



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: DOWNTOWN GUITAR BAR, LLC - OWNER:
3RD & CHARLESTON, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-41046	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-41046 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for the Urban Lounge use.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. A revised site plan shall be submitted to and approved by the Department of Planning, prior to approval of a business license, to include one Van Accessible Parking Space.
4. 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 Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.

Conditions Page Two
April 12, 2011 - Planning Commission Meeting

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

8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

An Urban Lounge use is proposed within an existing Antique/Collectible Store use located at 1106 South 3rd Street. This location currently sells collectible guitars and would continue with the retail operations during daytime hours. The applicant is seeking approval of a Special Use Permit to operate the proposed Urban Lounge use during the evening hours, at which time no minors would be permitted within the establishment. The Urban Lounge use is sought in order to augment retail operations. The proposed use can meet all minimum requirements for an Urban Lounge and can be conducted in a manner that is harmonious and compatible with the surrounding land uses; therefore, staff recommends approval, with conditions. If denied, the Urban Lounge use would not be allowed at this location.

ISSUES

- The Special Use Permit is required for the Urban Lounge use for C-1 (Limited Commercial) zoned property within the Las Vegas Arts District.
- The site plan must be revised to show the appropriate Van Accessible Parking Space. A condition has been added for this requirement.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
03/25/82	The Board of Zoning Adjustment approved a Variance (V-0019-82) to allow eight parking spaces for a proposed restaurant and other commercial uses where 22 parking spaces are required at this site. Staff recommended denial.

<i>Most Recent Change of Ownership</i>	
12/30/03	A deed was recorded for a change in ownership.

**Staff Report Page Two
April 12, 2011 - Planning Commission Meeting**

<i>Related Building Permits/Business Licenses</i>	
08/05/10	A Business License (#S20-00539) was issued for a Secondhand Dealer, Class IV (Antiques/Collectibles) at 1106 South 3rd Street.
08/17/10	A Business License (#M17-00268) was issued for New Guitar Sales at 1106 South 3rd Street.
09/29/10	A Building Permit (#170643) was issued for a Tenant Improvement, which includes a coffee bar.

<i>Pre-Application Meeting</i>	
02/08/11	A pre-application meeting was held with staff to discuss the submittal requirements for a Special Use Permit to operate an Urban Lounge within a General Retail use. Staff briefed the applicant regarding the particular requirements for this type of use in 18b The Las Vegas Arts District.

<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Field Check</i>	
03/03/11	<p>A field check was performed by staff with the following observations made:</p> <ul style="list-style-type: none"> • The existing Antique/Collectible Store is located between two other retail suites and maintains a neat and clean appearance. • The alleyway behind the proposed Urban Lounge has access restricted with wrought iron gates.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.16

<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	General Retail	C (Commercial)	C-2 (General Commercial)
North	Undeveloped	C (Commercial)	C-2 (General Commercial)
South	Office	MXU (Mixed Use)	C-1 (Limited Commercial)

Staff Report Page Three
 April 12, 2011 - Planning Commission Meeting

East	Church	C (Commercial)	C-1 (Limited Commercial)
West	Office	C (Commercial)	C-2 (General Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Las Vegas Redevelopment Plan Area		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

<i>Parking Requirement - Downtown</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Base Parking Requirement Parking Ratio</i>	<i>Parking Requirement</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Commercial Retail	3,225 SF	1:300	11				
Urban Lounge	1,160 SF	-	-				
TOTAL SPACES RECOMMENDED			11		6		
Regular and Handicap Spaces Required			1	10	0	5	Y*

*Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table illustrates the requirements of the typical parking requirements within the Downtown Area. This request has been recommended for approval, subject to a condition of approval requiring revised site plans showing the required Van Accessible Parking Space.

Staff Report Page Four
April 12, 2011 - Planning Commission Meeting

ANALYSIS

The following three Special Use Permit Minimum Requirements for an Urban Lounge use must be met for approval: The proposed use must be within the boundaries of the Las Vegas Arts District; there must be two seats within a lounge area for each seat at the bar; and the use is to be subject to the provisions of Chapter 6.50 relating to liquor control. Regarding the first requirement, the proposed location for the Urban Lounge is within the boundaries of 18b, The Las Vegas Arts District. The floor plan shows no seats shown at the bar with 20 seats dispersed throughout the lounge area. The requirement for a three-foot wide pathway for emergency egress for public safety prohibits the placement of stools at the bar counter; hence, the absence of bar seating.

In regards to onsite parking, there are a number of factors that have been taken into consideration. The City of Las Vegas Board of Zoning Adjustment approved a Variance (V-0019-82) to allow eight parking spaces where the proposed commercial uses require 22 spaces on March 25th, 1982. Since this approval, this property has become part of the Las Vegas Centennial Plan, which does not automatically apply the parking requirements. The parking availability will meet parking demand, as this site has substantial pedestrian access to the Downtown Transportation Center, is located one block to the east of the Strip & Downtown Express – Bus Rapid Transit (BRT) Line, and has plenty of on-street parking within walking distance of this property. Additional consideration has been taken into account for the changing parking demands from the daytime retail uses to a nighttime Urban Lounge use. A condition of approval has been made requiring the applicant to revise the site plans to show a Van Accessible Parking Space with the correct loading area dimensions, as required by Title 19.10.

Comments were received from the Las Vegas Valley Water District, and include the following: There is an existing 1-inch meter with 1-inch DCVA and no fire line. Backflow prevention is required per NAC 445A.67195. Civil plans will need to be submitted to LVVWD.

Regarding the required compliance to Chapter 6.50 of the Municipal Code, a condition of approval has been added and the Department of Business and Finance ensure compliance during the business licensing review process.

Staff recommends approval of this request, as the use meets the objectives of the Downtown Centennial Plan and is an appropriate means for extending the pedestrian nightlife sought after in 18b The Las Vegas Arts District.

FINDINGS (SUP-41046)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

**Staff Report Page Five
April 12, 2011 - Planning Commission Meeting**

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 Urban Lounge is a suitable use for the surrounding C (Commercial) land use and meets the goals and objectives listed in the Downtown Centennial Plan to establish a pedestrian-friendly use of public sidewalks and similar pedestrian areas while providing economic opportunities for ground floor retail.

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

The subject site is physically suitable for the proposed Urban Lounge use. The proposed Urban Lounge use is located in the Downtown Centennial Plan (18b Las Vegas Arts District) which supports this type of proposal in order to create interesting pedestrian environments. The applicant will have to restrict access to minors in order to operate the bar portion of the Urban Lounge.

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 primarily from Third Street, a 72-foot wide right-of-way. Adequate access to and from the subject property is provided from these three streets.

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.

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 26

NOTICES MAILED 676

APPROVALS 0

PROTESTS 0