



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: NOVEMBER 12, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: DOWNTOWN CARSON, LLC

** STAFF RECOMMENDATION **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-51429	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-51429 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Tavern-Limited use.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Approval from the DDRC-ARC is required for proposed signage prior to submitting for sign permits.
4. 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, as well as submitted as part of any business license application.
6. Minors shall only be permitted in such areas wherein spirituous, malt or fermented liquors or wines are served only in conjunction with regular meals and where dining tables or booths are provided separate from the bar in conformance with Title 6.50.

Conditions Page Two
November 12, 2013 - Planning Commission Meeting

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.

Staff Report Page One
November 12, 2013 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 4,180 square-foot Tavern-Limited Establishment at 124 South 6th Street, Suite #100. The two-story establishment is made up of approximately 1,410 square feet of gross floor area for the first floor bar area, 1,070 square-feet gross floor area for the rooftop bar area and stairwell, and 2,720 square feet of gross floor area for the shared interior courtyard and proposed outdoor seating area. The proposed development is focused on providing a fine dining and drinking establishment to meet the growing demands for such uses in the neighborhood. The proposed development will also contribute to the interest of the pedestrian environment with a rooftop lounge area that will add to the pedestrian environment along Carson Avenue. Staff recommends approval of this request as it directly meets the objectives of the Entertainment Overlay District and Downtown Centennial Plan – Fremont East District by revitalizing the surrounding neighborhood. If denied, the applicant will not be allowed to operate a Tavern Limited Establishment at this location.

ISSUES

- The Tavern-Limited use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- The proposed Tavern use is located within the Entertainment Overlay District.
- All signage requires DDRC-ARC approval prior to issuance of permits.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
04/04/01	The City Council approved a Special Use Permit (U-0003-01) for the Sale of Beer and Wine Off Premise Consumption in conjunction with an existing market at 124 South 6 th Street. The Planning Commission and staff recommended approval. This approval expired before being exercised.
10/06/02	The City Council approved the Withdrawal Without Prejudice of a Special Use Permit (U-0089-02) for the Sale of Beer and Wine for Off Premise Consumption in conjunction with an existing market at 124 South 6 th Street. The Planning Commission and staff recommended denial.
05/07/03	The City Council approved a Required Review (RQR-4177) of a previously approved Special Use Permit (SUP-1841) at 124 South 6 th Street, Suite #150. Staff recommended approval.

Staff Report Page Two
November 12, 2013 - Planning Commission Meeting

06/01/05	The City Council approved a Required Review (RQR-6542) of a previously approved Special Use Permit (SUP-1841) at 124 South 6 th Street, Suite #150. Staff recommended approval.
07/10/08	The Downtown Entertainment Overlay District Design Review Committee approved exterior façade improvements (ARC-28873) and the addition of an awning at 124 South 6 th Street. Staff recommended approval.
08/03/11	The applicant withdrew, without prejudice, an appeal to the City Council of the denial of the request for a Special Use Permit (SUP-41261) to add a Beer/Wine/Cooler Off-Sale Establishment to an existing 1,250 square-foot Convenience Store at 124 South 6 th Street, Suite #170. The Planning Commission denied the request with staff recommending denial.
04/10/12	The Planning Commission approved a request for a Special Use Permit (SUP-44675) for a proposed Tattoo Parlor/Body Piercing Studio at 124 South 6 th Street, Suite #130. Staff recommended approval.

<i>Most Recent Change of Ownership</i>	
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04/06/12	A deed was recorded for a change in ownership.
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<i>Related Building Permits/Business Licenses</i>
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No building permits or business licenses related to this request have been issued at this location.

<i>Pre-Application Meeting</i>

09/11/13	A pre-application meeting was held with the applicant to discuss the requirements for a Special Use Permit related to the proposed Tavern-Limited use.
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<i>Neighborhood Meeting</i>

A neighborhood meeting is not required, nor was one held.

