



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

October 30, 2018

7:00 p.m.

AGENDA

NOTE:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to Board of County Commissioners Zoning Commission (BCC) or Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With forty-eight (48) hour advance request, a sign language interpreter, or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling 702-455-3530 or TDD 702-385-7486 or Relay Nevada toll free 800-326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Maureen Helm at 702-606-0747 and is/will be available at the County's website at www.clarkcountynv.gov.

Board Members: Susan Philipp – Chair
Robert Orgill - Vice Chair
John Williams
Bart Donovan
Jon Wardlaw

Secretary: Maureen Helm 702-606-0747, mhelmtab@gmail.com

County Liaison: Blanca Vazquez 702-455-8531, bva@clarkcountynv.gov

- I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions
- II. Public Comment - This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chair or the Board/Council by majority vote.
- III. Approval of Minutes October 9, 2018 (For possible action)
- IV. Approval of Agenda for October 30, 2018 and Hold, Combine or Delete Any Items (For possible action)

BOARD OF COUNTY COMMISSIONERS
STEVEN SISOLAK, CHAIR - CHRIS GIUNCHIGLIANI, Vice-Chair
SUSAN BRAGER - LARRY BROWN - JAMES GIBSON - MARILYN KIRKPATRICK - LAWRENCE WEEKLY
YOLANDA KING, County Manager

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (for discussion)
- a. Applications are available until Tuesday, November 13, 2018 for appointments by the Board of County Commissioners to serve on the Paradise TAB for a two-year term beginning January 2019

VI. Planning & Zoning

1. **ET-18-400204 (UC-0772-07)-S VALLEY TWAIN, LLC & FAIRGROUNDS DRIVE RETAIL, LLC:**
USE PERMITS FIFTH EXTENSION OF TIME to commence the following: **1)** an expansion/enlargement of the Gaming Enterprise District; **2)** a resort hotel/casino consisting of 312 hotel rooms; **3)** 1,150 resort condominiums; **4)** public areas including all casino areas, showrooms, live entertainment, shopping center, indoor and outdoor dining, entertainment, offices, convention and back-of-house areas, and parking structures; **5)** increase the height of the high-rise towers; **6)** associated accessory and incidental commercial uses, buildings, and structures; **7)** allow a high impact project; and **8)** deviations from development standards.
DEVIATIONS for the following: **1)** reduced on-site parking; **2)** encroachment into airspace; and **3)** all other deviations as shown per plans on file.
DESIGN REVIEWS for the following: **1)** a resort hotel/casino with high-rise towers including kitchens in the units; and **2)** all other accessory and incidental buildings and structures on 6.2 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the south side of Highland Drive between Polaris Avenue and Morgan Cashmans Way within Paradise. SB/jvm/ja (For possible action)
2. **UC-18-0740-CASINO ROYALE:**
USE PERMIT for deviations as shown per plans on file.
DEVIATIONS for the following: **1)** allow retail uses not within a permanent enclosed building; **2)** allow an accessory use not accessed through the interior of a resort hotel; **3)** reduced parking; and **4)** all other deviations as depicted per plans on file.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced setback; and **2)** non-standard improvements within the future right-of-way (Las Vegas Boulevard South).
DESIGN REVIEWS for the following: **1)** an outdoor sales structure/booth; **2)** shade canopies; and **3)** signage in conjunction with an existing resort hotel (Casino Royale) on 3.3 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the east side of Las Vegas Boulevard South, 1,800 feet south of Sands Avenue within Paradise. CG/gc/ja (For possible action)
3. **ET-18-400213 (WS-0373-16) -FREEMAN, CHRISTOPHER B. & RACHEL N.:**
WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for alternative landscaping and screening standards for a proposed wall in conjunction with an existing single family residence on 1.3 acres in an R-E (Rural Estates Residential) Zone. Generally located on the north side of Serene Avenue and the east side of Kingston Road within Paradise. JG/sd/ja (For possible action)

4. **UC-18-0717-CHURCH ROMAN CATHOLIC LAS VEGAS:**
USE PERMIT for a day care facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; 2) increase block wall height; and 3) alternative landscaping and buffering.
DESIGN REVIEWS for the following: 1) expansion to an existing school which includes a new day care facility; and 2) minor site design changes on a portion of 4.3 acres in an R-1 (Single Family Residential) Zone. Generally located on the east side of Eastern Avenue and the north side of Rochelle Avenue within Paradise. CG/dg/ja (For possible action)

5. **UC-18-0768-TROPICANA 4440, LP:**
USE PERMITS for the following: 1) tire sales and installation; and 2) reduced setback from an existing residential development on a portion of on 4.9 acres in a C-2 (General Commercial) zone. Generally located on the north side of Tropicana Avenue, 800 feet east of US Highway 95 within Paradise. CG/mk/ja (For possible action)

6. **UC-18-0777-FLAMINGO SPENCER GARDEN, LLC:**
USE PERMIT for a proposed congregate care facility with accessory commercial uses.
DESIGN REVIEW for exterior building modifications to a proposed congregate care facility on a portion of 4.1 acres in a C-1 (Local Business) Zone in the MUD-2 Overlay District. Generally located on the southwest corner of Flamingo Road and Spencer Street within Paradise. CG/mk/ja (For possible action)

7. **UC-18-0778-J & S DIESEL & ALI BABA LTD:**
USE PERMIT for increased height of an existing communication tower.
DESIGN REVIEW for additional antenna arrays, lattice and accessory uses, and structures on 0.4 acres in M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the northwest corner of Dean Martin Drive and Ali Baba Lane within Paradise. SS/mk/ja (For possible action)

8. **UC-18-0779-CHEYENNE PHD, LP:**
USE PERMIT for increased height of an existing communication tower.
DESIGN REVIEW for additional antenna arrays, lattice and accessory uses, and structures on 0.6 acres in a C-1 (Local Business) Zone. Generally located on the south side of Windmill Lane, 690 feet west of Eastern Avenue within Paradise. SS/mk/ja (For possible action)

9. **DR-18-0619-FP HOLDINGS, LP, ET AL:**
DESIGN REVIEWS for the following: 1) modifications to an approved comprehensive sign package; 2) increased wall sign area; and 3) increased animated sign area in conjunction with an existing resort hotel (Palms) and existing resort condominiums (Palms Place) on 27.1 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the south side of Flamingo Road and the west side of Hugh Hefner Drive within Paradise. SS/gc/ja (For possible action)

10. **DR-18-0781-KOVAL LANE HOSPITALITY, LLC:**
DESIGN REVIEW for a canopy and other modifications to an approved outdoor dining and drinking area (beer garden) in conjunction with an existing casino and hotel (Ellis Island) on 5.3 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone in the MUD-1 Overlay District. Generally located on the northeast corner of Koval Lane and Rochelle Avenue within Paradise. JG/al/ja (For possible action)

11. **UC-18-0784-WESTWYNN, LLC:**
USE PERMIT for a temporary parking lot.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; and 2) alternative parking lot design and layout.
DESIGN REVIEW for a temporary parking lot on a 7.3 acre portion of 34.6 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the north side of Fashion Show Drive, 850 feet west of Las Vegas Boulevard South within Winchester and Paradise. CG/al/ja (For possible action)
12. **UC-18-0785-RIO VIEW, LLC, ET AL:**
USE PERMIT to establish and expand a marijuana establishment (production) in conjunction with an existing marijuana establishment (cultivation) on 3.2 acres in an M-1 (Light Manufacturing) Zone in the MUD-1 Overlay District.
WAIVER OF DEVELOPMENT STANDARDS to reduce the front setback.
DESIGN REVIEW for a proposed expansion and addition to an existing building for an existing marijuana establishment (cultivation). Generally located on the south and north sides of Cavaretta Court and the west side of Polaris Avenue within Paradise. SS/dg/ja (For possible action)
13. **UC-18-0787-3883 FLAMINGO CENTER, LLC:**
USE PERMITS for the following: 1) on-premises consumption of alcohol (tavern); and 2) reduce the separation to a residential use for a proposed tavern in conjunction with a shopping center on a 4.8 acre portion of 8.6 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the southeast corner of Flamingo Road and Hugh Hefner Drive within Paradise. SS/al/ja (For possible action)
14. **WS-18-0789-3883 FLAMINGO CENTER, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce the height setback to an arterial street for a proposed hotel; 3) reduce parking; 4) increase the number of tandem spaces; 5) alternative parking layout; and 6) alternative driveway geometrics and design.
DESIGN REVIEW for modifications to an approved hotel on 4.8 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the northwest corner of Nevso Drive and Valley View Boulevard within Paradise. SS/al/ja (For possible action)
15. **UC-18-0793-PHW LV, LLC:**
USE PERMITS for the following: 1) permit an accessory use (retail booth) to not have primary access through a resort hotel; and 2) deviations per plans on file.
DEVIATIONS for the following: 1) permit retail sales (gelato stand) to be conducted outside and not within an enclosed building; and 2) all other deviations per plans on file.
DESIGN REVIEWS for the following: 1) a retail booth (gelato stand); and 2) modifications to an approved comprehensive sign package in conjunction with an existing resort hotel (Planet Hollywood) on a portion of 37.4 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the east side of Las Vegas Boulevard South and the north side of Harmon Avenue within Paradise. JG/al/ja (For possible action)

VII. General Business

1. Board to review, make any changes and approve 2019-2021 TAB meeting calendars.
(For possible action)

VIII. Comments by the General Public - A period devoted to comments by the general public about matters relevant to the Board's/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please spell your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chair or the Board/Council by majority vote.

IX. Next Meeting Date: November 13, 2018

X. Adjournment

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:

Paradise Community Center- 4775 McLeod Dr.

Clark County Library- 1401 E. Flamingo Rd.

Sunset Park- 2601 E. Sunset Rd.

Fire Station 38- 1755 Silver Hawk Ave.

<https://notice.nv.gov/>

BOARD OF COUNTY COMMISSIONERS
STEVEN SISOLAK, CHAIR - CHRIS GIUNCHIGLIANI, Vice-Chair
SUSAN BRAGER - LARRY BROWN - JAMES GIBSON - MARILYN KIRKPATRICK - LAWRENCE WEEKLY
YOLANDA KING, County Manager

RESORT HOTEL/CASINO
(TITLE 30)

HIGHLAND DR/MORGAN CASHMANS WY

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-18-400204 (UC-0772-07)-S VALLEY TWAIN, LLC & FAIRGROUNDS DRIVE
RETAIL, LLC:

USE PERMITS FIFTH EXTENSION OF TIME to commence the following: 1) an expansion/enlargement of the Gaming Enterprise District; 2) a resort hotel/casino consisting of 312 hotel rooms; 3) 1,150 resort condominiums; 4) public areas including all casino areas, showrooms, live entertainment, shopping center, indoor and outdoor dining, entertainment, offices, convention and back-of-house areas, and parking structures; 5) increase the height of the high-rise towers; 6) associated accessory and incidental commercial uses, buildings, and structures; 7) allow a high impact project; and 8) deviations from development standards.

DEVIATIONS for the following: 1) reduced on-site parking; 2) encroachment into airspace; and 3) all other deviations as shown per plans on file.

DESIGN REVIEWS for the following: 1) a resort hotel/casino with high-rise towers including kitchens in the units; and 2) all other accessory and incidental buildings and structures on 6.2 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the south side of Highland Drive between Polaris Avenue and Morgan Cashmans Way within Paradise. SB/jvm/ja (for possible action)

RELATED INFORMATION:

APN:

162-17-203-001 through 162-17-203-008

USE PERMITS:

1. Allow an expansion/enlargement of the Gaming Enterprise District.
2. Allow a resort hotel consisting of 312 hotel rooms.
3. Allow 1,150 resort condominium units.
4. Allow public areas including all casino areas, showrooms, live entertainment, shopping center, indoor and outdoor dining, entertainment, offices, convention and back-of-house areas, and parking structures.
5. Increase the height of high-rise towers up to 595 feet where 100 feet is the standard (a 495% increase).
6. Allow all associated accessory and incidental commercial uses, buildings, and structures.
7. Allow a high impact project.
8. Allow for deviations to development standards.

DEVIATIONS:

1. a. Reduce on-site parking to 1,180 spaces where 1,639 spaces is the standard (a 28% reduction).
- b. Reduce the number of loading spaces to 3 spaces where 11 spaces are required (a 73% reduction).
2. Permit an encroachment into airspace.
3. Permit all other deviations as shown per plans on file.

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:**Project Description****General Summary**

- Site Address: 3610, 3620, 3630, 3640, 3672, 3680, 3682, and 3686 Highland Drive
- Site Acreage: 6.2
- Number of Units: 312 (hotel rooms)/1,150 (resort condominium units)
- Project Type: Resort hotel
- Building Height: 595 feet
- Square Feet: 2,292,200
- Parking Required/Provided: 1,639/1,180

Site Plans

The original approved plans show a proposed high impact project and the expansion/enlargement of the Gaming Enterprise District for a resort hotel (Highland Resort and Casino). The project consists of a podium level with 2 high-rise towers located on top of the podium. The maximum height of the towers is up to 595 feet.

Landscaping

As shown on the original plans a total of 3.6 acres of open space is provided where 3.6 acres is required for the resort condominiums. A portion of the open space is within the pedestrian realm with a minimum width of 20 feet along Highland Drive and Morgan Cashmans Way, inclusive of a detached sidewalk, a spa, fitness centers, lounges, and an amenity deck with 3 pools.

