



If you do not wish to attend the meeting in person, but would like to comment on an item appearing on this agenda, please submit your comments to [bva@clarkcountynv.gov](mailto:bva@clarkcountynv.gov), before 5:00 pm, on February 23, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- III. Approval of Minutes November 10, 2020 (For possible action)
- IV. Approval of Agenda for February 23, 2021 and Hold, Combine or Delete Any Items (For possible action)
- V. Informational Items(for discussion)
- VI. Planning & Zoning

1. **UC-21-0024-CARNABY SQUARE, LLC:**

**USE PERMIT** to allow a pharmacy and medical supply business in conjunction with an existing in-line retail center on 1.0 acre in an H-1 (Limited Resort and Apartment) (AE-60) Zone in the Midtown Maryland Parkway District. Generally located on the west side of Maryland Parkway, 175 south of Dumont Boulevard within Paradise. TS/rk/jd (For possible action)

2. **UC-21-0031-CY & RI HERITAGE INN PALMDALE ETAL & CY HERITAGE INN DAYTON, INC:**

**USE PERMIT** for a health club within an existing commercial/industrial complex on a portion of 10.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Dean Martin Drive, 150 feet south of Hotel Rio Drive within Paradise. MN/lm/jd (For possible action)

3. **UC-21-0036-RACKS & STACKS, LLC:**

**USE PERMITS** for the following: 1) banquet facility; 2) nightclub; 3) recreational facility; 4) live entertainment (outdoor); 5) on-premises consumption of alcohol; 6) outside dining, drinking and cooking; 7) eliminate the protective barrier between the outside dining/drinking area and parking area; 8) eliminate the pedestrian access around the perimeter of the outside dining/drinking area; 9) allow the primary means of access to an outside dining/drinking area from the drive aisle where the primary means of access is required through the interior of a restaurant; and 10) permit outside dining, drinking, and cooking in conjunction with an outdoor live entertainment venue.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce parking; 2) reduce interior parking lot landscaping; and 3) permit parking spaces to be unstriped.

**DESIGN REVIEWS** for the following: 1) an outdoor live entertainment venue; and 2) parking lot area in conjunction with an existing office/warehouse building on 3.0 acres in an M-1 (Light Manufacturing) Zone. Generally located on the east side of Arville Street, 620 feet north of Tropicana Avenue within Paradise. MN/md/jd (For possible action)

4. **WS-21-0035-WESTWYNN LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase fence height.  
**DESIGN REVIEW** for a fence and lighting in conjunction with undeveloped lots on 18.4 acres in a H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South and the north side of Fashion Show Drive within Winchester and Paradise. TS/md/jd (For possible action)

VII. General Business (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.

If you would like to provide written general public comment on an item not appearing on this agenda, but within the general jurisdiction of this body, please submit your comments via email to [bva@clarkcountynv.gov](mailto:bva@clarkcountynv.gov), before 5:00 pm, February 23, 2021. Please include your name, address, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

IX. Next Meeting Date: March 9, 2021

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  
MARILYN KIRKPATRICK, CHAIR – JAMES B. GIBSON, Vice-Chair  
JUSTIN C. JONES – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM  
YOLANDA KING, County Manager



## Paradise Town Advisory Board

February 9, 2021

### MINUTES

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Board Members:	John Williams –Chair- <b>PRESENT</b> Susan Philipp - Vice Chair- <b>PRESENT</b>	Joh Wardlaw– <b>PRESENT</b> Katlyn Cunningham – <b>PRESENT</b>
Secretary:	Maureen Helm 702-606-0747 mhelmtab@gmail.com	
Town Liaison:	Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov	

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I. Call to Order, Pledge of Allegiance, Roll Call(see above), County Staff Introductions

Al Laird; Planning, Blanca Vazquez; Town Liaison

Meeting was called to order by Chair Wardlaw at 7:00 p.m.

II. Public Comment:  
None

III. Approval of November 10, 2020 Minutes

**Moved by: Philipp**  
**Action: Approve as submitted**  
**Vote: 4-0 Unanimous**

Approval of Agenda for February 9, 2021

**Moved by: Wardlaw**  
**Action: Approve as submitted**  
**Vote: 4-0 Unanimous**

IV. Informational Items  
None

V. Planning & Zoning

1. **ET-20-400157 (UC-18-0102)-CHURCH FIRST CONGREGATIONAL:**  
**USE PERMIT FIRST EXTENSION OF TIME** for a place of worship within an existing office building.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative landscaping; 2) waive bicycle parking; 3) alternative parking lot design and layout; 4) reduced driveway throat depth; and 5) permit existing nonstandard improvements to remain within a right-of-way.  
**DESIGN REVIEW** for modifications to an existing commercial development for a place of worship within an existing office building on 0.5 acres in a C-P (Office and Professional) (AE-60) Zone within the Russell Road Transition Corridor Overlay District. Generally located on the northeast corner of Russell Road and Horseshoe Drive within Paradise. JG/sd/jd (For possible action)  
PC 3/2/21

**MOVED BY-Philipp**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

2. **UC-20-0590-GEORGINO, JOHN P. FAMILY TRUST & GEORGINO, JOHN P. TRS:**  
**USE PERMIT** for alcohol, on-premises consumption (service bar).  
**DESIGN REVIEW** for restaurant expansion on a portion of 0.9 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the southwest corner of Valley View Boulevard and Dewey Drive within Paradise. MN/bb/jd (For possible action)  
PC 3/2/21

