

**AGENDA MEMO - PLANNING****CITY COUNCIL MEETING DATE: DECEMBER 21, 2022****DEPARTMENT: COMMUNITY DEVELOPMENT****ITEM DESCRIPTION: APPLICANT/OWNER: DAPPER COMPANIES****\*\* STAFF RECOMMENDATION(S) \*\***

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>22-0615-ZON1</b>	Staff recommends APPROVAL.	
<b>22-0615-MOD1</b>	Staff recommends APPROVAL.	22-0615-ZON1
<b>22-0615-SUP1</b>	Staff recommends APPROVAL, subject to conditions:	22-0615-ZON1 22-0615-MOD1
<b>22-0615-SUP2</b>	Staff recommends APPROVAL, subject to conditions:	22-0615-ZON1 22-0615-MOD1
<b>22-0615-SUP3</b>	Staff recommends APPROVAL, subject to conditions:	22-0615-ZON1 22-0615-MOD1
<b>22-0615-SUP4</b>	Staff recommends APPROVAL, subject to conditions:	22-0615-ZON1 22-0615-MOD1
<b>22-0615-SDR1</b>	Staff recommends APPROVAL, subject to conditions:	22-0615-ZON1 22-0615-MOD1
<b>22-0615-TMP1</b>	Staff recommends APPROVAL, subject to conditions:	22-0615-ZON1 22-0615-MOD1 22-0615-SDR1

**\*\* NOTIFICATION \*\*****NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 30**NOTICES MAILED** 504 (by City Clerk)**PROTESTS** 1**APPROVALS** 0

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

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**22-0615-SUP1 CONDITIONS**

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**Planning**

1. Conformance to all minimum Requirements under Town Center Development Standards Manual for a Liquor Establishment (Tavern) [now Alcohol, On-Premise Full] use.
2. Approval of Rezoning (22-0615-ZON1) and Major Modification (22-0615-MOD1); and approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0615-SDR1) shall be required, if approved.
3. Conformance to the approved conditions for Special Use Permit (20-0139-SUP1, SUP2 and SUP3) and Site Development Plan Review (20-0139-SDR1).
4. This approval shall be void four 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.
5. A Waiver from the Town Center Development Standards Manual is hereby approved, to allow an Alcohol, On-Premise Full use [formerly Liquor Establishment (Tavern) use] on a parcel consisting of 6.33 acres where 50 acres is required.
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 Department of Building and Safety.
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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## 22-0615-SUP2 CONDITIONS

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### Planning

1. Conformance to all minimum Requirements under Town Center Development Standards Manual for a Liquor Establishment (Tavern) [now Alcohol, On-Premise Full] use.
2. Approval of Rezoning (22-0615-ZON1) and Major Modification (22-0615-MOD1); and approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0615-SDR1) shall be required, if approved.
3. Conformance to the approved conditions for Special Use Permit (20-0139-SUP1, SUP2 and SUP3) and Site Development Plan Review (20-0139-SDR1).
4. This approval shall be void four 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.
5. A Waiver from the Town Center Development Standards Manual is hereby approved, to allow an Alcohol, On-Premise Full use [formerly Liquor Establishment (Tavern) use] on a parcel consisting of 6.33 acres where 50 acres is required.
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 Department of Building and Safety.
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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## 22-0615-SUP3 CONDITIONS

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### Planning

1. Conformance to all minimum Requirements under Town Center Development Standards Manual for a Liquor Establishment (Tavern) [now Alcohol, On-Premise Full] use.
2. Approval of Rezoning (22-0615-ZON1) and Major Modification (22-0615-MOD1); and approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0615-SDR1) shall be required, if approved.
3. Conformance to the approved conditions for Special Use Permit (20-0139-SUP1, SUP2 and SUP3) and Site Development Plan Review (20-0139-SDR1).
4. This approval shall be void four 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.
5. A Waiver from the Town Center Development Standards Manual is hereby approved, to allow an Alcohol, On-Premise Full use [formerly Liquor Establishment (Tavern) use] on a parcel consisting of 6.33 acres where 50 acres is required.
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 Department of Building and Safety.
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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## 22-0615-SUP4 CONDITIONS

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### Planning

1. Conformance to all minimum Requirements under Town Center Development Standards Manual for a Beer/Wine/Cooler/On-Sale Establishment [now Alcohol, On-Premise Beer/Wine] use.
2. Approval of Rezoning (22-0615-ZON1) and Major Modification (22-0615-MOD1); and approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0615-SDR1) shall be required, if approved.
3. Conformance to the approved conditions for Special Use Permit (20-0139-SUP1, SUP2 and SUP3) and Site Development Plan Review (20-0139-SDR1).
4. This approval shall be void four 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.
5. 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.
6. 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.
7. Approval of this Special Use Permit does not constitute approval of a liquor license.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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## 22-0615-SDR1 CONDITIONS

