverages for consumption on the premises where the same are sold, and the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.” To qualify as an Urban Lounge, the proposed use must meet all three minimum Special Use Permit requirements: the use must be within the boundaries of the Las Vegas Arts District; for each seat provided at the bar of the establishment, there must be a minimum of two seats within a lounge area located away from the bar; and the use is subject to the provisions of Chapter 6.50 relating to liquor control.

The proposed use is located at the northeast corner of Boulder Avenue and 1st Street. This area is within the boundaries of 18b, the Las Vegas Arts District. The total floor area of the proposed use is 4,324 square feet, seating 106 patrons. The floor plan shows twenty-one seats at the bar and eighty-five additional seats within the lounge area. This proposed floor plan meets the minimum requirements for a Special Use Permit.

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Per Title 19.06.060, projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. Parking for an Urban Lounge use is determined on a case-by-case basis. There is no on-site parking; parking will be accommodated on surrounding streets and within existing parking structures in the downtown area.

The proposed use meets all of the minimum Special Use Permit requirements of Title 19.04 for an Urban Lounge, and can be conducted in a manner that is harmonious and compatible with existing surrounding land uses. Therefore, staff recommends approval.

FINDINGS (SUP-38591)

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 use can be conducted in a manner that is harmonious and compatible with the use in the existing site and with the uses on adjacent properties.

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

The subject site is physically suitable for the type and intensity of the proposed use. The proposed Urban Lounge use is located in the Downtown Centennial Plan (18b Las Vegas Arts District); as such, the parking standards of Title 19 are not automatically applied. Parking for an Urban Lounge use is determined on a case-by-case basis.

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.

Site access is provided from 1st Street and Boulder Avenue, both 80-foot rights-of-way. These streets provide adequate access to and from the subject property.

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.

Approval of the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections.

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

The proposed lounge meets all applicable requirements for an Urban Lounge and complies with the minimum Special Use Permit Requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 480

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