

*City of Las Vegas*

**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**CITY COUNCIL MEETING DATE: MAY 21, 2025**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT: SHORT LINE GAMING, LLC - OWNER: 95, LLC**

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
25-0056-SUP1	Staff recommends APPROVAL, subject to conditions:	

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 16

**NOTICES MAILED** 218 (by City Clerk)

**PROTESTS** 0

**APPROVALS** 1

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

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**25-0056-SUP1 CONDITIONS**

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**Planning**

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Gaming Establishment, Restricted (1 to 5 Machines) use, except as modified by conditions herein.
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. A Waiver from Title 19.12 is hereby approved, to allow an 80-foot distance separation from and Individual care center licensed for more than 12 children where 400 feet is required.
4. A Waiver from Title 19.12 is hereby approved, to allow a 255-foot distance separation from a Church/house of worship where 400 feet is required.
5. 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.
6. 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.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

This is a Special Use Permit request for a Gaming Establishment, Restricted use (1 to 5 machines) in conjunction with an existing convenience store at 6702 West Cheyenne Avenue.

**ISSUES**

- A Gaming Establishment, Restricted use (1 to 5 Machines) is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. Staff supports this request.
- A Waiver of Title 19.12 is requested, to allow an 80-foot distance separation from an individual care center licensed for more than 12 children where 400 feet is required. Staff supports this request.
- A Waiver of Title 19.12 is requested, to allow a 255-foot distance separation from a church/house of worship where 400 feet is required. Staff supports this request.

**ANALYSIS**

The subject site is zoned C-1 (Limited Commercial) and is subject to Title 19 development standards. The subject site is part of an overall shopping center and is developed as a convenience store. The applicant is requesting this Special Use Permit to operate up to five gaming machines within the existing convenience store.

The Gaming Establishment, Restricted use 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.” The proposed use meets this definition, as the existing development primarily operates as a convenience store and will be limited to up to five gaming machines.

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The Minimum Special Use Permit Requirements for this use include:

1. Pursuant to its general authority to regulate gaming, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between a Gaming Establishment, Restricted use and certain other uses that should be protected from the impacts associated with that establishment, or that otherwise should be separated so as to minimize impacts on surrounding areas. Therefore, except as otherwise provided in these Requirements, the following distance separation requirements apply:

- a. For one to five gaming machines, no less than 400 feet to the nearest:
  - i. Church/house of worship;
  - ii. School;
  - iii. Individual care center licensed for more than 12 children; or
  - iv. City park.

*The proposed use requires Waivers to allow an 80-foot distance separation from an Individual care center licensed for more than 12 children and a 255-foot distance separation from a Church/house of worship where 400 feet is required for both. Staff finds these Waiver requests will not negatively impact the surrounding protected uses, as the protected uses are separated by Rainbow Boulevard, an 80-foot Collector Street. Additionally, there is an active Business License (G01-02518) for up to 15 gaming machines in the shopping center development, further demonstrating the compatibility for gaming-related uses at this location.*

- \*b. For six to 15 gaming machines, no less than 1,500 feet to the nearest:
  - i. Church/house of worship;
  - ii. School;
  - iii. Individual care center licensed for more than 12 children; or
  - iv. City park;
  - v. Gaming establishment, Restricted use with six to 15 gaming machines; or
  - vi. Gaming establishment, Non-restricted use.

*This requirement cannot be Waived. This requirement is not applicable, as the proposed use will contain up to five gaming machines only.*

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\*c. For one to fifteen gaming machines, and operating independently of Requirement 1.b. above, no less than 1500 feet to the nearest Gaming Establishment, Restricted use or Gaming Establishment, Non-restricted use located within the Resort & Casino District, as described in LVMC Title 19, Appendix F.

*This requirement cannot be Waived. The proposed use meets this requirement, as there are no Gaming Establishment, Restricted or Gaming Establishment, Non-restricted uses in the Resort & Casino District within 1,500 feet of the proposed use.*

2. The distance separation requirement set forth in Requirement 1.b. may be waived in accordance with the provisions of LVMC 19.12.050(C) for the following:

- a) An establishment located on property within one or more of the following Special Area and Overlay Districts:
  - i. The Civic District, as described in LVMC 19.10.010;
  - ii. The Market District or the Symphony Park District within the Downtown Las Vegas Overlay District, as described in LVMC Title 19, Appendix F; or
  - iii. The Gaming Enterprise Overlay District, as described in LVMC 19.10.130, except for any portion of the Gaming Enterprise Overlay District that falls entirely within the Resort & Casino District, as described in LVMC Title 19, Appendix F.
- b) An establishment located within a Regional Mall, as defined by LVMC 19.18.020;
- c) An establishment located within a Mixed-Use development, as defined by LVMC 19.18.020;
- d) An establishment that will be separated from an existing protected use by a street or highway with a minimum right-of-way width of 100 feet; or
- e) An establishment that is located on a site, or within a building or structure, that is designated on the City of Las Vegas Historic Property Register.