Elevations

The approved plans depict a proposed resort hotel with a podium level and 2 high-rise towers on top of the podium. Tower 1 has a maximum height of 517 feet and Tower 2 has a maximum height of 595 feet. The design at the podium level of the building features concrete panels while the parking structure consists of concrete and perforated metal panels. The materials of the towers consist of aluminum curtain walls with low reflectivity glazing glass, concrete panels, and balconies with perforated aluminum railings.

Floor Plans

The original plans include a 54,000 square foot casino, 17,800 square feet of retail, 28,400 square feet of restaurant space, 8,000 square feet for entertainment, 14,800 square feet for a lounge/fitness/spa/wellness area, an amenity deck with 3 pools, 9,600 square feet of convention

area, and 23,800 square feet of back-of-house space. The grand total for the project which includes a 535,500 square foot parking structure is 2,292,200 square feet.

Previous Conditions of Approval

Listed below are the approved conditions for UC-0772-07 (ET-0071-15):

Current Planning

- Until September 5, 2018 to commence.
- Applicant is advised that a Development Agreement was a condition of approval on the original application to address and mitigate impacts of the project; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works – Development Review

- Compliance with previous conditions.

Building/Fire Prevention

- Applicant is advised that the proposal has been reviewed and it does not conflict with Fire Code requirements.

Listed below are the approved conditions for UC-0772-07 (ET-0061-13):

Current Planning

- Until September 5, 2015 to commence.
- Applicant is advised that a Development Agreement was a condition of approval on the original application to address and mitigate impacts of the project; and that any change in circumstances or regulations may be justification for the denial of an extension of time;

Public Works – Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-0772-07 (ET-0089-11):

Current Planning

- Until September 5, 2013 to commence.
- All applicable standard conditions for this application type.
- Applicant is advised that a Development Agreement was a condition of approval on the original application to address and mitigate impacts of the project; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

Public Works – Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District

- Applicant is advised that the CCWRD will require estimated wastewater flow rates from all phases of the proposed project at build-out before sewer point of connection can be approved; and that all on-site sewers shall be private sewers proposal has been reviewed and it does not conflict with Fire Code requirements.

Listed below are the approved conditions for UC-0772-07 (ET-0244-09):

Current Planning

- Until September 5, 2011 to commence.
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- All applicable standard conditions for this application type;
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time;

Civil Engineering

- Compliance with previous conditions.

Listed below are the approved conditions for UC-0772-07:

Current Planning

- A Development Agreement as agreed upon by the applicant to mitigate impacts of the project including but not limited to issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners;
- A design review as a public hearing for any significant changes to the plans;
- Pedestrian realms per plans on file;
- All applicable standard conditions for this application type.
- Applicant is advised that this use permit only approves any relaxed standards that depart from the development and improvement standards required by Title 30 provided such relaxed standards completely comply with the approved plans on file; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license, or approval; any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must commence within 2 years of approval date or it will expire.

Civil Engineering

- Compliance with ZC-1644-05;
- Traffic study to also address participation in future pedestrian grade separation crossings;
- Applicant to maintain flexibility in design to accommodate pedestrian crossing touch down areas;
- Any non-standard improvements within the right-of-way will require a signing of a License and Maintenance Agreement.

Department of Aviation

- No building permits shall be released for the project prior to the Department of Aviation notifying Zoning Plan Check that the applicant has received all necessary airspace approvals;
- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the

Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code.

- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved.

Applicant's Justification

The applicant states that they purchased the property in the last quarter of 2017 and have been diligently preparing plans to move forward with the project.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0772-07 (ET-0071-15)	Fourth extension of time for the resort hotel - until September 5, 2018 to commence	Approved by BCC	October 2015
UC-0772-07 (ET-0061-13)	Third extension of time for the resort hotel - until September 5, 2015 to commence	Approved by BCC	August 2013
UC-0772-07 (ET-0089-11)	Second extension of time for the resort hotel - until September 5, 2013 to commence	Approved by BCC	November 2011
UC-0772-07 (ET-0244-09)	First extension of time for the resort hotel - until October 21, 2009 to commence	Approved by BCC	October 2009
UC-0772-07	Original application for a resort hotel consisting of 312 hotel rooms and 1,150 resort condominiums	Approved by BCC	September 2007
ZC-1644-05	Established the H-1 zoning for the parcels and included a request for 412 residential condominiums and 885 resort condominiums with a maximum height of 569 feet	Approved by BCC	January 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	M-1 (ROI to H-1)	Office/warehouse complex
South	Commercial Tourist	H-1	Developing hotel/timeshare
East	Commercial Tourist	M-1	Office/warehouse buildings
West	Commercial Tourist	M-1	Industrial uses

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws

or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. Staff finds that no progress has been made toward the development of this project since the original approval in 2007, over 11 years ago. In addition, there may have been code changes and various other changes in the immediate surrounding area which could be adversely affected by this approval in 2007. Staff further finds that 11 years is ample time in which to commence a project; therefore, staff cannot support this request for additional time.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning if approved:

If approved:

- Until September 5, 2020 to commence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Vacate any unnecessary rights-of-way;
- Compliance with previous conditions.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: S VALLEY VIEW TWAIN, LLC

CONTACT: LIZ DELK, 1980 FESTIVAL PLAZA DR #650, LAS VEGAS, NV 89135

11/07/18 BCC AGENDA SHEET

OUTDOOR SALES BOOTH
(TITLE 30)

LAS VEGAS BLVD S/SANDS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0740-CASINO ROYALE:

USE PERMIT for deviations as shown per plans on file.

DEVIATIONS for the following: 1) allow retail uses not within a permanent enclosed building; 2) allow an accessory use not accessed through the interior of a resort hotel; 3) reduced parking; and 4) all other deviations as depicted per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setback; and 2) non-standard improvements within the future right-of-way (Las Vegas Boulevard South).

DESIGN REVIEWS for the following: 1) an outdoor sales structure/booth; 2) shade canopies; and 3) signage in conjunction with an existing resort hotel (Casino Royale) on 3.3 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the east side of Las Vegas Boulevard South, 1,800 feet south of Sands Avenue within Paradise. CG/gc/ja (For possible action)

RELATED INFORMATION:

APN:

162-16-301-013

DEVIATIONS:

1. Allow retail uses not within a permanent enclosed building when required to be within a permanent enclosed building per Section 30.44.005.
2. Allow an accessory use not accessed from the interior of a resort hotel where required per Table 30.44-1.
3. Reduce parking to 426 spaces where a minimum of 432 spaces are required per Table 30.60-1 (a 1.4% reduction).
4. Allow all other deviations as shown per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the setback from a future right-of-way (Las Vegas Boulevard South) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
2. Allow non-standard improvements (outdoor sales structure/booth & shade canopies) within the future right-of-way (Las Vegas Boulevard South) where not permitted per Chapter 30.52.

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 3411 Las Vegas Boulevard South
- Site Acreage: 3.3
- Project Type: Outdoor sales structure/booth
- Number of Stories: 1
- Building Height: 11 feet (outdoor sales structure/booth)/16.5 feet (shade canopies)
- Square Feet: 170 (outdoor sales structure/booth)/466 (shade canopies)
- Parking Required/Provided: 432/426 (overall resort hotel)

Site Plans

The plans show an existing outdoor sales structure/booth located on the southwest corner of the parcel near the south entrance to the resort hotel (Casino Royale). The outdoor sales structure/booth is located 31 feet from back of curb of Las Vegas Boulevard South and 21.5 feet from the front (west) property line. The queuing area is located to the south and east of the outdoor sales structure/booth and is covered by 3 existing shade canopies. The canopies are a minimum of 25 feet from back of curb of Las Vegas Boulevard South. The queuing line will extend eastward along the south side of the resort hotel building. The outdoor sales structure/booth and shade canopies were originally approved in December 2013 (UC-0683-13) but a required application for review was never submitted, and therefore, the use permit expired.

Parking Reduction

In December 2012, UC-0618-12 was approved for an addition and modification to the existing resort hotel. The plans depicted the demolition of the Denny's Restaurant located on the northwest corner of the site and construction of an addition to include a pharmacy and a new restaurant. While construction plans were being prepared for the construction of the new addition, a review of the existing parking facilities determined there were existing spaces that did not meet the standards of Title 30. Therefore, a waiver for a parking reduction for the resort hotel was submitted. However, since the waiver for a parking reduction was associated with the outdoor sales structure/booth application (UC-0683-13) that expired, a new waiver is needed. A total of 426 parking spaces are provided for the overall resort hotel where a minimum of 432 spaces are required.

Landscaping

No changes are proposed or required to the existing landscaping.

Elevations

The outdoor sales structure/booth is 11 feet in height with a flat roof. The entrance to the structure is located on the north side facing the resort hotel. Windows are located on the west and south sides of the structure and the east side has no openings. The 3 shade canopies are 16.5 feet high and consist of a fabric umbrella supported by a single post.

Floor Plans

The outdoor sales structure/booth is 170 square feet in area. Customer service counters are located on the south and west sides of the structure with a manager's station on the southeast corner of the structure. A storage and work area is located on the northeast corner of the structure.

Signage

Existing signage is located on the west and south sides of the outdoor sales structure/booth. The signage consists of wall signs that advertise show tickets and discounts for restaurants and buffets. The plans depict a total of 6 informational displays located along the west (2 displays) and south (4 displays) sides of the structure above the sales windows. Each display has an area of 15 square feet for a total of 90 square feet. The displays list various information including shows, show times, and ticket prices. Additional signage is located below the sales windows of the west and south sides of the structure. The sign area below the windows on the west side has an area of 24 square feet and an area of 82 square feet on the south side.

Applicant's Justification

The applicant states that the previous application (UC-0683-13) was inadvertently allowed to expire since the previous correspondent of the original application passed away. The existing facility has been operating for several years with no issues. Additionally, since the time the original application was approved there have been a number of similar facilities that have been approved along the Strip with no issues.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0003-12 (AR-0041-16)	Second application for review of an outdoor helicopter tour ticket sales structure subject until April 3, 2019 for review	Approved by PC	May 2016
UC-0970-14	Grocery store and packaged beer, wine, and liquor sales	Approved by BCC	February 2015
UC-0608-14	Exterior access modifications to the exterior façade of an existing resort hotel	Approved by PC	September 2014
UC-0588-14	Comprehensive sign plan for existing and additional signage, including signs with animation	Approved by BCC	August 2014
UC-0003-12 (ET-0043-14)	First extension of time for an outdoor helicopter tour ticket sales structure subject until April 3, 2016 for review	Approved by PC	May 2014
UC-0683-13	Outdoor sales structure/booth, shade canopies, and signage, and a waiver to reduce parking for the overall resort hotel subject to 3 years to review as a public hearing - expired	Approved by BCC	December 2013
UC-0338-11 (ET-0102-13)	Second extension of time for a coupon dispensing machine - removed the time limit	Approved by BCC	December 2013

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0338-11 (ET-0150-12)	First extension of time for a coupon dispensing machine subject until December 7, 2013 to review	Approved by BCC	February 2013
UC-0618-12	Additions and modifications including a pharmacy and restaurant in conjunction with a resort hotel (Casino Royale)	Approved by BCC	December 2012
UC-0376-12	Exterior modifications to an existing resort hotel (Casino Royale)	Approved by PC	September 2012
UC-0003-12	Allow a use (helicopter tour ticket sales) not within an enclosed building and setback reductions subject to 2 years to commence and review	Approved by PC	April 2012
UC-0338-11	Allow a use (coupon dispensing machines) not within an enclosed building subject to 1 year to commence and review	Approved by BCC	December 2011
UC-0211-11	Outside display (vintage car), setback reduction, allow non-standard improvements within the right-of-way	Approved by PC	July 2011
RS-0039-11	Record of Survey	Reviewed by staff	June 2011
UC-0255-07	Expansion of the resort hotel for additional casino area and other accessory and incidental uses	Approved by PC	June 2007
UC-019-92 & VC-055-92	22,000 square foot casino, waive a portion of the 6 foot wide landscaping adjacent to Las Vegas Boulevard South, a parking garage, reduced parking, and a restaurant (the motel was purchased and connected with the casino and the property was renamed Casino Royale)	Approved by BCC	March 1992
UC-075-76	3,000 square foot casino (Nob Hill) (motel existed separately as the Travelodge)	Approved by BCC	September 1976

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Commercial Tourist	H-1	Venetian/Palazzo Resort Hotel
South	Commercial Tourist	H-1	Harrah's Resort Hotel
West	Commercial Tourist	H-1	Mirage Resort Hotel

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permit & Deviations #1 & #2

Similar outdoor sales structures/booths have been approved at other locations along Las Vegas Boulevard South as long as it is demonstrated that said structure/booth does not negatively impact the pedestrian access easement/sidewalk along Las Vegas Boulevard South. The existing outdoor sales structure/booth is located 31 feet from back of curb of Las Vegas Boulevard South, where the area between consists of hardscape/walkable area. The outdoor sales structure/booth is also located behind the front of the resort hotel façade and entrance. The structure/booth is also designed with the queueing line running east, away from Las Vegas Boulevard South. Therefore, the outdoor sales structure/booth will not impede the pedestrian access easement/sidewalk. Furthermore, the outdoor sales structure/booth has operated for several years without any complaints filed with the Clark County Public Response Office.

Deviation #3

Staff finds that the proposed 1.4% reduction in parking for the resort hotel to be minimal and will not adversely impact the surrounding area. Many patrons to the resort hotel arrive via other means such as public transportation, taxis, walking, and/or ridesharing which will help to mitigate parking demand.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

Similar requests to reduce the setback from the future right-of-way of Las Vegas Boulevard South have been approved in the past, as many existing buildings along Las Vegas Boulevard South are currently within the future right-of-way. Therefore, staff has no objection to waiver of development standards #1.