**MOVED BY-Wardlaw**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

3. **UC-21-0021-TROP NELLIS, LLC:**  
**USE PERMIT** to eliminate the pedestrian access around the outside dining/drinking area.  
**DESIGN REVIEW** for a proposed fast food restaurant with a drive-thru on a portion of a 5.9 acre site in a C-2 (General Commercial) Zone. Generally located on the north side of Tropicana Avenue and the west side of Nellis Boulevard within Paradise. TS/rk/jd (For possible action)  
PC 3/2/21

**MOVED BY-Philipp**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

4. **UC-21-0024-CARNABY SQUARE, LLC:**  
**USE PERMIT** to allow a pharmacy and medical supply business in conjunction with an existing in-line retail center on 1.0 acre in an H-1 (Limited Resort and Apartment) (AE-60) Zone in the Midtown Maryland Parkway District. Generally located on the west side of Maryland Parkway, 175 south of Dumont Boulevard within Paradise. TS/rk/jd (For possible action)  
PC 3/2/21

**Item held per applicant. Return to the 2/23/2021 Paradise town board**

5. **WS-20-0597-KHACH, LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** to increase block wall height.  
**DESIGN REVIEW** for a block wall in conjunction with a vehicle (automobile) paint and body shop on 0.9 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Tropicana Avenue, 200 feet west of Harrison Drive within Paradise. JG/jt/jd (For possible action)  
PC 3/2/21

**MOVED BY-Wardlaw**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

6. **DR-20-0520-SCHOOL BOARD OF TRUSTEES:**  
**DESIGN REVIEWS** for the following: 1) finished grade; and 2) retaining walls in conjunction with a school on 8.0 acres in a P-F (Public Facilities) Zone. Generally located on the north side of Cherokee Lane, 100 feet east of Algonquin Drive within Paradise. TS/ja/jd (For possible action)  
BCC 3/3/21

**MOVED BY- Wardlaw**  
**DENIED – Applicant did not provide sufficient information to approve. Applicant was asked to meet with neighbors prior to BCC and provide elevation plans to show the increase in grade.**  
**VOTE: 4-0 Unanimous**

7. **ET-21-400007 (UC-18-0631) -VEGAS 888 LAND CO, LLC:**  
**USE PERMIT FIRST EXTENSION OF TIME** to commence lodging, long/short term in an H-1 zone.  
**WAIVER OF DEVELOPMENT STANDARDS** to allow a lodging facility to be predominately used for long-term lodging in conjunction with an approved multiple family residential development on a 3.3 acre portion of an 8.6 acre site in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northeast corner of Hugh Hefner Drive and Nevso Drive within Paradise. MN/jgh/jd (For possible action)  
BCC 3/3/21

**MOVED BY-Philipp**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

8. **UC-21-0011-3950, LLC:**  
**USE PERMIT** for a proposed cannabis cultivation facility on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone in the Adult Use Overlay District. Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/jor/jd (For possible action)  
BCC 3/3/21

**MOVED BY-Wardlaw**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

9. **UC-21-0012-3950, LLC:**  
**USE PERMIT** for a proposed cannabis production facility on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone in the Adult Use Overlay District. Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/jor/jd (For possible action)  
BCC 3/3/21

**MOVED BY-Wardlaw**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

10. **WS-21-0013-3950, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) parking lot landscaping; 2) pedestrian walkway; 3) mechanical equipment screening; 4) reduced throat depth; and 5) driveway geometrics.  
**DESIGN REVIEW** for a proposed cannabis facility building on a portion of 4.9 acres in an M-1 (Light Manufacturing) Zone in the Adult Use Overlay District. Generally located on the north side of Tompkins Avenue, 300 feet east of Wynn Road within Paradise. MN/jor/JD (For possible action)  
BCC 3/3/21

**MOVED BY-Wardlaw**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

11. **WS-21-0019-N & G SHOWCASE LLC:**  
**WAIVER OF DEVELOPMENT STANDARDS** for increased wall sign area.  
**DESIGN REVIEW** for modification to an approved comprehensive sign package on a 0.5 acre portion of a 6.0 acre site in an H-1 (Limited Resort and Apartment) and an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Las Vegas Boulevard South, 950 feet north of Tropicana Avenue within Paradise. JG/bb/jd (For possible action)  
BCC 3/3/21

**MOVED BY-Wardlaw**  
**APPROVE – Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

- VI. General Business
1. Motion was made by Wardlaw to appoint Williams as Chair  
**VOTE 4-0**  
Motion was made by Williams to appoint Philipp as Vice-Chair  
**VOTE 4-0**
  2. Motion made by Philipp to approve TAB Bylaws as submitted  
**VOTE 4-0**

- VII. Public Comment  
**None**

- VIII. Next Meeting Date  
**The next regular meeting will be February 23, 2021**

- IX. Adjournment  
**The meeting was adjourned at 8:00 p.m.**

03/02/21 PC AGENDA SHEET

PHARMACY/MEDICAL SUPPLY  
(TITLE 30)

MARYLAND PKWY/DUMONT BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0024-CARNABY SQUARE, LLC:

USE PERMIT to allow a pharmacy and medical supply business in conjunction with an existing in-line retail center on 1.0 acre in an H-1 (Limited Resort and Apartment) (AE-60) Zone in the Midtown Maryland Parkway District.

