



## AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 20, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT

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### **\*\* STAFF RECOMMENDATION(S) \*\***

| <i>CASE<br/>NUMBER</i> | <i>RECOMMENDATION</i>                             | <i>REQUIRED FOR<br/>APPROVAL</i> |
|------------------------|---------------------------------------------------|----------------------------------|
| <b>ROC-54893</b>       | Staff recommends APPROVAL, subject to conditions: | N/A                              |

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

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## ROC-54893 CONDITIONS

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### *Planning*

1. Condition #2 of Special Use Permit (SUP-24204) shall be amended to allow the hours of operation to be from 10:00 a.m. to 1:00 a.m. daily.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**Staff Report Page One**  
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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is a quasi-governmental entity that operates the Las Vegas Springs Preserve, a 180-acre cultural area showcasing the historical origin of Las Vegas and its desert wetland environment. The applicant is requesting a Review of Condition of a previously approved Special Use Permit (SUP-24204), which allowed a Restaurant with Service Bar at 317 South Valley View Boulevard. The applicant is requesting to amend condition #2 to allow the hours of operation from 10:00 a.m. to 1:00 a.m., daily. If denied the hours of operation would remain from 10:00 a.m. to 11:00 p.m. daily.

**BACKGROUND INFORMATION**

| <i><b>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</b></i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 07/01/92                                                                 | The City Council approved a Rezoning (Z-0026-92) to the C-V (Civic) zoning district on 223.62 acres on the east side of Valley View Boulevard, between Charleston and U.S. 95, including the subject site. The Planning Commission and staff recommended approval.                                                                                                                                                                                       |
| 02/07/01                                                                 | The City Council approved a Site Development Plan Review [Z-0026-92(4)] for the master plan of the Las Vegas Springs Preserve, including approximately 266,100 square feet of building area for a visitor center, interpretive center, museum, research area, garden support and administrative offices on 175.58 acres on the east side of Valley View Boulevard between Alta Drive and U.S 95. The Planning Commission and staff recommended approval. |
| 05/02/01                                                                 | The Department of Planning administratively approved a request for a Site Development Plan Review [Z-0026-92(5)] for Phase 1, including a 26,600 square-foot pumping station building, of an approved 110-acre public use facility (Las Vegas Springs Preserve) on 175.58 Acres located on the east side of Valley View Boulevard, between Alta Drive on the south and the US 95 Highway on the north.                                                   |
| 07/10/01                                                                 | The Planning and Development Department administratively approved a request for a Site Development Plan Review [Z-0026-92(6)] for streetscape improvements generally located along Valley View Boulevard between Alta Drive and US-95, and along Alta Drive from Valley View Boulevard eastward 1,350 feet, adjacent to the subject site.                                                                                                                |
| 12/07/01                                                                 | The Planning and Development Department administratively approved a request for a Site Development Plan Review [Z-0026-92(7)] for a proposed 33,997 square-foot garden support facility consisting of five buildings located adjacent to the northeast corner of Alta Drive and Valley View Boulevard.                                                                                                                                                   |

**Staff Report Page Two**  
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| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 01/02/03                                                          | The Department of Planning administratively approved a Minor Site Development Plan Review (SDR-1465) for a proposed 75,032 square-foot visitor's center in conjunction with the Las Vegas Springs Preserve adjacent to the east side of Valley View Boulevard, approximately 1,560 feet north of Alta Drive                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 06/12/03                                                          | The Department of Planning administratively approved a Minor Site Development Plan Review (SDR-2258) for trails, canopies, ramadas, interpretive pavilion and displays in conjunction with the Las Vegas Springs Preserve on 80.0 acres adjacent to the south side of U.S. Highway 95, approximately 490 feet east of Valley View Boulevard                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 05/16/07                                                          | The City Council approved a Special Event Alcoholic Beverage license for a catering business at 333 South Valley View Boulevard on the subject site for private party/sit-down dinner/concert events on May 30, 2007 and June 5, 8 and 9, 2007.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                   | The City Council approved a Special Use Permit (SUP-20477) for a Liquor Establishment (Tavern) with a Waiver to allow a Liquor Establishment (Tavern) use 80 feet from a child care center, 100 feet from a church, 1,200 feet from a public school, and 1,400 feet from a city park where a distance separation of 1,500 feet is required at 317 South Valley View Boulevard. The Planning Commission and staff recommended approval. The City Council placed the following conditions on the approval: (1) The service shall be at tables only in the restaurant in conjunction with the meals; (2) There will be no gaming machines; (3) The approval is for beer and wine only; (4) The Special Use Permit is approved for 120 days only. The approval expired 09/14/07. |
| 06/06/07                                                          | The City Council approved a temporary Tavern license for a catering business to operate a tavern with eight bars at 333 South Valley View Boulevard. The approval was subject to the following conditions: (1) The hours of operation shall be limited to 10:00 a.m. to 10:00 p.m. (2) Alcohol sales shall be conducted only in conjunction with food service; (3) The temporary license shall be for a maximum of 120 days. Per licensing records, the license will expire 11/02/07 at 12:00 a.m.                                                                                                                                                                                                                                                                           |
| 12/21/06                                                          | The Planning Commission approved a Master Sign Plan (MSP-18047) for an approved Government Facility on 160 acres at 333 South Valley View Boulevard. Staff recommended approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 07/26/07                                                          | The Department of Planning administratively approved a Minor Site Development Plan Review (SDR-22778) to allow a proposed co-location of antennas an existing 70-foot Wireless Communication Facility, Non-Stealth at 3540 Alta Drive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

