



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: BJ'S RESTAURANT OPERATIONS COMPANY -

OWNER: CENTENNIAL CENTRE, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-41021	Staff recommends APPROVAL, subject to conditions:	SDR-41022
SDR-41022	Staff recommends APPROVAL, subject to conditions:	SUP-41021

** CONDITIONS **

SUP-40121 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Supper Club use.
2. Special Use Permit (SUP-10128) and Special Use Permit (SUP-10129) are expunged upon the exercising of this proposal.
3. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-40122) shall be required.
4. 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.
5. 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.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

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7. Approval of this Special Use Permit does not constitute approval of a liquor license.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-40122 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-40122) shall be required, if approved.
2. Site Development Plan Review (SDR-10127) is expunged upon the exercising of this proposal.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 11/01/10, except as amended by conditions herein.
5. A Waiver from the Town Center Development Standards is hereby approved, to allow seven parking lot landscape islands where nine parking lot landscape islands are required.
6. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 11/01/10. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.
7. 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.
8. At the time an application is made for a sign permit, the applicant must demonstrate compliance to the Centennial Centre Development Criteria and Guidelines.

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9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
10. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
12. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
15. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
16. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. This pad site must always allow for the perpetual common access between the various parcels/owners within the Centennial Centre (Commercial Subdivision) area.
19. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.
21. Comply with all applicable previous conditions of approval for Z-76-88 and all other site-related actions.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review (SDR-40122) and Special Use Permit (SUP-40121) for a proposed 9,018 square-foot Supper Club on 1.96 acres at 5881 Centennial Center Boulevard. The proposed Site Development Plan Review is accompanied by a requested Waiver of the Town Center Development Standards to allow seven landscape islands where nine are required. The site is currently undeveloped but currently retains entitlements for a 10,000 square-foot tavern with a Restricted Gaming use that will expire on 1/18/2011.

Staff recommends approval of the requested Special Use Permit (SUP-40121) and Site Development Plan Review (SDR-40122) for a proposed Supper Club, as the development is in substantial compliance with the Town Center Development Standards Manual, the Centennial Centre Design Guidelines, and the minimum Special Use Permit requirements listed in Title 19.04 for the Supper Club use. If denied, the entitlements for a 10,000 square foot Tavern with Restricted Gaming would be intact until 1/18/2011, unless additional extensions of time are approved.

ISSUES

- The SC-TC (Service Commercial - Town Center) land use designation requires an approved Special Use Permit to operate a Supper Club Use.
- The proposed parking lot landscaping will require a Waiver to allow seven landscape islands where the Town Center Design Standards require nine parking lot landscape islands.
- The applicant does not propose a Gaming, Restricted use as part of the Supper Club use.
- There are existing entitlements (SDR-10127, SUP-10128, and SUP-10129) that will need to be expunged if these requests are approved and exercised.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/07/98	The City Council approved a request for Rezoning (Z-0076-98) on property located within the area designated Town Center, Northwest Amendment to the General Plan from U (Undeveloped), R-E (Residence Estates), R-PD7 (Residential Planned Development- 7 Units per Acre), RPD11 (Residential Planned Development- 11 Units per Acre), R-PD13 (Residential Planned Development- 13 Units per Acre), R-PD18 (Residential Planned Development- 18 Units per Acre), R-CL (Single Family Compact Lot), C-1 (Limited Commercial), C-2 (General Commercial), C-V (Civic), and PD (Planned Development) zones to T-C (Town Center) on 1,468 acres. The Planning Commission recommended approval on 11/05/98.