Generally located on the west side of Maryland Parkway, 175 south of Dumont Boulevard within Paradise. TS/rk/jd (For possible action)

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RELATED INFORMATION:

**APN:**

162-15-602-003

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3585 S. Maryland Parkway
- Site Acreage: 1
- Project Type: Pharmacy and medical supply

Site Plans

The plans depict an existing in-line retail building consisting of 15,600 square feet located in the Carnaby Square Shopping Center. The 1,400 square foot pharmacy is located near the southern end of the building, oriented towards Maryland Parkway to the east. Access to the retail center is granted via 2 existing commercial driveways adjacent to Maryland Parkway.

Landscaping

No changes are proposed or required to the existing landscaping.

Elevations

The photos show an existing 1 story building, painted in earth tone colors with a flat roof and parapet walls.



Floor Plan

The 1,400 square foot floor area consists of a retail shop, pick-up window, pharmacy area, storage, and a restroom.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, the pharmacy/drugstore, will not create any negative impacts because the business is in a shopping center where this type of use can be typically found. Furthermore, the business has knowledgeable staff who will provide a clean and safe environment for customers.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1497-07	Convenience store within an existing in-line retail building	Denied by BCC	March 2008
UC-114-73	Retail shopping center	Approved by BCC	November 1973

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	H-1	Retail building
South	Commercial General	C-2	Vacant
East	Commercial General	C-2	Boulevard Mall shopping center
West	Residential High-Rise Center (greater than 32 du/ac)	H-1	Condominium complex

**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. This request is required because pharmacy is a separately described use in Title 30 subject to a special use permit in the H-1 zone. Staff finds the proposed pharmacy is a positive use in this area and that no negative impacts are anticipated with the proposed use; therefore, staff is in support of 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 the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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 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: OBIDIKE IHEANACHO  
CONTACT: OBIDIKE IHEANACHO, LAS VEGAS, 3585 S. MARYLAND PARKWAY,  
SUITE J, LAS VEGAS, NV 89169**



December 5, 2020

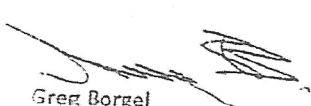
Clark County Planning  
Electronic submission

Dear Ladies/Gentlemen:

Please accept this as the required justification letter for a special use permit to allow a retail pharmacy/drugstore in a unit of Carnaby Square shopping center, 3585 S. Maryland Parkway, APN 162-15-602-003:

1. The property is zoned H-1 and master planned for general commercial uses.
2. A retail pharmacy/drugstore is allowed in H-1 zoning subject to a special use permit with no special conditions, and is compatible with both the general commercial status of the master plan and the existing general commercial uses in the shopping center.
3. The proposed pharmacy/drug store would not include any marijuana sales nor any accessory medical offices.
4. No external physical change to the shopping center is proposed, merely normal interior remodeling of a unit in the center. Accordingly, the applicant assumes no design review will be required, nor would waivers to retain existing non-conforming landscaping and driveways be needed. If that is incorrect, please treat this submission as a request for design review and waivers as needed.

Justification: This submission is a typical change of tenant in an existing shopping center, which would not ordinarily require any discretionary planning action. However, the applicant has been advised that because "pharmacy" is a separately described use in Title 30 subject to a special use permit, a full submission is being made.



Greg Borgel  
300 S. 4<sup>th</sup> St., #1400  
Las Vegas NV 89101  
Ph: 702-791-8219

HEALTH CLUB  
(TITLE 30)

DEAN MARTIN DR/HOTEL RIO DR

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0031-CY & RI HERITAGE INN PALMDALE ETAL & CY HERITAGE INN DAYTON, INC:**

**USE PERMIT** for a health club within an existing commercial/industrial complex on a portion of 10.2 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Dean Martin Drive, 150 feet south of Hotel Rio Drive within Paradise. MN/lm/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

162-20-214-003 ptn

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4325 Dean Martin Drive, Suite 315
- Site Acreage: 10.2 (portion)
- Project Type: Health club
- Number of Stories: 1
- Square Feet: 5,110 (lease space)
- Parking Required/Provided: 495/515

**Site Plans**

The plans depict an existing commercial and office/warehouse complex consisting of 6 buildings on a portion of 10.2 acres. The proposed health club is an expansion of a previously approved minor training facility (VivaCity Fitness) and occupies a portion of the westerly and central building within the complex. Parking is provided on-site and exceeds Code requirements. Access to the complex is provided from Dean Martin Drive and Aldebaran Avenue.

### Landscaping

There are existing landscape areas along portions of Dean Martin Drive and Aldebaran Avenue. Other landscape areas are located adjacent to the buildings and along driveways and parking areas. There are no changes proposed or required with this application.

### Elevations

The structure is a 1 story building with a flat roof behind parapet walls. The exterior of the building has stucco finish with glass store front windows and entry.

### Floor Plan

The 5,110 square foot total lease area consists of a previously approved lobby, locker rooms, and workout space (cross fit) with an expansion to the south for an additional gym (treadmill training studio) and administrative spaces.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant indicates that the request is for an expansion into the adjoining suite for additional group fitness and person training space for members. The hours of operation are from 6:00 a.m. to 8:00 p.m. Monday through Friday, and 9:00 a.m. to 12:00 p.m. Saturday and Sunday, where members must schedule specified class times.

