



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: MARCH 20, 2024  
DEPARTMENT: COMMUNITY DEVELOPMENT  
ITEM DESCRIPTION: APPLICANT: UNITED COIN MACHINE CO. - OWNER:  
ELKHORN HUALAPAI, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0656-SUP1	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 45

NOTICES MAILED 376 (by City Clerk)

PROTESTS 9 - 23-0656-SUP1

APPROVALS 0

**\*\* CONDITIONS \*\***

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**23-0656-SUP1 CONDITIONS**

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**Planning**

1. 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.
2. 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 Building and Safety Division.
3. 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.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. 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 Special Use Permit request for a proposed Gaming (Incidental Gaming Machines Only) use within an existing liquor store in the Cliff's Edge (Providence) Master Plan area at 7161 North Hualapai Way, Suite #110.

**ISSUES**

- Per the Cliff's Edge Master Development Plan and Design Guidelines, a Special Use Permit (23-0656-SUP1) is required for a Gaming (Incidental Gaming Machines Only) use in the VC (Village Commercial) land use category. Staff supports this request.

**ANALYSIS**

The subject tenant space is a 2,100 square-foot suite that operates as a liquor store located within an established commercial subdivision. The site is zoned PD (Planned Development) and is subject to the Cliff's Edge Master Development Plan and Design Guidelines, revised August 5, 2009. The subject site is categorized under the VC (Village Commercial) special land use designation, which allows for medium intensity retail, office or other commercial uses that serve not only local area patrons but also patrons from neighborhoods surrounding Cliff's Edge.

The Cliff's Edge Master Development Plan and Design Guidelines does not provide a definition for the proposed Gaming (Incidental Gaming Machines Only) use. The definition of this use is equivalent to the Gaming Establishment, Restricted use in Title 19, which is defined as, "An establishment which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Title 6. For informational purposes, this description refers to an establishment whose gaming operations are limited to not more than 15 slot machines, and no other game or gaming device."

There are no specific Minimum Special Use Permit requirements for this use provided in the Cliff's Edge Master Development Plan and Design Guidelines. The subject site is located within a commercial center that offers similar uses, such that the proposed Gaming (Incidental Gaming Machines Only) use can be conducted in a manner that is harmonious and compatible with the surrounding area. Therefore, staff recommends approval of the requested Special Use Permit with conditions.

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**FINDINGS (23-0656-SUP1)**

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 Gaming (Incidental Gaming Machines Only) use would be located within a shopping center with compatible retail, restaurant, office and personal service uses. Therefore, the proposed use can be conducted in a manner that is harmonious and compatible with existing and future land uses.

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

The subject site is located within an existing shopping center designed to accommodate a variety of services and is physically suitable for the type and intensity of land use proposed.

- 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.**

Access to the site is provided by Elkhorn Road and Hualapai Way, both Primary Arterials as defined by the Master Plan of Streets and Highways, and are adequate in size to meet the requirements of the proposed 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.**

If approved, the proposed use will be subject to licensing requirements, thereby protecting the public health, safety and welfare.

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

Title 19.12 does not apply to the proposed Gaming (Incidental Gaming Machines Only) use. There is no specific minimum Special Use permit requirements for this use in the Cliff's Edge Master Development and Design Standards.

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**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
04/16/03	The City Council approved a request for a Rezoning (ZON-1520) from: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to: PD (Planned Development) Zone and to establish a Master Plan for the Cliff's Edge Development on 297.50 acres adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval.
05/16/07	The City Council approved a request for a Site Development Plan Review (SDR-18031) for a Cliff's Edge mixed-use development consisting of 218 proposed condominium units and a three building, 32,400 square-foot retail development on 15.69 acres at the southwest corner of Elkhorn Road and Hualapai Way. The Planning Commission recommended approval and staff recommended denial.
06/14/07	The Planning Commission approved a request for a Tentative Map (TMP-21653) for a mixed-use subdivision consisting of 218 condominium units and one commercial lot on 11.85 acres at the southwest corner of Elkhorn Road and Hualapai Way. Staff recommended approval.
05/08/12	The Planning Commission approved a request for a Special Use Permit (SUP-44852) for a Liquor Sales (For Off-Premise Consumption) use within a proposed 5,730 square-foot Convenience Store at 7161 North Hualapai Way. Staff recommended denial.
	The Planning Commission approved a request for a Special Use Permit (SUP-44851) for a Gaming (Incidental Gaming Machines Only) use within a proposed 5,730 square-foot Convenience Store at 7161 North Hualapai Way. Staff recommended denial.
	The Planning Commission approved a request for a Site Development Plan Review (SDR-44850) for a Major Amendment to a previously approved Site Development Plan Review (SDR-18031) for a proposed 5,730 square-foot convenience store with gasoline sales, drive-through restaurant and a 2,360 square-foot car wash with a Waiver to allow a three-foot landscape buffer along a portion of the east perimeter where five feet was previously approved on 3.40 acres at 7161 North Hualapai Way. Staff recommended denial.
11/14/17	The Planning Commission approved a request for a Review of Condition (ROC-71729) of an approved Special Use Permit (SUP-44852) to modify condition number ten (10) which states, "The sale of single beers, malt beverages, or wine coolers of any size with alcohol by volume greater than six percent shall be prohibited" on 1.12 acres at 7161 North Hualapai Way. Staff recommended denial.

