



Planning Commission Agenda Item

Date: April 14, 2021

Item No: 3.

TO: Planning Commission

FROM: Marc Jordan, Director Land Development & Community Services
Prepared By: Amy Michaels

SUBJECT: SUP-16-2021 ONELUV (Public Hearing). Applicant: Marcus Allen.
Request: A special use permit in an M-2 (General Industrial District) to allow an "On-Sale" liquor license in conjunction with a non-profit club.
Location: 3432 North Bruce Street, Suite 4.

RECOMMENDATION: DENIAL

PROJECT DESCRIPTION: (APN 139-11-701-007).

The applicant is requesting Planning Commission approval of a special use permit to allow an "On-Sale" liquor license in conjunction with a non-profit club located at 3432 North Bruce Street, Suite 4. The site has a zoning classification of M-2, General Industrial District and a Comprehensive Master Plan Land Use designation of Heavy Industrial.

BACKGROUND INFORMATION:

Previous Action
N/A

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Heavy Industrial	M-2, General Industrial District	Industrial
North	Heavy Industrial	M-2, General Industrial District	Industrial
South	Heavy Industrial	M-2, General Industrial District	Industrial
East	Heavy Industrial	M-2, General Industrial District	Industrial
West	Heavy Industrial	M-2, General Industrial District	Industrial

DEPARTMENT COMMENTS:

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

ANALYSIS

The applicant is requesting Planning Commission approval of a special use permit to allow an "On-Sale" liquor license in conjunction with a non-profit club located at 3432 North Bruce Street, Suite 4. The applicant's letter of intent states that the applicant is requesting to obtain an alcoholic beverage license for a non-profit club. The applicant also states that the license is to allow the organization to host events that offer alcohol to better serve its members and guests. The applicant is requesting to operate from 8:00 p.m. to 2:00 a.m. Wednesday, Friday and Saturday.

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 indicating the proposed use complies with the 400-foot separation requirement from any school, park, daycare and/or church.

The primary uses in the Heavy Industrial land use designation are for higher-intensity industrial activities including manufacturing, processing, warehousing, storage, and other similar uses in function and intensity.

The purpose of the M-2, General Industrial District zoning designation is to provide for the development of uses that, because of the nature of their operation, appearance, traffic generation, or emission, would not be compatible with land uses in most other zoning districts, however are desirable activities in the City. The provision for non-industrial uses are limited in this district.

The non-profit club currently is operating in an existing suite in a building located within an industrial area. The other suites in the building consist of building contractors offices. The M-2, General Industrial District does allow for liquor uses such as a tavern ("On-Sale") or a convenience food store ("Off-Sale"), however the proposed location is not appropriate for an "On-Sale" liquor use. The surrounding uses are industrial; building contractors, heavy equipment operations, trucking facilities, etc.

There are locations within the industrial area along Losee Road that may allow for the requested use. Commercial uses that support the industrial uses are appropriately located along arterials that serve the entire area. These commercial uses such as the requested "On-Sale" use should not be located within the heart of the industrial district on a minor collector. Within the industrial areas along Losee Road there are commercial uses such as restaurants and convenience stores that serve the area; however, these uses are located along the intersections and serve the industrial uses. This proposed use is located in the industrial area and is entirely surrounded by intense industrial uses. The proposed liquor license is not compatible with the surrounding uses within the building or the surrounding area.

The City of North Las Vegas Police Department has reviewed this request and has concerns about a liquor license for this site. The memorandum indicates that a site check of the address has revealed three (3) police reports taken since January 1, 2021. The City of North Las Vegas Police Department believes that the presence of alcohol at the location would exacerbate the problems that are already present at this location.

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 proposed "On-Sale" liquor license is not consistent with the Heavy Industrial land use or the M-2, General Industrial District zoning. The proposed use is commercial in nature and located solely in the center of intense heavy industrial uses that surround the site.

- 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 proposed "On-Sale" liquor license is not consistent with the M-2, General Industrial District. The proposed use is located within the heart of the industrial area and is not compatible with the surrounding uses in intensity.

- 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 "On-Sale" liquor use is not compatible with the adjacent uses. The adjacent uses are heavy industrial uses such as; heavy equipment operations and storage; contractor operations; manufacturing/warehousing; and recycling. The hours of operation that the applicant is proposing is not compatible with the surrounding uses.

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

The proposed "On-Sale" liquor license can have significant adverse impacts to the industrial area. The existing uses in this area are intense by nature and adding a liquor use within the heart of the area could result in adverse consequences to the members of the non-profit club and impact the operations of the surrounding uses. There is a significant amount of truck traffic in the area as well as heavy equipment use. Allowing a liquor use could create a negative impact on the adjacent uses and in certain instances could increase accidental situations.

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 approval of this use within the industrial area can cause an increase in the need of police and emergency services.

Conclusion:

The proposed "On-Sale" liquor use is not consistent with the M-2, General Industrial District zoning designation or Heavy Industrial Comprehensive Master Plan land use for this particular location. The propose liquor use appears to be incompatible with adjacent uses of manufacturing, warehousing, heavy equipment operations and could have a negative impact on the surrounding properties. The hours of operation of Wednesday, Friday and Saturday from 8:00 p.m. to 2:00 a.m. is not consistent with the hours of operation for the surrounding industrial uses. Staff objects to the proposed "On-Sale" liquor use and hours of operation at this location and is recommending denial of the applicant's request.

ATTACHMENTS:

CNLV Police Department Memorandum
Letter of Intent
Notarized Distance Survey Statement
Site Plan
Building Photographs
Clark County Assessor's Map
Location and Surrounding Area Map
Location and Zoning Map