



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**PLANNING COMMISSION MEETING DATE: JULY 9, 2024**  
**DEPARTMENT: COMMUNITY DEVELOPMENT**  
**ITEM DESCRIPTION: APPLICANT: INTEGRAL PARTNERS PARK PLACE**  
**CENTRE-LAS VEGAS, LLC - OWNER: FBLV DISTRICT 2, LLC**

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
24-0219-VAR1	Staff recommends DENIAL, if approved subject to conditions:	
24-0219-SUP1	Staff recommends DENIAL, if approved subject to conditions:	24-0219-VAR1
24-0219-SUP2	Staff recommends DENIAL, if approved subject to conditions:	24-0219-VAR1 24-0219-SUP1
24-0219-SDR1	Staff recommends DENIAL, if approved subject to conditions:	24-0219-VAR1 24-0219-SUP1 24-0219-SUP2

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      14

**NOTICES MAILED**    668

**PROTESTS**    12

**APPROVALS**    0

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

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**24-0219-VAR1 CONDITIONS**

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**Planning**

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (24-0219-SUP1), Special Use Permit (24-0219-SUP2) and Site Development Plan Review (24-0219-SDR1) shall be required, if approved.
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.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**24-0219-SUP1 CONDITIONS**

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**Planning**

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Alcohol, On-Premise Full with Alcohol, Off-Premise Ancillary Use (Beer and Wine) use.
2. Approval of and conformance to the Conditions of Approval for Variance (24-0219-VAR1), Special Use Permit (24-0219-SUP2) and Site Development Plan Review (24-0219-SDR1) shall be required, if approved.
3. Conformance to the Conditions of Approval for Special Use Permit (22-0674-SUP1) shall be required, except as amended herein.

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4. Special Use Permit (23-0649-SUP1) is hereby expunged upon final approval.
5. 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.
6. 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.
7. 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.
8. Approval of this Special Use Permit does not constitute approval of a liquor license.
9. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
10. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**24-0219-SUP2 CONDITIONS**

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**Planning**

1. Conformance to all Minimum Requirements under Title 19.10.080 for a project in the Airport Overlay District.
2. Approval of and conformance to the Conditions of Approval for Variance (24-0219-VAR1), Special Use Permit (24-0219-SUP1) and Site Development Plan Review (24-0219-SDR1) shall be required, if approved.
3. 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.
4. 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 Department of Building and Safety.

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5. 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.
6. Prior to or at the time of submittal for any building permit, the applicant shall provide written verification by the Federal Aviation Administration (FAA) and/or the Clark County Department of Aviation of the following:
  - a. Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA.
  - b. Applicant is advised that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments. Applicant is advised that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.
  - c. No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA.
  - d. No structure greater than 35' in height shall be permitted to be erected or altered that would constitute a hazard to air navigation, or would result in an increase to minimum flight altitudes during any phase of flight, or would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**24-0219-SDR1 CONDITIONS**

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**Planning**

1. Approval of and conformance to the Conditions of Approval for Variance (24-0219-VAR1), Special Use Permit (24-0219-SUP1) and Special Use Permit (24-0219-SUP2) shall be required, if approved.
2. Conformance to the Conditions of Approval for Site Development Plan Review (22-0674-SDR1) shall be required, except as amended herein
3. 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.

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4. All development shall be in conformance with the site plan date stamped 05/28/24; and landscape plan and building elevations date stamped 04/25/24, except as amended by conditions herein.
5. A Waiver from Title 19.08.100 is hereby approved, to allow a zero-foot buffer on a portion of the north perimeter where five feet is required and to allow a 10-foot buffer along a portion of the south perimeter where 15 feet is required (APNs 162-08-702-001 and 002)
6. A Waiver from Title 19.08.100 is hereby approved, to allow a zero-foot buffer on a portion of the south perimeter where three feet is required and to allow a zero-foot buffer along a portion of the west perimeter where five feet is required (APN 162-08-303-034).
7. Site Development Plan Review (23-0649-SDR1) is hereby expunged upon final approval.
8. If approved, the proposed Nightclub land use shall not be allowed to operate on the parking garage site (APN 162-08-303-034).
9. 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.
10. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

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**Public Works**

13. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved update to the Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development. The Traffic Impact Analysis update required by 24-0231-SDR1 may be used to satisfy this condition.
14. Comply with all applicable conditions of approval for Site Development Plan Review (22-0674-SDR1) and any other site related actions.

**Fire & Rescue**

15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

**PROJECT DESCRIPTION**

This is a request for proposed amendments to previously approved Variance (22-0674-VAR1), Special Use Permit (22-0674-SUP1) and Site Development Plan Review (22-0674-SDR1) on 11.06 acres at the southwest and southeast corner of Meade Avenue and Rigel Avenue for the Area 15 - District 2 commercial development.

**ISSUES**

- The applicant has requested a Variance (24-0219-VAR1) to allow 981 parking spaces where 6,222 are required. Staff recommends denial of the request.
- The applicant has requested a Major Amendment (24-0219-SUP1) to a previously approved Special Use Permit (22-0674-SUP1) for a proposed 47,398 square-foot addition to an approved 312,616 square-foot Alcohol, On-Premise Full use with Alcohol, Off-Premise Ancillary use (Beer and Wine). Staff recommends denial of the request.
- The applicant has requested a Major Amendment (24-0219-SDR1) to a previously approved Site Development Plan Review (22-0674-SDR1) for a proposed 110,395 square-foot addition to a previously approved 633,028 square-foot commercial development. ). Staff recommends denial of the request.
- The applicant has requested a Special Use Permit (24-0219-SUP2) for the proposed installation of a 225-foot tall structure [tower drop amusement ride] within the 175-foot restricted area of the airport overlay district. Staff recommends denial of the request.
- The applicant has requested a Waiver of Title 19.08.100 perimeter landscaping development standards to allow a zero-foot buffer on a portion of the south perimeter where three feet is required and to allow a zero-foot buffer along a portion of the west perimeter where five feet is required (APN 162-08-303-034). Staff recommends denial of the request.
- The applicant has requested a Waiver of Title 19.08.100 perimeter landscaping development standards to allow a zero-foot buffer on a portion of the north perimeter where five feet is required and to allow a 10-foot buffer along a portion of the south perimeter where 15 feet is required (APNs 162-08-702-001 and 002). Staff recommends denial of the request.

