



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: APRIL 8, 2025
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: HAN CHENG, LLC - OWNER: 8454 STELLAR DRIVE, LLC, ET AL

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0567-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	21
<u>NOTICES MAILED</u>	1926
<u>PROTESTS</u>	0
<u>APPROVALS</u>	0

**** CONDITIONS ****

24-0567-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Alcohol, On-Premise Full 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 Building and Safety Division.
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. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
7. 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 4,992 square-foot Alcohol, On-Premise Full use within an existing restaurant at 2051 North Rainbow Boulevard Suites #102 and #103.

ISSUES

- The Alcohol, On-Premise Full use is allowed in the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit. Staff supports the request.

ANALYSIS

The subject site is zoned C-1 (Limited Commercial) and subject to Title 19 development standards. It is developed with an existing shopping center. The applicant requests a Special Use Permit to allow for a 4,992 square-foot Alcohol, On-Premise Full use within an existing restaurant (Ohjah Japanese Steakhouse Sushi & Hibachi). The subject restaurant is currently licensed to sell beer and wine only.

Per Title 19.12, the Alcohol, On-Premise Full use is defined as “An establishment licensed to sell alcoholic beverages, not limited to the sale of beer, wine and coolers, for consumption on the premises where the same are sold.”

The Minimum Special Use Permit Requirements for this use include:

1. Pursuant to its general authority to regulate the sale of alcoholic beverages, 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 an Alcohol, On-Premise Full establishment and certain other uses that should be protected from the impacts associated with that establishment. Therefore, except as otherwise provided in these Requirements, no Alcohol, On-Premise Full establishment may be located within 400 feet of any of the following uses:
 - a. Church/house of worship;
 - b. School;
 - c. Individual care center licensed for more than 12 children; or
 - d. City park

The proposed use meets this requirement, as no protected uses are located within 400 feet of the subject site.

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2. The distance separation requirement set forth in Requirement 1 does not apply to the following:
 - a. An establishment which has a non-restricted 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. Any Alcohol, On-Premise Full use located on property within the Pedestrian Mall, as defined in LVMC Chapter 11.68; the Downtown Entertainment Overlay District, as described in LVMC 19.10.120; or the 18b Arts District, as described in Appendix F to this Title. The Special Use Permit approval may include conditions designed to mitigate any impacts related to distance separation.

This requirement is not applicable, as the subject site does not meet (a) or (b). Therefore, Requirement 1 still applies, which the proposed use meets.

The proposed use would operate within an existing shopping center meant to provide a variety of commercial uses. This proposed use is consistent with the uses allowed in the C-1 (Limited Commercial) zoning district and can be conducted in a compatible and harmonious manner with the surrounding land uses. Therefore, staff recommends approval of the Special Use Permit request, subject to conditions.

FINDINGS (24-0567-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 Alcohol, On-Premise Full use would occur within an established shopping center and can be conducted in a manner that is harmonious and compatible with existing and future surrounding land uses.

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

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

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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 by Rainbow Boulevard, a Collector Street, which is adequate in size to accommodate 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.**

The site is subject to licensing and inspection, thus protecting the public health, safety, and general welfare.

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
11/18/87	The City Council approved a Rezoning (Z-0100-87) of the subject site from N-U (Non-Urban) to C-1 (Limited Commercial) on approximately 22.00 acres located on the west side of Rainbow Boulevard, between Lake Mead Boulevard and Smoke Ranch Road. The Planning Commission and staff recommended approval.
02/15/95	The City Council approved a Rezoning (Z-0174-94) from N-U (Non-Urban) to C-1 (Limited Commercial) on 7.41 acres located at the southwest corner of Rainbow Boulevard and Smoke Ranch Road. The Planning Commission and staff recommended approval.
08/10/95	The Planning Commission approved a request for a Site Development Plan Review [Z-0174-94(1) and Z-0100-87(7)] for a 227,276 square-foot Shopping Center on 20.03 acres at 2051 North Rainbow Boulevard. Staff recommended approval.
12/19/12	The City Council approved a Special Use Permit (SUP-47041) for a 4,992 square-foot Supper Club at 2051 North Rainbow Boulevard, Suite #102. The Planning Commission and staff recommended approval. The entitlement has not been exercised.
05/1/13	The City Council approved a Special Use Permit (SUP-48146) for a Beer/Wine/Cooler On-Sale Establishment within an existing 4,992 square-foot restaurant at 2051 North Rainbow Boulevard, Suite #102.

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Most Recent Change of Ownership	
05/13/21	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/05/13	Business License (#R09-01741) was issued for a restaurant use at 2051 North Rainbow, Suites #102 and #103. The license remains active.
	Business License (#L09-00367) was issued for a beer/wine on-premise sales at 2051 North Rainbow, Suites #102 and #103. The license remains active.

Pre-Application Meeting	
10/24/24	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Special Use Permit.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
02/27/25	Staff conducted a routine field check and found an existing shopping center. No issues were noted.

Details of Application Request	
Site Area	
Net Acres	15.03

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Shopping Center	NMX-U (Neighborhood Mixed-Use Center)	C-1 (Limited Commercial)
North	Shopping Center	NMX-U (Neighborhood Mixed-Use Center)	C-1 (Limited Commercial)
South	Right-of-Way	Right-of-Way	Right-of-Way
East	Shopping Center	NMX-U (Neighborhood Mixed-Use Center)	C-1 (Limited Commercial)
West	Right-of-Way	Right-of-Way	Right-of-Way

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Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Twin Lakes	Y
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District (140 Feet)	N/A
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Rainbow Boulevard	Collector	Master Plan of Streets and Highways Map	80	Y

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

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	228,279	1:250 SF	914				
TOTAL SPACES REQUIRED			914		1,351		Y
Regular and Handicap Spaces Required			895	19	1,309	42	Y