Design Reviews

This site is located within the Resort Corridor which is a high intensity economic center that is tourist oriented and caters to pedestrians both in circulation and scale of development. The request complies with Urban Specific Policy 27 of the Comprehensive Master Plan which encourages the localized areas of Commercial Tourist development to be the prime activity centers in the planning area and where hotels, resort hotels, entertainment uses, general business,

professional and public offices, and commercial uses are located. The location of the outdoor sales structure/booth and queuing area is setback in an alcove to keep the facility clear of the adjacent pedestrian access easement/sidewalk. The project is located within the MUD-1 Overlay District and complies with Urban Specific Policy 130 which states that to encourage pedestrian use, sidewalks should be designed to be unobstructed to allow for safe and unimpeded pedestrian traffic.

Staff finds that the existing signs are compatible with the existing developments along Las Vegas Boulevard South, and complies with Urban Specific Policy 20 which states that all signage should be compatible with building styles on-site and also with surrounding development. Additionally, similar signs for other developments along Las Vegas Boulevard South have been approved.

Public Works – Development Review

Waiver of Development Standards #2

The applicant is required to dedicate a portion of its property in order to accommodate a proportionate share of a 200 foot wide right-of-way on Las Vegas Boulevard South according to Title 30 and the Clark County Transportation Element. Staff has no objection to deferring the dedication as long as the applicant enters into a future dedication agreement with the County which contains a provision that the dedication will occur automatically upon a specified date, as determined by the County, or automatically at the time of future development, whichever occurs first. Until the dedication occurs, staff has no objection to the proposed non-standard improvements within the future right-of-way and the reduction in setback from the future right-of-way when future development of this parcel occurs.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 2 years to commence and review;
- Prominently display an original stamped copy of this Notice of Final Action on the front of the outdoor sales structure/booth during all times of business operation;
- No solicitation of customers outside of the outdoor sales structure/booth.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Applicant to perform and have recorded a Record of Survey to determine underlying title rights in relationship to "as built" improvements on Las Vegas Boulevard South;
- Applicant to execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Owner acknowledges that the proposed non-standard improvements (buildings, structures, and improvements) are within a portion of the area planned for a 200 foot wide right-of-way per Title 30 and the Clark County Transportation Element;
- Future applications, whether individually or cumulatively (including this application), that are demonstrated to have a sufficient traffic impact upon Las Vegas Boulevard South may require the owner, or its successors, to grant easements or dedicate its proportionate share of all or portions of the planned right-of-way for Las Vegas Boulevard South adjacent to its property according to the requirements of the Clark County Transportation Element and Title 30;
- Owners or its successors shall remove any non-standard improvements (buildings, structures, and improvements) related to this application or any future applications within the planned right-of-way at its own expense, in the event dedication of the planned right-of-way is required.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

**TAB/CAC:
APPROVALS:
PROTESTS:**

APPLICANT: THOMAS ELARDI

CONTACT: GREG BORGEL, 300 S. 4TH STREET, SUITE 1400, LAS VEGAS, NV 89101

BLOCK WALL
(TITLE 30)

SERENE AVE/KINGSTON RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-18-400213 (WS-0373-16) -FREEMAN, CHRISTOPHER B. & RACHEL N.:

WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for alternative landscaping and screening standards for a proposed wall in conjunction with an existing single family residence on 1.3 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the north side of Serene Avenue and the east side of Kingston Road within Paradise. JG/sd/ja (For possible action)

RELATED INFORMATION:

APN:

177-24-601-011

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Increase the height of a decorative wall to 7 feet where a maximum height of 6 feet is permitted (a 17% increase).
- b. Waive landscaping along a collector street as required by Figure 30.64-8 (a 100% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3120 E. Serene Avenue
- Site Acreage: 1.3
- Project Type: Decorative block wall
- Wall Height: 7 feet

Site Plans

The approved plans depicted a developed single family residential lot on a 1.3 acre site. The house is orientated south, facing Serene Avenue, with a detached garage and pool shown in the rear portion of the property. The original request was to construct a new decorative wall along the south property line and portions of the west property line. The new wall will replace an existing decorative fence in the front portions of the property. There are 2 gates and 1 pedestrian gate shown along the front (south) property line and 1 gate shown along the side (west) property line.

Landscaping

In lieu of providing a 6 foot wide landscape planter in front of the wall, the applicant is proposing to provide the landscaping and trees behind the wall. The landscape plans show Japanese Plum trees planted 30 feet on center directly behind the wall. The interior of the property also will have new landscaping installed throughout the site.

Elevations

The proposed solid decorative wall is shown at a height of 7 feet and consists of textured split face CMU block with stacked stone pilasters shown at varying intervals. The 7 foot high gates consist of powder coated steel painted antique bronze.

Previous Conditions of Approval

Listed below are the approved conditions for WS-0373-16:

Current Planning

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Applicants Justification

The applicants state that they have had difficulty in contracting a masonry company and were told that there is a lack of tradesman and equipment due to increased construction activities around Clark County. In addition, they have had a death in the family and were required to liquidate a family trust, which forced them to move out of state temporarily.

Prior land Use Request

Application Number	Request	Action	Date
WS-0373-16	Alternative landscaping and screening for a proposed wall	Approved by PC	July 2016

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban	R-1	Developed single family subdivision
South	City of Henderson	N/A	Mapped subdivision
East	Rural Neighborhood Preservation	R-E	Developed single family residential home
West	Rural Neighborhood Preservation	R-E	Undeveloped property

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Due to the extenuating circumstances described by the applicant staff can support this extension of time with a small amount of additional time to complete.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until July 19, 2019 to complete;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

**TAB/CAC:
APPROVALS:
PROTEST:**

APPLICANT: CHRISTOPHER FREEMAN

CONTACT: CHRISTOPHER FREEMAN, 3120 E. SERENE AVE, HENDERSON, NV 89074

11/20/18 PC AGENDA SHEET

DAY CARE FACILITY/
SCHOOL EXPANSION
(TITLE 30)

EASTERN AVE/ROCHELLE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0717-CHURCH ROMAN CATHOLIC LAS VEGAS:

USE PERMIT for a day care facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback; **2)** increase block wall height; and **3)** alternative landscaping and buffering.

DESIGN REVIEWS for the following: **1)** expansion to an existing school which includes a new day care facility; and **2)** minor site design changes on a portion of 4.3 acres in an R-1 (Single Family Residential) Zone.

Generally located on the east side of Eastern Avenue and the north side of Rochelle Avenue within Paradise. CG/dg/ja (For possible action)

RELATED INFORMATION:

APN:

162-24-101-001 through 162-24-101-003 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the front setback to a proposed block wall and courtyard to 11.4 feet where a minimum of 20 feet is required per Table 30.40-2 (a 43% reduction).
2. Increase height of a decorative screen block wall to 8 feet where a maximum of 6 feet is permitted per Chapter 30.64 (a 33% increase).
3. Permit an 11.4 foot wide landscape area with a single row of trees where 15 feet of landscaping per Figure 30.64-17 is required (a 24% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - INSTITUTIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4246 S. Eastern Ave.
- Site Acreage: 4.3 (portion)
- Project Type: School expansion to include a new day care facility
- Number of Stories: 1
- Building Height (feet): 17 to 20
- Square Feet: 5,754

- Parking Required/Provided: 300/345

Site Plans

The plans depict a proposed 5,754 square foot addition to an existing school that is part of an overall campus development site that includes a place of worship, multi-purpose building, and parking areas. The proposed expansion will be north of the existing classrooms. The expansion will consist of a new day care facility and new kindergarten classrooms. As part of the expansion, new 8 foot high block walls are proposed to screen playground areas from Eastern Avenue and create courtyards around the classroom buildings. Portions of the block walls will be curvilinear to add to the enhanced streetscape and will connect to proposed and existing buildings. The portions of the walls that curve will intrude into the required front setback. All other elements of this request will comply with required setbacks. Additionally, the scope of this request also includes minor site design revisions to the playground area, eliminating an existing driveway along Eastern Avenue, and minor revision to a portion of the parking area. Access to the site is from Eastern Avenue.

Landscaping

No changes are proposed or required to the existing landscaping along the existing classrooms; however, major portions of the landscape area are void of shrubs and groundcover and consist of only trees. The portion of the new expansion will have a minimum 15 to 20 foot wide landscape area with an existing attached sidewalk. With proposed block walls there is a minor portion of the landscape area that narrows to 11.4 feet in width. The proposed landscaping is depicted as a single row of trees with shrubs and groundcover along the portion of Eastern Avenue immediately adjacent to the proposed expansion and trees and shrubs for the minor parking lot revision.

Elevations

The plans depict a 1 story, 17 to 20 foot high, building expansion. Building materials consist of stucco finish, masonry block columns, decorative wall tile, and roof tile to match existing buildings. The proposed colors will match the existing buildings. Colonnades/walkways are shown along several elevations.

Floor Plans

The proposed expansion consists of the following: 1) 2,630 square foot day care facility; 2) 2,810 square foot kindergarten classrooms; and 3) 314 square foot office with waiting areas and reception. Approximately 1,909 square feet of covered walkways will connect the proposed expansion and existing buildings.

Applicant's Justification

The applicant states that the proposed building will extend to the north of the existing buildings and will consist of materials to match the existing campus buildings including roof tiles, masonry block, and painted stucco. The proposed day care facility will not adversely impact the residential to the east since the activities will be limited to weekdays and any noise will be buffered by the existing buildings. The proposed addition will replace the current child care facility located on the west side of Eastern Avenue and bring the entire facility to a single campus.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0589-10	Eliminate landscaping along portions of a street, less intense use, and parking areas	Approved by PC	May 2011
DR-0474-10	Addition to existing multi-purpose building	Approved by PC	December 2010
AC-082-81	Establish a modular classroom building with the school	Approved by PC	June 1981
UC-002-77	Establish a place of worship	Approved by BCC	February 1977

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Institutional	R-1	Place of worship that is part of this overall campus development
East	Residential Suburban (up to 8 du/ac)	R-2	Single family residential development
South	Commercial Neighborhood	C-1	Office complex
West	Commercial General	C-1 & C-2	Undeveloped & shopping center

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

With appropriate building siting, required parking, and appropriate buffering, a day care facility and enhancements to an existing school and playground can be consistent and compatible with residential neighborhoods in consideration of Title 30 and the Comprehensive Master Plan. Staff finds the establishment of a day care facility at this location is consistent with all Title 30 provisions and consistent with the uses that have been in operation on this site since the mid-1960's.

Staff can support the this request for the following reasons: 1) the facility is along and oriented towards an arterial street; 2) the building expansion meets or exceeds Title 30 minimum requirements; 3) provided parking exceeds what is required for this use; and 4) through the use of buffering elements that exceed minimum requirements, the use is designed to integrate and enhance the neighborhood.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The primary reason for the reduced setback to the proposed walls is to provide for an enhanced appearance rather than a stark and austere surface plane along Eastern Avenue. The reduction is only for a minor portion (80 linear feet) of the overall street frontage (640 feet). The enhancement off-sets the reduced standard and provides for an effective alternative in combination with the proposed landscaping.

Staff finds the increase in screen wall height to 8 feet will not adversely impact the surrounding properties since the walls will provide additional security and privacy for the expansion and integrated to the building to form a courtyard. The walls will be set back and buffered by street landscape areas along Eastern Avenue.

The request for alternative landscape width is for a portion of the street frontage along Eastern Avenue. Staff finds the proposed reduction will not adversely impact the streetscape or contiguous properties for the following reasons: 1) the reduction is for 80 linear feet while the remaining street frontage will comply with the required 15 feet; 2) similar reductions have been approved throughout this corridor; and 4) based on the overall site design of the irregular shaped development site which includes the place of worship, proposed landscaping will still soften and enhance the streetscape. Therefore, staff can support this request.

Design Review

Staff finds that the project is compliant with all provisions of Title 30 and the Comprehensive Master Plan and is harmonious and compatible with surrounding development. The proposed request is compliant with Urban Specific Policy 2 of the Comprehensive Master Plan that encourages, in part, infill development that is consistent with existing adjacent development. All elements of the proposed expansion will match the existing development.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- All new block walls facing Eastern Avenue to be decorative;
- Landscaping consisting of groundcover and shrubs to be continued south to Rochelle Avenue to enhance the existing trees and soften the proposed block walls;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Traffic study and compliance;
- Reconstruct any unused driveways with full off-site improvements.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the District is unable to verify sewer capacity based on this zoning application; instructions for submitting a Point of Connection (POC) request can be found on the CCWRD website; and that CCWRD approved POC must be included when submitting civil improvement plans.

**TAB/CAC:
APPROVALS:
PROTESTS:**

APPLICANT: ST. VIATOR CATHOLIC SCHOOL

**CONTACT: ROY BURSON, JVC ARCHITECTS, 5385 S. CAMERON STREET, SUITE 15,
LAS VEGAS, NV 89118**

11/20/18 PC AGENDA SHEET

TIRE SALES AND INSTALLATION
(TITLE 30)

TROPICANA AVE/ US HWY 95

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-18-0768-TROPICANA 4440, LP:

USE PERMITS for the following: 1) tire sales and installation; and 2) reduced setback from an existing residential development on a portion of on 4.9 acres in a C-2 (General Commercial) zone.

Generally located on the north side of Tropicana Avenue, 800 feet east of US Highway 95 within Paradise. CG/mk/ja (For possible action)

RELATED INFORMATION:

APN:
161-20-401-006 ptn

USE PERMITS:

1. Tire sales and installation facility.
2. Reduce the separation for a tire sales and installation facility from a residential use to 20 feet where a minimum of 200 feet is required and must be visually and acoustically buffered per Table 30.44-1 (a 90% reduction).

