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CITY COUNCIL**

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April 13, 2022

Mr. Phyllis A. Gilland
Stratosphere Gaming LLC &
W2007 Stratosphere Land Propco
6595 S. Jones Boulevard
Las Vegas, Nevada 89118

**RE: 22-0107-GPA1, 22-0107-ZON1, 22-0107-SUP1 AND 22-0107-SDR1
PLANNING COMMISSION MEETING OF APRIL 12, 2022**

Dear Applicant:

The Planning Commission at a regular meeting held on *April 12, 2022* voted to recommend **APPROVAL** of the following Land Use Entitlement project requests on 10.14 acres located on the west side of Main Street, approximately 230 feet south of Oakey Boulevard (APNs Multiple), Ward 3 (Diaz).

22-0107-GPA1 - GENERAL PLAN AMENDMENT - FROM: MXU (MIXED USE) AND C (COMMERCIAL) TO: GC (GENERAL COMMERCIAL)

22-0107-ZON1 - REZONING - FROM: R-4 (HIGH DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL) TO: C-2 (GENERAL COMMERCIAL)

22-0107-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED 99,858 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH A 6,625 SQUARE-FOOT OUTDOOR PATIO AREA

22-0107-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 99,858 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR/OUTDOOR) FACILITY AND A 6,625 SQUARE-FOOT OUTDOOR PATIO AREA WITH FIELD LIGHTING AND WAIVERS OF THE TITLE 19 APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS

This approval is subject to the following conditions:

22-0107-SUP1 CONDITIONS

Planning

1. 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.

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
4. Minors shall only be permitted in such areas wherein spirituous, malt or fermented liquors or wines are served only in conjunction with regular meals and where dining tables or booths are provided separate from the bar in conformance with Title 6.50.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0107-SDR1 CONDITIONS

Planning

1. Approval of a General Plan Amendment (22-0107-GPA1) and Rezoning (22-0107-ZON1) and approval of and conformance to the Conditions of Approval for Special Use Permit (22-0107-SUP1) 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 development shall be in conformance with the site plan date stamped 03/08/22; landscape plan and building elevations date stamped 02/21/22; and building cross section date stamped 03/01/22, except as amended by conditions herein.
4. A Waiver from Appendix F Interim Downtown Las Vegas setback development standards is hereby approved, to allow zero percent of the first story façade to align with the front property line.
5. A Waiver from Appendix F Interim Downtown Las Vegas development standards is hereby approved, to allow no ornamental parking lot screening, where such is required.

6. A Waiver from Appendix F Interim Downtown Las Vegas development standards is hereby approved, to allow 13 24-inch box trees where 24 15-gallon trees with four one gallon shrubs are required within the parking lot area.
7. 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.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
9. 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.
10. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.
11. All utility or mechanical equipment shall comply with the provisions of the Interim Downtown Las Vegas Development Standards, unless approved by a separate Waiver.
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.
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 City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. The sidewalk adjacent to this site 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.
16. An Order of Vacation must be recorded, such as 21-0422-VAC1, prior to the issuance of permits for this site.
17. Prior to the submittal of any construction drawings, contact the Sanitary Sewer Planning Section of the Department of Public Works to discuss the final location of public sewer lines within this site and for access requirements if public sewer lines are to remain where they currently exist. Complying with the conditions of approval for 21-0422-VAC1 will address this requirement.
18. No trees or landscaping over 3-feet tall shall be allowed within Public sewer easement. All existing trees located within the easement shall be removed concurrent with onsite development.
19. 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.
20. Submit a License Agreement for landscaping and private improvements in the public rights of way, if any, prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. 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).

21. 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. Phased compliance will be allowed if recommended by 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.
22. 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. Any easements required by an approved Drainage Study shall be reserved. Any drop inlets in Commerce Avenue that may need to be relocated will be the responsible of the applicant.

This item will be considered by the City Council on May 18, 2022. This meeting will be held at 9:00 A.M. at the Council Chambers of City Hall, 495 South Main Street, Las Vegas, Nevada. ***The Council requires that you or your representative be present at this meeting.***

If you or your representative chooses not to attend, the City Council may act in your absence without your input.

Sincerely,



Eric McCammond
Senior Management Analyst
Case Planning Division

EM:nl

cc:

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