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### Planning

1. Approval of Rezoning (22-0615-ZON1) and Major Modification (22-0615-MOD1) shall be required, if approved
2. This approval shall be void four 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 development shall be in conformance with the site plan and landscape plan date stamped 11/07/22; and building elevations date stamped 10/24/22, except as amended by conditions herein.
4. A Waiver from The Town Center Development Standards is hereby approved, to allow a 10-foot rear yard setback where 20 feet is required.
5. A Waiver from The Town Center Development Standards is hereby approved, to allow a zero-foot wide landscape buffer adjacent to a portion of Kevin Way where 15 feet is required.
6. A Waiver from the Town Center Development Standards is hereby approved, to allow a portion of the northern landscape buffer to be reduced to one-foot where 15 feet is required.
7. A Waiver from the Town Center Development Standards is hereby approved, to allow a 14-foot wide landscape buffer adjacent to Durango Drive (east) where 15 feet is required.
8. A Waiver from the Town Center Development Standards is hereby approved, to allow a zero-foot wide landscape buffer adjacent to a portion of Kevin Way (west) where 15 feet is required.
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 Department of Building and Safety.
10. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

11. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
12. 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. The technical landscape plan shall include the following changes from the conceptual landscape plan:
  - Where applicable, the plant palette specified in the Town Center Development Standards Manual shall be complied with.
  - All shade trees shall be 36-inch box in size, and palm trees shall have a minimum trunk height of 15 feet.
  - Four, 5-gallon shrubs shall be planted for every required tree.
13. 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.
14. All Town Center Development Standards, City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

15. Concurrent with development, construct all incomplete half street improvements on Kevin Way. If needed, dedicate appropriate right-of-way to accommodate construction of the public street cul-de-sac to meet current City standards.
16. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
17. The sidewalk on Durango Drive shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement needed to complete this requirement.

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18. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the "Gowan Road North El Capitan Branch - Ann Road to Centennial Parkway", the "Centennial Parkway - Alpine Ridge Way to Durango Drive" project, and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
19. Prior to the issuance of a Certificate of Occupancy, a commercial subdivision map must record to consolidate the parcel comprising this site. A Final Map related to 22-0615-TMP1 may be used to satisfy this condition.
20. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-2338 or emailed at [ece@lasvegasnevada.gov](mailto:ece@lasvegasnevada.gov).
21. No trees or landscaping over 3-feet tall shall be allowed within the existing public sewer easement. All existing trees located within the easement shall be removed concurrent with onsite development.
22. Landscape and maintain all unimproved right-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
23. Submit a License Agreement for landscaping and private improvements in the adjacent right-of-way, if any, 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 Building and Safety (229-4836).



24. A 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, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. The Traffic Impact Analysis shall also include a pedestrian circulation/access plan to identify nearby pedestrian attractors and recommend measures to accommodate pedestrians, such as but not limited to pedestrian access, crosswalk, pedestrian activated flashers and temporary sidewalks. Comply with the recommendations of the approved 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 of this site.
25. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

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## 22-0615-TMP1 CONDITIONS

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### **Planning**

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
2. Approval of Rezoning (22-0615-ZON1) and Major Modification (22-0615-MOD1) shall be required, if approved.

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3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. 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.
5. The Final Map shall contain a note granting perpetual common access and parking across the entire subdivision.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

**Public Works**

7. Prior to the submittal of a Final Map for review a legal parcel boundary must be established for the overall site.
8. Per Title 19.16.060.W.1, provide a note on the Final Map that states "All parcels created through this map shall have perpetual unobstructed access to all driveways servicing the overall subdivision unless incompatible uses can be demonstrated to the satisfaction of the City Engineer."
9. Per Title 19.16.060 W.2, Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate note shall appear on the face of the Tentative Map and recorded Final Map.
  - a) A public sewer, with a minimum pipe diameter of eight inches, located within dedicated public sewer easements which are a minimum of twenty feet wide.
  - b) On-site sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
  - c) On-site sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
10. Per Title 19.16.060.W.3, provide a note on the Final Map that states "all subdivided parcels comprising this Subdivision shall provide perpetual inter-site common drainage rights across all existing and future parcel limits."
11. As per Unified Development Code (UDC) 19.16.060.G, all requirements must be complied with or such future compliance must be guaranteed by an approved performance security method in accordance with UDC sections 19.02.130.

12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

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

**PROJECT DESCRIPTION**

The applicant is proposing to add two additional buildings to an existing shopping center on the northwest corner of Centennial Parkway and Durango Drive.