LAND USE PLAN:
WINCHESTER/ PARADISE - COMMERCIAL GENERAL

BACKGROUND:
Project Description
General Summary

- Site Address: 4440 E. Tropicana Avenue
- Site Acreage: 4.9 (portion)
- Project Type: Tire sales and installation facility
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 9,973
- Parking Required/Provided: 237/298

Site Plans

The plans show a 9,973 square foot lease area located on the east side of the building, which will be renovated for a tire sales and installation facility. The building is approximately 60 feet from Tropicana Avenue, 20 feet from the north property line, which is adjacent to a residential development where a 200 foot setback is required by Code. All services and installation, including storage of tires, will be done inside the building within the 2 proposed bays/working areas. Access to the site is from two, 32 foot wide driveways along Tropicana Avenue. A total of 13 parking spaces are provided on the east, north, and south sides of the building.

Landscaping

The photos submitted show existing landscape areas along Tropicana Avenue and in the parking lot. No changes are proposed or required with this application.

Elevations

The plans show an existing 1 story, 28 foot high building with a parapet wall constructed of CMU block, and aluminum store front doors. One storefront door located on the northeast of the tire facility will be removed and replaced by a roll-up door.

Floor Plans

The plans show a 9,973 square foot existing building with 1 service bay area, a display and storage area, lobby/customer area, shop area, 2 offices, and restrooms.

Signage

Signage is not a part of this application.

Applicant's Justification

The applicant is requesting approval of a tire sales and installation facility for automotive wheels, tires, and auto accessories. All operations will be performed inside the building. All new tires, accessories, as well as all disposed tires, will be stored in the shop area where they will be picked up and transferred to the main facility located at 2710 Losee Road in North Las Vegas. The applicant states that the hours of operation will be Monday through Saturday from 8:00 a.m. to 6:00 p.m.

Prior Land Use Requests

Application Number	Request	Action	Date
18-500034	A 1 lot commercial subdivision	Approved by PC	April 2018
UC-0049-04	An indoor swap meet within an existing commercial building.	Approved by PC	February 2004
VC-1481-99	Increased height marquee sign, temporary special attraction/promotional sign, and increase area of a temporary sign	Approved by PC	November 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (8 du/ac to 18 du/ac)	R-1	Single family residential development
West	Commercial General & residential high (8 du/ac to 18 du/ac)	C-2 & R-4	Commercial development & multi-family residential development
East & South	Commercial General	C-1 & C-2	Commercial/retail development

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permit #1

Staff finds that the surrounding uses consist of different commercial and retail uses on the east and south sides along Tropicana Avenue. Therefore, the requested use will be a complementary addition and an improvement to the building which has been vacant for a while. Additionally, 1 Code requirement for the use is that the service bay doors be screened or located away from public right-of-way. The proposed building complies with this condition since the service door and parking spaces are located on the east side of the building. Therefore, staff can support this request.

Use Permit #2

Staff finds that although the subject building is 20 feet from the property line, adjacent to the existing single family residential development, there is a 6 foot high existing CMU wall that provides a visual and acoustic buffer between the building and the residential development. Additionally, staff can support this request because all installation services are conducted inside the building.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- All roll-up doors to be closed while vehicles are being repaired.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

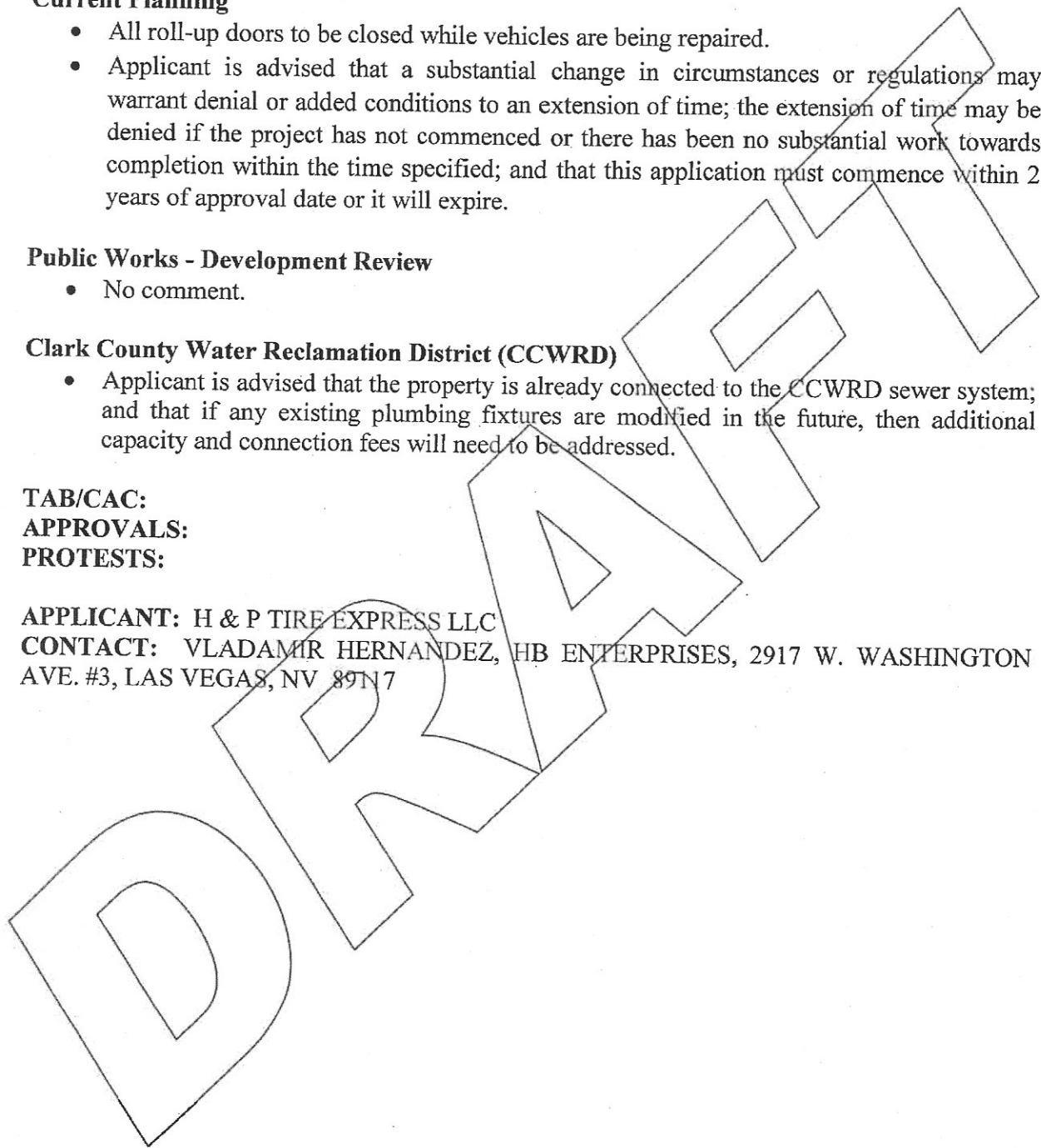
TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: H & P TIRE EXPRESS LLC

CONTACT: VLADAMIR HERNANDEZ, HB ENTERPRISES, 2917 W. WASHINGTON AVE. #3, LAS VEGAS, NV 89117



11/20/18 PC AGENDA SHEET

CONGREGATE CARE FACILITY
(TITLE 30)

FLAMINGO RD/SPENCER ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-18-0777-FLAMINGO SPENCER GARDEN, LLC:

USE PERMIT for a proposed congregate care facility with accessory commercial uses.
DESIGN REVIEW for exterior building modifications to a proposed congregate care facility on a portion of 4.1 acres in a C-1 (Local Business) Zone in the MUD-2 Overlay District.

Generally located on the southwest corner of Flamingo Road and Spencer Street within Paradise.
CG/mk/ja (For possible action)

RELATED INFORMATION:

APN:
162-23-103-017 ptn

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:
Project Description
General Summary

- Site Address: 1771 E. Flamingo Road.
- Site Acreage: 4.1 (portion)
- Project Type: Congregate care facility
- Number of Stories: 2
- Building Height (feet): 36
- Square Feet: 81,026
- Parking Required/Provided: 330/350

Site Plans

The plans show an existing 2 story building with a basement that will be converted into a congregate care facility consisting of 106 beds. The conversion will mostly be done internally with additional bathrooms, kitchens, and laundry facilities. The subject building (building to the south) is part of an existing office complex consisting of 2 buildings. Entrance to the site is granted from Flamingo Road and Spencer Street. The 2 buildings have shared cross access and parking. The 12 foot wide access lane located on the south side of the site will be widened by removing some of the existing trees in order to create a 24 foot wide fire access lane for the project. The existing wall along the south and west property lines will remain.

Landscaping

There is existing landscaping along Flamingo Road, Spencer Street, and the interior of the site as well as within the parking lots and around both buildings. The 12 foot wide existing landscaping planter along the south property line will be removed to create a 24 foot wide fire access lane for the project. The existing 12 foot wide access lane does not meet Fire Department requirements. The plans show additional handicap parking spaces and landscaping, a loading space, and a new trash enclosure located on the west side of the propose congregate care facility.

Elevations

The plans depict a 2 story, 36 foot high building with a basement. Minor exterior modifications will be done to the west and south building elevations. The modifications will include removal of existing windows which will be replaced with sliding doors, double, and single doors. Additionally, the plans show a new roll-up door on the west elevation. The existing storefront door located on the north elevation will be replaced with aluminum storefront windows. Building materials will be consistent with the existing building (painted plaster over concrete panels in a white/creamy and grey color tone).

Floor Plans

The plans depict an 81,026 square foot congregate care facility consisting of 106 beds. The plans depict 96 units for the residents, 10 double room units located on the first and second floor (2 on the first floor and 8 on the second floor), and 86 single room units throughout the rest of the building. The facility also has the following: dining facilities, therapy areas, nurse stations, lobby areas, administrative offices, storage and support areas, a salon/barber shop, a church, kitchen and common areas for the residents. The facility will also provide a 150 square foot coffee bistro and flower shop (accessory commercial use) for the residents of the facility.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed congregate care facility is a less intensive use than the original office use. The development will be an enhancement and an asset to the area, and provide a more desirable configuration due to the close vicinity to Desert Springs Hospital. The applicant believes the proposed use is compatible with the surrounding neighborhood and will provide an environment of stable and desirable character consistent with the County's policies and regulations. Additionally, the applicant states that the proposed facility meets all Code requirements such as parking, setbacks, and exterior building designs.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0223-15	Major training facility (alternative language learning) within an existing office complex	Approved by PC	May 2015
UC-121-92	Establish and maintain a broadcasting school – expired	Approved by PC	May 1992

Prior Land Use Requests

Application Number	Request	Action	Date
VC-244-87	On-premises consumption of beer and wine in conjunction with a restaurant – expired	Approved by PC	June 1987
VC-595-83	Setback reduction for an accessory building	Approved by PC	March 1984
ZC-258-80	First extension of time to reclassify the subject parcel to C-1 zoning	Approved by BCC	April 1983
ZC-258-80	Reclassified the subject property to C-1 zoning	Approved by BCC	February 1981

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Commercial General	C-2	Commercial & office uses
South	Residential Urban Center (18 du/ac to 32 du/ac)	R-4	Timeshare apartments
East	Commercial General	C-2	Dollar General & parking lot for Desert Springs Hospital

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff finds that the proposed congregate care facility is an appropriate use of the site and is consistent with other types of residential developments in the adjacent area. The site is located at the intersection of an arterial street (Flamingo Road) and a collector street (Spencer Street). Although there is a higher concentration of residents at a congregate care facility, residents at a congregate care facility tend to be less mobile, and therefore, any increase in traffic would be minimal. Additionally, the Code essentially considers a congregate care use as a quasi-residential use that will provide a transition from the arterial street and the office uses in the adjacent area. The establishment of a congregate care facility at the subject site complies with Land Use Goal 7 of the Comprehensive Master Plan which promotes providing housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. Additionally, staff finds that the congregate care facility will be a positive addition to the community; therefore, staff can support this request.

Design Review

Staff finds that the proposed exterior building modifications, additional parking spaces, and widening of the fire lane driveway are minor and necessary to accommodate the proposed congregate care facility. The building materials and the overall building design will remain consistent and similar to the office building located on the north side within the same site. Therefore, staff can support the design review.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Southernmost driveway to be for ingress only with appropriate signage and pavement markings indicating such;
- All new driveways to comply with Uniform Standard Drawings 222.1 and 225.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project, to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0573-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: FLAMINGO SPENCER GARDEN LLC

CONTACT: YIHONG LIU, YIHONG LIU + ASSOCIATES, 1669 HORIZON RIDGE PARKWAY, SUITE 120, HENDERSON, NV 89012

11/20/18 PC AGENDA SHEET

COMMUNICATION TOWER
(TITLE 30)

DEAN MARTIN DR/ALI BABA LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0778-J & S DIESEL & ALI BABA LTD:

USE PERMIT for increased height of an existing communication tower,
DESIGN REVIEW for additional antenna arrays, lattice and accessory uses, and structures on
0.4 acres in M-1 (Light Manufacturing) (AE-60) Zone.

