



Planning Commission Agenda Item

Date: March 8, 2023

Item No: 4

TO: Planning Commission

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

SUBJECT: **SUP-01-2023 YAMA CHEYENNE (Public Hearing).** Applicant: Yong Ha Chung. Request: A Special Use Permit in a C-2 (General Commercial District) to Allow an "On-Sale" Beer-Wine-Spirit Based Products License in Conjunction with a Restaurant. Location: 2235 East Cheyenne Avenue Suite 190. (APN 139-14-515-004) Ward 1. (For Possible Action)

RECOMMENDATION: APPROVE WITH CONDITIONS

PROJECT DESCRIPTION: (APN: 139-14-515-004)

The applicant is requesting Planning Commission consideration of a special use permit to allow a full "on-sale" liquor license in a C-2 (General Commercial District). The subject site is a single suite that is 6,467 square feet in size. The proposed use is to be a sushi restaurant that serves beer and wine and will be located south of Cheyenne Avenue and east of Civic Center Drive within an existing commercial center. The subject site's Comprehensive Master Plan land use designation is Downtown Area of Influence.

BACKGROUND INFORMATION:

Previous Action	
SPR-35-05 was approved by Planning Commission on August 10, 2005 to allow a 87,814 square-foot commercial retail center.	

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Downtown Area of Influence	C-2, General Commercial	Commercial Center
North	Downtown Area of Influence	C-2, General Commercial	Commercial Center
South	Downtown Area of Influence	R-3, Multi-Family Residential R-1, Single family Low Residential	Single Family & Multi-Family Housing
East	Downtown Area of Influence	R-1 Single Family Low Residential	Single Family Housing
West	Downtown Area of Influence	R-1 Single Family Low Residential	Single Family Housing

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.
Economic Development:	No Comment.

ANALYSIS:

The applicant is proposing a sushi restaurant at this location. The plan is to include an “on-sale” component to offer beer & wine to compliment the meal. This will be the third restaurant of the same name within the valley. According to the applicant’s letter of intent, the proposed restaurant will have on-site consumption of beer and wine to enjoy with a meal. The proposed suite is 6,467 square feet in size with seating shown for 150 people.

Access from the existing commercial site is from four (4) entrances: (2) from Cheyenne Avenue, and two (2) from Civic Center Drive Avenue both are 100-foot rights-of-way. The proposed site is located within the Cheyenne Point Commercial Center and will share parking located within the development. At the time of the Site Plan Review (SPR-35-05) approval, a total of 473 parking spaces were provided where 395 were required for the overall site.

This will mainly be an interior remodel of an existing tenant space. The building was constructed in 2007 and was in compliance with the commercial design standards from that time. The exterior of the building has not been shown to be altered, however, the existing red canopy will need to be changed to match the existing green canopies located within the subject site. This is a small detail and alongside the remodel, can be addressed and reviewed during the building permit process.

The immediate surrounding area is all commercial in nature. There is more commercial on the north side of Cheyenne Avenue, with residential directly to the east, south and on the west side of Civic Center Drive.

Staff has no objections to the proposed use for an “on-sale” restaurant at this location. The addition of the proposed restaurant should not create a negative impact on the surrounding neighborhood. Staff recommends approval subject to conditions.

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;
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;
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);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
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.

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. Red Awning must be removed / altered to match the existing green awnings in the development.

ATTACHMENTS:

Letter of Intent

Site Plan

Building Floor Plan

Building Elevations

Evidence of Separation Plan

Clark County Assessor's Map

Location and Zoning Map