



AGENDA MEMO - PLANNING

SPECIAL PLANNING COMMISSION MEETING DATE: AUGUST 2, 2016

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: MONTELIMAR INC - OWNER: RAMPART PHD, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-64699	Staff recommends APPROVAL, subject to conditions:	N/A

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 30

NOTICES MAILED 996

APPROVALS 0

PROTESTS 0

**** CONDITIONS ****

SUP-64669 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Beer/Wine/Cooler On-Sale use.
2. Conformance to the approved conditions for Site Development Plan Review (CRG-5045).
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. 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.
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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow Pubs, Bars and Lounges (Beer/Wine/Cooler On-Sale use) within a proposed 1,775 square-foot Restaurant (w/ out Drive-Up) located at 2120 North Rampart Boulevard, Suite #150

ISSUES

- Pubs, Bars and Lounges (Beer/Wine/Cooler On-Sale use) are permitted in the VC (Village Center) Summerlin Special Land Use Designation with a Special Use Permit.

ANALYSIS

This is a request for a Special Use Permit for Pubs, Bars and Lounges (Beer/Wine/Cooler On-Sale use). The subject suite is currently vacant, but was previously operated as a Restaurant (w/ out Drive-Up). The subject property is within the VC (Village Center) Summerlin Special Land Use Designation and the proposed use is permitted with an approved Special Use Permit. The Village Center District allows for a mix of land uses including multi-family residential uses and commercial, cultural, recreational and meeting facilities that provide most of the daily and weekly support services and activities for a village or combination of villages. A Village Center may include a grocery store, a drugstore and other supporting commercial uses, including a restaurant with an ancillary Beer/Wine/Cooler On-Sale use. There are no protected uses within 400 feet of the subject property. In other parts of the City, the Beer/Wine/Cooler On-Sale use is a conditional use.

The Beer/Wine/Cooler On-Sale Establishment use is defined as “An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers only for consumption on the premises where the same is sold.” The proposed use meets the definition as the use will be in conjunction with a proposed Restaurant.

The Minimum Special Use Permit Requirements for this use include:

1. Except as otherwise provided, any beer/wine/cooler on-sale establishment (hereinafter “establishment”) must be more than 400 feet from any church/house of worship, school, individual care center licensed for more than 12 children, or City park.

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There are no Churches/House of Worship, School, Individual Care Centers licensed for more than 12 children or City Parks within 400 feet of the subject site.

2. Except as otherwise provided in Regulation 3 below, the distances referred to in Regulation 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term “property line” refers to property lines of fee interest parcels and does not include the property line of:
 - a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Regulation 1.

There are no Churches/House of Worship, School, Individual Care Centers licensed for more than 12 children or City Parks within 400 feet of the subject site.

3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Regulation 1 shall be measured in a straight line:
 - a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
 - b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

Not applicable, the subject site is not located on a parcel of at least 80 acres of size, the Clark County Assessor’s Office list the subject property at 2.44 acres.

4. The minimum distance requirements in Regulation 1 do not apply to:

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- a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
- b. A proposed establishment having more than 50,000 square feet of retail floor space.

There are no Churches/House of Worship, School, Individual Care Centers licensed for more than 12 children or City Parks within 400 feet of the subject site.

- 5. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

The proposed use will be subject to all business licensing requirements outlined in LVMC Chapter 6.50 if approved.

The proposed Pubs, Bars and Lounges (Beer/Wine/Cooler On-Sale Establishment) use will be located within the existing Shopping Center, and operated in conjunction with a proposed Restaurant (w/ out Drive-Up). The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding uses as the property is situated within a Shopping Center; therefore, staff recommends approval. If this request is denied, the proposed use cannot be conducted on site.

FINDINGS (SUP-64699)

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 Beer/Wine/Cooler On-Sale use will be ancillary to the proposed Restaurant (w/out Drive-Up) at the subject site. The proposed use is compatible with the surrounding land uses and can be conducted in a manner that is harmonious with surrounding land uses.

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

The subject site is an established Shopping Center; therefore, the site is physically suitable for the type and intensity of the proposed land use.

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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 Rampart Boulevard, a 100-foot Primary Arterial as designated in the Master Plan of Streets and Highways. This street is sufficient in size to accommodate the needs of the proposed expanded 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.

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.

The proposed Beer/Wine/Cooler On-Sale use complies with all applicable conditions per Title 19.12.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/15/04	The City Referral Group approved a request for a Summerlin Site Development Plan Review (CRG-5045) for three Retail Buildings totaling 17,484 square feet on property located approximately 260 feet southwest of Lake Mead Boulevard and east of Rampart Boulevard.
07/12/16	Due to a notification error this item was not acted upon as a part of the 07/12/16 Planning Commission meeting and has been scheduled for a Special Planning Commission meeting date.

<i>Most Recent Change of Ownership</i>	
05/13/14	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
02/09/05	A building permit (#05000759) was issued for Shell Building "C" at 2120 North Rampart Boulevard. The building permit was finalized on 12/07/05.
04/30/07	A building permit (#07001451) was issued for tenant remodel for Certificate of Occupancy at 2120 North Rampart Boulevard, Suite #150. The building permit was finalized on 07/06/07.
07/11/07	A business license (R10-00880) was issued for a Restaurant at 2120 North Rampart Boulevard, Suite #150. The restaurant is marked out of business on 11/03/14.

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<i>Related Building Permits/Business Licenses</i>	
06/20/16	A building permit (#318302) was issued for tenant improvement for a Restaurant 2120 North Rampart Boulevard, Suite #150. The permit is not yet finalized.

<i>Pre-Application Meeting</i>	
05/04/16	Staff conducted a pre-application meeting where the submittal requirements for a Special Use Permit were discussed for the proposed Beer/Wine/Cooler On-Sale use. Informed the applicant to provide the square footage of the proposed establishment upon application submittal.

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

<i>Field Check</i>	
06/02/16	A field check by staff was conducted at the subject site and observed a well-maintained Shopping Center,

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.44

<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	Shopping Center	VC (Village Center) Summerlin Special Land Use Designation	P-C (Planned Community)
North	Financial Institution, General	VC (Village Center) Summerlin Special Land Use Designation	P-C (Planned Community)
South	Assisted Living Apartments	VC (Village Center) Summerlin Special Land Use Designation	P-C (Planned Community)
East	Office, Medical or Dental	VC (Village Center) Summerlin Special Land Use Designation	P-C (Planned Community)
West	Detached Single Family Residential	SF3 (Single Family Detached) Summerlin Special Land Use Designation	P-C (Planned Community)

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<i>Master Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
P-C (Planned Community) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
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

<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>
Rampart Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y

Pursuant to approved CRG-5045, 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	
Shopping Center	17,484 SF	*Per CRG-5045	110				
TOTAL SPACES REQUIRED			110		126		Y
Regular and Handicap Spaces Required			105	5	119	7	Y

*Based upon the following calculations: Medical Office 1:200 gross floor area up to 2,000 square feet, 1:175 gross floor area thereafter; Specialty Shops (including Barber) 1:500 gross floor area; Business/Professional 1:300 gross floor area; Restaurant 0 to 6,000 square feet 1:75 gross floor area; Restaurant with Drive UP 1/100 GFA