



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: MAY 14, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: LE THAI 2 - OWNER: RANCHO PLAZA
SHOPPING CENTER

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0151-SUP1	Staff recommends APPROVAL, subject to conditions	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 343

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0151-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a 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

The applicant is requesting a Special Use Permit for a proposed Alcohol, On-Premise Full use at 2202 West Charleston Boulevard, Suites #3 and #5.

ISSUES

- An Alcohol, On-Premise Full use is permitted in the T5-C (T5 Corridor) transect zoning district with the approval of a Special Use Permit.
- During the Tenant Improvement process, the combined suites will be assigned a single suite number.

ANALYSIS

The applicant has proposed to develop a 3,481 square-foot Alcohol, On-Premise Full use at 2202 West Charleston Boulevard, Suites #3 and #5. The existing tenant space is a restaurant within a strip mall commercial development. The expanded tenant space was previously operating as a restaurant as well. The subject site is zoned T5-C (T5 Corridor) and is subject to Title 19.10 development standards.

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 proposed use meets this definition. An approved Special Use Permit is required for any establishment proposing an Alcohol, On-Premise Full use.

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.

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The proposed Alcohol, On-Premise Full establishment meets this requirement as it is not within 400 feet of any of the uses listed above.

2. The distance separation requirement set forth in Requirement 1 does not apply to the following: 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 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.

The requirement is not applicable as the subject site is not 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.

The proposed Alcohol, On-Premise Full is compatible with surrounding land uses. The surrounding land uses include office, restaurant, and retail uses. 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. Therefore, staff recommends approval of the requested Special Use Permit.

FINDINGS (24-0151-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 can be conducted in a manner that is harmonious and compatible with the existing surrounding uses.

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

The subject site can physically accommodate the proposed Alcohol, On-Premise Full use and is in close proximity to office, restaurant, and retail uses.

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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 Charleston Boulevard, a 125-foot wide Major Collector as designated on the Master Plan of Streets and Highways. This street is sufficient in size to accommodate the needs 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 proposed Alcohol, On-Premise Full use will be subject to regular inspections during rehabilitation of the building itself by the Department of Building and Safety, and regular inspections by the Department of Community Development – Business Licensing Division once a business license has been issued thus protecting the public health, safety, and welfare.

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

The proposed Alcohol, On-Premise Full use has met the requirements set forth by both Title 19.12.

BACKGROUND INFORMATION

<i>Related Planning Actions and Building Permits/Business Licenses</i>	
12/18/02	The City Council approved a Special Use Permit (SUP-1132) for a restaurant bar with a Waiver at 2202 West Charleston Boulevard. The suite space was not specified.
03/18/04	The City Council approved an Extension of Time (EOT-3659) to extend Special Use Permit (SUP-1132) for a restaurant bar with a waiver at 2202 West Charleston Boulevard.
04/10/18	A business license (G66-02510) for Food Services or Café was approved and is currently active at 2202 West Charleston Boulevard. No alcohol service was included with this license.
08/03/17	A Building Permit (C17-00963) for tenant improvements associated with Le Thai 2 at 2202 West Charleston Boulevard was issued on 10/12/17 and finalized 03/20/18.
10/03/22	A Building Permit (PRC21-00139-D001) for the removal of a tenant space in conjunction with the widening of Charleston Boulevard at 2202 West Charleston Boulevard was issued on 10/03/22 and finalized 07/17/23.

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<i>Most Recent Change of Ownership</i>	
11/20/12	A deed was recorded for a change in ownership.

<i>Pre-Application Meeting</i>	
03/13/24	A pre-application was held to discuss the submittal requirements for a Special Use Permit.

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

<i>Field Check</i>	
04/02/24	During a routine site visit, staff observed the commercial tenant spaces with no concerns to note.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.19

	<i>Land Use per Title 19.12</i>	<i>General Plan</i>	<i>Zoning District</i>
Subject Property	General Retail	FBC (Form-Based Code)	T5-C (T5 Corridor)
North	Office	FBC (Form-Based Code)	T5-C (T5 Corridor)
South	Medical Office	FBC (Form-Based Code)	T4-C (T4 Corridor)
East	Convenience Store and Retail	FBC (Form-Based Code)	T5-C (T5 Corridor)
West	Office and Restaurant	FBC (Form-Based Code)	T5-C (T5 Corridor)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Master Plan 2050 Area: Downtown Las Vegas	Y
Vision 2045 Downtown Las Vegas Master Plan	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District - 175 Feet	Y
DTLV-O (Downtown Las Vegas Overlay) District - Area 3 (Las Vegas Medical District)	Y
LW-O (Live/Work Overlay) District	Y

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<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan	N/A
Interlocal Agreement	N/A
Project of Significant Impact	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>
Charleston Boulevard	Primary Arterial	Master Plan of Streets and Highways; Title 19.04	125	Y

Parking Requirement							
Use	Gross Floor Area or Number of Units	Base Parking Requirement			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regul ar	Handi- capped	Regul ar	Handi- capped	
Shopping Center	20,932 SF West Building 17,816 SF East Building	1:250	155				
TOTAL SPACES REQUIRED			155		113		N*
Regular and Handicap Spaces Required			149	6	105	8	N*

*This site is parking impaired as defined by Title 19.18.030(D).