

LAS VEGAS OFFICE  
1980 Festival Plaza Drive, Suite 650  
Las Vegas, NV 89135  
T: 702.792.7000  
F: 702.796.7181

KAEMPFER

CROWELL

JENNIFER LAZOVICH  
[jlazovich@kcnvlaw.com](mailto:jlazovich@kcnvlaw.com)  
D: 702.792.7050

April 24, 2024

**VIA UPLOAD**

CITY OF LAS VEGAS PLANNING & ZONING  
495 S. Main St.  
Las Vegas, Nevada 89101

***Re: Justification Letter – Major Amendment to Site Plan Review for an Indoor/Outdoor Commercial Recreation Facility; Use Permits to Increase Building Height Encroaching into Airport Overlay and Allow Alcohol, On-Premises Full (Umbrella) and Nightclub (Umbrella); Variances for Onsite Parking; and Waivers for Landscape Along West Side of Parking Garage APNs: 162-08-702-002, 162-08-702-001, 162-08-303-034***

To Whom It May Concern:

Please be advised this office represents the Applicant for the proposed project (the “Project”). The Project is bounded by South Rancho Drive on the east; Rigel Avenue to the west; and Meade Avenue at the northern boundary (the “Site”). The total Site is approximately 11.06 acres. By way of background, the Las Vegas Planning Commission, on January 10, 2023, approved 22-0674 (SDR1, SUP1, and VAR1) allowing for the development of a commercial shopping center consisting of indoor/outdoor commercial recreational/amusement facility along with a special use permit to allow alcohol, on-premises full use over the entirety of the Site as well as waivers to reduce the required parking and landscaping. Subsequently, on February 8, 2024, the City of Las Vegas approved an Administrative Site Development Plan Review (23-0649[SUP1 and SDR1]) allowing:

- An additional 75,752 SF of commercial development to the approved 633,028 SF of commercial development.
- Modification to the approved alcohol, on-premises full use with alcohol and off-premises ancillary use (beer and wine).

The Applicant is continuing to refine the development plans for construction and tenant needs. As such, the Applicant is requesting a Major Amendment to the approved Site Plan Review with the related use permits seeking approval of an alcohol, on-premises full use (umbrella), nightclub (umbrella), amended variance related to the parking reduction, and wavier regarding landscaping along the west side of the parking garage (Building 3).

**24-0219**  
04/25/2024

### Major Amendment to Site Plan Review

The Project will function as an indoor/outdoor commercial recreation/amusement and shopping center, offering a combination of commercial/entertainment and office uses, and other commercial/entertainment uses. In line with the City’s definition of shopping center, this Project will house an assemblage of commercial tenants on contiguous parcels of land, with common vehicular access and parking facilities. The Site is zoned M, which provides for high intensity uses, including retail, restaurant, office, and commercial recreation/amusement uses. The Site is surrounded by M zoning to the west, C-2 to the south, and R-1 and future C-2 to the north. The Applicant proposes 32,244 square feet of outdoor entertainment space, in addition to the indoor uses and parking garage space as identified on the site plans.

Specifically, the Applicant intends to create a space for live events, immersive entertainment, recreation activities, music, food and beverage experiences (including restaurants, and bars), art displays throughout the Site, as well as projection mapping on structures visible from the exterior of the Site. It is anticipated that these uses could be open 24 hours.

- **Buildings 1, 2, 3, 4a-b**

This section of the Project includes the following proposed uses:

- Retail;
- Restaurant, including on-premise full alcohol sales;
- Standalone bar(s) to include on-premise full alcohol sales;
- Nightclub(s);
- Parking structure; and
- Immersive entertainment (indoor/outdoor commercial recreation/amusement).

Buildings 1, 2, 3, 4a-b are primarily located along Rigel Avenue, south of Meade Avenue, and west of Rancho Drive. In this section of the Project, the Applicant proposes to develop an indoor and outdoor commercial recreation/amusement space, retail, restaurant spaces with on-premise full alcohol, standalone bars, nightclub(s), as well as a parking structure. The proposed buildings vary in elevation, with the tallest building(s) being 70.5-feet when measured from the ground floor to the top of the parapet. The parking structure is proposed to be seven levels, at a height of 88-feet, with the ground floor proposed to be used primarily for rideshare and taxi use. The buildings will have enhanced articulation to complement the surrounding areas, as well as detailed art displays and landscaping. The Applicant notes that for all buildings, some articulation

24-0219  
04/25/2024

and facades are initially proposed, however, tenants have not yet been finalized so some modifications may be necessary to interior site-facing facades. Additionally, on certain building walls as shown on the site plans, painted surfaces and murals are anticipated. The designs could evolve into digital displays, projection mapped surfaces, integrated lighting design and 3D façade surfaces

- **Buildings 4c, 5, 6, 747**

This section of the Project includes the following proposed uses:

- Retail;
- Restaurant, including on-premise full alcohol sales (to include beer garden);
- Standalone bar(s) to include on-premise full alcohol sales;
- Nightclub(s); and
- Immersive entertainment (indoor/outdoor commercial recreation/amusement).