**ISSUES**

- APNs 125-20-499-004, 007 and 012 were annexed into the City zoned R-E (Residence Estates) with a Land Use Designation of TC (Town Center).
- Centennial Parkway is the “front” of the proposed development.
- A Rezoning is requested for APNs 125-20-499-004, 007 and 012 from R-E (Residence Estates) to T-C (Town Center). Staff supports this request.
- A Major Modification for APNs 125-20-499-004, 007 and 012 is requested to add the annexed parcels to the SC-TC (Service Commercial – Town Center) Special Land Use Designation within the Town Center Master Plan area. Staff supports this requests.
- Three Special Use Permits are requested for an Alcohol, On-Premise Full use. Staff is recommending approval of all three applications.
- A Special Use Permit is requested for an Alcohol, On-Premise Beer/Wine use. Staff is recommending approval of the application.
- A Site Development Plan Review is requested for the expansion of an existing shopping center. Staff supports this request.
- A Tentative Map is requested for a one-lot commercial subdivision. Staff is recommending approval of the Tentative Map.
- A Waiver from The Town Center Development Standards is requested, to allow a 10-foot rear yard setback where 20 feet is required. Staff supports this request as the rear is adjacent to an off-ramp from the CC 215 and will not negatively impact any adjacent neighboring properties.
- A Waiver from The Town Center Development Standards is requested, to allow a zero-foot wide landscape buffer adjacent to a portion of Kevin Way where 15 feet is required. Staff supports this request as this portion is adjacent to the cul-de-sac bulb and will not negatively impact any adjacent neighboring properties.
- The applicant is requesting a Waiver for a portion of the northern landscape buffer to be reduced to one-foot where 15 feet is required. As this landscape buffer is adjacent to an off-ramp for the CC 215, staff is able to support the request as it will not negatively affect neighboring properties.
- The applicant is requesting a Waiver for a 14-foot wide landscape buffer adjacent to Durango Drive. Staff supports this request as it aligns with the existing improvements to the south.

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- The applicant is requesting a Waiver to allow a zero-foot wide landscape buffer adjacent to a portion of Kevin Way (west) where 15 feet is required. As this landscape buffer is adjacent to Kevin Way, staff is able to support the request as it will not negatively affect neighboring properties.

**ANALYSIS**

The overall subject site consists of APNs 125-20-499-004, 007 and 012; 125-20-402-008 and 015. APN 125-20-402-008 is located adjacent to the Centennial Parkway and Durango Drive intersection and is developed as a shopping center and contains multiple businesses currently in operation. APN 125-20-402-015 is currently under construction with two separate structures. Staff did not expunge these land use entitlements as the structures are under construction with active building permits. Staff recognizes there may be revisions necessary in the future to adjust these previously issued building permits as the new portions of the development [APNs 125-20-499-004, 007 and 012] submit for building permits.

***Rezoning***

On October 19, 2022 the City Council approved the annexation of 1.13 acres adjacent to the northern edge of the existing shopping center [APNs 125-20-499-004 and 012]. This portion of the proposed site was zoned R-E (Rural Estates Residential District) with the County of Clark at the time of annexation and was assigned the equivalent zoning district with the City of Las Vegas at the time of annexation, which was R-E (Residence Estates). The applicant is requesting to rezone this annexed portion of the subject site in addition to the parcel to the east [APN: 125-20-499-007] of the subject site to T-C (Town Center) in order to expand the existing shopping center to the north. Staff finds the development factors in the area which include existing T-C (Town Center) zoned property to the east, south and west, indicate the need for the rezoning and recommends approval of the request.

***Major Modification***

The applicant is requesting to designate the subject parcels [APNs 125-20-499-004, 007 and 012] SC-TC (Service Commercial – Town Center) within the Town Center Master Plan Area. The Service Commercial District allows low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public/ quasi-public uses. Hotels, motels and resort uses of a lower intensity may be allowed under certain conditions. Local supporting land uses such as parks, other public recreational facilities, some schools and churches are also allowed in this district.

These parcels were annexed into the City limits with only a comparable zoning district and a Major Modification is requested to incorporate them into the Town Center Master Plan area. The surrounding developments to the east and south are also designated SC-TC (Service Commercial – Town Center) and designating the subject sites SC-TC (Service Commercial – Town Center) creates a cohesive commercial corridor at the intersection of Durango Drive and the Clark County 215. Therefore, staff recommends approval of the requested Major Modification.

***Special Use Permit [22-0615-SUP1 through SUP3]***

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 Minimum Special Use Permit Requirements for this use include:

Requirement 1: Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between an Alcohol, On-Premise Full establishment and certain other uses that should be protected from the impacts associated with that establishment. Therefore, except as otherwise provided in these Requirements, no Alcohol, On-Premise Full establishment may be located within 400 feet of any of the following uses:

- a. Church/house of worship;
- b. School;
- c. Individual care center licensed for more than 12 children; or
- d. City park.

*The proposed use meets this requirement as there are no protected uses within 400 feet of the subject site.*

Requirement 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

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- 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.

*This requirement is not applicable.*

The proposed Alcohol, On-Premise Full uses meet the minimum distance separation requirements for protected uses, and staff finds the uses can be operated in a manner that is harmonious and compatible with the existing surrounding land uses and recommends approval of each with conditions.

***Special Use Permit [22-0615-SUP4]***

The Alcohol, On-Premise Beer/Wine use is defined as “an establishment licensed to sell alcoholic beverages, limited to the sale of beer, wine and coolers only, for consumption on the premises where the same is sold.”