Generally located on the northwest corner of Dean Martin Drive and Ali Baba Lane within
Paradise. SS/mk/ja (For possible action)

RELATED INFORMATION:

APN:

162-29-202-006

USE PERMIT:

Increase the height of an existing communication tower to 70 feet where 60 feet was the
maximum approved height (a 17% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5155 Dean Martin Drive
- Site Acreage: 0.5
- Project Type: Communication tower
- Communication Tower Height (feet): 70

Site Plans

The plans show an existing 60 foot high monopole communication tower with antenna arrays
located 51 feet west of Dean Martin Drive, 99 feet north of Ali Baba Lane, and 78 feet from the
west property line. This request is to allow a 10 foot high increase of the existing tower, making
the top of the tower 70 feet in height. The height increase will allow the tower to accommodate
3 antenna arrays. Additionally, the scope of work includes, but is not limited to, adding 12
panels, 2 hybrid, 2 ray cap, and 2 cabinets. There are no lights and all existing and proposed
equipment will be enclosed within a screened compound with mesh covered iron fencing so the
equipment is not visible from the street.

Elevations

The plans show an increase to the existing 60 foot high communication tower (monopole) to an overall height of 70 feet to allow additional antenna arrays. All equipment installed on the tower will be painted to match the existing tower.

Signage

Signage is not a part of this application.

Applicant's Justification

The applicant states that the requested increase in height to the existing tower is to accommodate additional antenna arrays. The subject site is an unmanned telecommunications site with an existing monopole non-stealth cell facility. The applicant adds that the tower is in compliance with all Federal requirements and is not located within 600 feet of another communication facility.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0630-15 (ET-0080-16)	First extension of time to reduce parking in conjunction with an existing recreational facility (indoor shooting range) and sporting goods firearms sales	Approved by PC	July 2016
WS-0630-15	Original waiver to reduce parking	Approved by PC	November 2015
WS-0549-11	Reduced parking in conjunction with a recreational facility (indoor shooting range) and sporting goods firearms sales - expired	Approved by PC	January 2012
UC-0142-11	Recreational facility (indoor shooting range) in conjunction with an existing automobile/truck repair facility and sporting goods firearms sales	Approved by PC	June 2011
UC-0216-10	Sporting goods/firearms sales	Approved by PC	July 2010
ZC-0131-94	Reclassified to M-1 zoning for an expansion to an existing diesel maintenance facility	Approved by BCC	April 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	M-1	Industrial complex
South	Commercial Tourist	H-1	Existing motel
East	Commercial Tourist	H-1	Across Dean Martin Drive & I-15 & a parking lot for the Luxor Resort Hotel
West	Commercial Tourist	M-1	Industrial building

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permit & Design Review

The existing tower will remain at the same location, which is located on the north side of the subject site. The tower extension of the monopole, antenna arrays, and all exposed mounting hardware will match the existing tower and antenna in terms of color and materials. Staff finds that the increase in height of the existing communication tower is minor, within the allowable height required by Code, and will not negatively impact the surrounding area. Staff finds that the height increase will allow for additional antenna arrays in order to provide better and efficient wireless service to the customers in the area. Similar requests have been approved in different parts of the Valley. Therefore, staff can support this request.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that a bond (or other guarantee per Table 30.44) is required prior to the construction of the tower; that this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet otherwise additional land use applications may be required; that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time

may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- No comment.

**TAB/CAC:
APPROVALS:
PROTESTS:**

APPLICANT: SPRINT

CONTACT: GWENDOLYN FISCHER, CROWN CASTLE, 200 SPECTRUM CENTER DRIVE, SUITE 1700, IRVINE, CA 92618

11/20/18 PC AGENDA SHEET

COMMUNICATION TOWER
(TITLE 30)

WINDMILL LN/EASTERN AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-18-0779-CHEYENNE PHD, LP:

USE PERMIT for increased height of an existing communication tower.
DESIGN REVIEW for additional antenna arrays, lattice and accessory uses, and structures on 0.6 acres in a C-1 (Local Business) Zone.

Generally located on the south side of Windmill Lane, 690 feet west of Eastern Avenue within Paradise. SS/mk/ja (For possible action)

RELATED INFORMATION:

APN:
177-14-501-043

USE PERMIT:
Increase the height of an existing communication tower to 75 feet where 60 feet was the maximum approved height (a 25% increase).

LAND USE PLAN:
WINCHESTER/PARADISE - OFFICE PROFESSIONAL

BACKGROUND:
Project Description
General Summary

- Site Address: 2207 E. Windmill Lane
- Site Acreage: 0.6
- Project Type: Communication tower
- Communication Tower Height (feet): 75

Site Plans

The plans show an existing 60 foot high monopole communication tower with antenna arrays located on the southeast corner of the subject parcel. This request is to allow a 15 foot high increase to the existing tower, making the top of the tower 75 feet in height. The height increase will allow the tower to accommodate 6 panels and 3 antenna arrays. Additional scope of work includes, but is not limited to, adding 3 hybrid cables and 2 cabinets. There are no lights and all existing and proposed equipment will be enclosed within a screened compound with mesh covered iron fencing so the equipment is not visible from the street.

Elevations

The plans show an increase to the existing 60 foot high communication tower (monopole) for an overall height of 75 feet to allow additional antenna arrays. All equipment installed on the tower will be painted to match the existing tower.

Signage

Signage is not a part of this application.

Applicant's Justification

The applicant states that the requested increase in height of the existing tower is to allow the tower to accommodate additional antenna arrays. The subject site is an unmanned telecommunications site with an existing monopole non-stealth cell facility. The applicant adds that the tower is in compliance with all Federal requirements and is not located within 600 feet from any other communication facility.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0289-03	Reclassified the subject parcel and the adjacent parcels to C-1 zone for a commercial center	Approved by BCC	Approved May 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood preservation 2 du/ac	R-E	Single family residential development
South & West	Office/Professional	C-1	Commercial retail center
East	Commercial General	C-2	Shopping center

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permit & Design Review

The existing tower will remain at the same location, which is located on the southeastern corner of the commercial site behind a building. Additionally, the tower extension of the monopole, antenna arrays, and all exposed mounting hardware will match the existing tower and antenna in

terms of color and materials. Staff finds that the increase in height of the communication tower is minor, within the allowable height required by Code, and will not negatively impact the surrounding area. Staff finds that the height increase will allow for additional antenna arrays in order to provide better and efficient wireless service to the customers in the area. Similar requests have been approved in different parts of the Valley. Therefore, staff can support this request.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that a bond (or other guarantee per Table 30.44) is required prior to the construction of the tower; that this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet otherwise additional land use applications may be required; that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the

Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SPRINT

CONTACT: GWENDOLYN FISCHER, CROWN CASTLE, 200 SPECTRUM CENTER DRIVE, SUITE 1700, IRVINE, CA 92618

DRAFT

ANIMATED WALL SIGN
(TITLE 30)

FLAMINGO RD/HUGH HEFNER DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-18-0619-FP HOLDINGS, LP, ET AL:

DESIGN REVIEWS for the following: 1) modifications to an approved comprehensive sign package; 2) increased wall sign area; and 3) increased animated sign area in conjunction with an existing resort hotel (Palms) and existing resort condominiums (Palms Place) on 27.1 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the south side of Flamingo Road and the west side of Hugh Hefner Drive within Paradise. SS/gc/ja (For possible action)

RELATED INFORMATION:

APN:

162-19-501-004 & 162-19-511-000 thru 600

DESIGN REVIEWS:

1. Modifications to an approved comprehensive sign package for the Palms Resort Hotel and Palms Place.
2. Increase overall wall sign area to 36,141 square feet where a maximum of 32,880 square feet is permitted per Table 30.72-1 (a 10% increase).
3. Increase sign area for electronic message/video units to 28,079 square feet where 5,529 square feet was previously approved and a maximum of 600 square feet is permitted per Table 30.72-1 (a 4,580% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 4321 & 4381 W. Flamingo Road
- Site Acreage: 27.1
- Project Type: Animated wall sign

Site Plans

The plans show an existing resort hotel (Palms) and existing resort condominiums (Palms Place) on a 27.1 acre property. Access to the site is from Flamingo Road, Arville Street, Hugh Hefner Drive, and Nevso Drive.

Signage

The plans show a proposed 22,550 square foot (275 feet tall by 82 feet wide), curved, animated (video) wall sign located on the entire east façade of the Ivory Tower at the Palms Resort Hotel. The existing 1,055 square foot, animated wall sign with the word "PALMS" on the east façade of the tower will be removed.

The following table is a summary for signage:

Type of sign	Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
Freestanding*	8,388	0	8,388	18,650	n/a	4	0	4
Wall*	14,646 (minus 1,055)	22,550	36,141	32,880	10	43 (removed 1)	1	43
Directional	462	0	462	384	20	22	0	22
Monument	365	0	365	2,380	n/a	11	0	11
Overall Total	23,861 (minus 1,055)	22,550	45,356	54,294	n/a	80 (removed 1)	1	80

*The freestanding and wall signs also contain animation.

The details for animated signs are listed below:

Type of sign	Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
Video & EMU	5,529	22,550	28,079	600	4,580	3	1	4
Animated^	32,798 (minus 1,055)	0	31,743	n/a	n/a	12 (removed 1)	0	11
Overall Total	38,327	22,550	59,822	n/a	n/a	15 (removed 1)	1	15

^12,509 square feet of the 32,798 square feet is linear feet of neon.

Applicant's Justification

The applicant states that the property owner is updating existing signage on the property as part of a long term plan to revitalize the Palms Resort Hotel, as well as to increase visibility and guest visitation from the Strip Corridor.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0461	Allowed direct access to an accessory use (mobile food vendors) where access is required from the interior of the resort hotel (Palms)	Approved by BCC	August 2018
ADR-18-900353	Modifications to an approved addition for an existing resort hotel (Palms)	Approved administratively	June 2018
DR-18-0189	Addition to an existing resort hotel (Palms)	Approved by BCC	April 2018
ADR-18-900122	Convert existing bingo area to a restaurant with outside dining	Approved administratively	March 2018
DR-18-0038	Addition to the parking garage	Approved by BCC	March 2018
UC-1021-17	Comprehensive sign package	Approved by BCC	January 2018
ADR-0876-17	Exterior remodel and façade changes to an existing resort hotel (Palms)	Approved administratively	August 2017
UC-0339-17	Addition and remodel of an existing resort hotel (Palms) including day/night club and pool areas	Approved by BCC	June 2017
ADR-0430-17	Vestibule modification in conjunction with a resort hotel (Palms)	Approved Administratively	May 2017
DR-0310-12	Modifications and exterior remodel of an existing resort hotel (Palms)	Approved by PC	August 2012
UC-1500-07	Freestanding signs in conjunction with an existing resort hotel (Palms)	Approved by BCC	February 2008
UC-1414-05	Expansion of the pool area including outdoor live gaming	Approved by PC	October 2005
UC-0645-05	Modifications to an approved resort condominium (Palms Place)	Approved by PC	June 2005
UC-2135-04	Reclassified a previously approved condominium hotel as a resort condominium (Palms Place), and for the relocation of a previously approved temporary sales center	Approved by BCC	January 2005
UC-1797-04	Increased the height of a condominium hotel tower (Palms Place)	Approved by BCC	December 2004
DR-1273-00	A 2 story garage addition on the west side of the resort building	Approved by BCC	September 2000
DR-1556-99	Additions and changes to the plans and allowed for the commencement and construction of the project	Approved by BCC	December 1999
UC-1577-98	Resort hotel (Palms)	Approved by BCC	November 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1 & C-2	Gold Coast Resort Hotel, offices, restaurant, vehicle maintenance facility, marijuana establishment (dispensary & retail store), & convenience store with gas pumps
South	Commercial Tourist	R-4 & M-1	Multiple family residential, offices, mini-warehouse facility, & industrial uses
East	Commercial Tourist	H-1	Undeveloped (approved for shopping center, hotel, & multiple family residential development per UC-0703-16)
West	Commercial Tourist	C-2 & M-1	Retail center, office/warehouse building, & recreational facility (indoor go-kart track)

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Staff is concerned that given the size of the sign and its location, the proposed sign may adversely impact the surrounding properties. Although the Palms is a resort hotel, the resort hotel is not located along Las Vegas Boulevard South where such large animated signs are typically found. Although there are some resort hotels in the area, there is typical suburban type development nearby also. Residential properties are located in the area, and may be impacted by the motion and brightness of the sign during the night. A multiple family residential development was approved to the east across Hugh Hefner Drive per UC-0703-16 & WS-18-0030, and would be the most impacted by the sign. The proposed sign would also be visible to an existing multiple family residential development to the north of the Gold Coast Resort Hotel, and to an existing multiple family residential development to the south of the industrial uses south of Nevso Drive, especially since the proposed sign is curved. However, the applicant has provided detailed information stating that the brightness of the sign would only be 0.5 foot candles when measured at the closest point of the future multiple family residential development to the east across Hugh Hefner Drive. Additionally, the brightness of the sign will only be .01 foot candles when measured at the closest point of the existing multiple family residential developments to the north of the Gold Coast Resort Hotel and to the south of the industrial uses south of Nevso Drive. For comparison purposes, the applicant states that a typical streetlight is 1 to 2 foot candles, a parking lot light is 1 to 4 foot candles, and a standard porch light is 2 to 3 foot candles. Therefore, staff can support the request subject to a review period to monitor the brightness of the sign and possible impacts to the surrounding residential developments and area.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 1 year to commence and review as a public hearing;
- Use of white light for background and graphics shall be minimal;
- No flashing video from 30 minutes after sunset until 30 minutes prior to sunrise;
- Reduce nits (brightness) to 4 percent of maximum brightness from 30 minutes after sunset until 30 minutes prior to sunrise.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: PALMS CASINO RESORT

CONTACT: MIKE LEBLUE, YESCO, 5119 S. CAMERON STREET, LAS VEGAS, NV 89118

11/20/18 BCC AGENDA SHEET

OUTSIDE DINING/DRINKING AREA
(TITLE 30)

KOVAL LN/ROCHELLE AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-18-0781-KOVAL LANE HOSPITALITY, LLC:

DESIGN REVIEW for a canopy and other modifications to an approved outdoor dining and drinking area (beer garden) in conjunction with an existing casino and hotel (Ellis Island) on 5.3 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone in the MUD-1 Overlay District.

