



## AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JANUARY 22, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: HOP NUTS BREWERY, LLC - OWNER: 1120 VEGAS, LLC

### **\*\* STAFF RECOMMENDATION \*\***

| <i>CASE<br/>NUMBER</i> | <i>RECOMMENDATION</i>                             | <i>REQUIRED FOR<br/>APPROVAL</i> |
|------------------------|---------------------------------------------------|----------------------------------|
| <b>SUP-51810</b>       | Staff recommends APPROVAL, subject to conditions: | N/A                              |

### **\*\* CONDITIONS \*\***

## SUP-51810 CONDITIONS

### Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Tavern-Limited Establishment 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. 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.
4. 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.
5. 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.

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6. Approval of this Special Use Permit does not constitute approval of a liquor license.
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.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is requesting a Special Use Permit for a proposed Tavern-Limited Establishment use that occupies a 4,084 square-foot portion of a 5,850 square-foot existing building. The area to be entitled consists of 500 square-feet of a proposed 1,000 square-foot private outdoor patio located adjacent to Main Street, a 1,779 square-foot lounge and bar area, a 639 square-foot microbrewery, with the remaining 1,666 square feet dedicated to the common areas located at the rear of the building. These common areas, located within the shade portion of the submitted plan, consist of a 136 square-foot men's and 135 square-foot women's restroom, a 385 square-foot storage area, and a 418 square-foot common area located between the restrooms. The proposed use can be conducted in a manner that is harmonious and compatible within the 18b The Las Vegas Arts District; therefore, staff therefore recommends approval. If denied, the proposed use will not be allowed at this location.

**ISSUES**

- The Tavern-Limited Establishment use is permitted in the C-M (Commercial/Industrial) zoning district with the approval of a Special Use Permit.
- The proposed use will utilize a portion of private outdoor patio located outside of the public right-of-way.
- The proposed Tavern-Limited Establishment use will operate with an ancillary Brew Pub (Microbrewery) on premises.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 06/20/07                                                                 | The City Council approved a request for a Site Development Plan Review (SDR-21175) for a multi-phase Mixed Use Development to include 3,000 multi-family residential units, 6,000 hotel rooms, a private sports arena, street level retail, office and exhibition space, and a casino at the southwest corner of Charleston Boulevard and Main Street. This entitlement expired on 06/20/2009 with no subsequent request for an extension of time. |
| 12/10/13                                                                 | The Planning Commission voted (6-0-1/TS) to recommend APPROVAL of SUP-51810 [PRJ-51597]. (PC Agenda Item 21/mh)                                                                                                                                                                                                                                                                                                                                    |

| <b><i>Most Recent Change of Ownership</i></b> |                                                |
|-----------------------------------------------|------------------------------------------------|
| 09/17/12                                      | A deed was recorded for a change in ownership. |

MH

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***Related Building Permits/Business Licenses***

There are no building permits or business licenses related to this specific request at this time. It is noted that the applicant will be completing a tenant improvement to create two separate suites for the building in the near future.

***Pre-Application Meeting***

|          |                                                                                                                                                                                                                                                                                                                                                                             |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/08/13 | A pre-application meeting was held with the applicant's representative to discuss the original request for an Urban Lounge use. It was discussed during the meeting that the Tavern-Limited Establishment use is one of the required primary uses necessary for an ancillary brew pub license and that an amended application request would be required to reflect as such. |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

***Neighborhood Meeting***

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

***Field Check***

|          |                                                                                              |
|----------|----------------------------------------------------------------------------------------------|
| 10/31/13 | Staff visited the site and found an unoccupied retail storefront free of trash and graffiti. |
|----------|----------------------------------------------------------------------------------------------|

***Details of Application Request***

***Site Area***

|           |      |
|-----------|------|
| Net Acres | 0.19 |
|-----------|------|

| <b><i>Surrounding Property</i></b> | <b><i>Existing Land Use Per Title 19.12</i></b> | <b><i>Planned or Special Land Use Designation</i></b> | <b><i>Existing Zoning District</i></b> |
|------------------------------------|-------------------------------------------------|-------------------------------------------------------|----------------------------------------|
| Subject Property                   | General Retail,<br>Other Than Listed            | C (Commercial)                                        | C-M<br>(Commercial/Industrial)         |
| North                              | Bailbond Service                                | C (Commercial)                                        | C-M<br>(Commercial/Industrial)         |
| South                              | General Retail,<br>Other Than Listed            | C (Commercial)                                        | C-M<br>(Commercial/Industrial)         |
| East                               | General Retail,<br>Other Than Listed            | C (Commercial)                                        | C-M<br>(Commercial/Industrial)         |
| West                               | General Retail,<br>Other Than Listed            | LI/R (Light<br>Industry/Research)                     | C-M<br>(Commercial/Industrial)         |