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**ISSUES (*continued*)**

- The applicant has proposed to operate a Nightclub land use on the primary Area 15 - District 2 campus located at the southeast corner of Meade Avenue and Rigel Avenue (APNs 162-08-702-001 and 002), which is allowed as a conditional land use in the M (Industrial) zoning district. The proposed Nightclub use cannot be operated on the parking garage site (APN 162-08-303-034), due to non-compliance with Conditional Use Requirement #4 which states, "No Nightclub may be located within 500 feet of any parcel that contains a single-family dwelling." Staff has added a condition of approval to Major Amendment (24-0219-SDR1) that restricts the Nightclub use from operating on the parking garage site (APN 162-08-303-034), as this standard cannot be waived.

**ANALYSIS**

The subject 11.06-acre site is comprised of three parcels (APNs 162-08-702-001, 002 and 162-08-303-034) that are zoned M (Industrial) and are subject to Title 19 development standard requirements. The M (Industrial) zoning district is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. Also, the site is located with the Charleston area of the City of Las Vegas 2050 Master Plan.

On January 10, 2023, the Las Vegas Planning Commission approved Site Development Plan Review (22-0674-SDR1) for a proposed 633,028 square-foot commercial shopping center development including 213,602 square feet of Commercial Recreation /Amusement (Indoor and Outdoor) Facility floor area, 36,579 square feet of Restaurant floor area, 30,191 square feet of Retail floor area, 32,244 square feet of Outdoor Patio floor area, a six-story parking Garage consisting of 305,595 square feet of floor area and back of house (storage) with 14,817 square feet of floor area and waivers of the perimeter landscape buffer requirements and to allow flat, plain building facades where patterns and materials that provide visual interest are required at the southwest and southeast corner of Meade Avenue and Rigel Avenue.

In addition, the Planning Commission approved a Special Use Permit (22-0674-SUP1) for a proposed 344,860 square-foot Alcohol, On-Premise Full use with Alcohol, Off-Premise Ancillary use (Beer and Wine). However, staff noted in the staff report that the square-footage of this use was reduced to 312,616 square feet in floor area, which is comprised of the 213,602 square-foot Commercial Recreation/Amusement (Indoor), 32,244 square-foot Commercial Recreation/Amusement (Outdoor) (Plaza), 36,579 square-foot Restaurant and 30,191 square-foot retail floor area. Lastly, a Variance (22-0674-VAR1) was approved to allow 812 parking spaces where 1,251 were required for the development.

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The applicant has requested a Major Amendment (24-0219-SDR1) to the previously approved Site Development Plan Review (22-0674-SDR1) to make the following amendments to the development:

- The overall square-footage of the development has increased from 633,028 to 743,423; resulting in a net increase of 110,395 square feet.

The applicant has proposed to operate a Nightclub land use with outdoor areas on the Area 15 - District 2 primary campus located on APNs 162-08-702-001 and 002.

- The total provided parking has been increased to 981 from 812; resulting in a net increase of 169 parking spaces.
- The parking garage will provide seven levels (increasing from six to seven levels), instead of six levels as previously approved.
- The proposed installation of a 225-foot tall structure [tower drop amusement ride] located south of buildings 4(c) and 5 along Sirius Avenue.
- The proposed installation of a 35-foot tall carousel within the interior outdoor plaza area centrally located on the site in between buildings 4(a) and 1
- Waivers of Title 19.08.100 perimeter landscaping development standards have been requested:
  - To allow a zero-foot buffer on a portion of the south perimeter where three feet is required and to allow a zero-foot buffer along a portion of the west perimeter where five feet is required (APN 162-08-303-034)
  - To allow a zero-foot buffer on a portion of the north perimeter where five feet is required and to allow a 10-foot buffer along a portion of the south perimeter where 15 feet is required (APNs 162-08-702-001 and 002)

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The submitted plans submitted with the requested Major Amendment 24-0219-SDR1 indicate the proposed 743,423 square-foot commercial development will be comprised of the following land uses:

<u>Land Use</u>	<u>Previously Approved Square-Footage</u>	<u>Proposed Square-Footage</u>
Commercial Recreation/Amusement (Indoor)	213,602	232,166
Commercial Recreation/Amusement (Outdoor) (Plaza)	32,244	75,895
Restaurant	36,579	39,065
Retail	30,191	12,888
Back of House (BOH)	14,817	23,817
Garage	305,595	359,592
<b><u>Total</u></b>	<b><u>633,028</u></b>	<b><u>743,423</u></b>

Also, the site plan indicates the site will be comprised of nine buildings which will consist of the following land uses:

<b><u>APNs 162-08-702-001 and 002</u></b>	
<b><u>Building #</u></b>	<b><u>Land Use</u></b>
# 1	Commercial Recreation/Amusement (Indoor and Outdoor) w/ Nightclub
#2	BOH, Commercial Recreation (Indoor and Outdoor), w/ Nightclub
#4a	BOH, Commercial Recreation (Indoor and Outdoor), w/ Nightclub
#4b	BOH, Commercial Recreation (Indoor and Outdoor), Restaurant w/ Nightclub
#4c	BOH, Commercial Recreation/Amusement (Indoor and Outdoor) and Retail w/ Nightclub
#5	Commercial Recreation/Amusement (Indoor and Outdoor) and BOH w/ Nightclub
#6	BOH, Restaurant w/ Nightclub
#747	Art Display within plaza w/ Nightclub

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<b>APN 162-08-303-034</b>	
#3	Parking Garage with Commercial Recreation/Amusement (Outdoor) Plaza

Pursuant to Title 19.16.100(G) the proposed modifications to the approved commercial development and associated Waivers of perimeter landscaping requirements and Variance for insufficient parking meets the definition of a Major Site Development Plan which allows, alterations that do not comply with all applicable requirements of this Title and with any previous conditions or discretionary approval.

