



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**PLANNING COMMISSION MEETING DATE: OCTOBER 10, 2023**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: VINTAGE VEGAS TAVERN - OWNER: MAIN STREET LAS VEGAS, LLC**

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>23-0397-SUP1</b>	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      24

**NOTICES MAILED**                      313

**PROTESTS**                      0

**APPROVALS**                      0

**\*\* CONDITIONS \*\***

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**23-0397-SUP1 CONDITIONS**

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**Planning**

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Alcohol, On-Premise Full use.
2. 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.
3. 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.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**Public Works**

7. Submit a License Agreement for landscaping and private improvements (outdoor dining) in the Main Street public rights-of-way prior to the issuance of permits for these improvements. If requested by the City, the applicant shall remove property within the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Community Development (229-4836).

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is requesting a Special Use Permit to convert one of the suites currently used for Vintage Vegas's retail operations to a bar with Alcohol, On-Premise Full at 1227 South Main Street.

**ISSUES**

- An Alcohol, On-Premise use is permitted in the C-M (Commercial/Industrial) zoning district with the approval of a Special Use Permit.
- The applicant is also proposing to add a rear outdoor patio area, and to include outdoor seat in front of the building, subject to a license agreement.

**ANALYSIS**

The applicant is requesting a Special Use Permit in order to sell full alcohol on-premise in the tenant space at 1227 South Main Street. The tenant space is a single-story storefront, with a fenced area in front. The subject property is zoned C-M (Commercial/Industrial) and is within the DTLV-O (Downtown Las Vegas Overlay) Area 1 (18b Art's District). The site is therefore subject to Appendix F Downtown Las Vegas Interim Development Standards, and is exempt from distance separation requirements for the proposed Alcohol, On-Premise Full use. The conversion from a small retailer to the proposed Alcohol, On-Premise Full bar layout would result in an additional need for 34 parking stalls in accordance with Title 19.12., however, as this project is located within the Downtown Las Vegas Overlay - Area 1, it is not subject to the automatic application of parking requirements.

An Alcohol, On-Premise Full use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. 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 the definition by proposing alcohol beverage sales limited to consumption on-premises. 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

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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 use is exempt from this requirement as it is within the Downtown Las Vegas Overlay District, pursuant to requirement two below.

2. The distance separation requirement set forth in Requirement 1 does not apply to the following: (a.) 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 (b.) 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 proposed use is exempt from the distance separation requirement in accordance with Requirement #2(b) as it is within the 18b Arts District, as described in Appendix F.

The proposed Alcohol, On-Premise Full use is aligned with the goals of the 18b Arts District, as set forth in the Vision 2045 Downtown Masterplan. Further, the proposed Alcohol, On-Premise Full use is complimentary with their neighboring businesses, which include indoor recreation [Sin City Yoga], retail, several bars, and an Automotive Repair, Major business across the street. The proposed use can be conducted in a harmonious and compatible way with surrounding land uses and staff recommends approval, subject to conditions.

## **FINDINGS (23-0397-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 land use can be conducted in a harmonious and compatible manner with the surrounding land uses. The Alcohol, On-Premise, Full use is consistent with the 18b Art's District of the Vision 2045 Downtown Las Vegas Master Plan for culture and tourism.

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

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The subject site is physically suitable for the intensity of the 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.**

Main Street is a 91-foot wide Primary Arterial and is subject to the Master Plan of Streets and Highways. This street is adequate in size to serve the automotive, pedestrian, and bicycle traffic of the proposed Alcohol, On-Premise Full 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 use will be subject to business license review and periodic inspection, thereby safeguarding 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 meets the minimum requirements set forth by Title 19.12.