The Minimum Special Use Permit Requirements for this use include:

Requirement 1: Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum distance separation between an Alcohol, On-Premise Full establishment and certain other uses that should be protected from the impacts associated with that establishment. Therefore, except as otherwise provided in these Requirements, no Alcohol, On-Premise Full establishment may be located within 400 feet of any of the following uses:

- a. Church/house of worship;
- b. School;
- c. Individual care center licensed for more than 12 children; or
- d. City park.

*The proposed use meets this requirement as there are no protected uses within 400 feet of the subject site.*

Requirement 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 Beer/Wine 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.

*This requirement is not applicable.*

The proposed Alcohol, On-Premise Beer/Wine meets the minimum distance separation requirements for protected uses, and staff finds the uses can be operated in a manner that is harmonious and compatible with the existing surrounding land uses and recommends approval with conditions.

#### **Site Development Plan Review**

The applicant is proposing to develop the undeveloped, recently annexed land directly adjacent to the northern perimeter of the existing shopping center [APNs 125-20-499-004, 007 and 012]. The proposed consists of two additional structures and will create a cohesive singular shopping center by linking the existing portion to the south with the portion currently under construction to the west adjacent to Kevin Way. The new structures are designed to house a multitude of tenants and land uses. While not all tenants are known at this time, the applicant has requested three Alcohol, On-Premise Full Special Use Permits for restaurants who intend to serve alcoholic beverages with their meals. Those tenants include 'Broken Yolk,' 'Skinny Fats,' and 'Cheba Hut.' The fourth requested Special Use Permit is for 'Pichanha Steak,' who is requesting a Special Use Permit for the on-premise service of beer and wine.

The developed portion of the shopping center contains land uses such as a dry cleaner, a day spa, donut shop and chiropractor. It is anticipated that the proposed additions will also house a similar variety of goods and services for area patrons.

The proposed structures are all single story, with a maximum height of 27 feet. The buildings are designed to blend with the existing development in order to operate as a cohesive shopping center with centralized parking.



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The adjacent rights-of-way (Centennial Parkway and Durango Drive) are fully improved with sidewalks, curb and gutter. These improvements are in compliance with the Town Center Development Standards Manual, and the applicant is responsible for the installation of landscape buffers adjacent to the new development. Staff has added a condition of approval to ensure all newly installed landscape materials comply with the Town Center Development Standards Manual where applicable.

Staff finds the proposed addition to an existing shopping center within Town Center to be compatible with adjacent development and development in the area, and staff is recommending approval of this Site Development Plan Review with conditions.

***Tentative Map***

The applicant is requesting a Tentative Map for a one-lot commercial subdivision on 5.09 acre portion of 6.33 acres at the northwest corner of Centennial Parkway and Durango Drive. The southern portion of the subject site is currently developed, with the northern portions of the site either undeveloped or under construction. The developed portions of the proposed commercial subdivision have driveways from Durango Drive and Centennial Parkway. A future driveway is depicted for Kevin Way.

The submitted east/west cross sections appears to have a natural grade greater than two percent across this site. Per the Tables in Subdivision Code 19.06.050 a development with natural slope greater than two percent, is allowed a maximum six-foot retaining wall. No retaining walls are shown along the east and west property lines.

The submitted north/south cross section appears to have a natural grade less than two percent across this site. Per the Tables in Subdivision Code 19.06.050 a development with natural slope less/greater than two percent, is allowed a maximum four-foot retaining wall. A retaining wall that appears to be less than four feet is shown along the north property line.

The portion of the subject site currently under construction was previously approved for an 11,945 square-foot commercial development consisting of two buildings. Future uses include a Tavern with gaming and a restaurant with alcohol. A Master Building Permit (PRC21-00114) application was processed for this portion of the development on September 1, 2021. Staff anticipates that the associated building permits issued for this portion of the developing shopping center may need revisions at a later date.

The proposed Tentative Map meets and complies with the Town Center Development Standards Manual, and the minimum requirements for a Tentative Map set forth by Title 19 and NRS 278. Therefore, staff recommends approval with conditions.

**FINDINGS (22-0615-ZON1)**

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

**1. The proposal conforms to the General Plan.**

The proposed T-C (Town Center) zoning district conforms with the existing TC (Town Center) Land Use Designation.

**2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

The proposed T-C (Town Center) zoning district allows a variety of commercial uses similar to those that surround the subject site and is compatible with the surrounding land uses and zoning districts.

**3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

The subject site is surrounded by existing and future commercial development zoned T-C (Town Center) and the Clark County 215 to the north. These development factors in the area indicate the need for the subject site to be zoned T-C (Town Center).

**4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

Street facilities providing access to the subject site include Durango Drive and Centennial Parkway. Both roadways are adequate in size to provide access to the site.