### Prior Land Use Requests

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0297-17	Minor training facility (fitness center)	Approved by PC	June 2017
UC-0431-16	Personal services (body cryotherapy and hydrafacial, cool sculpting, and laser hair removal)	Approved by PC	August 2016
UC-0445-15	Retail sales (sporting goods)	Approved by PC	September 2015
UC-0296-14	Postal services	Approved by PC	June 2014
UC-0176-13	Major training facility (dance studio)	Approved by PC	June 2013
UC-0286-10	Personal services (day spa)	Approved by PC	August 2010
ZC-1291-07	Reclassified the site to H-1 zoning for a resort hotel, resort condominiums, and associated commercial uses	Approved by BCC	January 2008
ZC-070-87	Reclassified the site to M-1 zoning for a commercial development consisting of offices, retail shops, stores, and office warehouse facilities	Approved by BCC	April 1987
UC-161-86	Commercial development consisting of offices, retail shops, and stores in an H-1 zone (portion)	Approved by PC	June 1986

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	H-1 & M-1	Hotel Rio Drive/ Flamingo Road/I-15 Intersection, commercial & industrial
South & West	Commercial Tourist	H-1	Commercial & industrial
East	Commercial Tourist	H-1	I-15 & 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**

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 proposed use (health club) is an expansion of an existing minor training facility (fitness center) where the development Code was recently updated to clarify health club facilities. There are no known negative impacts of the existing fitness center to the existing businesses in the complex. The existing on-site parking still exceeds Code requirements and will accommodate the proposed use and existing businesses in the complex. Staff finds that the proposed use is compatible with the existing uses in the complex and can support the 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**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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: JOSEPH TEPE**

**CONTACT: JOSEPH TEPE, THE STRIP CROSSFIT, 4325 DEAN MARTIN DR., UNIT 315,  
LAS VEGAS, NV 89103**

**DRAFT**





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

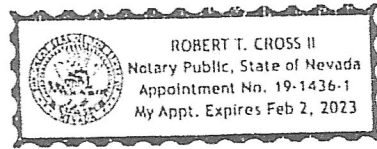
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) (ORIGINAL APPLICATION #) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>	APP. NUMBER: <u>UC-21-0031</u> DATE FILED: <u>1/25/2021</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>2/23/2021</u> PC MEETING DATE: <u>3/16/2021</u> BCC MEETING DATE: <u>—</u> FEE: <u>675</u>
	<b>PROPERTY OWNER</b>	NAME: <u>C Y &amp; R I HERITAGE INN PALMDALE ETAL</u> ADDRESS: <u>4305 Dean Martin Dr. Unit J</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: _____      CELL: <u>702-296-7300</u> E-MAIL: <u>cbunce@diversifiedgrp.com</u>
	<b>APPLICANT</b>	NAME: <u>Joseph Edward Tepe II</u> ADDRESS: <u>7181 Oakville Ranch Ct</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>614.327.1289</u> CELL: <u>702.205.9838</u> E-MAIL: <u>joe@the-strip-crossfit.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>	NAME: <u>Joseph Edward Tepe II</u> ADDRESS: <u>37181 Oakville Ranch Ct</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>614.327.1289</u> CELL: <u>702.205.9838</u> E-MAIL: <u>joe@the-strip-crossfit.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 16220214003  
 PROPERTY ADDRESS and/or CROSS STREETS: 4325 Dean Martin Dr. Unit 325 Las Vegas NV 89103  
 PROJECT DESCRIPTION: adding additional storage, office and workout space

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted, (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Gary Tharaldson      Gary Tharaldson  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON December 29th, 2020 (DATE)  
 By Robert T. Cross II  
 NOTARY PUBLIC: \_\_\_\_\_



\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

## Joseph E Tepe II

VivaCity Fitness  
4325 Dean Martin Drive, Unit 315  
Las Vegas, NV 89103  
Phone: 614.327.1289  
E-Mail:

PLANNER  
COPY

VivaCity Fitness is looking to expand to include the addition of suite 325 to our current Health Club located at 4325 Dean Martin Dr Unit 315&320. Our current special Use permit under, Training Facility Minor, will now all be included under the classification as a Health Club. Viva City Fitness with expansion will now be a 5,110sq ft. Health club in total sq. footage.

This addition will provide one additional 990sq ft. treadmill training studio to house another line of fitness separate from our 3000sq ft. CrossFit space. We will also use this as an opportunity to build out an office and an additional storage space for equipment.

VivaCity is a will continue to be a group fitness and personal training gym with a membership currently of 130 member athletes. All members must register for a specific class time and CrossFit classes are capped off at a capacity of 10 students while the newly added Treadmill classes will be capped at 12 individuals running at different scheduled times daily. Classes for VivaCity Fitness will continue to take place before and after the regular start and end of a business day. Available extended hours from 6am-8pm Monday-Friday and 9am-12pm Saturday and Sunday.

VivaCity is a service company based on monthly membership costs per individual at \$149. An additional source of monthly income will be from Vegas visitors who drop in with no monthly membership commitment at a fee of \$25.

VivaCity over our 3 years has continues to be competitive in the health and

wellness market.

