



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: MAY 14, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: BC BUFFALO HOLDINGS, LLC - OWNER: 401
BUFFALO HOLDINGS, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0050-SUP1	Staff recommends APPROVAL, subject to conditions	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

NOTICES MAILED 1416

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0050-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. 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.
4. 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.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Special Use Permit for a proposed Alcohol, On-Premise Full use at 301 North Buffalo Drive.

ISSUES

- An Alcohol, On-Premise Full use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

ANALYSIS

The applicant has proposed to operate a 5,145 square-foot Alcohol, On-Premise Full use at 301 North Buffalo Drive. This location is an existing restaurant which was approved for Alcohol, On-Premise Beer/Wine/Cooler sales through a Conditional Use Verification (CUV-71366) on 08/07/17. The subject site is zoned C-1 (Limited Commercial) and is subject to Title 19 development standards. The parking requirement for this use is the same as the existing entitlement, therefore the required parking is unaffected.

The Alcohol, On-Premise Full use is defined 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 proposed use meets this definition. An approved Special Use Permit is required for any establishment proposing an Alcohol, On-Premise Full use.

The Minimum Special Use Permit Requirements for this use include:

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. 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 Alcohol, On-Premise Full establishment meets this requirement as it is not within 400 feet of any of the uses listed above.

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2. The distance separation requirement set forth in Requirement 1 does not apply to the following: 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 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.

The requirement is not applicable as the subject is not 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.

The proposed Alcohol, On-Premise Full is compatible with surrounding land uses. The surrounding land uses include office and single-family residential uses, but the subject site is separated from the single-family residences by Buffalo Drive. 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. Therefore, staff recommends approval of the requested Special Use Permit.

FINDINGS (24-0050-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 proposed Alcohol, On-Premise Full use can be conducted in a manner that is harmonious and compatible with the existing surrounding uses.

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

The subject site can physically accommodate the proposed Alcohol, On-Premise Full use and is separated from adjacent office and single-family residential uses by roadways.

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- 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.**

Site access is provided from Buffalo Drive, a 155-foot wide Major Street as designated in the Master Plan of Streets and Highways. This street are sufficient in size to accommodate the needs 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.**

The proposed Alcohol, On-Premise Full use will be subject to regular inspections during rehabilitation of the building itself by the Department of Building and Safety, and regular inspections by the Department of Community Development – Business Licensing Division once a business license has been issued thus protecting the public health, safety, and welfare.

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

The proposed Alcohol, On-Premise Full use has met the requirements set forth by both Title 19.12.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Code Enforcement, etc.</i>	
04/21/93	The City Council approved a change from N-U (Non-Urban) to C-1 (Limited Commercial) at the subject site.
03/02/99	The Board of Zoning Adjustment approved a Variance (V-8-99) to allow a 658 square-foot room addition to an existing restaurant 15 feet from the property line where 20 feet is the minimum front yard setback required at 301 North Buffalo Drive.
05/20/13	Staff approved an administrative Minor Amendment Site Development Plan Review (SDR-49156) to an approved Plot Plan Review (Z-0023-93) for a 775 square-foot addition to an existing 5,360 square-foot restaurant at 301 North Buffalo Drive.
08/07/17	Staff approved a Conditional Use Verification (CUV-71366) to allow a Beer/Wine/Cooler On-Sale use at 301 North Buffalo Drive.

<i>Most Recent Change of Ownership</i>	
12/10/19	A deed was recorded for a change in ownership.

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Pre-Application Meeting	
01/24/24	A pre-application meeting was held to discuss the submittal requirements for a Special Use Permit.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
04/02//24	During a routine site visit, staff observed a well maintained restaurant with no concerns of note.

Details of Application Request	
Site Area	
Gross Acres	0.17

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Offices	SC (Service Commercial)	C-1 (Limited Commercial)
North	Summerlin Parkway	ROW (Right-of-way)	ROW (Right-of-way)
South	Office Park Retail Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Residential Compact Lot)
West	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Residential Compact Lot)

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Angel Park	Y
Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact	N/A
Project of Regional Significance	N/A

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DEVELOPMENT STANDARDS

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Buffalo Drive	Primary Arterial	Master Plan of Streets and Highways	155	Y

Parking Requirement as set forth in SDR-49156 and Z-0023-93							
Use	Gross Floor Area or Number of Units	Base Parking Requirement		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regul ar	Handi-capped	Regul ar	Handi-capped	
Restaurant	3,572 BOH 2,567 FOH	1:200 Back of house 1:50 FOH	70				
Office, Other than listed	96,597 SF	1:400 per Z-0023-93	241				
TOTAL SPACES REQUIRED			307		521		Y*
Regular and Handicap Spaces Required			299	8	501	20	Y*