When a development has multiple land uses, the most intense land use is utilized when determining the parking requirements. In this instance, the nightclub is the most intense use and the parking standard applied to the site. Nightclubs are parked at a ratio of one parking space for every three persons at maximum capacity. The applicant has indicated that the commercial development will have a maximum occupancy of 18,666 people at maximum capacity, which raises the overall total of required parking for the development from 812 parking as previously approved by Variance (22-0674-VAR1) to 6,222 required parking spaces. As a result, the applicant has requested a Variance (24-0219-VAR1) to allow 981 parking spaces where 6,222 spaces are required. Staff has determined that the proposed Variance is self-imposed; therefore, staff recommends denial of the Variance request.

A Nightclub use is a conditional within the M (Industrial) zoning district and is described in Title 19.12 as: "An entertainment establishment, whether indoor, outdoor, or both, with an occupancy load of 100 or more people that:

1. Provides any combination of live music, recorded music, or other entertainment for the primary purpose of encouraging social interaction amongst the patrons of the establishment;
2. Contains one or more delineated dance floor areas; and
3. May or may not provide food services. If the establishment provides food, the food service must be both limited and incidental to the operation of the establishment.

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The Nightclub use also includes the use “Dayclub,” which possesses the same characteristics of a Nightclub, but operates primarily during the daytime hours. The use does not include a General Entertainment Establishment, Sexually Oriented Business or an establishment that qualifies as a Teen Dance Center. The use shall not be deemed to include an establishment merely because it includes entertainment if the entertainment is primarily intended to be viewed by an audience. The use shall also not be deemed to include an establishment that provides entertainment if that entertainment is incidental to the primary activity of the establishment and consists merely of ambient or background music intended to create or enhance a mood or atmosphere, or karaoke singing and interaction, or a combination thereof.”

**Nightclub - Conditional Use Regulations**

1. A Nightclub use that is located within the Downtown Entertainment Overlay District as defined by LVMC Title 19.10.120, within the boundaries of the Pedestrian Mall as defined by LVMC 11.68, or within the boundaries of the 18b Las Vegas Arts District, as shown in Figure 3 of the Development Standards adopted in LVMC 19.10.110(B), and as amended from time to time, is exempt from the application of Regulations 2 through 5. Except as otherwise limited by the final sentence of this Regulation 1 and Regulations 7 and 8, such a use shall be deemed to be a use permitted by right. Any outdoor activity areas must first be approved by means of a Site Development Plan Review pursuant to LVMC 19.16.100.

*The proposed Nightclub use complies with this condition, the subject site is not located within the boundaries of the, Downtown Entertainment Overlay District, Pedestrian Mall or 18b Las Vegas Arts District and is not exempt from the application of Regulation 2 through 5. The applicant has requested a Site Development Plan Review (24-0219-SDR1), to allow the proposed 74,895 square-foot outdoor plaza/dining area associated with the Nightclub use.*

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2. In the C-1 District, the Nightclub use shall be limited to a maximum of 5,000 gross square feet in area.

*The proposed Nightclub use complies with this condition, as the proposed Nightclub use is located within the M (Industrial) zoning district.*

3. All Nightclub activities, including customer queueing and waiting areas (but excluding valet services and the checking of patron's identification), must be conducted within a completely enclosed building. In the C-M and M Zoning Districts, outdoor activity areas must first be approved by means of a Site Development Plan Review pursuant to LVMC 19.16.100.

*The proposed Nightclub use complies with this condition, as the proposed Nightclub use is located within the M (Industrial) zoning district and the applicant has requested a Site Development Plan Review (24-0219-SDR1), to allow the proposed 74,895 square-foot outdoor plaza/dining area associated with the Nightclub use.*

4. Except as otherwise provided in Regulation 5, no Nightclub may be located within 500 feet of any parcel that contains a single-family dwelling.

*The proposed Nightclub use complies with this condition, there are no single-family dwellings located within 500 feet of the subject site (APNs 162-08-702-001 and 002). Staff notes The proposed Nightclub use cannot be operated on the parking garage site (APN 162-08-303-034), due to non-compliance with Conditional Use Requirement #4 which states, "No Nightclub may be located within 500 feet of any parcel that contains a single-family dwelling." Staff has added a condition of approval to Major Amendment (24-0219-SDR1) that restricts the Nightclub use from operating on the parking garage site (APN 162-08-303-034).*

5. The distance separation requirement set forth in Regulation 4 does apply to:
  - 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.
  - b. A hotel having 200 or more guest rooms.

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- c. A Nightclub that meets all of the following criteria:
  - i. Is located on a parcel that is adjacent to Las Vegas Boulevard between Charleston Boulevard and Fremont Street;
  - ii. Is located on a parcel with a minimum net site area of 0.25 acres; and
  - iii. Is located within a building that has a minimum 5,000 square feet of gross floor area dedicated to the Nightclub use.