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05/28/19	The Planning Commission approved a request for a Special Use Permit (SUP-76152) for a proposed 2,085 square-foot Liquor Sales (For Off-Premise Consumption) at 7161 North Hualapai Way. Staff recommended approval.
05/11/21	The Planning Commission approved a request for the first Extension of Time (21-0119-EOT1) of an approved Special Use Permit (SUP-76152) for a proposed 2,085 square-foot Liquor Sales (For Off-Premise Consumption) use at 7161 North Hualapai Way. Staff recommended approval.
10/11/22	The Planning Commission approved a request for the second Extension of Time (22-0424-EOT1) of an approved Special Use Permit (SUP-76152) for a proposed 2,085 square-foot Liquor Sales (For Off-Premise Consumption) use at 7161 North Hualapai Way. Staff recommended approval.
2/13/24	The Planning Commission voted (7-0) for possible action on a Land Use Entitlement project request FOR A PROPOSED GAMING (INCIDENTAL GAMING MACHINES ONLY) USE at 7161 North Hualapai Way, Suite #110 (APN 126-24-517-004), PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation], Ward 4 (Allen-Palenske).

<b>Most Recent Change of Ownership</b>	
03/28/16	A deed was recorded for a change in ownership.

<b>Related Building Permits/Business Licenses</b>	
03/29/16	A Business License (P64-00064) was issued for Beer and Wine Sales at 7161 North Hualapai Way, Suite #150. The license is remains active.
	A Business License (G64-01631) was issued for a Convenience Store at 7161 North Hualapai Way, Suite #150. The license is set to renew on 03/01/24.
	A Business License (G64-01632) was issued for Tobacco Sales at 7161 North Hualapai Way, Suite #150. The license is set to renew on 03/01/24.
	A Business License (G64-01634) was issued for a Car Wash at 7161 North Hualapai Way, Suite #150. The license is set to renew on 03/01/24.
01/21/17	A Business License (G65-00072) was issued for a Minor Automotive Garage at 7161 North Hualapai Way. The license is set to renew on 07/01/24.

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<b>Related Building Permits/Business Licenses</b>	
04/04/17	A Business License (G65-02015) was issued for an Automated Teller Machine at 7161 North Hualapai Way, Suite #150. The license is set to renew on 04/01/24.
10/16/17	A Business License (P65-00204) was issued for Restricted Gaming (7 Machines) at 7161 North Hualapai Way, Suite #150. The license remains active.
02/23/23	A Building Permit (C23-00098) was issued for a Tenant Improvement at 7161 North Hualapai Way, Suite #110.

<b>Related Building Permits/Business Licenses</b>	
06/20/23	A Business License (P70-00134) was issued for a Liquor Store at 7161 North Hualapai Way, Suite #110. The license is set to renew on 04/01/24.
	A Business License (G70-03747) was issued for Store Retail Sales at 7161 North Hualapai Way, Suite #110. The license is set to renew on 06/01/24.
	A Business License (G70-03912) was issued for Tobacco Sales at 7161 North Hualapai Way, Suite #110. The license is set to renew on 06/01/24.
12/05/23	A Business License (P71-00320) application was processed for restricted gaming at 7161 North Hualapai Way, Suite #110. The license has not been issued and is pending the result of this Special Use Permit request.

<b>Pre-Application Meeting</b>	
12/12/23	A pre-application meeting was held with the applicant and the submittal requirements for a Special Use Permit were discussed.

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

<b>Field Check</b>	
01/04/24	Staff conducted a routine field check and observed an existing liquor store at the subject site. Nothing of concern was noted.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	3.42

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<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	Shopping Center	PCD (Planned Community Development)	PD (Planned Development)
North	Residential, Single Family, Detached	PCD (Planned Community Development)	PD (Planned Development)
South	Residential, Multi-Family	PCD (Planned Community Development)	PD (Planned Development)

<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>
East	Undeveloped	R (Rural Density Residential)	U (Undeveloped Rural)
West	Residential, Multi-Family	PCD (Planned Community Development)	PD (Planned Development)

<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
Las Vegas 2050 Master Plan Area: La Madre Foothills	Y
Cliff's Edge (Providence)	Y
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
PD (Planned Development) District	Y
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails – Shared Use Trail	Y
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y



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### DEVELOPMENT STANDARDS

<b>Street Name</b>	<b>Functional Classification of Street(s)</b>	<b>Governing Document</b>	<b>Actual Street Width (Feet)</b>	<b>Compliance with Street Section</b>
Hualapai Way	Primary Arterial	Master Plan of Streets and Highways Map	100	Y

***Pursuant to the Cliff's Edge Design Guidelines, 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	
Commercial Developments in Providence	30,200	1:250 SF	121				
TOTAL SPACES REQUIRED			121		157		Y
Regular and Handicap Spaces Required			116	5	149	8	Y