



## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2010**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: APPLICANT/OWNER: GREAT WASH PARK, LLC**

---

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

| <i>CASE<br/>NUMBER</i> | <i>RECOMMENDATION</i>                             | <i>REQUIRED FOR<br/>APPROVAL</i> |
|------------------------|---------------------------------------------------|----------------------------------|
| SUP-40087              | Staff recommends APPROVAL, subject to conditions: | N/A                              |

### \*\* CONDITIONS \*\*

## SUP-40087 CONDITIONS

---

### Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Supper Club use.
2. Conformance to the approved conditions for Rezoning (ZON-5653), Special Use Permit (SUP-5853) and Site Development Plan Review (SDR-10770).
3. This approval shall be void two years from the date of final approval, unless a business license has been issued to conduct the activity. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**Staff Report Page One**  
**December 16, 2010 - Planning Commission Meeting**

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

**PROJECT DESCRIPTION**

This is a request for a Special Use Permit for a 6,420 square-foot Supper Club use at 400 South Rampart Boulevard, Suite #190. The subject site is located within the Tivoli Village at Queensridge Mixed-Use development that is currently under construction. The Supper Club use complies with all Title 19.04 requirements and can be conducted in a manner that is harmonious and compatible with existing surrounding development and uses; therefore, staff recommends approval with conditions. If this application is denied, the proposed Supper Club use cannot be located within the subject site, nor can a business license be obtained for the use at this location.

**ISSUES**

- A Supper Club use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- A waiver is required to allow a distance separation of 141 feet from a City Park, where 400 feet is required.

**BACKGROUND INFORMATION**

| <i><b>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</b></i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 01/26/98                                                                 | The City Council approved a Rezoning (Z-0127-97) from U (Undeveloped) zone, M (Medium Density Residential) and SC (Service Commercial) General Plan Designation, under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre), to C-2 (General Commercial) at the northeast corner of the intersection of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request |
| 03/02/05                                                                 | The City Council approved a request for a Rezoning (ZON-5653) from U (Undeveloped) Zone to C-2 (General Commercial) on 30.21 acres adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission recommended approval and staff recommended denial of the request.                                                                                                                                              |
|                                                                          | The City Council approved a request for a Special Use Permit (SUP-5853) to allow a proposed Mixed-Use commercial and residential development adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.                                                                                                                                                       |

**Staff Report Page Two**  
**December 16, 2010 - Planning Commission Meeting**

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 03/02/05 | The City Council approved a request for a Site Development Plan Review (SDR-5657) to allow a Mixed-Use development to include 700,000 square feet of commercial space and 375 residential condominium units in on 10-story and two five-story residential condominium buildings on 30.21 acres adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.                                                                                                                                                                                                                |
| 04/19/06 | The City Council approved a request for a Variance (VAR-10773) to allow 3,955 parking spaces where 4,961 parking spaces is the minimum number of parking spaces required for a proposed Mixed-Use development on 28.69 acres at 8750 Alta Drive. The Planning Commission recommended approval and staff recommended denial of the request.                                                                                                                                                                                                                                                                                                                 |
|          | The City Council approved a request for a Site Development Plan Review (SDR-10770) for a 10-story Mixed Use development consisting of 699,000 square feet of commercial space and 340 residential units on 28.69 acres at 8750 Alta Drive. The Planning Commission recommended approval and staff recommended denial of the request.                                                                                                                                                                                                                                                                                                                       |
| 06/06/07 | The City Council approved a Review of Condition (ROC-21668) to modify Condition Number 9 of an approved Site Development Plan Review (SDR-10770) which stated that all perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffers shall conform to the minimum requirements listed in Title 19.12. To allow a four-foot landscape buffer along the south property line where eight feet is the minimum required for an approved Mixed-Use development on 28.69 acres at 420 South Rampart Boulevard. The Planning and Development Department staff recommended approval of the request. |
| 07/12/07 | The Planning Commission approved a Tentative Parcel Map (TMP-20197) for a 324 unit Mixed-Use development on 28.62 acres at 302 South Rampart Boulevard. The Planning and Development Department staff recommended approval of the request.                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 10/01/08 | The City Council approved a request for a Special Use Permit (SUP-28998) for a Supper Club use and a Waiver to allow a 141-foot separation from a City Park where 400 feet is the minimum required at the northeast corner of Rampart Boulevard and Alta Drive. The Planning Commission and staff recommended approval of the request.                                                                                                                                                                                                                                                                                                                     |
| 12/17/08 | The City Council approved a request for a Special Use Permit (SUP-30583) for a proposed 12,195 square-foot Supper Club use and a Waiver to allow a distance separation from a City Park where 400 feet is the minimum required at 440 South Rampart Boulevard, Suite #8120. The Planning Commission and staff recommended approval of the request.                                                                                                                                                                                                                                                                                                         |