*The proposed Nightclub use complies with this condition, there are no single-family dwellings located within 500 feet of the subject site (APNs 162-08-702-001 and 002). In addition, the proposed development is not associated with an establishment with a non-restricted gaming license or hotel having 200 or more guest rooms. Also, the subject site is not located on a parcel that is adjacent to Las Vegas Boulevard between Charleston Boulevard and Fremont Street; on a parcel with a minimum net area of 0.25 acres or located within a building that has a minimum 5,000 square feet of floor area dedicated to the Nightclub use.*

- 6. Nightclubs shall conform to all applicable requirements of LVMC Title 6.

*The proposed use will be subject to all business licensing requirements outlined in LVMC Chapter 6.*

- 7. Unless otherwise exempted by that Chapter, Nightclubs shall conform to all noise requirements and limitations of LVMC Chapter 9.16.

*The proposed use will be subject to regular inspections to assure adherence to conformance to all requirements and limitations outlined in LVMC Chapter 9.16.*

In addition, the applicant has requested a Major Amendment (24-0219-SUP1) to a previously approved Special Use Permit (22-0674-SUP1) for a proposed 47,398 square-foot addition to an approved 312,616 square-foot Alcohol, On-Premise Full use with Alcohol, Off-Premise Ancillary use (Beer and Wine). Although the request represents an increase of less than fifty percent of the square footage of the original approval, which is typically addressed through a Minor Amendment. A Major Amendment (24-0219-SUP1) is required because of the associated Major Amendment (24-0219-SDR1) to the previously approved Site Development Plan Review (22-0674-SDR1) and newly requested Variance (24-0219-VAR1) for insufficient on-site parking.

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<u>Area 15 - District 2 Amendments</u>	<u>Previously Approved Square-Footage</u>	<u>Proposed Square-Footage</u>
Entertainment (Indoor)	213,602	232,166
Restaurant	36,579	39,065
Retail	30,191	12,888
Outdoor Plazas	32,244	74,895 (District 2 Exterior Plaza)
		1,000 (Parking Garage Plaza)
<b>Total</b>	<b>312,616</b>	<b>360,014</b>

The submitted landscape plan indicates the proposed quantity of landscape planting materials for the overall development substantially conforms to previously approved Site Development Plan Review (22-0674-SDR1). However, the applicant has requested Waivers of Title 19.08.100 perimeter landscaping requirements to allow a zero-foot buffer on a portion of the south perimeter where three feet is required and to allow a zero-foot buffer along a portion of the west perimeter where five feet is required adjacent to the parking garage (APN 162-08-303-034); and to allow a zero-foot buffer on a portion of the north perimeter where five feet is required and to allow a 10-foot buffer along a portion of the south perimeter where 15 feet is required on the primary Area 15 - District 2 campus (APNs 162-08-702-001 and 002). Staff recommends denial of the request.

Also, the applicant has indicated that the parking garage has been revised from six to seven levels with a maximum height of 88 feet to the top of the elevator tower. The garage is proposed to provide 981 parking spaces for the development, which is a 169 space increase from the 812 parking spaces associated with previously approved Variance (22-0674-VAR1).

Pursuant to Title 19.10.080(B) Airport Overlay development standards, “Except as otherwise provided in this Section, no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted herewith. All development within the airspace above the height of 35 feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, shall be subject to the height standards established on the Airport Overlay Maps.” In addition, Title 19.10.080(H)(1) states, “Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this Section may apply to the Planning Commission for a Special Use Permit.” As a result, the applicant has requested Special Use Permit (24-0219-SUP2) to allow the proposed 225-foot tall structure [tower drop amusement ride] within the 175-foot restricted area of the airport overlay district.

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The Clark County Department of Aviation has reviewed the proposed structure and submitted conditions of approval that have been added to the Special Use Permit (24-0219-SUP2) that will ensure that any concerns reflected in the review of this project are addressed by the applicant prior to the issuance of any building permits.

Staff notes that the balance of the commercial development remains the same including the purposes and functions of the proposed buildings, site amenities and architectural elements of the buildings appearance. However, staff has determined that the proposed Variance to allow reduced onsite parking is a self-imposed hardship and reflection that the site has been overbuilt. As currently designed, overflow parking from this development will be forced to parking on the Local Streets that surround the subject site, which will negatively impact the existing commercial business in the area. Furthermore, staff does not support the requested Waivers to allow reduced landscape buffers. Therefore, staff recommends denial of the Variance (24-0219-VAR1) request, and associated Site Development Plan Review (24-0219-SDR1) and Special Use Permits (24-0219-SUP1 and SUP2).

**FINDINGS (24-0219-VAR1)**

In accordance with the provisions of Title 19.16.140(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.16.140(L) states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by overbuilding the subject site. Alternative design would allow conformance to Title 19.12 parking development standards. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

### **FINDINGS (24-0219-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 applicant has proposed Variance (24-0219-VAR1) to allow a deviation from Title 19.12 parking requirements. Since the proposed use is associated with the Variance, staff has determined that the proposed Alcohol, On-Premise Full use is not compatible with the surrounding land uses.

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

The subject site is physically suitable for the intensity of the proposed land use. However, staff does not support the proposed Variance (24-0219-VAR1) to allow a deviation from Title 19.12 parking requirements. Since the proposed use is associated with the reduction in required on-site parking, staff has determined that the proposed Alcohol, On-Premise Full use is not compatible with the surrounding land uses.

- 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.**

Access to the site is from multiple driveways from Sirius Avenue, Rigel Avenue and Meade Avenue that are 60-foot and Rancho Drive a 47-foot wide Local Street. These roadways are expected to be adequate in size to meet the requirements of the proposed expansion of the approved recreation/amusement facility.