**FINDINGS (22-0615-MOD1)**

The Town Center (T-C) District was established to permit and encourage the development of a mixed-use employment center which will provide economic stability and diversification for the City of Las Vegas. The primary objective of the T-C District concept is to provide employment for in excess of 100,000 individuals while, at the same time, creating a unique blending of human habitation and economic activity. The rezoning of property to the T-C District is appropriate only if the Town Center concept will be followed and the objectives set forth below are adhered to.

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In the T-C District, the developer must demonstrate the potential for achieving the following outlined objectives throughout the planning, design and development stages:

- a. Providing for an orderly and creative arrangement of land uses with respect to each other, to the Town Center and to all adjacent properties;
- b. Providing for a variety of housing types which are not found elsewhere in the City, as well as employment opportunities and commercial services to achieve a balanced community for individuals and families of wide variety of ages, sizes and levels of income;
- c. Providing for a planned and integrated comprehensive transportation system for pedestrian and vehicular traffic, which may include provisions for mass transportation and roadways, bicycle paths, pedestrian walkways and other similar transportation facilities;
- d. Providing for cultural, educational, medical, religious and recreational facilities;
- e. Locating and siting structures to take maximum advantage of the natural and manmade environment and to establish new view corridors; and
- f. Providing for adequate, well-located and well-designed open space and community facilities.

The proposed Major Modification to add annexed parcels to the adjacent SC-TC (Service Commercial – Town Center) Special Land Use Designation creates a cohesive district within the Town Center Master Plan area and fosters the proposed addition to an existing shopping which furthers the goal outlined in “a” above. Therefore, staff recommends approval of the Rezoning and Major Modification.

**FINDINGS (22-0615-SUP1 through SUP4)**

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 land uses 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 as the subject site will be developed as a shopping center designed to accommodate a variety of land uses, including restaurants that serve alcohol with meals.

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

The subject site is a proposed 49,363 square-foot shopping center designed to accommodate different types and intensities of 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.**

Durango Drive and Centennial Parkway are Primary Arterials as defined by the Master Plan of Streets and Highways and are adequate in size to meet the requirements of the proposed shopping center.

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 requested Special Use Permits for on-premise alcohol uses at the subject site will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

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

The proposed use meets the minimum Special Use Permit requirements set forth by Title 19.12 for both an Alcohol, On-Premise Full use and an Alcohol, On-Premise Beer/Wine use.

## **FINDINGS (22-0615-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 subject site is located at the intersection of two Primary Arterials as defined by the Master Plan of Streets and Highways Map, and adjacent to the Durango Drive exit ramp from the Clark County 215. There is existing commercial to the east, and single family residential subdivisions west of the subject site. Therefore, the proposed expansion of an existing shopping center is compatible with adjacent development and development in the area as it is designed to serve area residents with services and goods.

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

The proposed development is consistent with the policies of the Town Center Development Standards Manual.

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

Site access and circulation does not negatively impact adjacent roadways or neighborhood traffic as access is provided by Durango Drive, Centennial Parkway and Kevin Way.

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

Building and landscape materials are desert friendly and appropriate for an arid climate and the City.

**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;**

The proposed building elevations and design characteristics are designed to blend seamlessly with the existing structures on the subject site and create an orderly and aesthetically pleasing environment that is harmonious and compatible with development in the area.

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

The proposed development is subject to building permit reviews and regular inspections during the construction phase to ensure the public health, safety and general welfare is protected.

**FINDINGS (22-0615-TMP1)**

The submitted Tentative Map conforms to Nevada Revised Statutes and the minimum requirements set forth by Title 19 for Tentative Maps. Therefore, staff recommends approval of this application with conditions.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i></b>	
12/01/05	The Planning Commission approved a request for a Site Development Plan Review (SDR-9825) for a proposed 18,000 square-foot Retail Development and Waivers of the Town Center Development Standards for building placement and the parking lot and perimeter landscaping requirements on 1.92 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive Staff recommended approval.
01/18/06	The City Council approved a request for a Rezoning (ZON-9871) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) [SC-TC (Service Commercial – Town Center) Town Center Special Land Use Designation] on 1.31 acres on the east side of Kevin Way, approximately 286 feet north of Centennial Parkway. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Site Development Plan Review (SDR-9872) for a proposed 10,191 square-foot retail development with Waivers of the perimeter, parking lot, and foundation landscaping requirements; and a Waiver to allow 15 percent open space where 20 percent is required on 1.31 acres on the east side of Kevin Way, approximately 286 feet north of Centennial Parkway The Planning Commission and staff recommended denial.
06/07/06	The City Council approved a request for a Petition to Vacate (VAC-12542) a U.S. Government Patent Easement generally located at the northwest corner of Durango Drive and Centennial Parkway. The Planning Commission and staff recommended approval.
11/21/07	The City Council approved a request for a Variance (VAR-24502 to allow 102 parking spaces where 128 is the minimum required on 1.97 acres at the northwest corner of Centennial Parkway and Durango Drive). The Planning Commission recommended approval, staff recommended denial.
	The City Council approved a request for a Special Use Permit (SUP-23086) for a proposed 313 square-foot Massage Establishment within a 4,062 square-foot Day Spa with a Waiver to allow a distance separation of 350 feet to a residentially zoned property where 400 feet is required at 6461 North Durango Drive, Suite #'s 110 through 140. The Planning Commission recommended approval, staff recommended denial.
01/02/08	The Centennial Hills Architectural Review Committee (CHARC-TC) approved a request for a Master Sign Plan (ARC-26110) and Waiver of Town Center Development Standards Manual to allow wall signage on south elevation on building "B" to face residentially zoned property outside of Town Center boundary where no signage is allowed at 6401, 6441, and 6461 North Durango Drive. Staff recommended denial.

