

**AGENDA MEMO - PLANNING****PLANNING COMMISSION MEETING DATE: JULY 13, 2021****DEPARTMENT: PLANNING****ITEM DESCRIPTION: APPLICANT: HOLE 19 - OWNER: GREAT WASH PARK, LLC****** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
21-0319-SUP1	Staff recommends APPROVAL, subject to conditions:	
21-0319-SDR1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ******NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 32**NOTICES MAILED** 496**PROTESTS** 0**APPROVALS** 0

**** CONDITIONS ****

21-0319-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Beer/Wine/Cooler On-Sale Establishment use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (21-0319-SDR1) shall be required, if approved.
3. 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.
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 Department of Building and Safety.
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.

21-0319-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (21-0319-SUP1) shall be required, if approved.
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 development shall be in conformance with the site plan, and building elevations, date stamped 05/19/21, except as amended by conditions herein.
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 Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
7. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

8. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any sand/oil interceptors (for the Steel Dog Bathing Tubs) and possible future grease interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-2338 or emailed at ece@lasvegasnevada.gov.

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9. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage study update.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to operate a private, membership based dog park with bar within an existing park area at Tivoli Village located at the northeast corner of Alta Drive and Rampart Boulevard.

ISSUES

- The Beer/Wine/Cooler On-Sale Establishment Use is a Conditional Use within the C-2 (General Commercial) zoning district. The subject site is within 400 feet of a City Park causing the subject site to not meet the minimum distance separation set forth by Title 19.12. The applicant is requesting a Special Use Permit to relieve the distance separation requirement, which staff supports.

ANALYSIS

The subject site is an existing 13,000 square-foot artificially turfed outdoor area within Tivoli Village. This outdoor space is currently not utilized, and the applicant is proposing to operate a membership based dog park with canopies and umbrellas for shade, stell tubs, or pools for the dogs to keep cool in, and bar that serves beer and wine for the human patrons of the dog park. The 13,000 square feet will be divided into areas for small and large dogs, with “Bark Rangers” to ensure the facility remains clean and orderly.

Special Use Permit

The Beer/Wine/Cooler On-Sale Establishment use is described by Title 19.12 as “an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers only for consumption on the premises where the same is sold.” The proposed use meets the definition as the applicant is proposing to operate a bar facility within the dog park that serves the human clientele beer and wine. This use is a Conditional Use within the C-2 (General Commercial) zoning district.

The Conditional Use Regulations for this use include:

1. Requirement 1: Except as otherwise provided, no beer/wine/cooler on-sale establishment (hereinafter “establishment”) shall be located within 400 feet from any church/house of worship, school, individual care center licensed for more than 12 children, or City park.

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The proposed use does not meet this requirement as the subject site is approximately 144 feet from a City Park, and the applicant is requesting a Special Use Permit for relief of this regulation.

2. Requirement 2: The minimum distance separation requirements in Regulation 1 do not apply to:
 - a. An establishment which has a nonrestricted 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. A proposed establishment having more than 50,000 square feet of retail floor space

This regulation is not applicable.

3. Requirement 3: All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

The proposed use meets this requirement, as this is a requirement of licensure as well.

Staff finds the use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses as the subject site is part of a Mixed Use that was designed to accommodate a variety of uses such as the proposed. Therefore, staff is recommending approval of the Special Use Permit.

Site Development Plan Review

The proposed Commercial Recreation/Amusement (Outdoor) (private dog park) is described by Title 19.12 as "an outdoor facility or area for sport, entertainment, games of skill, or recreation that is open to use by the general public for a fee. This use includes without limitation game courts, water slides, golf courses, outdoor miniature golf courses, drive-in theaters, batting cages, practice/instructional fields, amusement parks, amphitheaters, and sports events."

