



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: MAY 14, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: MAE DALY BOULEVARD, LLC - OWNER: LAS VEGAS ENCLAVE, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0092-SUP1	Staff recommends APPROVAL, subject to conditions	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 1518

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0092-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a 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 2211 South Las Vegas Boulevard.

ISSUES

- An Alcohol, On-Premise Full use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

ANALYSIS

The applicant has proposed to develop a 3,838 square-foot Alcohol, On-Premise Full use with an 847 square-foot outdoor patio area at 2211 South Las Vegas Boulevard. The site is an existing mixed-use development, constructed in 1952 as a motel. This location is an existing restaurant which was approved for Alcohol, On-Premise Beer/Wine/Cooler sales through a Conditional Use Verification (CUV-101430) on 01/22/24. The subject site is zoned C-2 (General Commercial) and is subject to Title 19 development standards. The subject site is within Downtown Las Vegas Overlay Area 1 and parking requirements are not automatically applied. Further, 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.

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

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 site 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 restaurant, motel, office, and multifamily residential uses. 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 (24-0092-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 in close proximity to restaurant, motel, office, and multifamily residential uses.

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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 Las Vegas Boulevard, a 100-foot wide Primary Arterial as designated on the Master Plan of Streets and Highways. This street is 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>	
10/20/04	The City Council approved a Special Use Permit (SUP-4984) for a Restaurant Service Bar at 2211 South Las Vegas Boulevard. The Planning Commission and Staff recommended approval.
02/28/05	A Code Enforcement Case (CE-26490) was reported for a dirt dumpster area with trash on the ground at 2205 South Las Vegas Boulevard. The case was resolved on 03/08/05.
06/18/08	A Code Enforcement Case (CE-66795) was reported for signs, debris, junk, vehicles, trash, graffiti and additional zoning violations at 2205 South Las Vegas Boulevard. The case was resolved on 07/11/08.
	A Code Enforcement Case (CE-66795) was reported for signs, debris, junk, vehicles, trash, graffiti and additional zoning violations at 2211 South Las Vegas Boulevard. The case was resolved on 07/07/08.
08/22/12	A Code Enforcement Case (CE-118795) was reported for a burnt out sign and non-function lights at 2211 South Las Vegas Boulevard. The case was resolved on 04/02/13
	A Code Enforcement Case (CE-118797) was reported for a temporary sign on the sidewalk at 2205 South Las Vegas Boulevard. The case was resolved on 08/28/12.

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<i>Related Relevant City Actions by Planning, Fire, Code Enforcement, etc.</i>	
10/02/13	A Code Enforcement Case (CE-134092) was reported for an unlicensed business at 2211 South Las Vegas Boulevard. The case was resolved on 11/08/13.
01/27/14	A Code Enforcement Case (CE-137309) was reported for signage on wedding chapel building at 2207 South Las Vegas Boulevard. The case was resolved on 03/24/14.
02/03/14	A Code Enforcement Case (CE-137512) was reported for excessive signage at 2205 South Las Vegas Boulevard. The case was resolved on 02/24/14.
03/26/15	A Code Enforcement Case (CE-152390) was reported for restaurant without trash services at 2211 South Las Vegas Boulevard. The case was resolved on 04/16/15.
03/03/16	A Code Enforcement Case (CE-164117) was reported for a signage issue at 2205 South Las Vegas Boulevard. The case was resolved on 04/04/16.
03/29/18	A revisionary Final Map (FMP-72635) was recorded for a revision to acreage of lots 6-9 of block 2 of the "South 5 th Street tract" on 2.13 acres at 2205 and 2207 South Las Vegas Boulevard.
05/10/18	Staff administratively approved a Conditional use Verification (CUV-76092) to allow a Mixed-Use Development at 2205 South Las Vegas Boulevard.
03/20/19	Staff administratively approved a Conditional use Verification (CUV-76092) to allow a Mixed-Use Development at 2211 South Las Vegas Boulevard.
04/17/19	The City Council approved a Signage Design Review (ARC-75710) for a proposed modification to an existing roof sign with a Waiver of the Scenic Byway illumination requirements at 2211 South Las Vegas Boulevard. The Downtown Design Review Committee (DDRC) recommended approval.
01/22/24	Staff administratively approved a Conditional use Verification (101430-CUV) for an Alcohol, On-Premise Beer/Wine at 2211 South Las Vegas Blvd.

<i>Most Recent Change of Ownership</i>	
02/01/23	A deed was recorded for a change in ownership.

<i>Related Building Permits</i>	
1954	The hotel was constructed.
06/14/18	A building permit (C18-02490) was issued for on-site improvements at 2211 South Las Vegas Boulevard. A related Alternative means and Methods Review was approved through C18-00570.
	A building permit (C18-02491) was issued for an ornamental iron fence at 2211 South Las Vegas Boulevard.

