



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: JULY 17, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: HAN CHENG LLC - OWNER: GRAND CANYON VILLAGE, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0199-SUP1	Staff recommends APPROVAL, subject to conditions	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 34

NOTICES MAILED 1095 (by City Clerk)

PROTESTS 0

APPROVALS 1 - 24-0199-SUP1

**** CONDITIONS ****

24-0199-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 9570 W Skye Canyon Park Dr, Suites #100 and #110.

ISSUES

- An Alcohol, On-Premise Full use is permitted in the PD (Planned Development-Community Commercial) zoning district with the approval of a Special Use Permit.

ANALYSIS

The applicant has proposed to operate a 2,400 square-foot Alcohol, On-Premise Full use at 9570 W Skye Canyon Park Dr, Suites #100 and #110. This tenant space was recently constructed within a shopping center that was entitled through Site Development Plan Review (20-0257-SDR1). The subject site is zoned PD (Planned Development-Community Commercial) and is subject to Title 19 development standards and the Grand Canyon Village Master Plan.

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.

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

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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 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 shopping center uses, with multifamily residential north of the commercial development and single family residential south of W Skye Canyon Park Dr. 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 (24-0199-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 shopping center uses, with multi-family residential north of the commercial development and single family residential south of W Skye Canyon Park Dr. The subject site provides parking in excess of the minimum parking requirement as set forth in Title 19.12.

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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 W Skye Canyon Park Drive, a 125-foot wide Major Collector and Grand Canyon Drive, a 78-foot wide Major Collector, as designated in the Master Plan of Streets and Highways. These streets are 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 Community Development – Building and Safety Division, 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 Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
11/17/10	The City Council approved a Rezoning (ZON-39455) from R-E to PD on 25.48 acres at the northwest corner of Horse Drive (renamed to W Sky Canyon Drive) and Oso Blanco Road.
	The City Council approved a Site Development Plan Review (SDR-39453) for a proposed 250,267 square-foot shopping center on 25.48 acres at the northwest corner of Horse Drive (renamed to W Sky Canyon Drive) and Oso Blanco Road.
09/08/15	The Planning Commission approved a Site Development Plan Review Site Development Plan Review (SDR-60370) for a proposed 215,902 square-foot commercial shopping center.
	The Planning Commission approved a Variance (VAR-60366) to allow no sidewalk connection from Oso Blanca Road to a proposed 216,081 square-foot commercial shopping center where such a connection is required.

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
09/08/15	The Planning Commission approved a Special Use Permit (SUP-60367) for gasoline sales.
	The Planning Commission approved a Special Use Permit (SUP-60368) for incidental gaming machines (in conjunction with a grocery store).
	The Planning Commission approved a Special Use Permit (SUP-60369) for liquor sales (retail establishment with accessory package liquor off-sale in conjunction with a grocery store).
12/08/20	The Planning Commission approved a Site Development Plan Review (20-0257-SDR1) for a 71,168 square-foot Shopping Center at the northeast corner of W Skye Canyon Park Dr and Grand Canyon Drive. The floor area was reduced to 69,045 square feet after publication.
	The Planning Commission approved Special Use Permits (20-0257-SUP1 through SUP6) for Beer Sales, Wine Sales, Gaming (incidental gaming machines only), Convenience Store, Gasoline Sales and Car Wash.
06/08/21	The Planning Commission approved two Special Use Permits (21-0176-SUP1 and SUP2) for a Liquor Establishment [Tavern] use and Gaming [Incidental Gaming Machines Only] at 9570 W Skye Canyon Park Drive.
02/16/22	The City Council approved a Major Modification (21-0718-MOD1) to amend the grand canyon village master development plan and design standards to add the massage establishment use to the land use table in Grand Canyon Village.
	The City Council approved a Special Use Permit (21-0718-SUP1) for a proposed massage establishment use on 12.04 acres at the northeast corner of W Skye Canyon Park Dr and Grand Canyon Drive (APN 125-07-601-012).
06/18/24	The Planning Commission voted (7-0) to recommend APPROVAL on the following Land Use Entitlement project request FOR A PROPOSED 2,400 SQUARE-FOOT TAVERN [ALCOHOL, ON-PREMISE FULL] USE WITHIN A PROPOSED RESTAURANT at 9570 W Skye Canyon Park Dr (APN 125-07-611-002), PD (Planned Development) Zone [CC (Community Commercial) Grand Canyon Village Special Land Use Designation], Ward 6 (Brune).

<i>Most Recent Change of Ownership</i>	
06/29/22	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
11/10/22	A building permit (#C21-05321) for a 10,132 square-foot commercial development at 9570 W Skye Canyon Park Drive was issued. This permit was finalized 04/02/24.

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Pre-Application Meeting	
04/09/24	A pre-application meeting was held to discuss the submittal requirements for a Special Use Permit.

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

Field Check	
05/08/24	During a routine site visit, staff observed an unoccupied shell building in a new commercial development.

Details of Application Request	
Site Area	
Gross Acres	12.00

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Shopping Center	PCD (Planned Community Development)	PD (Planned Development)
North	Multi-family residential	H (High Density Residential)	R-4 (High Density Residential)
South	Single Family, Detached	PCD (Planned Community Development)	PD (Planned Development)
East	Shopping Center	TND (Traditional Neighborhood Development)	T-D (Traditional Neighborhood)
West	Street Right of Way and Vacant Land	TND (Traditional Neighborhood Development)	T-D (Traditional Neighborhood)

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<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Kyle Canyon	Y
Grand Canyon Village Master Plan	Y
Northwest Open Space Plan	Y
Northwest Sector	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
PD (Planned Development) District	Y

<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	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>
W Skye Canyon Park Drive	Major Collector	Master Plan of Streets and Highways	125	Y
Grand Canyon Drive	Major Collector		78	Y

Pursuant to Title 19.08 and 19.12, 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	69,045 SF	1:250	277				
TOTAL SPACES REQUIRED			277		479		Y
Regular and Handicap Spaces Required			270	7	460	19	Y
Loading Spaces	69,045 SF	30,000 – 50,000*	4		6		Y