



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: MARCH 11, 2025

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: ELLEN PARK - OWNER: SOUTH SHORES, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
25-0035-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 34

NOTICES MAILED 1130

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

25-0035-SUP1 CONDITIONS

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 a Special Use Permit request for a proposed 1,386 square-foot Alcohol, On-Premise Beer/Wine use within an existing restaurant at 8540 West Lake Mead Boulevard, Suite #120.

ISSUES

- The Alcohol, On-Premise Beer/Wine use is allowed conditionally in the C-1 (Limited Commercial) zoning district.
- A Special Use Permit is requested, as the subject site is located zero feet from an individual care center licensed for more than 12 children where 400 feet is required per Title 19.12 Conditional Use Regulation #1 for an Alcohol On-Premise Beer/Wine use. Staff finds the proposed use can be conducted harmoniously and is compatible with surrounding land uses and therefore supports the request.

ANALYSIS

The subject tenant space is located in the C-1 (Limited Commercial) zoning district and is subject to Title 19 development standards. It is located within an existing shopping center with retail, restaurants and general personal service uses. The proposed Alcohol, On-Premise Beer/Wine use will be located within a suite that is operated by an existing restaurant.

Per Title 19.12.070, the Alcohol, On-Premise Beer/Wine use is defined as “an establishment licensed to sell alcoholic beverages, limited to the sale of beer, wine and coolers only, for consumption on the premises where the same is sold.” The proposed use meets this definition as the applicant intends to sell beer, wine and coolers only for restaurant patrons.

In the C-1 (Limited Commercial) zoning district, the Alcohol, On-Premise Beer/Wine use is allowed through the approval of a Conditional Use Verification. Conditional Use Regulation #1 for the Alcohol, On-Premise Beer/Wine use requires a 400-foot distance separation from protected uses, including individual care center licensed for more than 12 children. An individual care center is located within the subject shopping center; therefore, a Special Use Permit is requested.

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The proposed Alcohol, On-Premise Beer/Wine use would occur within a restaurant located in an established commercial development. Staff finds that the use can be conducted in a manner that is harmonious and compatible with the surrounding land uses and therefore recommends approval of the Special Use Permit, with conditions.

Conditional Use 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 Beer/Wine establishment and certain other uses that should be protected from the impacts associated with that establishment. Therefore, except as otherwise provided in these Regulations, no Alcohol, On-Premise Beer/Wine 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 does not meet this requirement as the subject site has a zero-foot distance separation from an individual care center licensed for more than 12 children within the shopping center. A Special Use Permit is requested, which staff supports.

2. The distance separation requirement set forth in Regulation 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.
 - b. Any Alcohol, On-Premise Beer/Wine 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 have a non-restricted gaming license and is not located within the Pedestrian Mall, the Downtown Entertainment Overlay District, or the 18b Arts District.

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FINDINGS (25-0035-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 Beer/Wine use can be conducted in a manner that is harmonious and compatible with the surrounding land uses in the shopping center.

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

The subject shopping center is physically suitable for an Alcohol, On-Premise Beer/Wine use. No additional parking is required for the proposed use.

- 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 Lake Mead Boulevard and Rampart Boulevard, 100-foot wide Primary Arterials as designated by the Master Plan of Streets and Highways. Both streets are adequate in size to meet 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.**

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.**

The proposed use does not meet Conditional Use Regulation #1, which requires a 400-foot distance separation from any Church/House of Worship, School, Individual Care Center, or City Park. Pursuant to LVMC 19.12.040, the applicant has requested a Special Use Permit as the subject site is within 400 feet of an individual care center.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
03/27/90	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0003-89(3)] for a proposed Shopping Center at the northeast corner of Lake Mead Boulevard and Rampart Boulevard. Staff recommended approval.
11/15/91	A Final Map for a one-lot commercial subdivision (South Shores Center) on 20.14 acres at the northeast corner of Lake Mead Boulevard and Rampart Boulevard was recorded.
04/05/06	The City Council approved a Special Use Permit (SUP-11434) for a proposed Beer/Wine/Cooler On-Sale Establishment use within a proposed restaurant and a Waiver of the 400-foot distance separation requirement from a child care facility at 8540 West Lake Mead Boulevard, Suite #120. The Planning Commission and staff recommended approval.
12/11/18	The Planning Commission approved a Special Use Permit (SUP-74836) for a proposed 1,433 square-foot Beer/Wine/Cooler On-Sale Establishment Use at 8540 West Lake Mead Boulevard, Suite #130. Staff recommended approval.
12/11/24	The Department of Community Development - Planning Division denied a Conditional Use Verification (101795-CUV) for Alcohol, On-Premise Beer/Wine at 8540 West Lake Mead Boulevard, Suite #120.

<i>Most Recent Change of Ownership</i>	
01/09/20	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
02/16/07	A business license (L09-00236) was issued for beer/wine/cooler on-sale at 8540 West Lake Mead Boulevard, Suite #120. The license was deemed inactive on 10/05/11.
12/21/11	A business license (L09-00328) was issued for beer and wine on-premise at 8540 West Lake Mead Boulevard, Suite #120. The license was deemed inactive on 11/13/23.
12/22/11	A business license (R09-01642) was issued for a restaurant at 8540 West Lake Mead Boulevard, Suite #120. The license was deemed inactive on 12/06/23.
01/03/12	A sign permit (#C-200343) was issued for channel letters at 8540 West Lake Mead Boulevard, Suite #120. The permit was finalized on 07/25/12.

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Related Building Permits/Business Licenses	
06/11/24	A building permit (#C24-00350) was issued for tenant improvements at 8540 West Lake Mead Boulevard, Suite #120.
11/12/24	A sign permit (#C24-03387) was issued for channel letters at 8540 West Lake Mead Boulevard, Suite #120. The permit was finalized on 11/27/24.
12/07/24	A business license (G72-05520) was issued for a restaurant at 8540 West Lake Mead Boulevard, Suite #120.
12/11/24	A business license application (P72-00313) was processed for beer and wine on-premise at 8540 West Lake Mead Boulevard, Suite #120. A license has not been issued.

Pre-Application Meeting	
01/16/25	A pre-application meeting was held with the applicant.

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

Field Check	
01/27/25	Staff conducted a routine field check and observed an existing restaurant within a shopping center.

Details of Application Request	
Site Area	
Net Acres	1.64

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Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Residential, Single Family, Detached	ML (Medium Low Density Residential)	R-PD5 (Residential Planned Development - 5 Units per Acre)
South	Shopping Center	VC (Village Commercial)	P-C (Planned Community)
East	Residential, Single Family, Detached	ML (Medium Low Density Residential)	R-PD5 (Residential Planned Development - 5 Units per Acre)
West	Shopping Center	SC (Service Commercial)	P-C (Planned Community)

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Twin Lakes	Y
Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	Compliance
Trails (Shared Use Trail - Rampart Boulevard - Constructed)	Y
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

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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>
Lake Mead Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	100	Y
Rampart Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	100	Y

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

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	131,280 SF	1 space per 250 SF GFA	526				
TOTAL SPACES REQUIRED			526		653		Y
Regular and Handicap Spaces Required			515	11	638	15	Y