<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i></b>	
11/06/08	The Planning Commission approved a request for a for a Major Amendment (MSP-29350) to Master Sign Plan (ARC-26110) for a 12-foot Monument Sign and Waivers from the Town Center Development Standards to allow a 12-foot Monument Sign where eight feet is the maximum height allowed, and to allow a two-foot sign setback where five feet is the minimum setback required on 2.03 acres at 6403 North Durango Drive. Staff recommended denial.
09/10/13	The Planning Commission approved a request for a Special Use Permit (SUP-50450) for a proposed 2,052 square-foot Financial Institution, Specified use with a Waiver to allow a 50-foot distance separation from a residential use where 200 feet is required at 6401 North Durango Drive, Suites #110 and #120. Staff recommended denial.
11/26/19	The Planning Commission approved a request for a Variance (VAR-77689) to allow 100 parking spaces where 133 spaces are required at the northwest corner of Centennial Parkway and Durango Drive. Staff recommended denial.
	The Planning Commission approved a request for a Special Use Permit (SUP-77690) for a proposed Auto Smog Check use on a portion of 1.97 acres at the northwest corner of Centennial Parkway and Durango Drive. Staff recommended denial.
	The Planning Commission approved a request for a Site Development Plan Review (SDR-77691) for a Major Amendment of a previously approved Site Development Plan Review (SDR-9825) for a proposed 81 square-foot Auto Smog Check building on a portion of 1.97 acres at the northwest corner of Centennial Parkway and Durango Drive. Staff recommended denial.
11/18/20	The City Council approved a request for a Special Use Permit (20-0139-SUP1) for a proposed 4,880 square-foot Liquor Establishment (Tavern) use with 1,700 square feet of outdoor seating area with a Waiver to allow said use within the Service Commercial District on 1.12 acres where a minimum of 50 acres is required. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (20-0139-SUP2) for a proposed 3,625 square-foot Restaurant with Alcohol use with 1,690 square feet of outdoor seating area. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (20-0139-SUP3) for a proposed 4,880 square-foot Gaming Establishment, Restricted License use with a Waiver to allow a 31-foot distance separation from a single-family detached dwelling where 330 feet is required. The Planning Commission and staff recommended approval.

<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i></b>	
11/18/20	The City Council approved a request for a Site Development Plan Review (20-0139-SDR1) for a proposed 11,945 square-foot Commercial Development with Waivers to allow a 10-foot front yard setback where 15 feet is required, a six-foot side yard setback where 15 feet is required and a Waiver of the perimeter landscape buffer requirements. The Planning Commission and staff recommended approval.
10/19/22	The City Council approved a request for a Petition to Annex (22-0239-ANX1) 1.13 acres of property located north of Centennial Parkway at the terminus of Kevin Way. [Bill No. 2022-25]
11/15/22	<p>The Planning Commission voted (6-0) to recommend APPROVAL of the following Land Use Entitlement project requests on 6.33 acres at the northwest corner of Centennial Parkway and Durango Drive (APNs 125-20-402-008, 013 and 015; and 125-20-499-004, 005, 007 and 012), Ward 4 (Anthony)</p> <p><b>22-0615-ZON1</b> - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: T-C (TOWN CENTER) [125-20-499-004, 007 AND 012]</p> <p><b>22-0615-MOD1</b> - MAJOR MODIFICATION - TO SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL TOWN CENTER LAND USE DESIGNATION [125-20-499-004, 007 AND 012]</p> <p><b>22-0615-SUP1</b> - SPECIAL USE PERMIT - FOR A PROPOSED 4,000 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE [RESTAURANT] WITH A 2,098 SQUARE-FOOT PATIO AREA AND A WAIVER TO ALLOW SUCH USE ON A PARCEL CONSISTING OF 6.33 ACRES WHERE 50 ACRES IS REQUIRED FOR THE SERVICE COMMERCIAL SPECIAL TOWN CENTER LAND USE DESIGNATION</p> <p><b>22-0615-SUP2</b> - SPECIAL USE PERMIT - FOR A PROPOSED 3,000 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE [RESTAURANT] WITH A 1,430 SQUARE-FOOT PATIO AREA AND A WAIVER TO ALLOW SUCH USE ON A PARCEL CONSISTING OF 6.33 ACRES WHERE 50 ACRES IS REQUIRED FOR THE SERVICE COMMERCIAL SPECIAL TOWN CENTER LAND USE DESIGNATION</p> <p><b>22-0615-SUP3</b> - SPECIAL USE PERMIT - FOR A PROPOSED 2,450 SQUARE-FOOT ALCOHOL, ON-PREMISE FULL USE [RESTAURANT] WITH A 975 SQUARE-FOOT PATIO AREA AND A WAIVER TO ALLOW SUCH USE ON A PARCEL CONSISTING OF 6.33 ACRES WHERE 50 ACRES IS REQUIRED FOR THE SERVICE COMMERCIAL SPECIAL TOWN CENTER LAND USE DESIGNATION</p>



