



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MAY 10, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: VALLARTA TAQUERIA - OWNER: STRATA VEGAS, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-41225	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-41225 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Beer/Wine/Cooler On-Sale Establishment use.
2. Conformance to the approved conditions for Rezoning (Z-0019-66) and Site Development Plan Review (Z-0019-66).
3. 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.
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 to allow a Beer/Wine/Cooler On-Sale Establishment use within an existing restaurant at 2333 East Bonanza Road. The restaurant is 2,615 square feet in size with seating for 90 people. The Beer/Wine/Cooler On-Sale use will be ancillary to the existing restaurant. The proposed use will not require additional parking beyond that which is required for the principal use on the site. This project is located within a 38,981 square-foot shopping center, which is able to accommodate a variety of uses. For these reasons, the proposed use can be conducted in a manner that is compatible with surrounding land uses and existing uses on the site. Staff recommends approval of this request with conditions. If this application is denied, the restaurant would not be allowed to sell alcoholic beverages.

ISSUES

- A Beer/Wine/Cooler On-Sale Establishment use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- No waivers are required for approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
04/14/66	The Planning Commission approved a Rezoning (Z-0019-66) from C-C (Neighborhood Commercial Center) to C-1 (Limited Commercial) on property generally located on the northwest corner of Bonanza Road and 25 th Street, which is now Eastern Avenue.
01/09/92	The Planning Commission approved a Plot Plan and Building Elevation Review (Z-0019-66) for the proposed expansion and remodel of an existing shopping center generally located on the northwest corner of Bonanza Road and Eastern Avenue.
09/17/03	The City Council approved a Special Use Permit (SUP-2595) for a Restaurant with Service Bar at 2371 East Bonanza Road. The Planning Commission and staff recommended approval.
04/26/07	Staff administratively approved a Site Development Plan Review (SDR-20445) for a canopy remodel of the existing shopping center at 2303-2427 East Bonanza Road.

<i>Most Recent Change of Ownership</i>	
11/05/08	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
C.1957	The shopping center at 2427 East Bonanza Road was constructed.
06/27/08	A building permit (113759) was issued for a 2,615 square-foot Tenant Improvement for a Certificate of Occupancy at 2333 East Bonanza Road. The permit was finalized on 12/24/08.
07/22/10	A building permit (167971) was issued for a wall sign at 2333 East Bonanza Road. The permit was never finalized.
08/17/10	A building permit (169873) was issued for a 2,615 square-foot Tenant Improvement for a Certificate of Occupancy at 2333 East Bonanza Road. The permit was finalized on 09/03/10.
09/03/10	A business license (R09-01574) was issued for a Restaurant with seating for more than 30 patrons at 2333 East Bonanza Road. The license is currently active.

<i>Pre-Application Meeting</i>	
02/15/11	A pre-application meeting was held with the applicant where the submittal requirements for a Special Use Permit for Beer/Wine/Cooler On-Sale Establishment use were discussed.

<i>Neighborhood Meeting</i>	
A Neighborhood Meeting is not required for this application, nor was one held.	

<i>Field Check</i>	
03/31/11	During a site visit, staff noted a Shopping Center to be clean and free of debris.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.46

<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)
	Vacant Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)

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South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Auto Repair Garage, Minor	SC (Service Commercial)	C-2 (General Commercial)
	Electric Utility Substation	PF (Public Facilities)	C-V (Civic)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

<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>
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		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Bonanza Road	Primary Arterial	Master Plan of Streets and Highways	100	Y
Eastern Avenue	Primary Arterial	Master Plan of Streets and Highways	100	Y

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	38,981 SF	1/250 SF	156				
TOTAL SPACES REQUIRED					298		Y
Regular and Handicap Spaces Required			150	6	292	6	Y

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ANALYSIS

A Beer/Wine/Cooler On-Sale Establishment use is defined by Title 19.20.020 as “an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers to consumers only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which thirty or more people may be served with meals at any one time at tables or stools.” The existing restaurant has seating in excess of 30 people, and no additional waivers are required for the proposed use. No additional parking is required for the proposed use. Staff recommends approval of this request, as the proposed use will be operated in conjunction with an existing restaurant, and can be conducted in a manner that is compatible with the surrounding uses.

FINDINGS (SUP-41225)

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 Beer/Wine/Cooler On-Sale Establishment use will be located within a 2,615 square-foot restaurant and will be ancillary to the existing restaurant. The proposed use can be conducted in a manner that is harmonious and compatible with the uses on the existing site and with the commercial uses on the adjacent properties.

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

The subject site is located within a commercial shopping center, and is suitable for the type and intensity of land use proposed. The proposed use will not require additional parking beyond that which is required for the principal use on the site.

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 site access is provided from Bonanza Road and Eastern Avenue which are 100-foot primary arterial streets that are adequate to meet the demands of the proposed 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.

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Approval of a Special Use Permit for this use at this location will not compromise the public health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas.

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

The proposed Beer/Wine/Cooler On-Sale Establishment use meets the applicable conditions per Title 19.04. Staff supports the request as the restaurant is located within a shopping center and will be operated in conjunction with an existing restaurant.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 39

NOTICES MAILED 623

APPROVALS 0

PROTESTS 0