



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: DROCK 3RD STREET, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-55328	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-55328 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.
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

This is a request for a Special Use Permit for a proposed 120,000 square-foot outdoor Tavern-Limited Establishment to be utilized in conjunction with outdoor special events at 200 South 3rd Street. The site is located within the Downtown Centennial Plan – Central Casino Core District. The proposed use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with the surrounding uses; therefore, staff recommends approval. If the application is denied, the Liquor Establishment (Tavern) use would not be allowed at this location.

ISSUES

- The Tavern-Limited Establishment use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit. The Tavern-Limited Establishment use will allow the special events operator to serve drinks during outdoor special events.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/16/64	The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic) to C-2 (General Commercial) and C-V (Civic) for approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. Planning Commission and staff recommended approval.
02/06/14	Staff administratively approved a request for a Minor Site Development Plan Review (SDR-52802) for a temporary parking lot (valet) on 2.76 acres located at 200 South 3rd Street.
03/11/14	The Planning Commission approved a request for a Site Development Plan Review (SDR-52726) for a temporary parking lot with a waiver of the Downtown Centennial Plan Parking Lot Screening Fence standard on 2.76 acres located at 200 South 3rd Street. Staff recommended denial.
	The Planning Commission approved a request for a Variance (VAR-52727) to allow a six-foot tall fence along the front property line where a maximum height of five feet is allowed on 2.76 acres located at 200 South 3rd Street. Staff recommended denial.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/21/14	The City Council approved a request for a General Plan Amendment (GPA-53016) from PF (Public Facilities) to GC (General Commercial) on 2.76 acres at 200 South 3rd Street. Planning Commission and staff recommended approval.
	The City Council approved a request for a Rezoning (ZON-53017) from C-V (Civic) to C-2 (General Commercial) on 2.76 acres at 200 South 3rd Street. Planning Commission and staff recommended approval.
06/03/14	Staff administratively approved a request for a Minor Amendment (SDR-54173) to a previously approved Site Development Plan Review (SDR-52726) for a 3,200 square-foot stage on 2.76 acres at 200 South 3rd Street.

<i>Most Recent Change of Ownership</i>	
11/22/13	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
c. 1960	A government facility was constructed at 200 South Main Street.
02/15/90	A building permit (#90057384) was issued for interior renovations at 200 South 3rd Street. The permit expired on 06/19/93.
08/24/92	A building permit (#92157485) for an interior tenant improvement at 200 South 3rd Street. The permit was finalized on 12/28/92.
10/22/96	A building permit (#96021166) was issued for a tenant improvement at 200 South 3rd Street. The permit expired on 03/21/98.
09/23/98	A building permit (#96021166) was issued for a tenant improvement at 200 South 3rd Street. The permit expired on 03/21/98.
12/09/13	A building permit (#250277) was issued for the demolition of a two-story detached parking structure at 200 South 3rd Street. The permit has not received a final inspection.
12/19/13	A building permit (#250816) was issued for the demolition of a government facility at 200 South 3rd Street. The permit has not received a final inspection.
04/14/14	A building permit (#254599) was issued for a temporary parking lot at 200 South 3 rd Street. The permit has not received a final inspection.
04/14/14	A building permit (#254600) was issued for perimeter fencing at 200 South 3 rd Street. The permit has not received a final inspection.
07/30/14	A building permit (#259360) was issued for an outdoor valet canopy at 200 South 3 rd Street. The permit has not received a final inspection.
07/30/14	A building permit (#259361) was issued for an outdoor platform at 200 South 3 rd Street. The permit has not received a final inspection.

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<i>Pre-Application Meeting</i>	
07/23/14	Staff conducted a pre-application meeting with the owner, applicant and representative to discuss a proposal to serve alcohol in conjunction with special events. The applicant stated that although the special events would exceed the maximum allowed per year under a special events license, the existing temporary valet parking lot would remain the primary use. Staff determined that the periodic special events could be classified as a Commercial Recreation/Amusement Outdoor use, which is permissible in the C-2 zone. In addition, a Special Use Permit for a Tavern Limited use would be required to serve alcohol at the subject site in conjunction with special events.