Buildings 4c, 5, 6, and 747 are primarily located north of Sirius Avenue, east of Rigel Avenue, and west of Rancho Drive. Similar to the previous section, this section of the Project proposes retail, restaurant spaces with on-premise full alcohol, standalone bars, nightclub(s), and indoor/outdoor commercial recreation/amusement. Building 747 is a large, horizontal airplane within the interior of the Site that will function as an event space that could include a restaurant with on-premise full alcohol and nightclub, as well as an art display. The tallest building in this section is building 4(c) at a height of 161-feet.

- **Drop Ride**

The drop ride will be located south of buildings 4(c) and 5 along Sirius Avenue. The drop ride will have a central tower with a gondola carrying riders to the top of the tower which will then be released for a free-fall down the tower until the gondola approaches the bottom half of the tower in which a braking system is applied slowing the gondola to the ground. The drop ride structure's height is approximately 225-feet.

- **Carousel**

The carousel will be centrally located on the Site in between buildings 4(a) and 1. The carousel is approximately 35-feet in height. In addition to the traditional carousel ride, there will be standalone bar as part of the carousel.

24-0219  
04/25/2024

### Waiver

- **Landscaping**

In addition to the previously approved landscaping waivers, the Applicant is requesting to reduce the landscaping along the west side of the parking garage (Building 3). Due to various factors, such as existing conditions, building and parking requirements, and site drainage; the landscape buffer on the west side of the parking garage has been reduced to 5-feet in width. Additionally, the buffer area has structural footings for the parking garage to the east, and a concrete flume for positive drainage to the west, ultimately creating a concrete ‘bath tub’ within the buffer area. Therefore, planting trees in this location is not ideal. Instead, the Applicant is purposing to replace the required 14 trees with larger, upright shrubs that will acclimate to these conditions. Furthermore, the 14 trees will be relocated to other locations within Site.

The Applicant is meeting all other planting calculations, including providing 698 shrubs where 672 are required, and 160 trees, where 159 are required. When counting the interior trees, the Applicant is providing a total 192 trees.

### Variance

- **Onsite Parking**

The Applicant is seeking a parking variance. The required parking for the Site is skewed based on the special use permit request to allow a blanket nightclub use across the Site. Based on the nightclub parking requirement for the entire Site, including the indoor and outdoor commercial recreational/amusement, restaurant, and retail areas, the required parking is 5,374 parking spaces.

Here, the Project is providing 981 parking spaces. Based on the functions and uses proposed with this Project, the Applicant expects the parking being proposed to be adequate for the needs of visitors. The Applicant expects many of its guests will be utilizing rideshares and taxis. The parking garage will support rideshare pickup and drop-off locations. Additionally, the Applicant anticipates that visitors will visit the Site to patronize multiple services in one visit, as opposed to parking for the purposes of only one service. For example, rather than dining only, or retail only, the Applicant anticipates visitors will dine, visit retail, and engage in other experiences in one visit. Finally, the entire Site’s required parking calculation is based on the nightclub ratio where in fact the Applicant is requesting the nightclub(s) use to be consistent with the approved blanket nightclub use on the AREA 15 campus. As a result, the Applicant anticipates parking to be adequate for the Site.

24-0219  
04/25/2024

**Special Use Permits**

- **Encroach into Airport Overlay**

The Airport Overlay permits a height of 175-feet. As mentioned above, the proposed height of the drop ride structure is 225-feet. While the Applicant is requesting to encroach the overlay by approximately 50-feet, the encroachment is only for the drop ride tower, a slender structure.

- **Alcohol, On-Premise Full (Umbrella) and Nightclub(s) (Umbrella)**

Throughout the Site’s various buildings and experiences, the Applicant proposes food and beverage opportunities that include the sale and consumption of alcohol on-site. This includes restaurants, a beer garden, standalone bars, nightclub(s) and food and beverage options as shown on the submitted site plans. To allow for maximum flexibility, the Applicant is requesting a use permit to allow for Alcohol, On-Premise Full and Nightclub(s) for Buildings 1, 2, 3, 4a-c, 5, 6 and 747, and exterior open areas.

**SUMMARY**

The expansion of the immersive entertainment concept pioneered by AREA 15, is appropriate for this Site. The requested variances, waivers and special use permits are consistent with what was previously approved at AREA15 and is appropriate for the surrounding area. In addition, the Project is within a redevelopment area. As such, the Project will continue the trend of redevelopment into uses and experiences that locals and tourists can enjoy.

We thank you in advance for your time and consideration of the application. Should you have any questions, please feel free to contact me.

Very truly yours,

**KAEMPFER CROWELL**



Jennifer Lazovich

JJL/ajc

24-0219  
04/25/2024