



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: DECEMBER 10, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: MURUGAN, LLC - OWNER: ROCK SPRINGS, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0575-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 27

NOTICES MAILED 698

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0575-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. A Waiver from Title 19.12 is hereby approved, to allow a 330-foot distance separation from a school.
4. 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.
5. 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.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
December 10, 2024 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Special Use Permit for an Alcohol, On-Premise Full use in conjunction with their existing restaurant located at 7175 West Lake Mead Boulevard, Suite #130 within the “Rocksprings Plaza” shopping center.

ISSUES

- The Alcohol, On-Premise Full use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- A Waiver is requested to allow a 330-foot distance separation from a school, where 400 feet is required. Staff supports the Waiver request.

ANALYSIS

The applicant is requesting a Special Use Permit in order to serve alcohol within their existing restaurant, “Taj Palace.” The subject restaurant is located within an existing shopping center that provides a variety of goods and services to the area residents.

To the south of the subject site is an existing school that is approximately 330 feet from the property line of the shopping center. Title 19.12 requires a 400-foot distance separation between an Alcohol, On-Premise Full establishment and a school when measured property line to property line. The applicant is requesting a Waiver to allow this 330-foot distance separation, which staff supports as the subject site has no direct access to the school and is an established shopping center designed to accommodate the use proposed.

An Alcohol, On-Premise Full use is described in Title 19.12 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 are:

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.

Staff Report Page Two
December 10, 2024 - Planning Commission Meeting

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 does not meet this requirement as it is located approximately 330 feet from an existing school located south of the subject site. The applicant is requesting a Waiver of this requirement, which staff supports. The subject site is a shopping center designed to accommodate a variety of uses, including the proposed. In addition there is no direct access between the subject site and the school campus.

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.

Staff finds the proposed use is harmonious and compatible with the existing surrounding uses within the shopping center and the immediate area as the school campus is located “behind” the subject site with no direct access. Therefore, staff is recommending approval with conditions.

FINDINGS (24-0575-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:

Staff Report Page Three
December 10, 2024 - Planning Commission Meeting

- 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 land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses which consist of multiple commercial subdivisions with similar land uses and an office complex.

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

The subject site is an existing shopping center designed to accommodate 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.**

Lake Mead Boulevard is a 100-foot wide primary arterial as defined by the Master Plan of Streets and Highways, and Rock Springs Drive is an 80-foot wide local street. Both rights-of-way are adequate in size to accommodate 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 use is subject to oversight by multiple governmental agencies thus ensuring the public health, safety, and welfare are not compromised.

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

The proposed use does not meet conditional use requirement number one, which requires a 400-foot distance separation from a school. The subject site is approximately 330 feet from the existing school to the school with no direct access between the two land uses. Therefore staff recommends approval of the requested Special Use Permit with Waiver.

Staff Report Page Four
December 10, 2024 - Planning Commission Meeting

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
03/01/06	The City Council approved a Special Use Permit (SUP-10767) for a proposed Beer/Wine/Cooler On-Sale Establishment and a Waiver of the 400-foot distance separation requirement from a school at 7101 West Lake Mead Boulevard. Staff recommended denial and the Planning Commission recommended approval.

<i>Most Recent Change of Ownership</i>	
08/2022	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
12/27/23	A Building Permit (C23-04202) was issued for a tenant improvement at 7175 West Lake Mead Boulevard, Suite #130. The permit received its final inspection on 02/16/24.
12/28/23	A Building Permit (C23-04273) was issued for a wall sign at 7175 West Lake Mead Boulevard, Suite #130. The permit received its final inspection on 03/07/24.
02/25/24	A Business License (G71-07444) was issued for a restaurant at 7175 West Lake Mead Boulevard, Suite #130. The license is active as of 11/20/24 and is due for renewal on 02/01/25.

<i>Pre-Application Meeting</i>	
10/25/24	Staff provided the applicant with a submittal checklist for the requested Special Use Permit application.

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

<i>Field Check</i>	
11/14/24	During a routine field check of the subject site staff noted the subject suite within a well-maintained shopping center. Staff observed a temporary sign, but was unable to locate a permit for the sign.

Staff Report Page Five

December 10, 2024 - Planning Commission Meeting

Details of Application Request	
Site Area	
Net Acres	3.50

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	Commercial Subdivision	SC (Service Commercial)	C-1 (Limited Commercial)
South	Commercial Subdivision	SC (Service Commercial)	C-1 (Limited Commercial)
East	Commercial Subdivision	SC (Service Commercial)	C-1 (Limited Commercial)
West	Office Complex	SC (Service Commercial)	C-1 (Limited Commercial)

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 – 175 Feet	Y
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

Staff Report Page Six
December 10, 2024 - Planning Commission Meeting

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
Rock Springs Drive	Local Street	Title 13	80	Y

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

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	40,125 SF	1:250 SF	161				
TOTAL SPACES REQUIRED			161		212		Y
Regular and Handicap Spaces Required			155	6	205	7	Y

<i>Waivers</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
No Alcohol, Off-Premise Full establishment may be located within 400 feet of a school.	To allow a 330-foot distance separation.	Approval