**Staff Report Page Three**  
**August 20, 2014 - City Council Meeting**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</i></b> |                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/15/07                                                                 | The City Council adopted Ordinance No. 5922, which added Restaurant Service Bar, Supper Club, Banquet Facility (with Alcoholic Beverage Sales), On-sale Beer/Wine/Cooler Establishment and Social Event with Alcoholic Beverage Sales to the list of uses permitted in the C-V (Civic) zoning district by means of a special use permit.                                                   |
| 09/05/07                                                                 | The City Council approved a Special Event Alcoholic Beverage license for a catering business at 333 South Valley View Boulevard on the subject site for the Las Vegas Springs Preserve Post Opening VIP event on September 13, 2007.                                                                                                                                                       |
| 10/17/07                                                                 | The City Council approved a request for a Special Use Permit (SUP-24204) for a Restaurant with Service Bar at 317 South Valley View Boulevard. The Planning Commission recommended approval of the request.                                                                                                                                                                                |
|                                                                          | The City Council approved a request for a Special Use Permit (SUP-24483) for a Banquet Facility at 325 South Valley View Boulevard. The Planning Commission recommended approval of the request.                                                                                                                                                                                           |
| 07/26/10                                                                 | The Department of Planning administratively approved a Minor Site Development Plan Review (SDR-38374) to relocate four railroad cottages on 80.48 acres at 309 South Valley View Boulevard                                                                                                                                                                                                 |
| 10/11/11                                                                 | The Department of Planning administratively approved a Minor Site Development Plan Review (SDR-41922) to remove and replace transmitting units on an existing 76-foot tall Wireless Communication Facility, Non-Stealth Design (Monopole) and install one GPS antenna near the base of the facility located at 317 South Valley View Boulevard                                             |
| 03/20/13                                                                 | The Department of Planning administratively approved a Minor Site Development Plan Review (SDR-48268) for a 14-foot tall, 2,200 square-foot enclosure on a portion of 80.45 acres at the northeast corner of Alta Drive and Valley View Boulevard                                                                                                                                          |
| 08/13/13                                                                 | The Planning Commission approved a Variance (VAR-49529) to allow an eighth freestanding sign along Valley View Boulevard that is 30 feet in height and 328 square feet in area, where 12 feet in height and 48 square feet in area are the maximum allowed and where seven signs were approved on a portion of 80.45 acres at 309 South Valley View Boulevard. Staff recommended approval. |
|                                                                          | The Planning Commission approved a Major Amendment (MSP-49527) of an approved Master Sign Plan (MSP-18047) to add a proposed freestanding sign at an existing government facility on 80.45 acres at 309 South Valley View Boulevard. Staff recommended approval.                                                                                                                           |
| 12/04/13                                                                 | The Department of Planning administratively approved a Minor Site Development Plan Review (SDR-52038) for a proposed single-story, 700 square-foot structure on 80.45 acres at the northeast corner of Alta Drive and Valley View Boulevard.                                                                                                                                               |