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

<i>Field Check</i>	
07/31/14	Staff conducted a routine field check and noted the construction of a stage and car port structure.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.76

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

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<i>Master Plan Areas</i>	<i>Compliance</i>
Downtown Centennial Plan – Central Casino Core	Y
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (200 Feet)	Y
Live/Work Overlay District	Y
<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

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>
Carson Avenue	Major Collector	Master Plan of Streets and Highways	80	Y

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	
Temporary Parking Lot (Valet)	N/A	N/A	N/A				
Liquor Establishment (Tavern)		1:50 of public waiting area	10				
		1:200 of remaining GFA, with a minimum of 10 spaces required					
TOTAL SPACES REQUIRED			10		101		Y*
Regular and Handicap Spaces Required			9	1	101	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

The subject site at 200 South 3rd Street was previously the location of the city of Las Vegas Court House building. The owner has demolished the old government facility and has constructed a temporary commercial parking lot (valet) with the approval of Site Development Plan Review (SDR-52726).

In addition to the temporary parking lot (valet only), the applicant intends to utilize the subject site for periodic outdoor events. The number of special events per year has yet to be determined; however the applicant is certain the number will exceed the maximum allowed per year under a special events license. According to the submitted justification letter, the type of special events the applicant hopes to secure include but are not limited to food festivals, concert events, private corporate dinners, weddings, sporting events, etc. The proposed special events are permissible in the C-2 (General Commercial) zone as a Commercial Recreation/Amusement Outdoor use, which is defined as “a facility or area for sport, entertainment, games of skill or recreation that is open to use by the general public for a fee. This use includes without limitation game courts, water slides, golf courses, outdoor miniature golf courses, drive-in theatres, batting cages, practice/instructional fields, amusement parks, amphitheaters, and sporting events.

To facilitate the special events, the applicant obtained approval of a Minor Amendment (SDR-54173) to Site Development Plan Review (SDR-52726) to construct a 3,200 square-foot stage located at the southern edge of the property, adjacent to Bridger Avenue. In addition, the applicant made minor adjustments to the previously approved 6-foot tall wrought iron fence, which surrounds the subject site on all four sides. The applicant obtained approval to install 20-foot wide rolling gates designed to match the previously approved wrought iron fence. The revised gates were designed to facilitate the required entering/exiting occupant load associated with an outdoor event.

The applicant is now requesting a Special Use Permit (SUP-55328) for a Tavern-Limited Establishment use to allow the service of alcohol during periodic special events. The Tavern-Limited Establishment use is described in Title 19.12 as: “An establishment that is licensed with a tavern-limited license in accordance with LVMC Chapter 6.50.” This use is allowed in the C-2 (General Commercial) zoning district by approval of a Special Use Permit. There are no Minimum Special Use Permit Requirements for the Tavern-Limited Establishment use. The stated goal of the Central Casino Core District is, “To ensure the City’s role in the casino enterprise by preserving the history and culture of, and also to ensure vitality and synergy among existing and future casinos.” This proposal will contribute specifically to the goals of the Central Casino Core District by encouraging “vitality and synergy” in the area. Staff recommends approval of the Special Use Permit for the proposed Tavern-Limited Establishment use, as it may be conducted in a manner that is harmonious and compatible with the area and the Central Casino Core District.

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FINDINGS (SUP-55328)

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 will operate in conjunction with a temporary parking lot (valet only) and a Commercial Recreation/Amusement (Outdoor) use. The subject site is located in the Downtown Centennial Plan – Central Casino Core District. The proposed Tavern-Limited Establishment will serve as a complementary use to the parking lot and periodic special events. This proposal will contribute specifically to the goals of the Central Casino Core District by encouraging “vitality and synergy” in the area.

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 to other Taverns and Urban Lounges in the neighborhood.

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 is accessed from Carson Avenue, an 80-foot wide Major Collector as classified by the Master Plan of Streets and Highways. The existing Major Collector is capable of handling the access and circulation of the project.

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 for the Tavern-Limited Establishment in Title 19.12.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 34

NOTICES MAILED 222

APPROVALS 0

PROTESTS 0