



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: AUGUST 9, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: GLORIELL HOLDINGS, LLC - OWNER: CHI HSUAN WU

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-42254	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-42254 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Beer/Wine/Cooler On-Sale Establishment use.
2. Conformance to the approved conditions for Variance (V-0150-96) and Site Development Plan Review [Z-0074-84(18)].
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. 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. The sale of single beers, malt beverages, or wine coolers of any size with alcohol by volume greater than 6% shall be prohibited. The sale of wines with an alcohol by volume of greater than 16% shall be prohibited.
7. 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 proposed Beer/Wine/Cooler On-Sale Establishment use within an existing 5,945 square-foot restaurant at 2131 Rock Springs Drive. The proposed use complies with all Title 19.12 requirements and can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses; therefore, staff recommends approval with conditions. If this application is denied, the proposed Beer/Wine/Cooler On-Sale Establishment use cannot be located within the subject property, nor can a business license for alcohol use be obtained for the use at this location.

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.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
11/21/84	The City Council approved a request for Rezoning (Z-0074-84) from N-U (Non-Urban) to R-CL (Single Family Compact Lot), R-3 (Limited Multiple Residence) and C-1 (Limited Commercial) as part of a large request. This subject site is located at the northwest corner of Lake Mead Boulevard and Rock Springs Drive. The Planning Commission and staff recommended approval.
12/17/96	The Board of Zoning Adjustment approved a request for a Variance (V-0156-96) to allow 80 parking spaces where 139 parking spaces are required for a proposed 5,500 square-foot restaurant on property located at 2001-2005 Rock Springs Drive. The Department of Planning staff had no objection to the request.
02/27/97	The Planning Commission approved a request for a Site Development Plan Review [Z-0074-84(18)] on property located on the west side of Rock Spring Drive, north of Lake Mead Boulevard for a proposed 5,560 square-foot restaurant. The Department of Planning staff had no objection to the request.

<i>Most Recent Change of Ownership</i>	
04/19/02	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
08/20/97	A building permit (#97017284) was issued for a New Building for Certificate of Occupancy at 2131 Rock Springs Drive. The permit was finalized on 01/30/98.
06/15/99	A building permit (#99011777) was issued for Tenant Improvement for Certificate of Occupancy at 2131 Rock Springs Drive. The permit was finalized on 07/16/99.
10/14/02	A business license (R09-01171) was issued for a Restaurant at 2131 Rock Springs Drive. The license was marked out of business on 02/08/10.
12/02/10	A business license (R09-01592) was issued for a Restaurant at 2131 Rock Springs Drive. The license is currently active.
06/28/11	A business license (L09-93339) was filed for a Beer/Wine/Cooler On Sale at 2131 Rock Springs Drive. The license has not been reviewed by the Department of Planning.

<i>Pre-Application Meeting</i>	
06/06/11	A pre-application meeting was held with the applicant, where the submittal requirements for a Special Use Permit for a proposed Beer/Wine/Cooler On-Sale Establishment use were discussed. The proposed use can only be served in conjunction with a meal.

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

<i>Field Check</i>	
06/30/11	A site visit by staff noted that the subject site had graffiti on the wall of the existing building. A broken window was observed along the south side of the building.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.11

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Restaurant, 2,000 sq. ft. or more (without Drive-Through)	SC (Service Commercial)	C-1 (Limited Commercial)

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North	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Restaurant, 2,000 sq. ft. or more (without Drive-Through)	SC (Service Commercial)	C-1 (Limited Commercial)
East	US-95 on/off ramp	Right-of-way	Right-of-way
West	Mini-Storage Facility	SC (Service Commercial)	C-1 (Limited Commercial)

<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			
A-O (Airport Overlay) District (175 feet)		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
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>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Rock Springs Drive	N/A	N/A	60	N/A

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Available to Fall 1998 and 1999, 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	
Restaurant	2,300 SF seating area	1/50 SF	46				
	3,645 SF remaining area	1/200 SF	19				
TOTAL SPACES REQUIRED			65				80
Regular and Handicap Spaces Required			62	3	76	4	Y

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ANALYSIS

A Beer/Wine/Cooler On-Sale Establishment use is defined per Title 19.18.020 as “an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which 30 or more people may be served with meals at any one time at tables or stools.” The applicant currently has an operating business license for a restaurant with seats available for 180 guests. No additional parking is required beyond that which is required for the principal use on the site. The proposed use will be located within an existing restaurant and meets the minimum distance separation requirements. The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses; therefore, staff recommends approval.

FINDINGS (SUP-42254)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 use will be located within an existing restaurant and meets the minimum distance separation requirements. The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses.

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

The subject site is physically suitable for the type and intensity of the proposed use. The proposed Beer/Wine/Cooler On-Sale Establishment use on-site parking requirement does not require additional parking required 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.

Site access is provided from Rock Springs Drive. This street is sufficient in size to accommodate the needs 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 the 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 19.12.

The proposed use complies with the Minimum Special Use Permit Requirements for a Beer/Wine/Cooler On-Sale Establishment use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 227

APPROVALS 0

PROTESTS 0