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**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Code Enforcement, etc.</i></b>	
02/09/16	The Planning Commission approved a Special Use Permit (SUP-62797) for a 1,775 square-foot Tavern-Limited establishment use with 754 square feet of outdoor seating area at 1225 South Main Street. Staff recommended approval.
08/14/18	The City of Las Vegas Planning Department of Planning approved a Conditional Use Verification (CUV-74180) for a beer/wine/cooler on-site use at 1217 South Main Street.
02/26/19	The Planning Commission approved a Special Use Permit (SUP-75534) for a 1,476 square-foot Tavern-Limited establishment use with 2,400 square feet of outdoor seating area at 1221 South Main Street. Staff recommended approval.
5/17/2023	A Code Enforcement Case (#CE23-02865) was processed for a permanent patio, a bar, and bathrooms that were added without permitting. This case remains active.

<b><i>Related Building Permits/Business Licenses</i></b>	
10/31/13	A building permit (C-248057) was issued for tenant Improvements to suites 1227 and 1229 South Main Street Those permits were finalized on 12/12/13.
	A building permit (C-247525) was issued to infill a demising wall between the suites. The permit was finalized on 11/13/13.

<b><i>Pre-Application Meeting</i></b>	
07/28/23	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit.

<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	

<b><i>Field Check</i></b>	
08/30/23	During a routine site visit, staff observed a well maintained property with seating for outdoor dining encroaching into the public right-of-way. The encroachments into public right-of-way shall be subject to a license agreement pursuant to Condition of Approval #7.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	0.80

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	<b><i>Land Use per Title 19.12</i></b>	<b><i>General Plan</i></b>	<b><i>Zoning District</i></b>
Subject Property	General Retail Store, Other Than Listed	C (Commercial)	C-M (Commercial/Industrial)
North	Alcohol, On-Premise Full	C (Commercial)	C-M (Commercial/Industrial)
South	Health Club	C (Commercial)	C-M (Commercial/Industrial)
East	Office, Other than Listed	MXU (Mixed-Use)	C-1 (Limited Commercial)
	General Retail Store, Other Than Listed	MXU (Mixed-Use)	C-1 (Limited Commercial)
	Outdoor Storage	MXU (Mixed-Use)	C-1 (Limited Commercial)
West	General Retail Store, Other Than Listed	C (Commercial)	C-M (Commercial/Industrial)
	Alcohol, On-Premise Full	C (Commercial)	C-M (Commercial/Industrial)
	Auto Repair Garage, Major	C (Commercial)	C-M (Commercial/Industrial)

<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
Master Plan 2050 Area: Downtown Las Vegas	Y
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
DTLV-O (Downtown Las Vegas Overlay) District – Area 1 (18b Arts District)	Y
LW-O (Live/Work Overlay) District	Y
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails	N/A
Las Vegas Redevelopment Plan (Area 1)	Y
Interlocal Agreement	N/A
Project of Significant Impact	N/A
Project of Regional Significance	N/A

**DEVELOPMENT STANDARDS**

<b><i>Street Name</i></b>	<b><i>Functional Classification of Street(s)</i></b>	<b><i>Governing Document</i></b>	<b><i>Actual Street Width (Feet)</i></b>	<b><i>Compliance with Street Section</i></b>
Main Street	Primary Arterial	Master Plan of Streets and Highways	91	Y

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<b>Streetscape Standards</b>	<b>Required</b>	<b>Provided</b>	<b>Compliance</b>
Main Street	An unimpeded 10-foot sidewalk and a five-foot amenity zone	An unimpeded 10-foot sidewalk and a five-foot amenity zone is shown	Y

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Alcohol On-Premise, Full	2385 SF Front of house  (349 SF Back of House)	One per 50 square feet of public seating and waiting area, plus one per 200 square feet remaining gross floor area.	50				
General Retail Store, Other than Listed	-2734 SF (Change of Use)	If less than 25,000 square feet, one space per 175 square feet of gross floor area.	(-16)				
CHANGE IN PARKING REQUIRED			+ 34				

\*Projects located within the Downtown Las Vegas Overlay - Area 1 are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.