Generally located on the northeast corner of Koval Lane and Rochelle Avenue within Paradise. JG/al/ja (For possible action)

RELATED INFORMATION:

APN:
162-21-503-007; 162-21-503-010 through 162-21-503-011

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:
Project Description

General Summary

- Site Address: 4178 and 4250 Koval Lane
- Site Acreage: 5.3
- Number of Rooms: 300
- Project Type: Modifications to an approved outside dining and drinking area (beer garden)
- Number of Stories: 2
- Building Height (feet): 32
- Square Feet: 11,192 (beer garden)
- Parking Required/Provided: 479/529 (casino and hotel)

Site Plan

This request is to modify an approved outside dining and drinking area (beer garden) in conjunction with the Ellis Island Casino, Restaurant, and Hotel, which is an existing nonconforming live gaming establishment that does not meet current requirements for a resort hotel. The site consists of 3 parcels with the northernmost parcel consisting of the existing casino building with restaurants and a parking garage. The remaining parcels consist of a 300 room hotel. Access to the site is provided by existing driveways from Koval Lane and Rochelle Avenue. The approved outside dining and drinking area (beer garden), which included a

building addition is located on the northwest corner of the site in conjunction with the casino building. All public access to the beer garden is through the casino building. Along the north side of the site is a driveway that provides access from Koval Lane to the parking garage at the rear (east side) of the casino building. The approved plans depict a gated vehicle access from this driveway into the beer garden to allow for deliveries and emergency access. The approved plans for the beer garden depict a 7 foot high decorative wall enclosing the facility. The approved plans for the beer garden also depict a building addition, with a second floor terrace, located along the east and south sides of the beer garden, which is on the west side of the existing casino building. In addition to the beer garden, the approved plans depict modifications to the entrance of the casino building. The plans indicate the wall around the beer garden is 3 feet from Koval Lane. This request is for a canopy structure with glass panels to block wind over the beer garden, which will match the setbacks of the building addition that was approved with the beer garden.

Landscaping

No changes are proposed or required to landscape areas with this request. The approved plans for the beer garden depict a 3 foot wide landscape area along Koval Lane between the beer garden wall and the existing sidewalk. Additional landscape areas are depicted along the wall and other locations inside the beer garden. The plant material within these landscape areas consist of a combination of trees, shrubs, and groundcover.

Elevations

The approved plans depict a 7 foot high wall along the north and west sides of the beer garden with a stucco finish painted to match the existing building. The plan depicts 3 windows in the wall with wrought iron to prevent access, and a vehicle access gate is provided on the north side of the beer garden. The approved plans depict a 2 story, approximately 24 foot high building addition to the casino building on the east and south sides of the beer garden. The first floor of the addition will match the architectural style of the existing building. The second floor of the addition is a terrace that is enclosed by a wrought iron railing with a canopy for shade. This request is to add a canopy structure over the outside dining area in the beer garden. This canopy structure is approximately 32 feet in height with a roof truss system that is open to the sky. The top of the canopy structure is curved and is supported by 10 columns. The columns will also support a system of glass windows to be a wind break for the beer garden, which are located above the 7 foot high wall on the north and west sides of the beer garden.

Floor Plans

The approved plans for the beer garden depict a total area of 11,192 square feet which includes the building addition. The beer garden consists of a 4,120 square foot open space used for seating, with an area in the northwest corner of the beer garden for a portable stage. The first floor of the addition has an area of 3,536 square feet consisting of a kitchen area, restrooms, and a bar. The second floor is an open terrace with an area of 3,536 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the approved beer garden and building addition will provide a new outside dining and drinking area for the community. The canopy structure with the window will provide customers in the beer garden with a more enjoyable dining experience.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0849-16	Original approval for the beer garden	Approved by BCC	January 2017
UC-0584-15	Temporary recreational facility (amusement ride) in conjunction with a hotel and casino – expired	Approved by BCC	February 2016
UC-1408-04 (ET-0346-07)	First extension of time to complete the redesign and expansion of an existing casino to a resort hotel – expired	Approved by BCC	December 2007
UC-1408-04	Redesign and expansion of an existing casino to a resort hotel including increased building height to 480 feet – expired	Approved by BCC	October 2004
UC-1583-97	Reduce parking and allow a roof sign in conjunction with a hotel and casino	Approved by PC	October 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Convenience store & Platinum Resort Condos
East	Commercial Tourist	H-1	Tuscany Resort Hotel
South	Commercial Tourist	H-1	Undeveloped site approved for a resort hotel
West	Commercial Tourist	H-1	Parking lot & motion picture production studio with a temporary tent

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

The proposed canopy structure will enhance the property by providing architectural diversity for the existing casino. The proposed structure will improve the appearance of this site, the community and may help to promote the redevelopment of other properties along Koval Lane. Therefore, staff supports this request.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Right-of-way dedication to include a minimum of 5 feet for Koval Lane, to be coordinated with Public Works - Design Division;
- Applicant to work with staff to ensure commercial vehicle access, including turn-around areas, complies with adopted standards.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: GARY ELLIS ENTERPRISE INC.

CONTACT: JON JANNOTTA, 41 STONEMARK DR, HENDERSON, NV 89052

TEMPORARY PARKING LOT
(TITLE 30)

FASHION SHOW DR/LAS VEGAS BLVD S

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0784-WESTWYNN, LLC:

USE PERMIT for a temporary parking lot.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; and 2) alternative parking lot design and layout.

DESIGN REVIEW for a temporary parking lot on a 7.3 acre portion of 34.6 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the north side of Fashion Show Drive, 850 feet west of Las Vegas Boulevard South within Winchester and Paradise. CG/al/ja (For possible action)

RELATED INFORMATION:

APN:

162-09-403-004; 162-16-101-009; 162-16-101-011

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Waive landscaping along Fashion Show Drive where landscaping per Figure 30.64-13 is required.
- b. Waive parking lot landscaping where landscaping per Figure 30.64-14 is required.
- c. Waive landscaping along Sammy Davis Jr Drive and Las Vegas Boulevard South where landscaping per Figure 30.64-17 is required.
2. Waive requirements for pedestrian walkways in conjunction with parking lots where required per Section 30.60.050.

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Acreage: 7.3 acre portion of 34.6 acres
- Project Type: Temporary parking lot
- Parking Provided: 772

Site Plans & History

The plans depict an existing parking lot that was partially approved as an off-site parking lot for the Venetian Resort Hotel and has existed for many years. The existing parking lot was also used by the now demolished Frontier Hotel. The parking lot has 1 access driveway along Fashion Show Drive. The existing 772 parking spaces will function as excess/overflow parking for the holidays and special events at the Fashion Show Mall and the abutting hotels. The plan indicates that a portion of the site will be used as a ride-share queuing area.

Landscaping

No landscaping exists on-site or is proposed with this request.

Applicant's Justification

The applicant indicates that the existing parking lot was previously used by the Frontier Hotel. The parking lot will be used on a temporary basis for excess/overflow parking for the Fashion Show Mall and abutting hotels until such time as it is no longer needed, or the land owner decides to develop the land or cease the use.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0592	Similar request for a temporary parking lot on an adjacent parcel to the west	Approved by BCC	September 2018
AG-0744-16	Performance Agreement and Decommissioning Plan	Accepted by BCC	October 2016
UC-0045-15	Expand the Gaming Enterprise District in conjunction with an approved resort hotel (Alon)	Approved by BCC	April 2016
UC-0492-15	High impact project/resort hotel (Alon)	Approved by BCC	October 2015
UC-0491-15	Offices within an existing modular building	Approved by BCC	September 2015
UC-0013-12	Temporary offices within an existing modular building – expired	Approved by BCC	March 2012
UC-0471-11	Allowed an art gallery with retail sales and an outdoor display area – expired	Approved by PC	November 2011
UC-1378-07	A resort hotel (The Plaza) – expired	Approved by BCC	March 2008
DR-0944-06	A modular building for a temporary sales center in conjunction with Trump Tower	Approved by PC	August 2006
UC-1476-04	A temporary sales center in conjunction with Trump Tower – expired	Approved by BCC	September 2004
WS-1084-04	Application for a temporary off-site parking lot for the Venetian Resort Hotel – expired	Approved by BCC	July 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Resorts World Resort Hotel (under development)
South	Commercial Tourist	H-1	Fashion Show Mall
East	Commercial Tourist	H-1	Wynn & Encore Resort Hotels
West	Commercial General & Commercial Tourist	M-1 & H-1	Commercial developments, Trump Hotel & a parking lot

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The existing parking lot has existed at this location for many years and has functioned without any adverse effects on contiguous properties. A similar request was approved for an adjacent parcel to the west (UC-18-0592). Staff can support a temporary parking lot at this location subject to a review to ensure the following: 1) additional improvements are not necessary in the future; 2) it is appropriate to continue the use; and/or 3) the use has ceased.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waivers of Development Standards & Design Review

Staff finds the waivers and design review are appropriate for a temporary parking lot. The waivers will not establish an undesirable precedent since the request is temporary and will provide for a reasonable use for the adjacent hotels and shopping center. This request will be subject to a review to determine any future, necessary improvements.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 1 year to commence and review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: FASHION SHOW

CONTACT: RACHEL COMMEFORD, FASHION SHOW MALL, 3200 S. LAS VEGAS BOULEVARD, SUITE 600, LAS VEGAS, NV 89109

11/20/18 BCC AGENDA SHEET

MARIJUANA ESTABLISHMENT
(TITLE 30)

CAVARETTA CT/POLARIS AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-18-0785-RIO VIEW, LLC, ET AL:

USE PERMIT to establish and expand a marijuana establishment (production) in conjunction with an existing marijuana establishment (cultivation) on 3.2 acres in an M-1 (Light Manufacturing) Zone in the MUD-1 Overlay District.

WAIVER OF DEVELOPMENT STANDARDS to reduce the front setback.

DESIGN REVIEW for a proposed expansion and addition to an existing building for an existing marijuana establishment (cultivation).

Generally located on the south and north sides of Cavaretta Court and the west side of Polaris Avenue within Paradise. SS/dg/ja (For possible action)

RELATED INFORMATION:

APN:

162-20-202-003; 162-20-202-011

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the front setback to an existing staircase railing structure to 1.8 feet and the existing building to 4.5 feet where a minimum of 20 feet is required per Table 30.40-5 (a 91% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 4375 and 4395 Polaris Avenue
- Site Acreage: 3.2
- Project Type: Marijuana establishment (production)
- Number of Stories: 1 and 2
- Building Height (feet): 29 feet (existing building and proposed addition)
- Square Feet: 36,750 proposed addition/10,684 proposed expansion/47,434 total
- Square Feet: 28,522 existing cultivation
- Parking Required/Provided: 48/64

History

UC-0344-14 was approved for a cultivation facility at this location by the Board of County Commissioners (BCC) in February 2014. The State of Nevada Department of Health and Human Service issued a provisional medical marijuana registration certificate (application #C135) for this cultivation facility in November 2014. UC-0830-16 was approved for a production facility to operate in conjunction with the existing cultivation facility in February 2017. ADR-0672-17 and ADR-0673-17 were administratively approved in June 2017 for retail cultivation and production facilities.

Site Plans

The plans depict a proposed 36,750 square foot building addition for the production facility located on the west side of the existing building on the south side of Cavaretta Court and an expansion of a production facility to a parcel on the north side of Cavaretta Court which will occupy an existing 10,684 square foot building. The intent is to combine both parcels and relocate the cul-de-sac of Cavaretta Court so the overall project site is seamless and cohesive. Parking for the 2 facilities is located on the north, east, and west sides of the buildings with access to the site provided by existing driveways from Cavaretta Court. Through the process of relocating the cul-de-sac farther east of the existing location, an existing staircase railing structure for the building on the north side of Cavaretta Court will now be set back 1.8 feet from the edge of the proposed cul-de-sac while the existing building façade will be 4.5 feet from the edge of the cul-de-sac which necessitates a reduction in front setback.

Floor Plan

The plans depict the following:

- Lobby and security area
- Offices
- Storage areas
- Restroom
- Employee break area
- Security
- Freezer
- Kitchen
- Packaging area
- Vaults
- Refinement
- Extraction

Elevations

The proposed building addition for the production facility is 2 stories, approximately 29 feet in height, and has a flat roof behind a parapet wall. The exterior walls will be constructed of concrete blocks painted in earth tone colors to match the existing building. The design of the addition and building materials are consistent with the design and materials of the existing building.