- 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.**

Approval of this Special Use Permit will not compromise the public health safety and general welfare of the public. The use will be subject to regular inspections and is subject to licensing restrictions.

- 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.

**FINDINGS (24-0219-SUP2)**

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 Airport Overlay Standards allow a maximum height of 175 feet for the subject site. The proposed 225-foot structure [tower drop amusement ride] height exceeds the height of the 175-foot height maximum outlined in the Airport Overlay; therefore, a Special Use Permit is required. Surrounding development consists of low-rise commercial, industrial and detached single-family land uses. The proposed use as designed is incompatible with existing adjacent development single family residential development to the east and south.

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

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

Access to the site is from multiple driveways from Sirius Avenue, Rigel Avenue and Meade Avenue that are 60-foot and Rancho Drive a 47-foot wide Local Street. These roadways are expected to be adequate in size to meet the requirements of the proposed expansion of the approved recreation/amusement facility.

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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.**

Approval of the height of the project as proposed could result in changes to air traffic routes that will impact adjoining residential neighborhoods. The Clark County Department of Aviation has reviewed the proposed structure and has submitted conditions of approval that have been added to the Special Use Permit (24-0219-SUP2) that will ensure that any concerns reflected in the review of this project are addressed by the applicant prior to the issuance of any building permits.

### **FINDINGS (24-0219-SDR1)**

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed development is not compatible with surrounding development in the area, as evidenced by the requested Variance to address insufficient on-site parking, which could have a negative impact on the adjacent commercial developments.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

The applicant has requested a Variance (24-0219-VAR1) to address insufficient on-site parking, which is inconsistent with the commercial development standards outlined in Title 19. Staff has determined the proposed project is not compatible with surrounding development in the area, and will have a negative impact to the adjacent commercial developments

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Access to the site is from multiple driveways from Sirius Avenue, Rigel Avenue and Meade Avenue that are 60-foot and Rancho Drive a 47-foot wide Local Street. These roadways has not been designed to provide adequate on street parking to mitigate the insufficient parking this development will provide onsite.

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**4. Building and landscape materials are appropriate for the area and for the City;**

The building facades are proposed to be covered with a combination of dark and light stucco and concrete, which are appropriate building materials for the area. The submitted landscape plan indicated the primary tree species will be the 24-inch box Mulga, European Hackberry, Narrow Leafed Bay, Chinese Pistache, Texas Live Oak and Cork Oak trees with a combination of five-gallon shrubs, which are consistent with the Southern Nevada Regional Plant List. However, staff does not support the request to allow reduced landscape buffers on the subject site.

**5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

A Waiver to allow flat and plain building facades where patterns and materials that provide visual interest are required was approved for the development with the previously approved Site Development Plan Review (22-0674-SDR1). Staff finds the submitted building elevations are consistent with the previously approved Site Development Plan Review (22-0674-SDR1).

**6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed commercial development is subject to building permit review and regular inspections during the construction phase. Once completed, the proposed development is subject to business licensing reviews and regulations.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
10/01/80	The Board of City Commissioners approved a request for a Rezoning (Z-0068-80) from R-1 (Single Family Residence) to C-1 (Limited Commercial) for a proposed Off-Premise Sign on property generally located on the west side of South Rancho Drive, between Meade Avenue and Milo Way.
11/16/88	The City Council approved a Rezoning (Z-0068-88) from R-1 (Single Family Residence) to P-R (Professional Offices and Parking) on 1.59 acres adjacent to the west side of Rancho Drive, approximately 350 feet north of Meade Avenue. The Planning Commission and staff recommended approval.

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<b>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</b>	
11/17/93	The City Council approved a request for a Rezoning (Z-0094-93) from R-E (Residence Estates) and R-1 (Single Family Residence) to M (Industrial) and P-R (Professional Office and Parking) for a proposed office/warehouse/retail complex on property located on the northwest corner of Rancho Drive and Meade Avenue.
05/17/06	The City Council approved a General Plan Amendment (GPA-9219) to add the subject property to the Las Vegas Redevelopment Area as part of a larger request and designate the area as C (Commercial) with the exception of 5.32 acres at the northwest corner of Rancho Drive and Sirius Avenue. The Planning Commission and staff recommended approval.
05/17/06	The City Council approved a request for a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission recommended approval of the request.
02/14/12	The Planning Commission accepted a request to withdraw General Plan Amendment (GPA-42939) from: C (Commercial) and SC (Service Commercial) to LI/R (Light Industry/Research) on 37.85 acres at the northwest corner of Desert Inn Road and Rancho Drive.
	The Planning Commission accepted a request to withdraw Rezoning (ZON-42940) from P-R (Professional Office and Parking) to M (Industrial) on 2.49 acres adjacent to the west side of Rancho Drive, approximately 355 feet north of Meade Avenue.
	The Planning Commission accepted a request to withdraw Rezoning (ZON-42941) from C-1 (Limited Commercial) to M (Industrial) on 14.72 acres located at the northwest corner of Desert Inn Road and Rancho Drive.
	The Planning Commission accepted a request to withdraw Site Development Plan Review (SDR-43352) for a proposed Commercial Recreation/Amusement (Outdoor) Facility and a corresponding request for encroachment into the Rancho Drive public right-of-way at the northwest corner of Desert Inn Road and Rancho Drive.
	The Planning Commission accepted a request to withdraw Variance (VAR-43353) to allow 2,125 parking spaces where 2,488 spaces are required at the northwest corner of Desert Inn Road and Rancho Drive.
	The Planning Commission accepted a request to withdraw Special Use Permit (SUP-43355) for a proposed Supper Club at the northwest corner of Desert Inn Road and Rancho Drive.