**Staff Report Page Four**  
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| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 07/15/14                                                                 | The Department of Planning administratively approved a Minor Amendment (SUP-54593) to an approved Special Use Permit (SUP-24483) to allow an additional 34,799 square feet indoor and outdoor seating area to an existing 135,159 square-foot Banquet Facility at 325 South Valley View Boulevard.                                                                                                                             |
| 08/20/14                                                                 | The City Council will hear a request for a Review of Condition (ROC-54894) to amend condition #2 of Special Use Permit (SUP-24483) from “the hours of operation shall be from 10:00 a.m. to 11:00 p.m. daily. Catered events shall not extend past 11:00 p.m.” to “the hours of operation shall be from 10:00 a.m. to 1:00 a.m. daily. Catered events shall not extend past 1:00 a.m. daily at 325 South Valley View Boulevard |

| <b><i>Most Recent Change of Ownership</i></b> |                                                |
|-----------------------------------------------|------------------------------------------------|
| 03/12/63                                      | A deed was recorded for a change in ownership. |

| <b><i>Related Building Permits/Business Licenses</i></b> |                                                                                                                                                                                                              |
|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/10/05                                                 | A building permit (05003035) was issued for a 21,595 square-foot office building at 325 South Valley View Boulevard. A final inspection was approved on 06/07/07.                                            |
| 05/15/05                                                 | A building permit (05003036) was issued for the Visitor Center exhibit building at the Las Vegas Springs Preserve at 333 South Valley View Boulevard. A final inspection was approved 07/03/07.              |
|                                                          | A building permit (05003038) was issued for the technical studio at the Desert Living Center in the Las Vegas Springs Preserve at 341 South Valley View Boulevard. A final inspection was approved 06/04/07. |
|                                                          | A building permit (05003037) was issued for the Visitor Center administration building at the Las Vegas Springs Preserve at 337 South Valley View Boulevard. A final inspection was approved 06/04/07.       |
| 07/06/07                                                 | A business license (R09-01407) was issued for a restaurant at 317 South Valley View Boulevard. The license was marked out of business on 06/01/14.                                                           |
| 10/22/07                                                 | A business license (B23-00035) was issued for a Banquet Facility at 317 South Valley View Boulevard. The license was marked out of business on 03/01/14.                                                     |
|                                                          | A business license (L19-00010) was issued for a Restaurant with Service Bar at 333 South Valley View Boulevard. The license was marked out of business on 09/28/11.                                          |
|                                                          | A business license (L28-00003) was issued for a Banquet Facility with Liquor Services at 333 South Valley View Boulevard. The license was marked out of business on 09/28/11.                                |

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| <i>Related Building Permits/Business Licenses</i> |                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/28/11                                          | A business license (L18-00073) was issued for an Alcohol Catering Service at 317 South Valley View Boulevard. The license was marked out of business on 01/21/14.                                                                                                                                                                                                        |
|                                                   | A business license (L19-00016) was issued for a Restaurant with Service Bar at 317 South Valley View Boulevard. The license was marked out of business on 01/21/14.                                                                                                                                                                                                      |
|                                                   | A business license (L28-00006) was issued for a Banquet Facility with Liquor Services at 317 South Valley View Boulevard. <b>(The address was amended from 325 South Valley View Boulevard.)</b> The license was marked out of Business on 01/21/14.                                                                                                                     |
| 09/12/12                                          | A business license enforcement case (119489) was processed for failure to submit current ownership or corporate officers, permitting customers to purchase and to be served directly from the cashiers station and failure of current employees who sell or serve are required to have work cards at 317 South Valley View Boulevard. The case was resolved on 05/09/13. |
| 05/16/13                                          | A business license enforcement case (128740) was processed for failure to report change to key employee and that a Liquor Caterer permit is required for all areas at the Springs Preserve not approved for the sale of alcohol and all special event off the park's premises. The case was resolved on 01/09/14.                                                        |
| 02/21/14                                          | A business license (L19-94935) was issued for a Restaurant with Service Bar at 317 South Valley View Boulevard. The license was marked out of business on 04/01/14.                                                                                                                                                                                                      |

| <i>Related Building Permits/Business Licenses</i> |                                                                                                                                                                                                                    |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 02/21/14                                          | A business license (L18-94937) was issued for an Alcohol Catering Service at 317 South Valley View Boulevard. The license was marked out of business on 04/01/14.                                                  |
|                                                   | A business license (L28-94938) was issued for a Banquet Facility with Liquor Services at 317 South Valley View Boulevard. The license was marked out of business on 04/01/14.                                      |
| 03/18/14                                          | A business license (G62-02876) was issued for a restaurant at 317 South Valley View Boulevard. The license is still active.                                                                                        |
|                                                   | A business license (G62-02877) was issued for a Banquet Facility at 317 South Valley View Boulevard. The license is still active.                                                                                  |
| 03/20/14                                          | A business license compliance field check (138938) was conducted at 317 South Valley View Boulevard, with no violations noted. Subsequent checks were conducted on 04/03/14 and 05/09/14 with no violations noted. |
| 03/21/14                                          | A temporary business license (P62-00054) was issued for an Alcohol Catering Service at 317 South Valley View Boulevard. The license will expire on 12/21/14.                                                       |