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02/08/99	The City Council approved a request for a Site Development Plan Review [Z-0076-98(1)] for a proposed retail development totaling approximately 827,000 square feet and seven proposed Automobile Dealerships on property located on the southwest corner of Centennial Parkway and US-95. The Planning Commission recommended approval on 12/17/98.
05/10/99	The City Council approved a request for a Required 90-Day Review [Z-0076-98(4)] for the frontage road landscaping/street section issue on property located on the southwest corner of Centennial Parkway and US-95.
01/18/06	The City Council approved a request for a Special Use Permit (SUP-10128) for a proposed Liquor Establishment (Tavern) adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. The Planning Commission recommended approval on 12/15/05.
01/18/06	The City Council approved a request for a Special Use Permit (SUP-10129) for a proposed Gaming (Restricted) Use adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. The Planning Commission recommended approval on 12/15/05.
01/18/06	The City Council approved a request for a Site Development Plan Review (SDR-10127) for a proposed 10,000 square-foot Restricted Gaming Use and Liquor Establishment (Tavern) on 1.96 acres adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. The Planning Commission recommended approval on 12/15/05.
11/21/07	The City Council approved a request for an Extension of Time (EOT-25080) of an approved Special Use Permit (SUP-10129) for a proposed Gaming (Restricted) Use adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. A one-year extension of time was approved for the Special Use Permit, expiring on 01/18/09 unless another extension of time is granted.
11/21/07	The City Council approved a request for an Extension of Time (EOT-25081) of an approved request for a Special Use Permit (SUP-10128) for a proposed Liquor Establishment (Tavern) Use adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. A one-year extension of time was approved for the Special Use Permit.
11/21/07	The City Council approved a request for an Extension of Time (EOT-25082) of an approved Site Development Plan Review (SDR-10127) for a proposed 10,000 square-foot Restricted Gaming Use and Liquor Establishment (Tavern) adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. A one-year extension of time was approved for the Special Use Permit.
12/03/08	The City Council approved a request for an Extension of Time (EOT-31316) of an approved Special Use Permit (SUP-10129) for a proposed Gaming (Restricted) Use adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. The entitlement is set to expire 1/18/2011, unless another extension of time is granted.

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12/03/08	The City Council approved a request for an Extension of Time (EOT-31317) of an approved a request for a Special Use Permit (SUP-10128) for a proposed Liquor Establishment (Tavern) Use adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. The entitlement is set to expire 1/18/2011, unless another extension of time is granted.
12/03/08	The City Council approved a request for an Extension of Time (EOT-31320) of an approved Site Development Plan Review (SDR-10127) for a proposed 10,000 square-foot Restricted Gaming Use and Liquor Establishment (Tavern) adjacent to the west side of Centennial Center Boulevard, approximately 800 feet southeast of Tropical Parkway. The entitlement is set to expire 1/18/2011.

Most Recent Change of Ownership

11/21/02	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

There have been no Building Permits or Business Licenses issued against this property.	
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Pre-Application Meeting

10/20/10	A pre-application meeting was held with staff to discuss the proposed Supper Club use to be located at 5881 Centennial Center Boulevard. The applicant was advised that three entitlements for a Tavern (SUP-10128), Restricted Gaming use (SUP-10129), and a 10,000 square foot Restaurant (SDR-10127) remain active until 01/18/2011 and will need to be expunged. In addition, the applicant was briefed regarding the specific development and signage standards established by the Town Center Master Plan and the Centennial Centre Development Criteria and Guidelines Master Sign Plan.
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Neighborhood Meeting

A neighborhood meeting is not required, nor was one held.	
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Field Check	
11/09/10	A field check was performed by staff with the following observations: • The Multi-Use Trail and streetscaping located along the northeast of the property is installed. • The subject site is the remaining undeveloped portion of the existing Shopping Center. • A portion of the parking lot to be utilized with this proposal has been installed and features the required parking landscape islands.