<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i></b>	
	<p><b>22-0615-SUP4</b> - SPECIAL USE PERMIT - FOR A PROPOSED 1,600 SQUARE-FOOT ALCOHOL, ON-PREMISE BEER/WINE USE</p> <p><b>22-0615-SDR1</b> - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 21,753 SQUARE-FOOT ADDITION TO AN EXISTING SHOPPING CENTER WITH WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS</p> <p><b>22-0615-TMP1</b> - TENTATIVE MAP - CENTENNIAL PARKWAY AND DURANGO DR. - FOR A ONE-LOT COMMERCIAL SUBDIVISION</p>

<b><i>Most Recent Change of Ownership</i></b>	
03/2022	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
05/02/08	A Business License (M03-00172) was issued for a Massage Establishment at 6441 North Durango Drive, Suite #130. The license is active as of 11/03/22.
10/17/11	A Business License (R10-00142) was issued for Catering Services at 6441 North Durango Drive, Suite #140. The license is active as of 11/03/22.
09/13/14	A Business License (G62-08445) was issued for a Bakery at 6401 North Durango Drive, Suite #150. The license is active as of 11/03/22.
10/14/15	A Business License (G63-06924) was issued for a Dry Cleaner at 6401 North Durango Drive, Suite #160. The license is active as of 11/03/22.
06/22/17	A Business License (G65-04545) was issued for a Chiropractor at 6441 North Durango Drive, Suite #130. The license is active as of 11/03/22.
05/08/18	A Business License (G66-02800) was issued for a Medical Firm at 6461 North Durango Drive, Suite #130. The license is active as of 11/03/22.
06/05/18	A Business License (G66-03536) was issued for Radiology Services at 6441 North Durango Drive, Suite #130. The license is active as of 11/03/22.
11/09/20	A Business License (P68-00219) was issued for Angel Card Reading at 6461 North Durango Drive. The license is active as of 11/03/22.
01/10/21	A Business License (G69-00100) was issued for a Emission Testing Facility at 6441 North Durango Drive. The license is active as of 11/03/22.
05/23/22	A Building Permit (C21-03734) was issued for onsites (hardscape, water/sewer, trash enclosure, lighting) at 6490 Kevin Way. The permit is active as of 11/02/22.

<b>Related Building Permits/Business Licenses</b>	
05/23/22	A Building Permit (C21-03735) was issued for block and retaining walls at 6490 Kevin Way. The permit is active as of 11/02/22.
	A Building Permit (C21-03732) was issued for Shell Building "A" (Restaurant and Bar) consisting of 5,315 square feet at 6480 Kevin Way. The permit is active as of 11/02/22.
	A Building Permit (C21-03733) was issued for Shell Building "B" (Tavern) consisting of 6,580 square feet at 6470 Kevin Way. The permit is active as of 11/02/22.

<b>Pre-Application Meeting</b>	
10/30/22	Staff provided the applicant a submittal checklist for the proposed development.

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

<b>Field Check</b>	
10/26/22	Staff performed a routine field check to observe the subject site. Staff observed both the existing portion of the proposed commercial subdivision, in addition to the two buildings currently under construction. The recently acquired portion of the proposed site was still fenced and covered with rock as part of the CC 215 off ramp at Durango Drive. All sites were clean, free of debris and graffiti. Nothing of concern was noted by staff during the visit.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	6.33
Net Acres	5.09

<b><i>Surrounding Property</i></b>	<b><i>Existing Land Use Per Title 19.12</i></b>	<b><i>Planned or Special Land Use Designation</i></b>	<b><i>Existing Zoning District</i></b>
Subject Property	Undeveloped	TC (Town Center)	T-C (Town Center)
North	CC 215	R.O.W. (Right-of-Way)	R.O.W. (Right-of-Way)
South	Undeveloped	RS (Residential Suburban) Clark County	R-E (Rural Estates Residential District) Clark County
	Mini-Storage Facility	TC (Town Center)	T-C (Town Center)
East	Shopping Center	TC (Town Center)	T-C (Town Center)
West	Mini-Storage Facility	TC (Town Center)	T-C (Town Center)
	Single Family, Detached	RS (Residential Suburban) Clark County	R-2 (Medium Density Residential District) Clark County