- Fully equipped locker rooms with adequate changing areas, towel service, and toiletries
- Air conditioned in all workout spaces and social area
- Closest proximity of any group fitness gym to the Las Vegas Strip

VivaCity will be a LLC with one owner. It will be positioned this way to be able to keep assets and pay separate for future endeavors.

BANQUET FACILITY/LIVE ENTERTAINMENT  
(TITLE 30)

ARVILLE ST/TROPICANA AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0036-RACKS & STACKS, LLC:**

**USE PERMITS** for the following: 1) banquet facility; 2) nightclub; 3) recreational facility; 4) live entertainment (outdoor); 5) on-premises consumption of alcohol; 6) outside dining, drinking and cooking; 7) eliminate the protective barrier between the outside dining/drinking area and parking area; 8) eliminate the pedestrian access around the perimeter of the outside dining/drinking area; 9) allow the primary means of access to an outside dining/drinking area from the drive aisle where the primary means of access is required through the interior of a restaurant; and 10) permit outside dining, drinking, and cooking in conjunction with an outdoor live entertainment venue.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce parking; 2) reduce interior parking lot landscaping; and 3) permit parking spaces to be unstriped.

**DESIGN REVIEWS** for the following: 1) an outdoor live entertainment venue; and 2) parking lot area in conjunction with an existing office/warehouse building on 3.0 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the east side of Arville Street, 620 feet north of Tropicana Avenue within Paradise. MN/md/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**  
162-19-801-010

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce parking to 74 spaces where 178 spaces are required (outdoor live entertainment venue) per Table 30.60-1 (a 58.5% reduction).  
b. Reduce parking to 160 spaces where 178 spaces are required (banquet facility, nightclub, recreational facility) per Table 30.60-1 (a 10.2% reduction).
2. Reduce interior parking lot landscaping where landscape finger islands are required per Figure 30.64-14.
3. Permit parking spaces to be unstriped where striping is required per Section 30.60.020.d.

**LAND USE PLAN:**  
WINCHESTER/PARADISE - INDUSTRIAL

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 4780 Arville Street
- Site Acreage: 3
- Project Type: Banquet facility/live entertainment/reduced parking
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 44,458
- Parking Required/Provided: 178/74 (outdoor live entertainment venue)/178/160 (banquet facility, nightclub, and recreational facility).

#### Site Plan

This is a request for a banquet facility, nightclub, and recreational facility within an existing office warehouse building. An outdoor live entertainment venue is also proposed with this request. The banquet facility, nightclub, and recreational facility will not operate during the same days as the scheduled live performances at the outdoor venue. The outdoor live entertainment venue, consisting of 380 seats and a stage area, is located within the rear (eastern) portion of the site. On-premises consumption of alcohol, including outdoor dining and drinking, is proposed within the outdoor venue area. Alcohol will also be served at the banquet facility, nightclub, and recreational facility. A 448 square foot stage area is located at the northeast corner of the site, and features a 25 foot wide buffer zone between the stage and outdoor seating area. The outdoor seating area consists of 28 large (6 person) pods and 53 medium (2 to 4 person) pods. The plans indicate approximately 6 feet of separation will be maintained between the seating pods. The pod areas are divided into 2 sections by a 24 foot wide fire lane that terminates into a vehicle turnaround area located at the southeastern portion of the site. Seventy-four existing parking spaces are located along the west and north sides of the existing office/warehouse building. An additional 86 parking spaces are provided along the northeast and western portions of the site to accommodate parking for the banquet facility, nightclub, and recreational facility. A waiver of development standards is requested as the additional 86 parking spaces will not be striped, and no additional parking lot landscaping will be provided. Twenty-four foot wide drive aisles will be maintained between the proposed parking spaces located at the rear of the site. The existing office/warehouse building and proposed outdoor live entertainment venue require a total of 178 parking spaces where 74 parking spaces are provided. The banquet facility, nightclub, and recreational facility require a total of 178 parking spaces, where 160 parking spaces are provided. Access to the subject property is granted via 2 existing commercial driveways located along Arville Street.

#### Landscaping

All street landscaping exists and no additional street landscaping is required or provided. Interior parking lot landscaping is featured along the western portion of the building; however, a waiver of development standards is required to reduce the parking lot landscaping in the rear of the building with the addition of 86 parking spaces.

### Elevations

The photographs depict an existing 28 foot high building with a flat roof behind a parapet wall. The exterior of the building consists of concrete paneling in contrasting, neutral earth tone colors. No changes are proposed to the exterior of the building with this request.

### Floor Plans

The plans depict an overall office/warehouse building measuring 44,458 square feet. The banquet, nightclub, and recreational facility which consist of an area measuring 12,459 square feet, has room for expansion within the interior of the building. A stage area consisting of 1,120 square feet is located within the event area, and features a combination of large (6 person) and medium (2 to 4 person) seating pods. Areas designated for restroom facilities, show management, and a green room/interview studio are also depicted on the floor plans.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states they currently operate a live entertainment and equipment rental and production business. However, due to the COVID-19 pandemic, their business operations have stopped. The applicant indicates their extensive experience in both producing and promoting public events and, after studying the recent Nevada Guidance for Safe Gatherings, will ensure the outdoor live entertainment venue remains safe. The applicant produced 2 successful events in 2020, without a single report of anyone becoming sick as a result of attending the events.