The existing building on the north side of Cavaretta Court that will expand the production facility to the north side is also the same materials with the same building type and height.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant (Polaris Enterprises, LLC) indicates that there is an existing cultivation facility located on the site. A production facility was previously approved to operate in conjunction with the cultivation facility at this location (UC-0615-15 & UC-0830-16). A building addition is proposed for the production facility that will be consistent with the existing building. A waiver of development standards to reduce the front setback to an existing building is part of this request. The setback reduction is justified since Cavaretta Court is a private street that serves only 4 properties and functions more as a drive aisle rather than a private street. Unlike a dispensary or other manufacturing uses, these facilities will not be open to the public. Customers and visitors will not come to this site.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-0693-17	Retail production facility in conjunction with a cultivation facility on the same site.	Approved Administratively	June 2017
ADR-0692-17	Retail cultivation facility in conjunction with a cultivation facility on the same site.	Approved Administratively	June 2017
UC-0830-16	Medical marijuana establishment (production) in conjunction with an existing medical marijuana establishment (cultivation) with reduced parking and a building addition	Approved by BCC	February 2017
UC-0615-15 (ET-0082-16)	Extension of time to complete a Medical marijuana establishment (production) - expired	Held no date	May 2016
UC-0344-14 (ET-0137-15)	Extension of time to complete an approved medical marijuana establishment (cultivation)	Approved by BCC	December 2015
UC-0615-15	Medical marijuana establishment (production) which included a waiver to reduce parking - expired	Approved by BCC	October 2015
UC-0344-14	Amended use permit for a medical marijuana establishment (cultivation) on 3 acres by adding APN 162-20-202-003 to the project site	Approved by BCC	February 2015
UC-0344-14	Original application for a medical marijuana establishment (cultivation) on 0.5 acres on APN 162-20-202-012	Approved by BCC	June 2014
DR-1276-96	Office/warehouse	Approved by PC	September 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Commercial Tourist	M-1 & H-1	Office/warehouse buildings and complexes

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Plan. One of several criteria the applicant must establish is the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. The separation survey shows that all the required separations are being met for the expanded site on the north side of Cavaretta Court. The applicant has submitted the required security and transportation plans. The location analysis indicates that the site has good access from Tropicana Avenue and I-15 which are within 1 mile of the facility. A crime report indicating the locations of crimes within a 1 mile radius of the site that were reported to the Las Vegas Metropolitan Police was submitted for the 60 days prior to submittal of this application. The security plan addresses the need for interior and exterior security of the facility, and the transportation plan discusses the security of delivery services. Building elevations indicate that a professional appearance will be maintained.

Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses and value of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The proposed production facility and existing cultivation facility are light industrial uses. Unlike a dispensary or other manufacturing uses, these facilities will not be open to the public. Customers and visitors will not come to this site, therefore, the private street will only be necessary for employees. In order to maintain a radius that allows for the prescribed vehicle turning radius, the reconfigured cul-de-sac will be closer to the existing building on the north side of Cavaretta Court. While staff would not normally support such a reduction, the particular constraints of this site and the fact that the private street will function more like a drive aisle, staff can support the reduced setback.

Design Review

The proposed building addition and facility expansion for the production facility is consistent with the existing building and is similar in design to other buildings in the area. Therefore, the

building is consistent with architectural style of the area, and is compatible with the existing developments. Therefore, staff can support the design review.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- A valid Clark County business license must be issued for this establishment within 2 years of approval or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Department of Air Quality.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0577-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: POLARIS ENTERPRISES, LLC
CONTACT: GEORGE ROGERS, GMRA, 6325 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118

TAVERN
(TITLE 30)

FLAMINGO RD/HUGH HEFNER DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-18-0787-3883 FLAMINGO CENTER, LLC:

USE PERMITS for the following: 1) on-premises consumption of alcohol (tavern); and 2) reduce the separation to a residential use for a proposed tavern in conjunction with a shopping center on a 4.8 acre portion of 8.6 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the southeast corner of Flamingo Road and Hugh Hefner Drive within Paradise. SS/al/ja (For possible action)

RELATED INFORMATION:

APN:
162-19-512-001 ptn

USE PERMITS:

1. Permit a tavern within a shopping center in an H-1 zone.
2. Reduce the separation between a tavern and a residential use to 120 feet where a minimum of 200 feet is required per Table 30.44-1 (a 40% reduction).

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:
Project Description
General Summary

- Site Address: 3883 W. Flamingo Road
- Site Acreage: 4.8 acre portion of an 8.6 acre parcel
- Project Type: Tavern in conjunction with an approved shopping center
- Number of Stories: 1
- Building Height (feet): 25
- Square Feet: 4,205
- Parking Required/Provided: 145/165 for shopping center

History & Request

UC-0703-16 was approved by the Board of County Commissioners (BCC) in January 2017 for 3 separate developments on an 8.6 acre property. These developments included a shopping center, a hotel, and a multiple family residential development. The parcel has since been subdivided and

the site of the multiple family development is on a separate parcel from the shopping center and hotel developments. Subsequent land use applications have been submitted and approved for modifications to the hotel and the multiple family residential development. The shopping center consisted of 4 buildings and a pad site for future development. The hotel was approved for 260 rooms with a height of 186 feet and the residential development was approved for 285 units at a density of 86.3 dwelling units per acre. There is a related item on this agenda, WS-18-0789, to increase the height of the hotel and to increase the number of rooms. This request is to allow a tavern within a building that was approved as a restaurant within the shopping center.

Site Plan

The plans depict a shopping center consisting of 5 buildings that include 4 restaurants (Wahoo's, Denny's, Chick-fil-A and Del Taco) and a Walgreens. The Chick-fil-A and Del Taco restaurants will have drive-thru services. The shopping center has frontage along Flamingo Road (north), Valley View Boulevard (east), and Hugh Hefner Drive (west), and the plans depict access from each of these streets. The request is to allow the Wahoo's restaurant to be a tavern. The Wahoo's building is located on the northwest corner of the shopping center.

Landscaping

Landscaping for the site was approved by previous land use applications and no changes are proposed or required with this request. Landscaping is depicted adjacent to the streets, the parking areas, and the buildings.

Elevations

The approved building is 1 story with a height of 25 feet, with a flat roof behind parapet walls. The exterior of the building is a combination of brick and stucco, painted in earth tone colors. Similar architectural features are depicted on all sides of the structure to enhance the appearance of the building.

Floor Plans

The plans depict a tavern with an area of 4,205 square feet with seating for 145 customers. The southern portion of the building is the bar and dining area. The northern portion of the building consists of the customer service area, kitchen, food prep area, storage areas, offices, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed tavern is consistent and compatible with other uses within the shopping center, and with other developments on the abutting properties. The proposed tavern will increase the local tax base, provide additional employment opportunities for the area, and provide an additional dining option for residents and employees of the abutting developments. The residential use is an approved multiple family residential development with the shopping center, and a hotel and on-premises consumption of alcohol (service bar) was approved with the original application (UC-0703-16) for the shopping center, hotel and multiple

family development. Additionally, the Palms Resort Hotel, which is a more intense use, is located to the west across Hugh Hefner Drive.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-18-0707	A restaurant in conjunction with an approved shopping center	Approved by BCC	October 2018
WS-18-0261	Shopping center and hotel with waivers to increase building height, reduced setbacks, reduced parking, alternative landscaping, and alternative driveway design	Approved by BCC	May 2018
WS-18-0112	Increased the number of animated signs and a design review for signage in conjunction with an approved shopping center	Approved by BCC	April 2018
TM-0009-17	A map consisting of a commercial lot and a residential lot with 290 multi-family residential units	Approved by PC	March 2017
VS-0054-17	Vacated a 5 foot wide portion of right-of-way being Valley View Boulevard	Approved by PC	March 2017
UC-0703-16	Increased density and building height with waivers of development standards to reduce setback from an arterial street and reduce parking for a multi-family residential development and design reviews for a multi-family residential development, hotel, and shopping center	Approved by BCC	January 2017
UC-0314-08	Resort hotel and expansion of the Gaming Enterprise District – expired	Approved by BCC	August 2008
UC-1253-05	Shopping center – expired	Approved by BCC	October 2005
UC-0884-04	Planned unit development consisting of 542 residential units – expired	Approved by BCC	August 2004
ZC-1404-94	Reclassified the subject site to H-1 zoning	Approved by BCC	September 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Gold Coast Resort Hotel
South	Commercial Tourist	M-1	Parking lot & warehouse facilities
East	Commercial Tourist & Public Facilities	M-1	Undeveloped parcels & an electrical substation
West	Commercial Tourist	H-1	Palms Resort Hotel

Related Applications

Application Number	Request
WS-18-0789	A waiver of development standards to modify an approved hotel is a related item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The site is located within an H-1 zone in an area that is designated Commercial Tourist in the Winchester/Paradise Land Use Plan. This plan designation is intended for commercial and residential developments of higher densities and intensities. There are existing resort hotels (Gold Coast and Palms) on abutting properties, which are more intense uses than the proposed tavern. Taverns have been approved in other shopping centers in the County that are adjacent to multiple family residential developments. Since this area is zoned and planned for high intensity commercial and residential uses, and there are existing resort hotels in the area, staff finds the proposed tavern to be an appropriate use of the area.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CAI INVESTMENTS

CONTACT: RICHARD SERFAS, 2129 STONE CROFT STREET, LAS VEGAS, NV 89134

DRAFT

HOTEL
(TITLE 30)

VALLEY VIEW BLVD/NEVSO DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-18-0789-3883 FLAMINGO CENTER, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce the height setback to an arterial street for a proposed hotel; 3) reduce parking; 4) increase the number of tandem spaces; 5) alternative parking layout; and 6) alternative driveway geometrics and design.

DESIGN REVIEW for modifications to an approved hotel on 4.8 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the northwest corner of Nevso Drive and Valley View Boulevard within Paradise. SS/al/ja (For possible action)

RELATED INFORMATION:

APN:
162-19-512-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height for a proposed hotel to 236 feet where 186 feet was previously approved and where 100 feet is the standard per Table 30.40-7 (a 26.9% increase from previous and an 136% increase from standard).
2. Reduce the height setback for a proposed hotel adjacent to an arterial street (Valley View Boulevard) to 10 feet where a minimum of 75.3 feet is required per Figure 30.56-4 (a 86.7% reduction).
3. Reduce parking for a proposed hotel to 215 spaces where a minimum of 314 spaces are required per Table 30.60-1 (a 33.7% reduction).
4. Increase the number of tandem parking spaces to 66 spaces where a maximum of 64 spaces are permitted per section 30.60.050 (a 3.1% increase).
5. Permit an alternative parking layout with spaces a minimum of 8 feet wide and 16.5 feet in length with 20 foot wide drive aisles where a parking lot layout per Table 30.60-4 and Figure 30.60-1 are required.
6.
 - a. Reduce the departure distance from an intersection to a driveway to zero feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1.
 - b. Reduce throat depth to a minimum of 18 feet where throat depth per Uniform Standard Drawing 222.1 is required.
 - c. Reduce the driveway width to 22 feet where a driveway width per Uniform Standard Drawing 222.1 is required.

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 3821 W. Flamingo Road
- Site Acreage: 4.8
- Number of Units: 284
- Project Type: Modifications to an approved hotel
- Number of Stories: 21
- Building Height (feet): 236
- Square Feet: 222,297
- Parking Required/Provided: 314/215

History & Request

UC-0703-16 was approved by the Board of County Commissioners (BCC) in January 2017 for 3 separate developments on the property including a shopping center, a hotel, and a multiple family residential development. The property has since been subdivided and the site of the multiple family residential development is on a separate parcel. The plans approved for the hotel by UC-0703-16 depicted 250 rooms with a height of 177 feet. In May 2018, the BCC approved WS-18-0261 with modifications to the approved hotel, which included the following: an increase to 260 rooms, a building height of 186 feet, reductions in setbacks, alternative landscaping, and reduced parking.

Site Plan

The hotel site has frontage along Nevso Drive and Valley View Boulevard and is set back a minimum of 10 feet from these streets. The hotel was originally approved in conjunction with a shopping center and multiple family residential development. Shared drive aisles with the shopping center and the residential development provide access to the hotel from Hugh Hefner Drive and Valley View Boulevard. The hotel is set back 10 feet from Valley View Boulevard and Nevso Drive and is zero feet from the common property line (west side) with the residential development. A waiver of development standards was approved with WS-18-0261 to reduce the setback to this property line. The plans depict an access driveway from Nevso Drive for delivery trucks for the hotel.

Landscaping

Alternative landscaping was approved with previous land use applications for this site. A minimum 10 foot wide landscape area with a detached sidewalk consisting of trees, shrubs, and groundcover is being provided along Valley View Boulevard. The landscape area adjacent Nevso Drive has attached sidewalks with minimum 10 foot wide landscape areas consisting of trees, shrubs, and groundcover.

Elevations

The request is to allow a maximum height of 236 feet for the hotel. The plan indicates the building will be 233 feet in height and the extra height is to allow for necessary lighting, antennas, or screening. The applicant has submitted a Notice of Proposed Construction or Alteration to the Federal Aviation Administration (COLLI-000488412-18) for the building height, which is pending review. The building has a flat roof behind a parapet wall with a combination stucco finish, decorative metal panels, and a roof top deck and pool area.

Floor Plans

The proposed hotel has 21 stories and a basement level. The basement level consists of back of house areas (laundry, employee locker areas, storage). The ground floor will consist of a lobby area and the entrance to the parking garage, which includes parking for guests checking in and loading spaces for deliveries. The next 5 levels are a parking garage, which depict an alternative parking layout for all of the spaces within the parking garage. The seventh floor consists of conference rooms, offices, and storage areas. The eighth floor consists of the front desk/lobby, a restaurant, and offices. Floors 9 through 20 consist of the guest rooms and the 21st floor consists of a fitness center with a roof top pool and deck. The proposed plans depict an increase of 34 guest rooms from the previous approval for the hotel.

Signage

Signage is not a part of this request.