<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
Las Vegas 2050 Master Plan Area: Centennial Hills	Y
Town Center	Y
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
T-C (Town Center) District – Service Commercial District	Y
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails – Town Center Parkway Trail	Y
Las Vegas Redevelopment Plan Area	N
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

**DEVELOPMENT STANDARDS**

***Pursuant to the Town Center Development Standards Manual, the following standards apply:***

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Setbacks			
• Front	15 Feet	25 Feet	Y
• Corner (Kevin Way)	15 Feet	222 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	10 Feet	N*
Max. Building Height	2 Stories	1 Story / 27 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	By Condition	
Mech. Equipment	Screened	By Condition	

*\*A Waiver is requested to allow a reduced rear yard setback. Staff supports this request as the rear is adjacent to an off-ramp from the CC 215 and will not negatively impact any adjacent neighboring properties.*

***Pursuant to Town Center Development Standards and Title 19.08, 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:				
• North	1 Tree / 20 Linear Feet	17 Trees	17 Trees	Y
• South	1 Tree / 20 Linear Feet	Existing	Existing	N/A
• East	1 Tree / 20 Linear Feet	6 Trees	6 Trees	Y
• West	1 Tree / 20 Linear Feet	7 Trees	9 Trees	Y
<b>TOTAL PERIMETER TREES</b>		<b>30 Trees</b>	<b>32 Trees</b>	<b>Y</b>
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	60 Trees	65 Trees	Y
<b>LANDSCAPE BUFFER WIDTHS</b>				
Min. Zone Width				
• North	15 Feet		1 Feet	N**
• South	15 Feet		11 Feet	Y*
• East	15 Feet		14 Feet	Y***
• West	15 Feet		0 Feet	N****

*\*The southern landscape buffer is existing and not part of this review.*

*\*\*The applicant is requesting a Waiver for a portion of the northern landscape buffer to be reduced to one-foot. As this landscape buffer is adjacent to an off-ramp for the CC 215, staff is able to support the request as it will not negatively affect neighboring properties.*

*\*\*\*The applicant is requesting a Waiver for a 14-foot wide landscape buffer adjacent to Durango Drive. Staff supports this request as it aligns with the existing improvements to the south.*

*\*\*\*\*The applicant is requesting a Waiver to allow a zero-foot wide landscape buffer adjacent to a portion of Kevin Way (west) where 15 feet is required. As this landscape buffer is adjacent to Kevin Way, staff is able to support the request as it will not negatively affect neighboring properties.*

<b>Open Space – Town Center</b>					
<b>Total Site Acreage</b>	<b>Required</b>		<b>Provided</b>		<b>Compliance</b>
	<b>Percent</b>	<b>Area</b>	<b>Percent</b>	<b>Area</b>	
221,720 SF	20%	44,344 SF	22%	48,778 SF	Y

A minimum of 20 percent of the gross property area proposed to be added to or developed within the T-C District shall consist of any combination of open space, recreation facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities and landscaped areas in public rights-of-way.

<b>Street Name</b>	<b>Functional Classification of Street(s)</b>	<b>Governing Document</b>	<b>Actual Street Width (Feet)</b>	<b>Compliance with Street Section</b>
Durango Drive	Primary Arterial	Master Plan of Streets and Highways Map	152	Y
Centennial Parkway	Primary Arterial	Master Plan of Streets and Highways Map	70	Y*

*\*Half street improvements including curb, gutter and sidewalk are incomplete along the south side of Centennial Parkway at Durango Drive.*

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

<b><i>Parking Requirement</i></b>							
<b><i>Use</i></b>	<b><i>Gross Floor Area or Number of Units</i></b>	<b><i>Required</i></b>		<b><i>Provided</i></b>		<b><i>Compliance</i></b>	
		<b><i>Parking Ratio</i></b>	<b><i>Parking</i></b>		<b><i>Parking</i></b>		
			Regular	ADA	Regular	ADA	
Shopping Center	49,363 SF	1:250 SF	198				
<b>TOTAL SPACES REQUIRED</b>			198		258		Y
<b>Regular and Handicap Spaces Required</b>			192	6	250	8	Y

<b><i>Waivers</i></b>		
<b><i>Requirement</i></b>	<b><i>Request</i></b>	<b><i>Staff Recommendation</i></b>
A 20-foot rear yard setback.	To allow a 10-foot rear yard setback where 20 feet is required.	Approval
15-foot wide landscape buffer adjacent to right-of-way.	To allow a zero-foot wide landscape buffer adjacent to a portion of Kevin Way.	Approval
15-foot wide landscape buffer adjacent to right-of-way.	To allow a portion of the northern landscape buffer to be reduced to one-foot.	Approval
15-foot wide landscape buffer adjacent to right-of-way.	To allow a 14-foot wide landscape buffer adjacent to Durango Drive.	Approval
15-foot wide landscape buffer adjacent to right-of-way.	To allow a zero-foot wide landscape buffer adjacent to a portion of Kevin Way (west).	Approval