



Planning Commission Agenda Item

Date: November 13,
2024

Item No: 11

TO: Planning Commission

FROM: Alfredo Melesio, Jr., AICP, EDFP
Director of Land Development & Community Services
Prepared By: Miranda Cain, Planner

SUBJECT: SUP-46-2024 CASA EL DESAYUNO (Public Hearing). Applicant: Marco Perez Bellow. Request: A Special Use Permit in an R-A/DC (Redevelopment Area / Downtown Core Subdistrict) to allow a Beer-Wine-Spirit Based Product "On-Sale" Liquor License in Conjunction with a Restaurant. Location: 2632 East Lake Mead Boulevard. (APN 139-24-201-001). Ward 1. (For Possible Action)

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DESCRIPTION:

The applicant is requesting Planning Commission approval to allow a Beer-Wine-Spirit based product "On-Sale" liquor license in conjunction with a restaurant. The site is located at 2632 East Lake Mead Boulevard. The site is zoned R-A/DC, Redevelopment Area / Downtown Core Subdistrict and the Comprehensive Plan Land Use designation for the subject site is Downtown Business District.

BACKGROUND INFORMATION:

Previous Action
N/A

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Downtown Business District	R-A/DC, Redevelopment Area / Downtown Core Subdistrict	Existing Commercial Development
North	Downtown Business District	C-2, General Commercial District and R-3, Multi-family Residential District	Existing Commercial parking area and Existing Multi-Family Development
South	Downtown Business District	R-1, Single Family Low Density Residential District	Public right of way and Existing Single Family Development.
East	Downtown Business District	R-A/DC, Redevelopment Area / Downtown Core Subdistrict	Existing Commercial Development including Restaurants, Professional Offices, and Retail Stores
West	Downtown Business District	R-A/DC, Redevelopment Area / Downtown Core Subdistrict	Existing Commercial Development including Restaurants and Retail stores.

DEPARTMENT COMMENTS:

Department	Comments
Public Works:	No Comment.
Police:	No Comment.
Fire:	No Comment.
Clark County School District	No Comment.
Clark County Department of Aviation	No Comment.

ANALYSIS:

The applicant is requesting Planning Commission approval to allow a Beer-Wine-Spirit based product "On-Sale" liquor license in conjunction with a restaurant. The subject site

is an existing building located at 2632 East Lake Mead Boulevard. The existing building is 5288 square feet with access from three (3) entrances; two entrances from Daley Street and one entrance from McCarran Street.

The proposed use is for an existing restaurant that has been operating at this location since November of 2022. The restaurant serves breakfast and lunch and is requesting the special use permit to serve beer, wine and spirit drinks during the restaurant's hours of operation from 7:00 am to 3:00 pm daily.

Architecturally, the existing building has an asphalt shingle sloped roof and a stucco siding painted red and green. The restaurant portion is painted red while the adjacent suite is painted green. At the time of construction in 1956, there were no commercial design standards in place, so this building is considered legally non-conforming. The landscaping on the site meets the standards required at the time of construction. The building is a part of an existing commercial center that includes additional retail and commercial uses.

Applicants Elevation submitted with the application:



The overall commercial center has approximately 79 parking spaces for the various business in the center. The proposed use is within an existing building and will not need any additional parking. Therefore, staff does not anticipate any parking concerns for the proposed use and the existing approved uses.

The applicant is required to submit a survey plat stamped by a Nevada-licensed surveyor or a notarized statement indicating that the proximity distance requirements have been met. The applicant has submitted a notarized statement attesting that the proposed establishment complies with the 400-foot separation requirement from any school, churches, parks, or daycare center. Staff has reviewed business licenses and the surrounding area and does not find any schools, churches, parks, or daycares within 400 feet of the restaurant.

Requirements for Approval of a Special Use Permit

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
 - The Comprehensive Master Plan (land use) is Downtown Business District. A restaurant with “On Sale” of beer, wine, and spirit based products is permitted within the R-A/DC, Redevelopment Area / Downtown Core Subdistrict with a special use permit.
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in Chapter 17.20 of this Code;
 - The purpose of the R-A/DC, Redevelopment Area / Downtown Core Subdistrict is to promote pedestrian-friendly, high-intensity development within Downtown North Las Vegas that includes a mixture of commercial, office, entertainment, public uses, and residential areas. A restaurant with “On Sale” of beer, wine, and spirit based products would be a compatible establishment as part of a commercial center catering to the nearby residents and surrounding downtown area including the existing bakery and insurance agency already in the development.
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
 - The proposed use to allow the “On Sale” of beer, wine, and spirit based products will have similar hours with the additional businesses in the

development.

4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
 - There are no significant adverse impacts anticipated from this use. It is located within an existing building where a restaurant currently exists and within an established commercial center.
5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.
 - The proposed use to allow the “On Sale” of beer, wine, and spirit based products should not harm the existing facilities and services. In addition, the restaurant currently operates at this location and the proposed use would not have an additional impact on the existing facilities.

The proposed use is consistent with the current R-A/DC, Redevelopment Area / Downtown Core Subdistrict, and Downtown Business District land use designation and the uses within the established commercial center. The surrounding neighborhood consists of existing commercial to the East and West, single family residential to the South, and multi-family residential to the North. The proposed “On-Sale” for beer, wine, and spirit-based products is compatible with the surrounding neighborhood and the community. The proposed use should not pose a negative impact on the surrounding uses or properties. Staff has no objections to the proposed use and recommends approval with the listed conditions.

CONDITIONS:

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. Hours of operation shall be 7:00 am to 3:00 pm daily.

ATTACHMENTS:

Letter of Intent

Site Plan

Building Elevation

Floor Plan

Distance Separation Notarized Statement

Clark County Assessor's Map

Location and Zoning Map