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<b>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</b>	
	The Planning Commission accepted a request to withdraw Special Use Permit (SUP-43356) for a proposed Supper Club at the northwest corner of Desert Inn Road and Rancho Drive.
12/06/17	The Department of Planning approved a request for a Conditional Use Verification (#72245-CUV) for a Motor Vehicle Sales, Used at 2900 Meade Ave #3. The request was finalized on 12/06/17.
06/15/20	The Department of Planning approved a request for a Conditional Use Verification (#100012-CUV) for a Motor Vehicle Sales, Used at 2900 Meade Ave #3. The request was finalized on 06/16/20.
08/18/21	The City Council approved a request for a General Plan Amendment (21-0326-GPA1) from C (Commercial), MXU (Mixed-Use), L (Low Density Residential) and LI/R (Light Industry/Research) to TOD-2 (Transit Oriented Development-2) on 91.10 acres generally bounded by Rancho Drive to the east, Desert Inn Road to the south, Teddy Drive to the north, and Richfield Boulevard to the west. The Planning Commission recommended approval of the request.
07/20/22	The City Council approved a request for a Rezoning (22-0175-ZON1) from P-R (Professional Office and Parking) to M (Industrial) on 2.49 acres located on the west side of Rancho Drive, approximately 355 feet north of Meade Avenue. The Planning Commission recommended approval of the request.
	The City Council approved a request for a Variance (22-0175-VAR1) to allow 65-foot wide lot where 100 feet is the minimum required (APN 162-08-603-001) on the west side of Rancho Drive, approximately 355 feet north of Meade Avenue. The Planning Commission recommended approval of the request.
	The City Council approved a request for a Variance (22-0175-VAR2) to allow 65-foot wide lot where 100 feet is the minimum required (APN 162-08-603-002) on the west side of Rancho Drive, approximately 355 feet north of Meade Avenue. The Planning Commission recommended approval of the request.
	The City Council approved a request for a Variance (22-0175-VAR3) to allow 65-foot wide lot where 100 feet is the minimum required (APN 162-08-603-003) on the west side of Rancho Drive, approximately 355 feet north of Meade Avenue. The Planning Commission recommended approval of the request.
04/14/22	The Department of Community Development - Planning Division processed a request for a Parcel Map Technical Review (100216-PMP) of a One-Lot Parcel Map on 1.79 acres at the southwest corner of Meade Avenue and Rigel Avenue. The map was recorded on 08/29/22.

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<b>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</b>	
10/11/22	The Planning Commission approved a request for a Tentative Map (22-0425-TMP1) for a proposed two-lot commercial subdivision on 16.83 acres at the northwest and southwest corner of Meade Avenue and Rancho Drive. Staff recommended approval of the request.
12/14/22	The Department of Community Development - Planning Division processed a request for a Final Map Technical Review (100287-FMP) for a proposed two-lot commercial subdivision on 16.83 acres at the northwest and southwest corner of Meade Avenue and Rancho Drive. The map was recorded on 01/29/24.
01/10/23	The Planning Commission approved a request for a Variance (22-0674-VAR1) to allow 812 parking spaces where 1,251 are required and to allow the backing of motor vehicles onto a public street from a parking area where such is prohibited at the southwest and southeast corner of Meade Avenue and Rigel Avenue. Staff recommended denial of the request.
	The Planning Commission approved a request for a Special Use Permit (22-0674-SUP1) for a proposed 344,860 square-foot Alcohol, On-Premise Full use with Alcohol, Off-Premise Ancillary use (Beer and Wine) at the southwest and southeast corner of Meade Avenue and Rigel Avenue. Staff recommended denial of the request.
	The Planning Commission approved a request for a Site Development Plan Review (22-0674-SDR1) for a proposed 633,028 square-foot commercial development including 213,602 square feet of Commercial Recreation/Amusement (Indoor and Outdoor) Facility floor area, 36,579 square feet of Restaurant floor area, 30,191 square feet of Retail floor area, 32,244 square feet of Outdoor Patio floor area, a six-story parking Garage consisting of 305,595 square feet of floor area and back of house (storage) with 14,817 square feet of floor area and waivers of the perimeter landscape buffer requirements and to allow flat, plain building facades where patterns and materials that provide visual interest are required at the southwest and southeast corner of Meade Avenue and Rigel Avenue. Staff recommended denial of the request.
02/08/24	The Department of Community Development - Planning Division administratively approved a Minor Amendment (23-0649-SUP1) to a previously approved Special Use Permit (22-0674-SUP1) for a proposed 28,100 square-foot addition to an approved 312,616 square-foot Alcohol, On-Premise Full use with Alcohol, Off-Premise Ancillary use (Beer and Wine) at the southwest and southeast corner of Meade Avenue and Rigel Avenue.

<b>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</b>	
02/08/24	The Department of Community Development - Planning Division administratively approved a Minor Amendment (23-0649-SDR1) to a previously approved Site Development Plan Review (22-0674-SDR1) for a proposed 75,752 square-foot addition to a previously approved 633,028 square-foot commercial development including 238,346 square feet of Commercial Recreation/Amusement (Indoor and Outdoor) Facility floor area, 43,792 square feet of Restaurant floor area, 26,334 square feet of Retail floor area, 32,244 square feet of Outdoor Patio floor area, a seven-story Parking Garage consisting of 359,592 square feet of floor area and Back of House (storage) with 8,472 square feet of floor area at the southwest and southeast corner of Meade Avenue and Rigel Avenue.
6/18/24	The Planning Commission voted (7-0) to HOLD IN ABEYANCE Land Use Entitlement project requests on 11.06 acres at the southwest and southeast corner of Meade Avenue and Rigel Avenue

<b>Most Recent Change of Ownership</b>	
12/07/23	A deed was recorded for a change in ownership.