<i>Field Check</i>

10/03/13	A field inspection was conducted by staff on the subject site and found the property litter and graffiti free. The existing single-story structure is addressed as 124 South 6 th Street, Suite #100, but the proposed rooftop lounge area will front along Carson Avenue. The site features a large securable interior courtyard area.
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Staff Report Page Three
November 12, 2013 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.33

<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	General Retail, Other Than Listed	C (Commercial)	C-2 (General Commercial)
North	Hotel	C (Commercial)	C-2 (General Commercial)
South	Parking Lot	C (Commercial)	C-2 (General Commercial)
East	Office, Other Than Listed	C (Commercial)	C-2 (General Commercial)
West	Parking Lot	C (Commercial)	C-2 (General Commercial)

<i>Master Plan Areas</i>	<i>Compliance</i>
Downtown Centennial Plan	Y
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
Downtown Centennial Plan Overlay District – Fremont East District	Y
Downtown Entertainment Overlay District	Y
A-O Airport Overlay District – 200 Feet	Y
Live/Work Overlay District	N/A
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

Staff Report Page Four
November 12, 2013 - Planning Commission Meeting

DEVELOPMENT STANDARDS

<i>Parking Requirement - Downtown</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Base Parking Requirement</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Tavern-Limited (Seating Area)	3,750 SF	1:50	75				
Tavern-Limited (Service Area)	170 SF	1:200	1				
TOTAL SPACES REQUIRED			76				
Regular and Handicap Spaces Required			73	3	0	0	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 is to illustrate the requirements of an analogous project in another location in the City.*

ANALYSIS

A Tavern-Limited Establishment is defined by Title 19.12 as, “An establishment that is licensed with a tavern-limited license in accordance with LVMC Chapter 6.50.” There are no Minimum Special Use Permit Requirements for this use. This use is permitted in the C-2 (General Commercial) zoning district with an approved Special Use Permit and is required to provide

The proposed Restaurant and Tavern-Limited use will add to the growing demand for fine dining, drinking, and entertainment for the Fremont East District. The proposed restaurant will feature contemporary American cuisine with a focus on meal preparation and presentation. It is noted that elevator access is indirectly provided to the 885 square-foot second level lounge area by means of a second story corridor. In addition to the first and second floor bar areas, this proposal features 2,720 square feet of outdoor seating space shared between the interior courtyard and a 240 square-foot dining area located along Carson Avenue, adjacent to the rear alley. Approval of an Encroachment Agreement will be required in order to have outdoor seating within the 6th Street right-of-way prior to occupancy.

This project is located on 6th Street with ample parking for the proposed use provided by two public parking garages within one block of the establishment and public parking meters located on all surrounding streets. The project is located within the Downtown Centennial Plan area, which allows for deviation from the standard parking requirements.

Staff Report Page Four
November 12, 2013 - Planning Commission Meeting

FINDINGS (SUP-51429)

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 Tavern-Limited Establishment use is located in the Downtown Centennial Plan - Fremont East District and the Entertainment Overlay District and will serve as a fine dining venue that will contribute to the growing demand for dining and drinking establishments in the Fremont East District. This proposal will contribute to the vibrant nightlife specifically encouraged within the Entertainment Overlay District.

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

The subject site can physically accommodate the proposed Tavern-Limited Establishment use and is in close proximity other dining and drinking establishments located in the Fremont East District. The proposed internal building circulation provides an elevator for open access to the second floor for the wheelchair using public, and will provide an additional layer of interest to the pedestrian environment along Carson Avenue.

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 mainly provided from Carson Avenue, an 80-foot Secondary Collector, with additional access provided from the 20-foot wide rear ally. The site can also be accessed from 6th Street, an 80-foot right-of-way. All adjacent public rights-of-way are sufficient in size to accommodate the needs of the proposed Tavern-Limited and Restaurant use. The parking standards of Title 19 are not automatically applied for proposals within the Downtown Centennial Plan; however, the applicant anticipates utilizing two nearby public parking garages and on-street parking meters to satisfy the developments parking demand. Staff finds that a sufficient amount of available parking is located within a one-block radius of this proposal.

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 this proposed Special Use Permit will not compromise the public health, safety and general welfare of the public. The use will be subject to regular inspections and is subject to licensing restrictions.

Staff Report Page Five
November 12, 2013 - Planning Commission Meeting

5.The use meets all of the applicable conditions per Title 19.12.

There are no Special Use Permit requirements detailed in Title 19.12 for the proposed use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 37

NOTICES MAILED 216

APPROVALS 0

PROTESTS 0