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The proposed private dog park and bar facility is easily accessed from Rampart Boulevard, just south of the round-about. The proposed area is enclosed by a four-foot tall wrought iron fence to ensure the canine clientele remain within the park area and safe from vehicular traffic. The space is divided into two park facilities, and a patio area. One park is designated for small and medium dogs, while the other is designated for medium to large dogs. Each designated park area is monitored by employees to ensure cleanliness and safety for all who visit the dog park, human and canine alike. Steel tubs are provided within both park areas as a water source for the dogs to utilize, while seating areas with canopies and umbrellas are provided for the human patrons within the patio area, including a bar area that will serve beer, wine, and other non-alcoholic beverages such as water and soda.

Staff finds the proposed membership based private dog park within an established Mixed-Use Development supports the intent and purpose of a Mixed-Use development to provide a variety of uses to the area patrons and residents, and recommends approval of the requested Site Development Plan Review as it is a compatible addition for the area.

FINDINGS (21-0319-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 subject site is an existing under-utilized park-like area located within a Mixed-Use Development that is designed to accommodate the type of use proposed. The proposed use is compatible with the surrounding land uses and can be conducted in a manner that is harmonious with surrounding land uses.

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

The subject site is located within an existing mixed-use development that is physically suitable for the type of 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.**

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Street facilities, Rampart Boulevard and Alta Drive, are adequate in size to meet 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.**

Approval of this Special Use Permit will not compromise the public health safety and general welfare of the public. The use will be subject to regular inspections and is subject to licensing restrictions.

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

There are no Minimum Special Use Permit Requirements set forth by Title 19.12.

FINDINGS (21-0319-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed private dog park is compatible with the existing land uses located within the Mixed-Use Development and development in the area.

- 2. The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

The proposed development meets the minimum development standards set forth by Title 19.12, and the use of artificial turf is consistent with the Conservation Elements of the General Plan.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Site access and circulation remains as constructed and will not negatively impact adjacent roadways.

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4. Building and landscape materials are appropriate for the area and for the City;

Artificial turf, iron fencing, and steel tubs are appropriate materials for the area and the City.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed architectural features and design characteristics create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Building permit reviews, regular inspections during the construction phase, and licensing regulations are the measures taken to secure and protect the public health, safety and general welfare.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
04/19/06	The City Council approved a Site Development Plan Review (SDR-10770) for a 10-story Mixed-Use Development consisting of 699,000 square feet of commercial space and 340 residential units and a Variance (VAR-10773) to allow 3,995 parking spaces where 4,961 parking spaces are required at the northeast corner of Rampart Boulevard and Alta Drive. Planning Commission recommended approval. Staff recommended denial.

<i>Most Recent Change of Ownership</i>	
01/2004	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
08/22/17	A building permit (C17-00848) was issued for a pad infill and landscape area at 270 South Rampart Boulevard. The permit received its final inspection on 12/01/17.

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Pre-Application Meeting

05/12/21	Staff provided the applicant a submittal checklist for the proposed development and necessary application types.
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Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.
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Field Check

05/26/21	Staff performed a routine field check of the subject site and observed a well maintained park-like facility within the Mixed-Use Development, Tivoli Village. Nothing of concern was noted by staff during the visit.
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Details of Application Request

Site Area	
Net Acres	28.43

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Mixed-Use Development	TOD1 (Transit Oriented Development – 1)	C-2 (General Commercial)
North	Golf Course	PR-OS (Park / Recreation / Open Space)	C-V (Civic)
South	Undeveloped / Shopping Center	TOD1 (Transit Oriented Development – 1)	PD (Planned Development)
East	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Hotel/Casino	SC (Service Commercial)	C-1 (Limited Commercial)

Master and Neighborhood Plan Areas	Compliance
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A

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<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Pedestrian Path)	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

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>
Rampart Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	105	Y
Alta Drive	Collector	Master Plan of Streets and Highways Map	100	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	
Mixed-Use	775,890 SF	Mixed-Use Matrix	3,760				
TOTAL SPACES REQUIRED			3,760		3,817		Y
Regular and Handicap Spaces Required			3,712	48	3,757	60	Y