Details of Application Request	
Site Area	
Net Acres	1.96

Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Partially undeveloped and landscaped parking lot	SC-TC (Service Commercial - Town Center)	T-C (Town Center)
North	Retail Shopping Center	GC-TC (General Commercial - Town Center)	T-C (Town Center)
South	Detention basin	PF-TC (Public Facilities - Town Center)	T-C (Town Center)
East	Office	GC-TC (General Commercial - Town Center)	T-C (Town Center)
	Retail commercial uses		
West	Retail commercial uses	SC-TC (Service Commercial - Town Center)	T-C (Town Center)

Master Plan Areas	Yes	No	Compliance
Master Plan Area			
Town Center Master Plan	X		N
Centennial Centre	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		N
Trails	X		Y
Rural Preservation Overlay District		X	Y
Las Vegas Redevelopment Plan Area		X	Y
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

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DEVELOPMENT STANDARDS

Pursuant to the Town Center Development Standards Manual, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Setbacks			
• Front	15 Feet	15 Feet	Y
• Side	10 Feet	223 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	30 Feet	Y
Max. Building Height	Two Stories	Single Story	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Enclosed	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to the Town Center Development Standards Manual, the following standards apply:

Open Space Standards					
Standards	Required		Provided	Compliance	
Open Space	20%		29%	Y	
Right-of-Way Buffer	15-foot wide landscape buffer, in addition to any sidewalk, between the right-of-way and proposed use		15-foot wide hillside landscape buffer adjacent to Centennial Center Boulevard	Y	
Landscaping and Standards					
Standards	Required		Provided	Compliance	
	Ratio	Trees			
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces		15 Trees	18 Trees	Y

Street Name	Functional Classification of Street(s)	Governing Document	Street Width (Feet)	Compliance with Street Section
Centennial Center Boulevard	Town Center Frontage Road	Town Center Development Standards Manual	90	Y

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<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Town Center Frontage Road	A five-foot sidewalk and a four-foot landscape amenity zone with palm trees planted every 35feet.	A five-foot sidewalk and a four-foot landscape amenity zone with palm trees planted every 35 feet (existing).	Y

Pursuant to Title 19.04 and 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	
Supper Club (Shopping Center)	9,018 SF	1:250	36				
TOTAL SPACES REQUIRED			36		133		Y
Regular and Handicap Spaces Required			34	2	129	4	Y
Loading Spaces	9,018 SF	1 Loading Space per 10,000 SF	1		1		Y

<i>Waivers</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
One landscape island per six parking spaces (nine required).	Seven landscape islands in the parking lot.	Approval

ANALYSIS

The subject site is located within the Town Center Master Plan Area with the SC-TC (Service Commercial-Town Center) special land use designation. The SC-TC District is intended to primarily serve the Centennial Hills area with uses such as neighborhood shopping centers, theaters, bowling alleys, and other public/quasi-public uses. The proposed Supper Club use is allowed within the SC-TC District with an approved Special Use Permit and is the sort of neighborhood-level use that could be expected typical of this area. There are entitlements for a 10,000 square foot Tavern with Restricted Gaming use (SDR-10127, SUP-10128, and SUP-10129) that have been conditioned to be expunged if this proposal is approved.

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The proposed Supper Club use requires a minimum of 125 seats available at all times, a barrier sufficient to prevent access to the bar by minors, and that alcoholic beverages be served in conjunction with the service of food. The applicant stated during the pre-application meeting that there is no desire to apply for a Gaming, Restricted use. The provided floor plans show an 8,376 square-foot Supper Club divided into a dining and bar area with seating for 56 patrons that are physically separated from two additional dining areas with seating for 113 patrons. A 642 square-foot outdoor patio area located on the east side of the Supper Club provides additional seating for 48 customers, for a total of 217 seats. With the kitchen area and waiting area calculated in, the gross floor area of the proposed Supper Club is 9,018 square feet. There are no schools, churches, parks, or child care facilities within 400 feet of this proposal.

The site plan shows the proposed Supper Club use as a pad tenant within a Shopping Center located along Centennial Center Boulevard. Access to the site is by a driveway that extends north to Centennial Center Boulevard to an existing parking area near the front of the building. The proposed additional parking area is seamlessly integrated with the existing parking lot and perimeter landscaping.

The provided elevations show a single story building finished with a split-face gray masonry wainscoting topped with 16-inch square slate tile veneer for the tower and pilasters. The remaining building is finished in stucco painted Arabian red with the cornices painted dark chocolate. Black metal canopies are located over the front entrance and windows. All materials and finishes are completed in a tasteful manner and sufficiently meet the requirements listed by the Centennial Centre Design Guidelines.