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|          |                                                                                                                                                                          |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 03/21/14 | A temporary business license (P62-00055) was issued for a Restaurant with Service Bar at 317 South Valley View Boulevard. The license will expire on 12/21/14.           |
|          | A temporary business license (P62-00056) was issued for a Banquet Facility with Liquor Services at 317 South Valley View Boulevard. The license will expire on 12/21/14. |

| <b><i>Pre-Application Meeting</i></b> |                                                                                                                                                                              |
|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/05/14                              | A pre-application meeting was held with the applicant and the submittal requirements for a Review of Condition to amend #2 of Special Use Permit (SUP-24204) were discussed. |

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

| <b><i>Field Check</i></b> |                                                                                                                                                                                                                                  |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 07/17/14                  | The site is developed with several large concrete and iron buildings, gardens and trails within a desert environment. The café is located within 317 South Valley View Boulevard in the Visitor Center east of the parking area. |

| <b><i>Details of Application Request</i></b> |       |
|----------------------------------------------|-------|
| <b><i>Site Area</i></b>                      |       |
| Net Acres                                    | 80.45 |

| <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                   | Government Facility                             | PF (Public Facilities)                                | C-V (Civic)                            |
| North                              | U.S. 95                                         | ROW (Right-of-Way)                                    | ROW (Right-of-Way)                     |
| South                              | Government Facility                             | PF (Public Facilities)                                | C-V (Civic)                            |
| East                               | Single Family, Detached                         | DR (Desert Rural Density Residential)                 | R-E (Residence Estates)                |
| West                               | General Retail                                  | MXU (Mixed Use)                                       | C-1 (Limited Commercial)               |
|                                    | Office, Medical                                 |                                                       |                                        |
|                                    | Office, Other Than Listed                       |                                                       |                                        |
|                                    | Church                                          |                                                       |                                        |
|                                    | Shopping Center                                 |                                                       |                                        |

**Staff Report Page Seven**  
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| <b><i>Master Plan Areas</i></b>                     | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
|-----------------------------------------------------|-------------------|------------------|--------------------------|
| <b>Master Plan Area</b>                             |                   |                  | N/A                      |
| <b><i>Special Purpose and Overlay Districts</i></b> | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
| <b>Special Purpose and Overlay Districts</b>        |                   |                  |                          |
| C-V (Civic) District                                | X                 |                  | Y                        |
| A-O (Airport Overlay) District (140 Feet)           | X                 |                  | Y                        |
| H (Historic Designation)                            | X                 |                  | Y                        |
| <b>Trails</b>                                       |                   | X                | N/A                      |
| <b>Rural Preservation Overlay District</b>          |                   | X                | N/A                      |
| <b>Las Vegas Redevelopment Plan Area</b>            |                   | X                | N/A                      |
| <b>Development Impact Notification Assessment</b>   |                   | X                | N/A                      |
| <b>Project of Regional Significance</b>             |                   | X                | N/A                      |

## ANALYSIS

The applicant is requesting a Review of Condition of a previously approved Special Use Permit (SUP-24204), to allow the hours of operation to be from 10:00 a.m. to 1:00 a.m. in the existing Restaurant with Service Bar at 317 South Valley View Boulevard. The applicant has stated in their justification letter that the approved operating hours from 10:00 a.m. to 11:00 p.m., initially would be sufficient, but to accommodate the 11:00 p.m. closing many functions are required to conclude by 10:00 p.m. Further, the addition of a new café operator requires extended hours to be available to support the wide-range of on-site events and functions. The appropriate business licenses have been issued and no significant violations have occurred since the new Restaurant with Service Bar operator's business license was issued on 03/21/14.

## FINDINGS

As there have been no negative police calls for service directly related to the operation of the business and no protected uses are in the surrounding area, staff is recommending approval of this request with conditions.

## NEIGHBORHOOD ASSOCIATIONS NOTIFIED

32

## NOTICES MAILED

552 (By Planning)

## APPROVALS

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## PROTESTS

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JG