**Staff Report Page Three**  
**December 16, 2010 - Planning Commission Meeting**

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 07/01/09 | The City Council approved a request for a Special Use Permit (SUP-34175) for a proposed Liquor Establishment (Tavern) use with a Waiver to allow a zero-foot distance separation from a similar use and a 141-foot distance separation from a City Park where 1,500 feet is the allowed at 330 South Rampart Boulevard, Suite #215. The Planning Commission and staff recommended approval of the request.                                                              |
| 09/23/10 | The Planning Commission approved a request for a Special Use Permit (SUP-39146) for a Liquor Establishment (Tavern) use within a 28.69-acre Mixed-Use development with Waivers to allow a distance separation of 141 feet from a City Park and to allow a zero-foot distance separation from a similar use where 1,500 feet is required at 440 South Rampart Boulevard, Suite #180. The Planning and Development Department staff recommended approval of the request.  |
| 10/21/10 | The Planning Commission approved a request for a Special Use Permit (SUP-39440) for a Supper Club use with a Waiver to allow a 141-foot distance separation from a City Park where 400 feet is the minimum required at 420 South Rampart Boulevard, Suite #180. The Planning and Development Department staff recommended approval of the request.                                                                                                                      |
|          | The Planning Commission approved a request for a Special Use Permit (SUP-39441) for a Liquor Establishment (Tavern) Use within a 28.44-acre Mixed-Use development with Waivers to allow a distance separation of 141 feet from a City Park and to allow a zero-foot distance separation from a similar use where 1,500 feet is required at 440 South Rampart Boulevard, Suite #B190. The Planning and Development Department staff recommended approval of the request. |

| <b><i>Most Recent Change of Ownership</i></b> |                                                |
|-----------------------------------------------|------------------------------------------------|
| 01/16/04                                      | A deed was recorded for a change in ownership. |

| <b><i>Related Building Permits/Business Licenses</i></b>                                                                                                      |                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| There is no business license history at 400 South Rampart Boulevard, Suite #190, since the building has not yet received its final certificate of completion. |                                                                                                                                                                                        |
| 02/23/09                                                                                                                                                      | A building permit (#7002985) was issued for a renewal of a permit for a certificate of completion for Building #10 at 400 South Rampart Boulevard. The building is under construction. |

**Staff Report Page Four**  
**December 16, 2010 - Planning Commission Meeting**

| <b><i>Pre-Application Meeting</i></b> |                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/25/10                              | <p>A pre-application meeting was held with the applicant where elements of submitting a Special Use Permit for a Supper Club use were discussed. The topic included:</p> <ul style="list-style-type: none"> <li>• A Waiver is required due to the proximity of the proposed use within 400 feet from a City Park.</li> </ul> |

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

| Field Check |                                                                                                    |
|-------------|----------------------------------------------------------------------------------------------------|
| 11/09/10    | A site visit noted that the subject building for this application is currently under construction. |

| <b><i>Details of Application Request</i></b> |       |
|----------------------------------------------|-------|
| <b><i>Site Area</i></b>                      |       |
| Net Acres                                    | 28.44 |

| <b><i>Surrounding Property</i></b> | <b><i>Existing Land Use Per Title 19.04</i></b> | <b><i>Planned or Special Land Use Designation</i></b> | <b><i>Existing Zoning District</i></b> |
|------------------------------------|-------------------------------------------------|-------------------------------------------------------|----------------------------------------|
| Subject Property                   | Mixed-Use Development (under construction)      | GC (General Commercial)                               | C-2 (General Commercial)               |
| North                              | Angel Park                                      | PR-OS<br>(Parks/Recreation and Open Space)            | C-V (Civic)                            |
| South                              | Shopping Center                                 | SC (Service Commercial)                               | PD (Planned Development)               |
| East                               | Single-Family Dwellings                         | L (Low Density Residential)                           | R-1 (Single Family Residential)        |
| West                               | Casino                                          | SC (Service Commercial)                               | C-1 (Limited Commercial)               |

