



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 29, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: APPLICANT: CHOICES PUB, GRILL AND SHOWROOM -
OWNER: CHARLESTON HEIGHTS DEVELOPMENT, LLC**

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-38519	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-38519 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Night 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. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
July 29, 2010 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit to add a proposed Night Club use to an existing 4,807 square-foot Tavern located within a shopping center at 6720 West Cheyenne Avenue. Staff recommends approval as the proposal meets the minimum requirements for the additional Night Club use as listed in Title 19.04 and find that the use will have minimal adverse impact on the surrounding area. If denied, the Night Club use would not be allowed at this location; however, the Tavern use would be entitled to continue at this location.

ISSUE

- A tavern use was approved at this site prior to the requirement for a Special Use Permit for a tavern and is a legally non-conforming use. Records indicate that the entitlement for the Tavern use was approved in conjunction with the plot plan review [Z-0071-78(1)] for a shopping center with a tavern.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/06/78	The City Council approved a rezoning (Z-0071-78) that included a site plan for a shopping center. Planning Commission voted to recommend approval.

<i>Most Recent Change of Ownership</i>	
07/25/06	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
04/21/10	The business licenses for a Restaurant (R09-00217) and a Tavern (L16-00019) at 6720 West Cheyenne Avenue became inactive and were marked out-of-business as of 4/21/10.
05/10/10	A Certificate of Occupancy was issued by the department of Building and Safety for 4,807 square foot Tavern.
05/13/10	Building permit #157607 was approved to allow for a one-time, 1,000 square-foot expansion of a legally non-conforming Tavern.
06/16/10	The City Council approved the request for an extension of a Temporary License (L16-93483) for a Tavern located at 6720 West Decatur Boulevard.
07/01/10	A six month conditional Temporary License (L16-93483) was issued with an expiration date of 01/01/11. The license has been conditioned forbidding the sale of alcoholic beverages in the showroom for events with attendees under the age of twenty-one years.

Staff Report Page Two
July 29, 2010 - Planning Commission Meeting

<i>Pre-Application Meeting</i>	
05/14/10	Staff met with the applicant to discuss the Special Use Permit requirements for adding a proposed Night Club use to an existing Tavern use.

<i>Neighborhood Meeting</i>	
06/30/10	A voluntary neighborhood meeting was held at this subject site. One resident attended along with three representatives for the applicant and two city staff members. There was no opposition to the request.

<i>Field Check</i>	
06/24/10	Staff conducted a field check and found this shopping center to be clean and well maintained. There were no outstanding issues found with the Tavern.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.34

<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	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Day Care/Medical Office/Auto Repair	SC (Service Commercial)	C-1 (Limited Commercial), O (Office)
West	Right-of-Way (US-95)	Right-of-Way (US-95)	Right-of-Way (US-95)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Airport Overlay – 140 feet	X		Y
Special Purpose and Overlay Districts		X	NA
Trails		X	NA
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

Staff Report Page Three
July 29, 2010 - Planning Commission Meeting

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 (Night Club)	53,885 sq. ft.	1 per 250 sq. ft. for Shopping Center	216		520		Y
TOTAL SPACES REQUIRED			216		520		Y
TOTAL (With Handicapped)			209	7	495	25	Y

ANALYSIS

The applicant would like to expand the entertainment options at the existing Tavern to seven days a week. The current tavern license only permits entertainment three days a week, hence the need for a Special Use Permit for a Night Club use. According to the justification letter submitted with the application, the venue would offer live jazz on Sunday afternoons; karaoke on Sunday and Wednesday evenings, with rotating live bands on Monday, Friday and Saturday evenings. Country music would be offered on Tuesday nights with Thursday being used as an open microphone night.

The Tavern is located within an existing shopping center and thus no additional parking would be required for the expanded Night Club Use. As no adverse affects have been identified, staff recommends approval of the request.

FINDINGS (SUP-38519)

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 Night Club Use will be located within an existing tavern located within a larger shopping center. The proposed use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties.

Staff Report Page Four
July 29, 2010 - Planning Commission Meeting

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

The site is physically suitable for the type and intensity of the proposed use. No additional parking requirements are required for the proposed use as it is located within a shopping center.

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 Cheyenne Avenue, a 100-foot Primary Arterial and Rainbow Boulevard, an 80-foot Secondary Collector as designated in the Master Plan of Streets and Highways. These streets are of sufficient size to accommodate the needs of the proposed Night 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 by Business Licensing.

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

Yes. The proposed use will be located within an existing Tavern. There are no minimum requirements for the Night Club use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

10

NOTICES MAILED

201

APPROVALS

1

PROTESTS

2