The applicant states their expertise is within the field of live entertainment and food and drink are an integral part of concert events. The rear yard of the project site can be utilized as a parking lot for infrequent special events; however, it can also be used as event space for outdoor events. Additional parking lot landscaping would be detrimental to the outdoor events and the regular industrial use for normal business operations. As the storage yard would only be used as parking for occasional events, striping would be cost prohibitive. Parking attendants will be stationed in the rear of the lot to direct vehicular traffic during indoor events. The applicant states there is not enough room on the subject property for additional parking spaces during outdoor events; therefore, they have been granted permission to utilize the adjacent parking lot to the north from the property owner. Occasionally, the applicant will hold smaller indoor events in a portion of the facility that is only 12,459 square feet. Eighty-six parking spaces will be added to the back parking lot during indoor events. The indoor events will be much smaller and the existing 74 parking spaces should be more than sufficient.

The site plan pays close attention to distance between pods of paid ticket holders from the same household, with each pod a minimum of 6 feet apart on all sides. The applicant's decades of experience with public events make them intimately familiar with the process of managing event security and crowd control. Masks are required and enforced for all guests and crew, except when occupying their pod space.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-262-86	Reclassified the subject property from R-E to M-1 zoning for a warehouse/office building	Approved by BCC	December 1986

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Industrial	M-1	Industrial & office/warehouse buildings
South	Commercial Tourist	M-1	Office/warehouse buildings
West	Commercial Tourist	H-1	Orleans Resort & Casino

**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 & Design Reviews

Staff's primary concerns with these types of uses are to ensure compatibility with existing and planned surrounding uses and that there is adequate on-site parking to serve the uses. The purpose of the M-1 zoning district is to provide an area that is suitable for the development of light manufacturing establishments and to prohibit the development of incompatible uses. Staff finds that the requests to allow a banquet facility, nightclub, recreational facility, and outdoor live entertainment venue at this location are inappropriate as the existing building and on-site parking were originally designed to accommodate a warehouse building with incidental office uses. Additionally, the proposed uses are incompatible with the surrounding area that includes a mix of office and warehouse uses. Therefore, staff cannot support the requested use permits and design reviews.

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 #1a & #1b

Staff finds that a 58.5 percent reduction in parking is excessive, especially for the requested uses. Although the applicant indicates additional parking spaces for the use will be secured off-site, staff is concerned that the need for parking is greater than anticipated by the applicant due to the intensity of the uses requested. Therefore, staff cannot support this request. Although the parking reduction of 10.2 percent is minimal for the banquet, nightclub, and recreational facility, staff cannot support this request due to the recommendation of denial for the corresponding use permits and design reviews. If the application is approved, staff recommends a condition of 1 year to review the uses and parking as a public hearing.

Waivers of Development Standards #2 & #3

The requests to waive the interior parking lot landscaping for the additional 86 parking spaces provided within the rear of the site, and to not stripe the parking spaces, is a self-imposed burden. Staff is not supporting the use permits and the design reviews; therefore, recommends denial of the requested waivers.

**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:

- 1 year to review as a public hearing.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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; 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; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Traffic study and compliance;
- Gates to remain open during business hours.

**Building Department - Fire Prevention**

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds. (plans are not to scale and dimensions are not shown for radii, turn-arounds, and dead end lanes); submit plans for review and approval prior to installing any gates, speed humps (speed



bumps not allowed), and any other fire apparatus access roadway obstructions (permits required for access gates across access lanes); and that dead-end streets/cul-de-sacs in excess of 150 feet must have an approved Fire Department turn-around provided.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that the property is already connected to the CCWRD sewer system; and 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: AV VEGAS**

**CONTACT: TY HANSEN, AV VEGAS, 4780 ARVILLE ST., LAS VEGAS, NV 89103**

**DRAFT**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

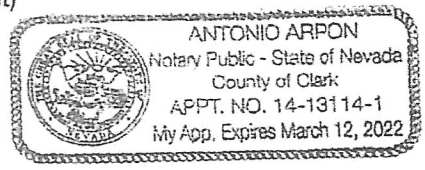
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>UC-21-0036</u> DATE FILED: <u>1/26/21</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>2/23/21 7:00</u> PC MEETING DATE: <u>3/16/21 7:00 P.M.</u> BCC MEETING DATE: <u>-</u> FEE: <u>\$1,825.00</u>
	<b>PROPERTY OWNER</b> NAME: <u>Racks &amp; Stacks LLC</u> ADDRESS: <u>2320 Duneville St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u> TELEPHONE: <u>702-239-8057</u> CELL: <u>702-239-8057</u> E-MAIL: <u>john@avvegas.com</u>
	<b>APPLICANT</b> NAME: <u>John Hansen &amp; Friends Inc dba AV Vegas</u> ADDRESS: <u>4780 Arville St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u> TELEPHONE: <u>702-239-8057</u> CELL: <u>702-239-8057</u> E-MAIL: <u>ty@avvegas.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b> NAME: <u>Ty HANSEN</u> ADDRESS: <u>SAME AS ABOVE</u> CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-19-801-010  
 PROPERTY ADDRESS and/or CROSS STREETS: 4780 Arville St. Las Vegas, NV 89103 (Paradise)  
 PROJECT DESCRIPTION: Drive In & Socially Distant concert venue

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

John A. Hansen      John Hansen  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON the 18th day of January, 2021 (DATE)  
 By John A. Hansen  
 NOTARY PUBLIC: [Signature]



\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

PLANNER  
COPY

## Land Use Justification Letter

AV Vegas  
4780 Arville St. Las Vegas, NV 89103



To whom it may concern,

John Hansen & Friends Inc. dba AV Vegas is a family owned business. (<https://www.avvegas.com>). Since 1993 our core business model has been live entertainment equipment rental and production. We own and operate speakers, lights, instruments, video screens etc that are warehoused at our premise (4780 Arville St. 89103)

Since the COVID-19 pandemic, our business operations have stopped. The traditional process of taking orders for concerts at Las Vegas venues is frozen by the virus limiting our ability to gather in large groups, and by the difficult economics of making live events for small, socially distant audiences profitable. Our revenue to date is down 95%.

