



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 26, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CARDIVAN COMPANY DBA 9965 - OWNER:
PLAZA SOUTH SUN CITY, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-38767	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-38767 CONDITIONS

Planning and Development

1. Approval of this Special Use Permit does not constitute approval of a gaming license.
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. 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

Since this project is located within the boundaries covered by the Summerlin Development Agreement, all gaming-related activities require a Special Use Permit. This is a request for a Special Use Permit for Gaming (Restricted), to be added to an existing 14,000 square-foot Drug Store, located at 9430 Del Webb Boulevard that is within the Sun City Summerlin area. Ten gaming machines are to be located to the right of the entry way of the store. If denied, the proposed use will not be permitted at this location. Staff is recommending approval with conditions of the request, as it is a permitted use within the P-C (Planned Commercial) zoning designation at 9430 Del Webb Boulevard, has had gaming in the past, and can be conducted in a manner that is compatible with surrounding land uses.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
No actions are on file.	

<i>Most Recent Change of Ownership</i>	
06/06/05	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
01/20/10	A Tenant Improvement Permit (136519 TI) was approved for a new CVS Pharmacy.
11/20/09	A Business License for Retail Tobacco (C05-01542-B-001639) was issued and is still active.
11/20/09	A Business License for a Drug Store (D11-00123-3-001639) was issued and is still active.
11/20/09	A Business License for Package Liquor (L15-00169-4-001639) was issued and is still active.
11/20/09	A Business License for Pharmacists (Q04-0018-5-001639) was issued and is still active.

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<i>Pre-Application Meeting</i>	
06/23/2010	A pre-application meeting was held where the submittal requirements for a Special Use Permit were discussed with the following items: • Title 6.40.140(B) allows up to 15 slots for stores with more than 5,000 square feet; the CVS store is 14,000 square feet • No distance separation requirements exist for this site • No additional parking is required for the proposed additional use

<i>Neighborhood Meeting</i>
No neighborhood meeting was required nor held for this proposal.

<i>Field Check</i>
07/22/10 Staff inspected the property and found a well maintained shopping center.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.58

<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	Retail	Commercial (Sun City Summerlin)	P-C (Planned Community)
North	Office	Commercial (Sun City Summerlin)	P-C (Planned Community)
South	Single-Family Residences	Single Family Homes (Sun City Summerlin)	P-C (Planned Community)
East	Golf Course	Golf Course/Common Area (Sun City Summerlin)	P-C (Planned Community)
West	Single-Family Residences	Garden Home (Sun City Summerlin)	P-C (Planned Community)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Sun City Summerlin	X		Y

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DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

According to Title 19A16, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	34,198 SF	1 per 250 SF	137		146		Y
TOTAL SPACES REQUIRED			137		146		Y
TOTAL (With Handicapped)			132	5	138	8	Y
Loading Spaces	34,198	3 for 30,000 to 50,000 SF	3		3		Y

ANALYSIS

This is a request for a Special Use Permit for a Gaming (Restricted) use which according to Title 19 is defined as “a building or structure which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Title 6.” Title 6.40 allows up to fifteen gaming machines if the location contains more than 5,000 square feet of floor area. The existing building floor area is 14,000 square-feet but the applicant is only requesting ten machines that will be located adjacent to the entrance of the drug store. There is no alcohol sold on the premises.

No additional parking is required for a Gaming (Restricted) use. There are no minimum use conditions for the Special Use Permit and the use can be conducted in a manner that is compatible with existing and surrounding land uses; therefore, staff recommends approval of this request.

FINDINGS (SUP-38767)

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.**

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The proposed Gaming (Restricted) use can be conducted in a manner that is harmonious and compatible with the existing surrounding commercial uses. The proposed use will be operated in conjunction with the existing Drug Store.

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

The subject site has ample space on-site for parking that makes it physically suitable for the proposed Gaming (Restricted) 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.

Access to the site is via Sun City Boulevard and Del Webb Boulevard. Both are designated as 100-foot Primary Arterials by the Master Plan of Streets and Highways. These thoroughfares are capable of accommodating the traffic flow created by the site and the 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.

If approved, the proposed use on this site will be subject to periodic inspection by regulatory agencies for business licensing and environmental health, and it will therefore 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 Gaming (Restricted) use meets all applicable conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

NOTICES MAILED

565

APPROVALS

7

PROTESTS

3