<b>Related Building Permits/Business Licenses</b>	
02/22/23	A building permit (#C22-04940) was issued for (Area 15) Meade Avenue lot building demolition only at 3019 Meade Avenue. The permit was finalized on 11/20/23.
03/20/23	A building permit (#C23-00927) was processed for (Area 15) complete demolition of rose building and palm north at 3019 Meade Avenue. The permit has not been issued.
03/23/23	A building permit (#C23-00841) was issued for (Area 15) complete demolition of (Rose Bldg: 3019 Meade Avenue; Palms North: 3002-3014 South Rancho Drive /2901-2919 Meade Ave/3000-3030 Rigel Avenue/3003-3021 Rigel Avenue) at 3019 Meade Avenue. The permit was finalized on 10/04/23.

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<b>Related Building Permits/Business Licenses</b>	
10/03/23	A building permit (#C23-00841-R001) was issued (Area 15) for revisions for a complete demolition (Rose Bldg: 3019 Meade Avenue; Palms North: 3002-3014 South Rancho Drive /2901-2919 Meade Ave/3000-3030 Rigel Avenue/3003-3021 Rigel Avenue) at 3019 Meade Avenue. The permit was finalized on 10/03/23.
11/01/23	A building permit (#PRC23-00051) was issued for a proposed new core and shell concrete tilt up with a small mezzanine and perimeter slab/walkways for future tenant use (Area 15 District 2 - Grey Shell Building) at 3051 South Rancho Drive. The permit was finalized on 11/01/23.
	A building permit (#C23-02574) was issued for alternative materials, methods and means for a proposed new shell building (Area 15 District 2 - Grey Shell Building) at 3051 South Rancho Drive. The permit was finalized on 11/01/23.

<b>Related Building Permits/Business Licenses</b>	
11/29/23	A building permit (#C23-03875) was issued a temporary power pole (District 2 - Universal Studios) at 3051 South Rancho Drive. The permit has not been finalized.
11/07/23	A building permit (#C23-01740) was issued for a proposed new core and shell concrete tilt up with a small mezzanine and perimeter slab/walkways for future tenant use (Area 15 District 2 - Grey Shell Building) at 3051 South Rancho Drive. The permit has not been finalized.
12/19/23	A building permit (#C23-04045) was issued onsite grading (District 2 - Universal Studios) at 3051 South Rancho Drive. The permit has not been finalized.
12/21/23	A building permit (#L23-00810) was issued for Redevelopment of APNs 162-08-303-034, 162-08-702-001, and 162-08-702-002 as an expansion of the Area 15 campus. Scope is full site civil (grading and utilities) for 6 new buildings and a new parking structure (Area 15 - District 2) at Sirius Avenue and Rancho Drive. The permit has not been finalized
01/04/24	A building permit (#PRC23-00051-R001) was issued for owner changes (Area 15 District 2 - Grey Shell Building) at 3051 South Rancho Drive. The permit was finalized on 01/04/24.
04/23/24	A building permit (#PRC23-00093) was issued for a proposed open parking garage (Rigel Parking Building) with seven levels and 992 parking spaces at 3031 Rigel Avenue. The permit was finalized on 04/23/24.
04/24/24	A building permit (#C23-03780) was issued for proposed onsite improvements including water and sewer for a proposed for a proposed open parking garage (Rigel Parking Building) with seven levels and 992 parking spaces at 3031 Rigel Avenue. The permit has not been finalized.

<b>Related Building Permits/Business Licenses</b>	
4/24/24	A building permit (#C23-04020-R001) was processed for proposed tenant improvements and revision and exhibit package for Houses (Mazes) (Universal Studios - TI at Area 15) at 3051 South Rancho Drive. The permit has not been issued.
04/25/24	A building permit (#C23-03781) was issued for a proposed open parking garage (Rigel Parking Building) with seven levels and 992 parking spaces at 3031 Rigel Avenue. The permit has not been finalized.
05/13/24	A building permit (#C23-04020) was issued for proposed tenant improvements (District 2 - Universal Studios) at 3051 South Rancho Drive. The permit has not been finalized.
05/14/24	A building permit (#PRC23-00093-R001) was processed for Delta #1 revisions. Fire pump room and IDF room were relocated to provide vertical alignment with added sprinkler riser rooms. WIFI antennas were added at ground level. Aesthetic lighting added at ground level. Elevator lobby lighting revised at all levels. Audio speakers added at lobby and ground level at 3031 Rigel Avenue. The permit has not been issued.

<b>Related Building Permits/Business Licenses</b>	
05/15/24	A building permit (#L23-00810-R005) was issued for revised NVE sheets (Area 15 - District 2) at 3051 South Rancho Drive. The permit has not been finalized.

<b>Pre-Application Meeting</b>	
04/15/24	A pre-application conference was held with the applicant to discuss amendments to the proposed expansion of the Area 15 - District 2 campus.