Because AV Vegas is a family owned business that owns the business, the building (Racks And Stacks LLC), and because we have extensive experience in both producing and prompting public events, and after studying the recent Nv Guidance for Safe Gatherings, we believe that we are just the group to host safe, socially distant events during this difficult time.

We have already produced two successful events. On 10/10/2020 we had 2 bands booked to play blues music at an event we called "Skyline Blues". The band was isolated from the audience as required by current guidelines as stated in the NEVADA GUIDANCE FOR SAFE GATHERINGS. This guidance was also used in planning out the audience arrangement (in pods), use of restrooms, etc. Our second event, a Southern Rock concert was even more successful. We have sent out post-event contact tracing surveys and we have not had a single report of anyone getting sick as a result of attending our events. Please understand that we are taking the implementation of the State guidance very seriously.

In March, when the weather warms up we want to begin offering our concert events again to the public, subject to the guidelines and executive orders in force at that time. In order to do these events, we are requesting several variances:

The following requests are being made with this application:

- i. Special Use Permits for the following:
  1. Banquet Facility
  2. Nightclub
  3. Recreational Facility
  4. Live Entertainment – conducted outdoors
  5. On-premises consumption of alcohol

②

FENCE HEIGHT  
(TITLE 30)

LAS VEGAS BLVD S/FASHION SHOW DR

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0035-WESTWYNN LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to increase fence height.  
**DESIGN REVIEW** for a fence and lighting in conjunction with undeveloped lots on 18.4 acres in a H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Las Vegas Boulevard South and the north side of Fashion Show Drive within Winchester and Paradise. TS/md/jd (For possible action)

**RELATED INFORMATION:**

**APN:**

162-16-101-009; 162-16-101-011

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase fence height up to 10 feet where a maximum of 6 feet is permitted per Section 30.64.020 (a 66.7% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3120 Las Vegas Boulevard South
- Site Acreage: 18.4
- Project Type: Increase fence height
- Fence height (feet): 8 to 10

**Request**

The applicant is requesting to maintain an existing 8 foot high wood fence to secure 2 undeveloped parcels with street frontage along Las Vegas Boulevard South and Fashion Show Drive. The height of the wood fence will be increased to 10 feet intermittently along the right-of-way. An 8 foot to 10 foot high wood fence is also proposed along a portion of Fashion Show Drive. LED fixtures are proposed to be attached to portions of the fence.

Site Plan and Elevations

The plans depict an existing 8 foot high wood fence, with 860 feet of linear street frontage, along Las Vegas Boulevard South. The existing fence is located behind a 5 foot wide attached sidewalk adjacent to the street. An existing 8 foot high wood fence, measuring 155 feet in length, is located along Fashion Show Drive, a private right-of-way. An existing 8 foot high chain-link fence and gate are located at the southeast corner of the site, along Fashion Show Drive, providing access to the parcels. An 8 foot to 10 foot high wood fence, measuring 100 feet in length, is proposed along Fashion Show Drive, immediately west of the chain-link fence. The height of the wood fence will be increased to 10 feet intermittently along Las Vegas Boulevard South and Fashion Show Drive. LED light fixtures will be installed along the portions of the fence measuring 10 feet in height. The LED light fixtures closely resemble a light bar, and extend no more than 12 inches from the face of the fence. The light fixtures do not encroach into the pedestrian access easement or right-of-way. Vinyl graphic artwork, consisting of pastel colors depicting abstract outdoor scenes and activities will be attached to the fence. The artwork does not include commercial or off-premises advertising.

Applicant's Justification

The applicant states the installation of the fence will be conducted in 1 phase. There is an existing 8 foot high wood fence along Las Vegas Boulevard South and Fashion Show Drive. The proposed fence will be a continuation of the existing structure and will be structurally reinforced to accommodate the height increase and light fixtures. The applicant states the fence artwork will be a visual enhancement to the Las Vegas business and residential communities.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0546	Monorail (people mover system)	<i>Pending BCC action</i>	February 2021
AR-19-400154 (UC-18-0784)	First application to review a temporary parking lot - expired	Approved by BCC	January 2020
UC-18-0784	Temporary parking lot and waive landscaping along right-of-way, including Fashion Show Drive - expired	Approved by BCC	November 2018
UC-18-0592	Temporary parking lot on an adjacent parcel to the west - expired	Approved by BCC	September 2018
ET-18-400113 (UC-0045-16)	First extension of time to commence the expansion of the Gaming Enterprise District	Approved by BCC	June 2018
ET-18-400092 (UC-0492-15)	First extension of time to commence a high impact project/resort hotel (Alon)	Approved by BCC	June 2018
AG-0744-16	Performance Agreement and Decommissioning Plan	Accepted by BCC	October 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

Application Number	Request	Action	Date
UC-0013-12	Temporary offices within an existing modular building - expired	Approved by BCC	March 2013
UC-0471-11	Art gallery with retail sales and an outdoor display area - expired	Approved by PC	November 2011
WS-0301-10	Reduced setbacks for a temporary fence and increased fence height in conjunction with an approved resort hotel - expired	Approved by BCC	August 2010
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	Parking lot
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, & parking lot

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Waiver of Development Standards and Design Review

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.