Staff Report Page Five  
December 16, 2010 - Planning Commission Meeting

| <i>Master Plan Areas</i>                          | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---------------------------------------------------|------------|-----------|-------------------|
| <b>Master Plan Area</b>                           |            | X         | N/A               |
| <i>Special Purpose and Overlay Districts</i>      | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| <b>Special Purpose and Overlay Districts</b>      |            | X         | N/A               |
| <b>Trails</b>                                     | X          |           | Y                 |
| <b>Rural Preservation Overlay District</b>        |            | X         | N/A               |
| <b>Las Vegas Redevelopment Plan Area</b>          |            | X         | N/A               |
| <b>Development Impact Notification Assessment</b> |            | X         | N/A               |
| <b>Project of Regional Significance</b>           |            | X         | N/A               |

### DEVELOPMENT STANDARDS

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

*Pursuant to Title 19.04 and 19.10, the following parking standards apply:*

| <i>Parking Requirement</i>                  |                                            |                                               |                |                 |                |                   |    |
|---------------------------------------------|--------------------------------------------|-----------------------------------------------|----------------|-----------------|----------------|-------------------|----|
| <i>Use</i>                                  | <i>Gross Floor Area or Number of Units</i> | <i>Required</i>                               |                | <i>Provided</i> |                | <i>Compliance</i> |    |
|                                             |                                            | <i>Parking Ratio</i>                          | <i>Parking</i> |                 | <i>Parking</i> |                   |    |
|                                             |                                            |                                               | Regular        | Handi-capped    | Regular        | Handi-capped      |    |
| Mixed-Use                                   | 794,482 SF and 340 Residential Units       | Case-by-case basis (when originally approved) |                |                 |                |                   |    |
| <b>TOTAL SPACES REQUIRED</b>                |                                            |                                               | 4,961          |                 | 3,955          |                   |    |
| <b>Regular and Handicap Spaces Required</b> |                                            |                                               | 4,891          | 70              | 3,895          | 60                | Y* |

\*Per approved Variance (VAR-10773)

| <i>Waivers</i>                                 |                                                             |                             |
|------------------------------------------------|-------------------------------------------------------------|-----------------------------|
| <i>Requirement</i>                             | <i>Request</i>                                              | <i>Staff Recommendation</i> |
| 400-foot distance separation from a City Park. | To allow a distance separation of 141 feet from a City Park | Approval                    |

**Staff Report Page Six**  
**December 16, 2010 - Planning Commission Meeting**

## **ANALYSIS**

The applicant is proposing a Supper Club use located within the Tivoli Village at Queensridge Mixed-Use development. The proposed use is compatible with adjacent uses within the Mixed-Use development, including other previously approved similar uses.

Tivoli Village at Queensridge Mixed-Use development is adjacent to a Pedestrian Path along Rampart Boulevard as designated within the Transportation Trails Element of the Las Vegas 2020 Master Plan. The pedestrian sidewalk is currently under construction.

The applicant is requesting a Waiver of the required 400-foot distance separation from a City Park, pursuant to the Minimum Special Use Permit requirement. The park is located at approximately 141 feet from the proposed Supper Club use within Tivoli Village.

The floor plan submitted depicts 6,420 square feet for the proposed Supper Club use. The bar and lounge areas are separated by a railing. The proposed floor plan depicts the dining area, and outdoor/patio area seating available for 224 guests, while the bar and lounge areas have seating available for 28 guests. The floor area of the indoor seating is 2,440 square feet and outdoor patio seating area is 1,363 square feet. The remaining area or back of house area is 2,617 square feet. The proposed use will be compatible and harmonious with the existing uses and future surrounding land uses; therefore, staff recommends approval with conditions.

## **FINDINGS (SUP-40087)**

In order to approve a Special Use Permit application, per Title 19.18.060 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 use can be conducted in a manner that is compatible with existing adjacent commercial and residential uses within the approved Mixed-Use development, as well as, future surrounding land uses.

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

The site is physically suitable for this type of use and the intensity is appropriate in this area of the City. Ample site access is provided and adequate parking is being provided in accordance with the approved Variance (VAR-10773) for the Mixed-Use development. The proposed Supper Club use is appropriate in these types of Mixed-Use developments.

**Staff Report Page Seven**  
**December 16, 2010 - Planning Commission Meeting**

**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.**

The subject site is accessed by Rampart Boulevard and Alta Drive. Both streets are sufficient to accommodate the amount of vehicular trips associated with the proposed use.

**4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

Approval of the Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

**5. The use meets all of the applicable conditions per Title 19.04.**

The proposed Supper Club use does not meet all Minimum Special Use Permit requirements pursuant to Title 19.04 due to the proximity to a City Park. The applicant is requesting a waiver of the requirement.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

12

**NOTICES MAILED**

732

**APPROVALS**

16

**PROTESTS**

5