Applicant's Justification

The project is designed to be compatible with existing developments in the area. The waivers of development standards are necessary due to the limited area on the site for the hotel. The height setback ratio reduction is necessary for the proposed hotel to allow it at a location that will not block the view of the other developments in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-18-0261	Modifications to an approved shopping center and hotel	Approved by BCC	May 2018
WS-18-0112	Increased the number of animated signs and a design review for signage in conjunction with an approved shopping center	Approved by BCC	April 2018
WS-18-0030	Alternative street landscaping and a design review for revisions to an approved multiple family residential development	Approved by BCC	March 2018
TM-0009-17	Commercial lot and a residential lot with 290 multi-family residential units	Approved by PC	March 2017
VS-0054-17	Vacate and abandon a 5 foot wide portion of right-of-way being Valley View Boulevard	Approved by PC	March 2017

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0703-16	Increase density and building height; waivers of development standards to reduce setback from an arterial street and reduce parking for a multi-family residential development; and design reviews for a multi-family residential development, hotel, and shopping center	Approved by BCC	January 2017
UC-0314-08	Resort hotel and expansion of the Gaming Enterprise District – expired	Approved by BCC	August 2008
UC-1253-05	Shopping center – expired	Approved by BCC	October 2005
UC-0884-04	Planned unit development consisting of 542 residential units – expired	Approved by BCC	August 2004
ZC-1404-94	Reclassified the subject site to H-1 zoning	Approved by BCC	September 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Gold Coast Resort Hotel & an approved shopping center approved with the hotel
South	Commercial Tourist	M-1	Parking lot & warehouse facilities
East	Commercial Tourist & Public Facilities	M-1	Undeveloped parcels & an electrical substation
West	Commercial Tourist	H-1	Palms Resort Hotel & an approved multiple family residential development approved with the hotel

Related Applications

Application Number	Request
UC-18-0787	A use permit for a tavern on the same property is a related item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the

property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waivers of Development Standards #1 through #5 & Design Review

This location has been approved for a hotel by 2 previous applications UC-0703-16 and WS-18-0261. With each application the hotel has increased in building height, area, and room count. These prior approvals have included reductions in parking. Now the applicant is not only requesting a reduction in the number of parking spaces the applicant is also seeking to provide an alternative parking lot layout. The spaces that are being provided do not comply with the minimum required widths and length and the drive aisles are being reduced in width. Staff is concerned that the proposed parking layout will create conflicts with on-site traffic circulation. Drivers of many standard size vehicles or larger vehicles (vans and pick-up trucks) will not be able to safely maneuver in and out of the parking spaces. Therefore, staff finds the proposed parking for the hotel is not adequate for the project and cannot support the request to modify the approved hotel.

Public Works - Development Review

Waiver of Development Standards #6

Staff finds the 3 portions of the request for waiver #6 to be excessive, self-imposed, and dangerous. The applicant indicates that the reduced distance between Valley View Boulevard and the truck loading dock driveway on Nevso Drive will only be used for a few hours each weekday from 5:00 a.m. to 7:00 a.m. The applicant further states that instead of having semi-trucks make 3-point turns in the public right-of-way, which would be required if an exiting truck were to turn left onto Nevso Drive, trucks will only be permitted to turn right when they exit. The applicant's desire to place strict limitations on the times and maneuvers at the Nevso Drive driveway show that there is a mutual understanding that the driveway will not function properly. The aforementioned does not even take into account the fact that the driveway, which will only be used by trucks, is proposed to only be 22 feet wide. The applicant also failed to take into account that with the existing drop inlet for the storm drain system, the driveway will need to be made even smaller to ensure proper spacing between the inlet and the curb cut. Little detail has been provided on how the loading dock will work and whether or not it is secured, although it appears that a sliding gate will be incorporated at the entrance, only 10 feet from the back of sidewalk, which is not in compliance with Title 30 standards. However, it appears that trucks will be expected to pull straight in and then back up into a dock space. While this might be achievable for smaller delivery trucks, it appears that there is insufficient space to allow a semi-truck to accomplish the movement. With a gate or other similar security measure provided at the loading area, trucks will stack in Nevso Drive and likely into Valley View Boulevard. Valley View Boulevard is a major arterial street that will only see traffic volumes rise when the Valley View Boulevard/Harmon Avenue/UPRR grade separation project is completed. Another vehicular choke point exists at the Valley View Boulevard driveway since the hotel is planned very close to the right-of-way with parking and a porte-cochere designed in such a way that may result in vehicles being stuck in the main drive aisles while waiting for clearance to move onto the hotel site. The circulation as designed may increase vehicular and pedestrian conflicts and may result in vehicles stacking into Valley View Boulevard.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Nevso Drive and associated spandrels;
- Additional right-of-way dedications as required by the traffic study to accommodate any physical improvements and pedestrian volumes generated by this project;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Nevada Department of Transportation approval.
- Applicant is advised that the installation of detached sidewalks may require the vacation of excess right-of-way or the dedication of right-of-way to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD is unable to verify sewer capacity based on this zoning application; to find instruction for submitting a Point of Connection (POC) request on the CCWRD website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

**TAB/CAC:
APPROVALS:
PROTESTS:**

APPLICANT: CAI INVESTMENTS

CONTACT: RICHARD SERFAS, 2129 STONE CROFT STREET, LAS VEGAS, NV 89134

GELATO STAND
(TITLE 30)

LAS VEGAS BLVD S/HARMON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0793-PHW LV, LLC:

USE PERMITS for the following: **1)** permit an accessory use (retail booth) to not have primary access through a resort hotel; and **2)** deviations per plans on file.

DEVIATIONS for the following: **1)** permit retail sales (gelato stand) to be conducted outside and not within an enclosed building; and **2)** all other deviations per plans on file.

DESIGN REVIEWS for the following: **1)** a retail booth (gelato stand); and **2)** modifications to an approved comprehensive sign package in conjunction with an existing resort hotel (Planet Hollywood) on a portion of 37.4 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the east side of Las Vegas Boulevard South and the north side of Harmon Avenue within Paradise. JG/al/ja (For possible action)

RELATED INFORMATION:

APN:

162-21-210-000; 162-21-210-003 through 162-21-210-005; 162-21-210-007; 162-21-210-009; 162-21-210-010; 162-21-210-012 through 162-21-210-013

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 3663 & 3667 Las Vegas Boulevard South
- Site Acreage: 37.4 (portion)
- Project Type: Retail booth (gelato stand) and amend the comprehensive sign package
- Number of Stories: 1
- Building Height (feet): 12
- Square Feet: 370
- Open Space Required/Provided: 5,407/5,513 (resort hotel)

Site Plans

The plans show an existing resort hotel (Planet Hollywood) located on a 37.4 acre property. Access to the site is from Las Vegas Boulevard South, Harmon Avenue, and Audrie Street. The

request is to allow a retail booth (gelato stand) along the west side of the resort hotel abutting the sidewalk/pedestrian access easement along Las Vegas Boulevard South. This space is an unobstructed private sidewalk area along the side of the building. The gelato stand is located on the west side of the Planet Hollywood Resort Hotel set back approximately 260 feet from the northern property line of the resort hotel; and is set back approximately 28 feet from the west property line along Las Vegas Boulevard South. The plans also indicate the gelato stand is set back 4.5 feet from the sidewalk/pedestrian access easement located along the west side of the Planet Hollywood Resort Hotel.

Landscaping

No changes are proposed or required to existing landscape areas with this request.

Elevations

The gelato stand is 12 feet in height with the employee entrance located on the south side of the stand. Portions of the gelato stand are located under a canopy for the resort hotel, and an existing column for the canopy is being incorporated into the gelato stand for signage. There is an awning along the west side of the gelato stand that extends out 1.5 feet from the front of the structure. The awning is intended to help shade the gelato in display cases located along the west side of the stand. Building materials for the stand are consistent with the existing resort hotel.

Floor Plans

The gelato stand has an area of 370 square feet. Display cases for products are located along the west side of the stand, facing the pedestrian access easement. There are open windows above the display cases to allow customers to walk up to the stand and place their order. The customers will then proceed to the point of sale areas located on the north and south sides of the stand. The plans indicate that the customer queuing area for sales is located along the north and south sides of the stand and the lines will que to the east away from the pedestrian access easement.

Signage

The plans depict 7 additional wall signs in conjunction with the gelato stand. None of the proposed signs will be animated. The signs are located on the leading edge of the awning, over the point of sale locations, on the west side of the stand and around the existing column. The sign around the column will have the appearance of ice cream cones that are approximately 8 inches in height. The other signs will consist of channel letters within sign cabinets.

The following table is a summary for signage for the resort hotel:

Type of sign	Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
*Freestanding	14,020	0	14,020	18,445	N/A	5	0	5
*Wall	119,780	125	119,905	35,360	239	134	7	141
*Roof Sign	1,834	0	1,834	0	N/A	8	0	8
*Projecting	1,339	0	1,339	**32	N/A	8	0	8
Hanging	27	0	27	**32	N/A	2	0	2
Directional	610	0	610	256	138	8	0	8

Type of sign	Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
Overall Total	137,610	125	137,735	54,125	N/A	165	7	172

*The freestanding, wall, roof, and projecting signs also contain animation.

**Per tenant

The details for animated signs are listed below:

Type of sign	Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
Animated	92,508	0	92,508	***450	20,443	37	0	37

***150 square feet permitted per street frontage.

Applicant's Justification

The applicant indicates that the proposed gelato stand will provide refreshments to tourists within the Resort Corridor. The gelato stand will enhance the pedestrian experience along Las Vegas Boulevard, South and similar businesses have been approved for this Planet Hollywood Resort Hotel and for other resort hotels within the Resort Corridor.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-18-0705	Modifications to an existing patio area and an amended comprehensive sign package	Approved by BCC	October 2018
VS-18-0128	Vacated a pedestrian access easement	Approved by PC	April 2018
UC-0544-17	Facade changes, outside dining and drinking areas, and modification to an approved comprehensive sign plan for a restaurant within a shopping center (Miracle Mile Shops)	Approved by BCC	August 2017
UC-0348-16	Amended an approved comprehensive sign plan to include wall signs, a projecting sign, and animated signs for a restaurant within a shopping center (Miracle Mile Shops)	Approved by BCC	July 2016
UC-0342-16	Amended an approved comprehensive sign plan to include additional wall signs, roof signs, and animated signs (video units) for a restaurant within an existing shopping center (Miracle Mile Shops)	Approved by BCC	July 2016
UC-0209-16	Facade remodel and additions to a portion of an existing shopping center (Miracle Mile Shops) for a proposed restaurant with an outside dining and drinking area	Approved by BCC	May 2016

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0676-15	Amended comprehensive sign package for an existing resort hotel (Planet Hollywood)	Approved by BCC	November 2015
UC-0985-14	Amended comprehensive sign package for a restaurant in a shopping center (Miracle Mile Shops) in conjunction with the Planet Hollywood Resort Hotel	Approved by BCC	February 2015
UC-0359-11	Escalator attachments to an existing pedestrian bridge and modifications of a shopping center in conjunction with an existing resort hotel (Planet Hollywood)	Approved by BCC	September 2011
UC-0402-10	Comprehensive sign package in conjunction with an existing resort hotel (Planet Hollywood)	Approved by BCC	October 2010
VS-0394-10	Modify existing pedestrian access easements	Approved by BCC	October 2010
UC-0370-10	Exterior façade change, outside sales/display (retail enclosure), allow access not from the interior of the resort, and outside dining and drinking	Approved by BCC	September 2010
UC-0340-10	Additional signs in conjunction with an approved restaurant (PBR Rock Bar)	Approved by BCC	September 2010
UC-0192-10	Permit primary access to the outside dining area from an existing secondary access, and modify a portion of the building façade to accommodate a restaurant (PBR Rock Bar)	Approved by BCC	June 2010
UC-1613-05	Façade remodel and comprehensive signage including roof signs	Approved by BCC	December 2005
UC-1115-05	Remodel to the frontage of the resort with deviations for setbacks and signage	Approved by BCC	August 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Paris Resort Hotel
South	Commercial Tourist	H-1	Shopping center (Harmon Corner), commercial buildings, & Chateau Hotel timeshare
East	Commercial Tourist	H-1	Parking lot
West	Commercial Tourist	H-1	Shopping center (Crystals), Cosmopolitan Resort Hotel, & Bellagio Resort Hotel

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permits, Deviations, & Design Reviews

Similar uses have been approved for this property and for other resort hotels within the Resort Corridor; however, staff is concerned with the close proximity of the proposed gelato stand and the existing pedestrian access easement located 4.5 feet to the west of the site. Las Vegas Boulevard South is a major tourist destination. In order to accommodate high volumes of pedestrian traffic through the Resort Corridor, a system of public sidewalks and pedestrian access easements have been established. The County has worked to keep these sidewalks and pedestrian access easements free of impediments that can disrupt the foot traffic through these areas. In order to improve the flow of foot traffic the County has had obstacles (landscape areas, utilities) removed from these sidewalks and pedestrian access easements. In recent years the County has also established shy spaces, a 3 foot wide strip adjacent to the pedestrian access easements, with new construction to further limit possible impediments to pedestrian traffic. The proposed gelato stand will be a minimum of 4.5 feet for a pedestrian access easement. The design of the facility has customers standing between the gelato stand and the pedestrian access easement to place orders. Staff is concerned that this design will result in customers queuing into the pedestrian access easement, which will impede foot traffic in the area. Past experience has also shown that operators for these types of facilities have placed temporary signage in front of their businesses to attempt to draw foot traffic. In this case any temporary signage could be located within the easement which would also impede foot traffic. Due to the design and close proximity to the pedestrian access easement, staff does not support this request.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: COCOLINI II, LLC

CONTACT: ZACH BROYLES, IZ DESIGN STUDIO, 1701 W. CHARLESTON
BOULEVARD, SUITE 260, LAS VEGAS, NV 89102

DRAFT