Staff finds the proposed increase to the existing and proposed fence will have minimal to no impact on the surrounding land uses and properties. Artwork will be affixed to the fence utilizing vinyl graphics featuring the use of pastel colors. Furthermore, the existing 8 foot high chain-link fence and gate, located at the southeast corner of the site, will also have minimal to no impact on the surrounding properties. A vinyl graphic wind screen will be attached to the existing gate and fence to minimize the impact on the abutting property to the south. LED

lighting fixtures will be dispersed intermittently along the fence, extending no more than 12 inches from the face of the fence and will not encroach into any pedestrian access easement. The decorative artwork provided on the face of the fence will improve the aesthetics of the streetscape, and will avoid the monotony of a continuous fence with a solid color; therefore, staff recommends approval.

**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 the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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: DANA COOPER**

**CONTACT: DANA COOPER, WYNN DESIGN AND DEVELOPMENT, 734 PILOT ROAD,  
LAS VEGAS, NV 89119**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>WS-21-0035</u> DATE FILED: <u>1/26/21</u> PLANNER ASSIGNED: <u>MND</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>2/23/21 7:00</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>3/17/21 9:00 A.M.</u> FEE: <u>\$1,150.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>WestWynn, LLC</u> ADDRESS: <u>3120 Las Vegas Blvd South</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>702-770-5110</u> CELL: <u>702-340-5698</u> E-MAIL: <u>dbutler@wynndevelopment.com</u>
	<b>APPLICANT</b>  NAME: <u>Wynn Design &amp; Development</u> ADDRESS: <u>734 Pilot Rd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-770-5110</u> CELL: <u>702-340-5698</u> E-MAIL: <u>dbutler@wynndevelopment.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>DeRuyter Butler</u> ADDRESS: <u>734 Pilot rd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-770-5110</u> CELL: <u>702-340-5698</u> E-MAIL: <u>dbutler@wynndevelopment.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-16-101-009 / 162-16-101-011

PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Blvd. and Fashion Show Dr.

PROJECT DESCRIPTION: provide intermittent height extensions to existing visual barrier fence & new graphics

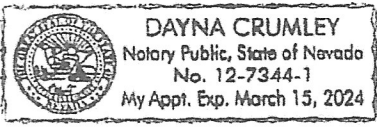
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Thomas Reich      Thomas Reich, Asst. Secretary  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 12/2/2020 (DATE)  
 By Thomas Reich

NOTARY PUBLIC: Dayna Crumley



\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.





DeRuyter O. Butler, AIA  
Executive Vice President of Architecture  
direct dial: (702) 770-5110  
fax: (702) 770-5006  
email: dbutler@wynndevelopment.com

Revised January 18, 2021

CLARK COUNTY PLANNING COMMISSION  
500 S. Grand Central Pkwy  
P.O. Box 551744  
Las Vegas, NV 89155

WS-21-0035

Attn: Staff

RE: APR-20-100873  
Wynn West Construction Wall – Revised Justification Letter  
Project no. 999-20-002

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Clark County Planning Commission:

As you are aware, there is an existing *8 feet* high construction wall directly across from Wynn Las Vegas, which separates *an undeveloped* lot from the west side of Las Vegas Blvd. *and the north side of* Fashion Show Drive. We are hereby requesting favorable consideration for this Design Review Permit Application regarding the visual enhancement of that existing construction wall.

The enhancement will be conducted in one phase comprising of the addition of vinyl graphics and *LED lighting* along the length of the existing *8 feet* high wall as occurs along Las Vegas Blvd. and Fashion Show Drive. Additionally, we propose to raise intermittent portions of the existing construction wall to *a maximum 10 feet* in height and propose to *increase the height of a temporary fence to 10 feet where a maximum height of 6 feet is permitted per Section 30.64.020.1.C (Commercial and Special Development), page 30.64-1.* Further supporting our proposal is the fact that there is already an existing 8 foot high segment of wall along Fashion Show Drive. The existing wall and the new extensions will be structurally shored as required to facilitate the increased heights.

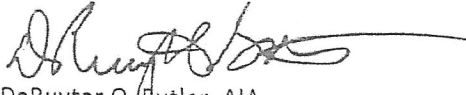
The project will not provide frontage landscape *along* Las Vegas Blvd. *or Fashion Show Drive.*

We believe this project will be very favorably received as a visual enhancement to the Las Vegas business and residential community and hereby request approval from the Clark County Planning Commission.

PLANNER  
COPY

Clark County Planning Commission  
Wynn West Construction Wall  
Project #999-20-002

Sincerely,



DeRuyter O. Butler, AIA  
Executive Vice President of Architecture  
Wynn Design and Development

Cc: Dana Cooper, Files

PLANNER  
COPY