



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 29, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: GROUND HOG 1, LLC - OWNER: CHARLESTON ASSOCIATES, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-38501	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-38501 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Supper Club 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. 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 Supper Club use at 740 South Rampart Boulevard, Suite #7. The subject site is located within an existing 641,664 square-foot shopping center. The shopping center is capable of accommodating a variety of uses, and the addition of a Supper Club within this center is compatible with existing land uses. Therefore, staff recommends approval. 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>	
04/27/98	The City Council approved a request for a Rezoning (Z-0012-98) on property located on the southeast corner of Rampart Boulevard and Alta Drive, from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial) to PD (Planned Development). Proposed use: 248 room, five-story, non-gaming hotel, 650 seat amphitheater, 535,200 square foot retail, 57,600 square foot office, 125 unit condominium complex, a four-story parking garage, and a six-story parking garage. The Planning Commission recommended approval.
04/18/01	The City Council approved a request for a Master Sign Plan Review [Z-0012-98(3)] for property located at the southeast corner of the intersection of Alta Drive and Rampart Boulevard (Boca Park, Phase III). The Planning Commission recommended approval.
07/05/01	The City Council approved a request for a Special Use Permit (U-0054-01) for a 6,218 square foot Supper Club on 1.15 acres on the east side of Rampart Boulevard, approximately 220 feet north of Charleston Boulevard within Boca Park Phase 1. The Planning Commission recommended approval.
11/06/01	The Planning and Development Department administratively approved a request for a Site Development Plan Review [Z-0012-98(4)] for a proposed 50,750 square-foot retail shell building and 23,047 square-foot retail shell building on a portion of 41.87 acres on the east side of Rampart Boulevard, approximately 1,200 feet south of Alta Drive.
02/20/02	The City Council approved a Special Use Permit (U-0151-01) for a Supper Club in conjunction with a proposed restaurant (Cheesecake Factory) on property located adjacent to the east side of Rampart Boulevard, approximately 750 feet south of Alta Drive. The Planning Commission recommended approval.

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12/21/05	The City Council approved a Special Use Permit (SUP-9430) for a proposed Supper Club located along the east side of Rampart Boulevard, approximately 900 feet south of Alta Drive. The Planning Commission and staff recommended approval on 11/17/05. This approval was for the subject site, but expired when the use was not exercised.
06/21/06	The City Council approved a Special Use Permit (SUP-12804) for a Beer/Wine/Cooler On-Sale Establishment at 750 South Rampart Boulevard Suite #7. The Planning Commission recommended approval.
11/15/06	The City Council approved a Special Use Permit (SUP-16488) for a Supper Club at 740 South Rampart Boulevard, Suite #4. The Planning Commission and staff recommended approval.
10/07/09	The City Council approved a Special Use Permit (SUP-35154) for a Supper Club for a proposed 3,658 square-foot Supper Club within a former restaurant at 750 South Rampart Boulevard, Suite #7. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership

12/23/04	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

02/22/02	A building permit (#02003057) was issued for Shell Building #7 for Certificate of Completion at 740 South Rampart Boulevard. The project was completed on 04/28/03.
09/19/02	A building permit (#02017086) was issued for a Tenant Improvement at 740 South Rampart Boulevard Suite #7. The project was completed on 01/13/03.
01/30/03	A business license (F07-01762) was issued for a Furniture Store at 740 South Rampart Boulevard Suite #7. The license was marked out of business on 06/10/09.

Pre-Application Meeting

05/24/10	A pre-application meeting was held where elements of submitting a Special Use Permit for a Supper Club were discussed.
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Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.	
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Field Check	
06/24/10	Staff conducted a field check and noted a well maintained, vacant suite within a shopping center.

Details of Application Request	
Site Area	
Net Acres	6.04

Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Shopping Center	SC (Service Commercial)	PD (Planned Development)
North	Shopping Center	SC (Service Commercial)	PD (Planned Development)
South	Shopping Center	SC (Service Commercial)	PD (Planned Development)
East	Shopping Center	SC (Service Commercial)	PD (Planned Development)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	Yes	No	Compliance
Master Plan Area			
Boca Park Phase III Master Development Plan	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
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	641,664 SF	1:250 SF	2,567				
TOTAL SPACES REQUIRED			2,567		2,639		
TOTAL (With Handicapped)			2,531	36	2,639	36	

ANALYSIS

The applicant is proposing a Supper Club located within the Boca Park shopping center. The proposed use is consistent with the conditions of approval for a Supper Club use. The proposed use is compatible with adjacent uses within Boca Park as there are similar restaurants within the center.

A revised floor plan was submitted and depicts 3,250 square feet for the proposed Supper Club. Per Title 19.04, the dining area does not include bar stool seating at the bar or lounge seating, but may include table or booth seating within the bar area and table seating within a patio area. The proposed floor plan depicts the dining area, bar dining and patio dining seating available for 125 guests, while the bar counter has seating available for 21 guests. The floor area of the restaurant is 1,601 square feet. The total remaining area of the restaurant is 1,649 square feet. The addition of the Supper Club will be compatible with similar uses as conditioned; therefore, staff recommends approval of this request.

FINDINGS (SUP-38501)

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 is located within the Boca Park shopping center, and can be conducted in a manner that is harmonious with the existing and future land uses as projected by the General Plan.

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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 Supper Club use.

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 Charleston Boulevard and Rampart Boulevard, both a 100-foot Primary Arterial as designated in the Master Plan of Streets and Highways. These streets are of sufficient size to accommodate the needs for the proposed Supper Club use.

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 for business licensing.

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

The proposed Supper Club use meets all minimum requirements of the applicable conditions per Title 19.04

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 1,373

APPROVALS 9

PROTESTS 1