Much of the landscaping on the site is established and will only need to be extended around the perimeter of the subject site. The applicant has proposed a suitable landscape palette that integrates well with the existing landscaping using similar landscape materials. The applicant is adding 36 trees to the site and over 1,000 shrubs and ground cover plants. Although the applicant has provided 18 parking lot trees where 15 trees are required, there is a slight deficiency in provided landscape islands. A waiver to allow seven parking lot landscape islands where nine are required has been requested with this application. Staff supports the requested waiver as the unique shape of the site and the arrangement of the existing parking lot makes the addition of two functional landscape islands difficult. The applicant is providing 29% landscaped open space where 20% is required to offset any perceived deficiency in landscaping. Also, the appropriate streetscape and Multi-Use Transportation Trail along Centennial Center Boulevard have been constructed prior to this proposal. The trash enclosure is incorporated into the building and is completely screened from public view, and the existing utility boxes are removed from the sidewalk and screened by both a retaining wall and landscaping.

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Staff recommends approval of this request, as the applicant has provided a proposal for a Supper Club that is suitable for the chosen location and is in sufficient compliance with the Town Center Development Standards Manual, the Centennial Centre Design Guidelines, and the minimum Special Use Permit requirements listed in Title 19.04 for the Supper Club use. If denied, the entitlements for a 10,000 square foot Tavern with Gaming, Restricted use would be intact until 01/18/2011, unless additional extensions of time are approved.

FINDINGS (SUP-40121)

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 to be located at the east end of a Shopping Center on a separate tenant pad. The proposed use will be located across Centennial Center Boulevard from other similar uses, to include a Restaurant directly across the street and another Restaurant and Tavern use located further north. South of the subject property is a detention basin that provides separation from other uses to the south.

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

The subject site still maintains entitlements for a proposed 10,000 square foot Tavern use with Gaming, Restricted use. This proposal is smaller in size and intensity of use in comparison to the previous approvals, and is therefore physically suitable for a 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.

The subject property is accessed from an existing 30-foot driveway via Centennial Center Boulevard, and is adequate to meet the requirements of 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.

The proposed Supper Club use will be subject to regular City inspections during building permitting and business licensing and will therefore not compromise the public health, safety and welfare.

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

The proposed Supper Club use meets all Minimum Special Use Permit requirements as required by Title 19.04 for such use. Staff recommends approval of this proposal as it is line with the previous approvals (SDR-10127, SUP-10128, and SUP-10129) for a 10,000 square foot Tavern with Restricted Gaming use proposed at this location.

FINDINGS (SDR-40122)

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1.The proposed development is compatible with adjacent development and development in the area;

The proposed Supper Club is part of an existing Shopping Center. The surrounding development is occupied by both small and large retail developments, restaurants, and other similar type uses. Signage for the proposed Supper Club is governed by the Centennial Centre Development Criteria and Guidelines. The development is compatible to adjacent land uses and in the architectural style of buildings in the area.

2.The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

The proposed Supper Club is suitable for the chosen location and is in sufficient compliance with the Town Center Development Standards Manual, in regards to landscaping and setbacks and the Centennial Centre Design Guidelines, in regards to material finishes and signage.

3.Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

The subject property will be accessed from Centennial Center Boulevard via an existing 30-foot driveway and is adequate to meet the requirements of the proposed use. The proposed Supper Club will be located on a tenant pad on the last remaining undeveloped portion of the existing shopping center and will accessed through an additional parking lot that will be provided in addition to the existing Shopping Center parking lot.

4.Building and landscape materials are appropriate for the area and for the City;

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Building and landscape materials are in compliance with standards and are appropriate for the area.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

Building design characteristics are compliant to the Town Center Design Guidelines, are not obnoxious or unsightly, and will be compatible with the surrounding area.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The site will be subject to inspections and will not compromise public health or safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 749

APPROVALS 2

PROTESTS 0