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<i>Related Building Permits</i>	
07/29/19	A building permit (C19-01775) was issued for a pylon sign at 2211 South Las Vegas Boulevard.
01/16/20	A building permit (C19-05379) was issued for a pool trellis at 2211 South Las Vegas Boulevard.
01/27/20	A building permit (C19-05400) was issued for a pool remodel at 2211 South Las Vegas Boulevard.
06/03/20	A building permit (C20-01841) was issued for a wrought iron fence and gate at 2205 South Las Vegas Boulevard.
11/16/21	A building permit (C20-03821) was issued for a security fence at 2211 South Las Vegas Boulevard.
09/27/23	A building permit (C23-01143) was issued for the interior conversion of an office to a restaurant at 2205 South Las Vegas Boulevard.

<i>Related Business Licenses</i>	
Pre-1951	The City processed a business license (M08-00038) for a motel, which was active from 1951 until it expired 11/01/17
07/29/18	A business license (G66-05074) was issued for a wedding officiant at 2205 South Las Vegas Boulevard. The license is currently active and set to expire on 07/01/21.
07/12/19	The City processed a business license (G67-05200) for an apartment complex at 2205 South Las Vegas Boulevard, which was active from 07/12/19 until it expired 07/01/23.
06/20/20	A business license (G68-03849) was issued for a contractor at 2211 South Las Vegas Boulevard, Suite #100.
	A business license (G68-03848) was issued for commercial leasing at 2211 South Las Vegas Boulevard, Suite #100.
08/17/20	A business license (P68-00138) was issued for a wedding chapel at 2207 South Las Vegas Boulevard.
08/24/20	A business license (G68-05322) was issued for souvenir retail sales at 2207 South Las Vegas Boulevard. The license is currently active and set to expire on 08/01/21.
11/24/20	A business license (G68-07990) was issued for handbill distribution at 2207 South Las Vegas Boulevard.

<i>Pre-Application Meeting</i>	
02/13/24	A pre-application meeting was held to discuss the submittal requirements for a Special Use Permit

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Neighborhood Meeting

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

Field Check

04/02/24

During a routine Site Visit Staff observed the commercial tenant space within a well maintained horizontally-integrated mixed-use development.

Details of Application Request

Site Area

Gross Acres

2.12

	<i>Land Use per Title 19.12</i>	<i>General Plan</i>	<i>Zoning District</i>
Subject Property	Mixed Use Development	C (Commercial)	C-2 (General Commercial)
North	Parking Lot	C (Commercial)	C-2 (General Commercial)
South	Hotel, Motel, or Hotel Suites Cannabis Dispensary	C (Commercial)	C-2 (General Commercial)
East	General Retail Gaming Establishment, Restricted	C (Commercial)	C-2 (General Commercial)
	Multifamily Residential	C (Commercial)	R-4 (High Density Residential)
	Undeveloped	C (Commercial)	C-2 (General Commercial)
West	General Retail Gamin Establishment, Non-Restricted (Resort Casino Hotel) Restaurant Liquor Establishment (Tavern)	C (Commercial)	C-2 (General Commercial)

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<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Master Plan 2050 Area: Downtown South	Y
Downtown Design Review Committee	Y
Vision 2045 Downtown Master Plan: Gateway District	Y
Beverly Green/Southridge Neighborhood Plan	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District - 175 Feet	Y
CD-O (Designed Commercial Overlay) District	Y
C-V (Civic) District	Y
DC-O (Downtown Casino Overlay) District	Y
DTLV-O (Downtown Las Vegas Overlay) District – Area 1 (Gateway District)	Y
DE-O (Downtown Entertainment Overlay) District	Y
G-O (Gaming Enterprise Overlay) District	Y
SB-O (Las Vegas Boulevard Scenic Byway Overlay) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Las Vegas Boulevard Trail & Scenic Byway)	Y
Las Vegas Redevelopment Plan (Area 1)	Y
Interlocal Agreement	N/A
Project of Significant Impact	Y
Project of Regional Significance	Y

DEVELOPMENT STANDARDS

<i>Las Vegas Valley Water District (LVVWD)</i>
<i>Comments:</i>
Parcels have existing meters without backflow protection, which is required for this use per NAC445A.67195. A fire flow review may be required.

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Las Vegas Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y

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Parking Requirement							
Use	Gross Floor Area or Number of Units	Base Parking Requirement			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Restaurant [Subject Site]	1,227 SF BOH 3,840 FOH	1:200 Back of house 1:50 FOH	83				
Restaurant	1,008 SF	1:200 Back of house 1:50 FOH	21				
Multifamily Residential (Studio and 1-bedroom)	127 Units	1.25:1 1:6 Guest	180				
Wedding Chapel	2,335 SF	1:150 in the principal assembly area.	16				
TOTAL SPACES REQUIRED			300				122
Regular and Handicap Spaces Required			293	7	113	9	Y*

*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.