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

<b>Field Check</b>	
05/09/24	The subject site is currently under development. All previous structures have been demolished and removed from the site.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	11.06

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<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	Commercial Recreation/Amusement (Indoor and Outdoor)	TOD-2 (Transit Oriented Development - Low)	M (Industrial)
	Commercial Recreation/Amusement (Outdoor) (Plaza)		
	Restaurant		
	Retail		
	Back of House (BOH)		
	Parking Garage		

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
North	Undeveloped	TOD-2 (Transit Oriented Development - Low)	M (Industrial)
South	Commercial Recreation/Amusement (Indoor and Outdoor)	TOD-2 (Transit Oriented Development - Low)	C-2 (General Commercial)
East	Interstate 15	ROW (Right-Of-Way)	ROW (Right-Of-Way)
West	Auto Repair Garage (Major)	LI/R (Light Industry/Research)	M (Industrial)
	Office, Other than Listed		
	Industrial		

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: Charleston	Y
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
A-O (Airport Overlay) District - (175 Feet)	Y
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

**DEVELOPMENT STANDARDS**

*Pursuant to Title 19.08.100, the following standards apply:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Width APNs (162-08-702-001 and 002)	100 Feet	472 Feet	Y
Min. Lot Width APN (162-08-303-034)	100 Feet	222 Feet	Y

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Setbacks - District 2 APNs (162-08-702-001 and 002)			
<ul style="list-style-type: none"> <li>• Front (Sirius Ave.)</li> <li>• Corner (Rancho Dr.)</li> <li>• Corner (Rigel Ave.)</li> <li>• Rear (Meade Ave.)</li> </ul>	<p>10 Feet</p> <p>10 Feet</p> <p>10 Feet</p> <p>0 Feet</p>	<p>15 Feet</p> <p>10 Feet</p> <p>10 Feet</p> <p>10 Feet</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>
Min. Setbacks - District 2 - Garage APN (162-08-303-034)			
<ul style="list-style-type: none"> <li>• Front (Meade Ave.)</li> <li>• Side (west)</li> <li>• Corner (Rigel Ave.)</li> <li>• Rear (south)</li> </ul>	<p>10 Feet</p> <p>10 Feet</p> <p>10 Feet</p> <p>0 Feet</p>	<p>16 Feet</p> <p>10 Feet</p> <p>24 Feet</p> <p>12 Feet</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>
Max. Building Height APNs (162-08-702-001 and 002)	N/A	225 Feet	Y
Max. Building Height APN (162-08-303-034)	N/A	88 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

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**Pursuant to Site Development Plan Review (22-0674-SDR1) and Title 19.08.100, the following standards apply:**

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Buffer Trees: APNs (162-08-702-001 and 002)				
• North	1 Tree / 30 Linear Feet	21 Trees	41 Trees	Y
• South	1 Tree / 30 Linear Feet	5 Trees	15 Trees	Y
• East	1 Tree / 30 Linear Feet	17 Trees	21 Trees	Y
• West	1 Tree / 30 Linear Feet	29 Trees	38 Trees	Y
<b>SUB-TOTAL PERIMETER TREES</b>		<b>72 Trees</b>	<b>115 Trees</b>	<b>Y</b>

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Buffer Trees: APN (162-08-303-034)				
• North	1 Tree / 30 Linear Feet	6 Trees	9 Trees	Y
• South	1 Tree / 30 Linear Feet	3 Trees	3 Trees	Y
• East	1 Tree / 30 Linear Feet	9 Trees	12 Trees	Y
• West	1 Tree / 30 Linear Feet	8 Trees	14 Trees	Y
<b>SUB-TOTAL PERIMETER TREES</b>		<b>26 Trees</b>	<b>38 Trees</b>	<b>Y</b>
<b>TOTAL PERIMETER TREES</b>		<b>98 Trees</b>	<b>153 Trees</b>	<b>Y</b>

<b>LANDSCAPE BUFFER WIDTHS</b>				
Min. Zone Width APNs (162-08-702-001 and 002)				
• North	5 Feet		0 Feet	N*
• South	15 Feet		10 Feet	N*
• East	0 Feet		0 Feet	Y
• West	0 Feet		0 Feet	Y
Min. Zone Width APN (162-08-303-034)				
• North	10 Feet		10 Feet	Y
• South	3 Feet		0 Feet	N*
• East	10 Feet		10 Feet	Y
• West	5 Feet		0 Feet	N*
Wall Height	6 to 8 Feet Adjacent to Residential		Not Indicated	Y

\*The applicant has requested Waivers to allow reduced perimeter landscape buffers.

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<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>
Rancho Drive	Minor Collector	Master Plan of Streets and Highways Map	47	Y
Meade Avenue	Local Street	Title 13	60	Y
Rigel Avenue	Local Street	Title 13	60	Y
Sirius Avenue	Local Street	Title 13	60	Y

**Pursuant to Title 19.08 and 19.12, the following parking standards apply:**

<b>Parking Requirement</b>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Night Club	360,014 SF	One space for every 3 persons at maximum capacity (18,666 Max Occ.)	6,222		-	-	Y
<b>TOTAL SPACES REQUIRED</b>			6,222		981		Y
<b>Regular and Handicap Spaces Required</b>			6,149	73	960	21	Y

\*A Variance (24-0219-VAR1) has been requested to allow 981 parking spaces where 6,222 are required.

<b>Waivers</b>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Pursuant to approved Site Development Plan Review (22-0674-SDR1) a three-foot buffer is required on a portion of the south perimeter (APN 162-08-303-034)	To allow a zero-foot wide landscape buffer on a portion of the south perimeter (APN 162-08-303-034)	Denial

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<b>Waivers</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
Pursuant to approved Site Development Plan Review (22-0674-SDR1) a five-foot buffer is required on the west perimeter (APN 162-08-303-034).	To allow a zero-foot wide landscape buffer on the west perimeter (APN 162-08-303-034)	Denial
Pursuant to approved Site Development Plan Review (22-0674-SDR1) a five-foot landscape buffer is required on the north perimeter (APN 162-08-702-001 and 002)	To allow a zero-foot wide landscape buffer on a portion of the north perimeter (APN 162-08-702-001 and 002)	Denial

<b>Waivers</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
Pursuant to approved Site Development Plan Review (22-0674-SDR1) a 15-foot landscape buffer is required on the south perimeter (APN 162-08-702-001 and 002)	To allow a 10-foot wide landscape buffer on a portion of the south perimeter (APN 162-08-702-001 and 002)	Denial