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| <b><i>Master Plan Areas</i></b>                                             | <b><i>Compliance</i></b> |
|-----------------------------------------------------------------------------|--------------------------|
| Downtown Centennial Plan                                                    | Y                        |
| <b><i>Special Purpose and Overlay Districts</i></b>                         | <b><i>Compliance</i></b> |
| Downtown Centennial Plan Overlay District – 18b The Las Vegas Arts District | Y                        |
| Live/Work Overlay District                                                  | Y                        |
| <b><i>Other Plans or Special Requirements</i></b>                           | <b><i>Compliance</i></b> |
| Trails                                                                      | N/A                      |
| Las Vegas Redevelopment Plan Area                                           | N/A                      |
| Project of Significant Impact (Development Impact Notification Assessment)  | N/A                      |
| Project of Regional Significance                                            | N/A                      |

**DEVELOPMENT STANDARDS**

| Parking Requirement - Downtown                                                        |                                     |                          |         |              |         |              |    |
|---------------------------------------------------------------------------------------|-------------------------------------|--------------------------|---------|--------------|---------|--------------|----|
| Use                                                                                   | Gross Floor Area or Number of Units | Base Parking Requirement |         | Provided     |         | Compliance   |    |
|                                                                                       |                                     | Parking Ratio            | Parking |              | Parking |              |    |
|                                                                                       |                                     |                          | Regular | Handi-capped | Regular | Handi-capped |    |
| Tavern-Limited Establishment – Public Seating Area (500 SF Patio and 1,779 SF Lounge) | 2,279 SF                            | 1:50 SF                  | 46      |              |         |              |    |
| Tavern-Limited Establishment – Remaining GFA                                          | 2,305 SF                            | 1:200 SF                 | 12      |              |         |              |    |
| TOTAL SPACES REQUIRED                                                                 |                                     |                          | 58      |              |         |              |    |
| Regular and Handicap Spaces Required                                                  |                                     |                          | 55      | 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 should be used to illustrate the requirements of an analogous project in another location in the City.*

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## **ANALYSIS**

A Tavern-Limited Establishment is described in 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 Tavern-Limited Establishment use is permitted in the C-M (Commercial/Industrial) zoning district with an approved Special Use Permit. The proposed Tavern Limited Establishment use is located within in 18b The Las Vegas Arts District, which was recently added to the Permitted Uses listed for the 18B The Las Vegas Arts District under Bill #2013-25. The proposed Tavern-Limited Establishment use will feature an ancillary brewery operation. Per Bill #2013-14, the “Beer and Wine Room and Ancillary Brew Pub Licenses” authorizes the manufacture and sale of malt beverages at an establishment, provided that the owner or operator of the establishment has either a Tavern Alcoholic Beverage License [i.e Liquor Establishment (Tavern)] or a Tavern-Limited Alcoholic Beverage License. Because the applicant wants to brew and sell alcoholic beverages, the Tavern-Limited use in order to accommodate the Ancillary Brew Pub license requirements.

The subject site is located on Main Street and is located within the Downtown Centennial Plan area, which allows for deviation from the standard parking requirements. The typical parking requirement for such a proposed use would be approximately 58 parking spaces. The applicant is utilizing an existing building where no available off street parking spaces exist. There is space located at the rear of the building adjacent to the alley for service; however, this space is in adequate to meet the required parking dimensions. There is on street metered parking for the proposed use and the site is served by multiple nearby transit lines and surface parking lots that are within short walking distance.

## **FINDINGS (SUP-51810)**

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 within 18b The Las Vegas Arts District of the Downtown Centennial Plan, which was recently added to the Permitted Uses (with a requirement for a Special Use Permit). Included with the proposed use is an ancillary microbrewery operation. This proposal will contribute to the walkability and vibrant nightlife specifically encouraged within the Arts District with the proposed private outdoor patio located adjacent to Main Street.

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**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 Taverns and Urban Lounges in the neighborhood. The proposed floor plan will occupy the northern half of the existing building with a proposed 4,084 square-foot suite, to include the common facilities such as the restrooms and storage area located at the rear of the building.

**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 Main Street, an 80-foot Secondary Collector as designated in the Master Plan of Streets and Highways, and a 20-foot wide rear alley. Main Street is sufficient in size to accommodate the needs of the proposed use. The parking standards of Title 19 are not automatically applied for proposals within the Downtown Centennial Plan; however, there adjacent on-street parking meters and nearby surface parking lots to satisfy the vehicular parking demand and multiple transit stops and sidewalk accommodations to encourage pedestrian access to the facility. 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.

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

There are no applicable Minimum Special Use Permit Requirements listed in Title 19.12 for the Tavern-Limited Establishment use.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**NOTICES MAILED**

197 by the City Clerk

**APPROVALS**

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**PROTESTS**

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