*The proposed use is not within any Special Area or Overlay District as described in Title 19.*

3. The use shall conform to, and is subject to, the provisions of LVMC Chapter 6.40.

*The proposed use will be subject to all business licensing requirements outlined in LVMC Chapter 6.40 if approved.*

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Staff finds the requested Waivers of distance separation will not negatively impact the surrounding protected uses. Therefore, the proposed Gaming Establishment, Restricted use can be conducted in a manner that is harmonious and compatible with the existing, surrounding land uses and with future surrounding land uses. Therefore, staff recommends approval of the Special Use Permit, subject to conditions.

**FINDINGS (25-0056-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 use requires Waivers of distance separation requirements from protected uses, which staff supports. Therefore, the proposed 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.

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

The proposed use is located within an existing convenience store that is part of a larger shopping center. The subject site 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.**

Site access is provided by Rainbow Boulevard, an 80-foot Collector Street and Cheyenne Avenue, a 150-foot Expressway. Both streets 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.**

Approval of this Special Use Permit will be subject to business license review and periodic compliance inspections to ensure the public health, safety, and welfare or the overall objectives of the General Plan.

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

The proposed use requires Waivers of distance separation requirements, which staff supports, as the protected uses are separated by Rainbow Boulevard, an 80-foot Collector Street. Additionally, there is an active Business License (G01-02518) for up to 15 gaming machines in the shopping center development, further demonstrating the compatibility for gaming-related uses at this location.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
12/06/78	The City Council approved a Plot Plan Review (Z-0071-78) for a shopping center at the northwest corner of Cheyenne Avenue and Lorenzi Boulevard (Rainbow Boulevard). The Planning Commission recommended approval.
05/23/85	The Board of Zoning Adjustment approved a Use Permit (U-0022-85) to operate a self-service gasoline facility in conjunction with a convenience store at the northwest corner of Cheyenne and Lorenzi Boulevard (Rainbow Boulevard).
04/08/25	The Planning Commission voted (7-0) to recommend APPROVAL For possible action on a Land Use Entitlement project request FOR A PROPOSED GAMING ESTABLISHMENT, RESTRICTED USE (1 TO 5 MACHINES) WITH WAIVERS TO ALLOW AN 80-FOOT DISTANCE SEPARATION FROM AN INDIVIDUAL CARE CENTER LICENSED FOR MORE THAN 12 CHILDREN AND A 255-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP WHERE 400 FEET IS REQUIRED at 6702 West Cheyenne Avenue (APN 138-10-816-003), C-1 (Limited Commercial) Zone, Ward 5 (Summers-Armstrong). Staff recommends APPROVAL.

<b><i>Most Recent Change of Ownership</i></b>	
11/05/10	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
06/26/24	A business license (G72-03866) was issued for a convenience store with tobacco sales and beer and wine off-sale at 6702 West Cheyenne Avenue. The license is active.
06/26/24	A business license (G72-03867) was issued for a convenience store with tobacco sales and Beer and Wine off-sale at 6702 West Cheyenne Avenue. The license is active.

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<b>Related Building Permits/Business Licenses</b>	
06/26/24	A business license (P72-00143) was issued for Beer/Wine Off-Sale within an existing convenience store at 6702 West Cheyenne Avenue. The license is active.
10/21/24	A business license (P72-00267) was submitted for restricted gaming with up to four slot machines at 6702 West Cheyenne Avenue. The license has not been issued, pending the results of this Special Use Permit request.

<b>Pre-Application Meeting</b>	
01/30/25	A pre-application was held with the applicant to discuss the submittal requirements for a Special Use Permit.

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

<b>Field Check</b>	
02/27/24	Staff conducted a routine field check of the subject site and observed an existing convenience store. Nothing of concern was noted.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	0.48

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	Shopping Center	NMXU (Neighborhood Mixed-Use Center)	C-1 (Limited Commercial)
North	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Shopping Center	NMXU (Neighborhood Mixed-Use Center)	C-1 (Limited Commercial)
East	Individual Care Center		O (Office)
West	Right-of-Way (U.S. 95)	Right-of-Way (U.S. 95)	Right-of-Way (U.S. 95)

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<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: Rancho	Y
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
A-O (Airport Overlay) District (140 Feet)	Y
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
Trails	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

**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>
Cheyenne Avenue	Expressway	Master Plan of Streets and Highways Map	150 feet	Y
Rainbow Boulevard	Collector Street	Master Plan of Streets and Highways Map	80 Feet	Y

**Pursuant to Title 19.08 and 19.12, the following parking standards apply:**

<b>Parking Requirement</b>							
<b>Use</b>	<b>Gross Floor Area or Number of Units</b>	<b>Parking Ratio</b>	<b>Required Parking</b>		<b>Provided Parking</b>		<b>Compliance</b>
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	53,885 SF	1 per 250 SF	216				
<b>TOTAL SPACES REQUIRED</b>			216		520		Y
<b>Regular and Handicap Spaces Required</b>			209	7	495	25	Y

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<b><i>Waivers</i></b>		
<b><i>Requirement</i></b>	<b><i>Request</i></b>	<b><i>Staff Recommendation</i></b>
400-foot distance separation from an Individual Care Center (Licensed for more than 12 Children)	To allow an 80-foot distance separation.	Approval
400-foot distance separation from a Church/House of Worship	To allow a 255-foot distance separation.	Approval