



# Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

March 14, 2023

7:00pm

**Note:**

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) 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 the Board of County Commissioners' Zoning Commission (BCC) or the 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 a 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, TDD at (702) 385-7486, or Relay Nevada toll-free at (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.
  - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
  - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/ParadiseTAB>

Board/Council Members: Susan Philipp-Chair  
 Katlyn Cunningham-Vice Chair  
 John Williams  
 Kimberly Swartzlander  
 Angelo Carvalho

Secretary: Maureen Helm, 702-606-0747, mhelmtab@gmail.com  
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Blanca Vazquez, 702-455-8531, BVA@ClarkCountyNV.gov  
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

I. Call to Order, Pledge of Allegiance, Roll Call, and 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 (3) 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 Chairperson or the Board/Council by majority vote.

- III. Approval of Minutes for February 28, 2023. (For possible action)
- IV. Approval of the Agenda for March 14, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items (for discussion only)
- VI. Planning and Zoning
  - 1. **UC-23-0059-RUSS-WESTERN PLAZA:**  
**USE PERMIT** for a hookah lounge within an existing retail center on a portion of 1.1 acres in a C-1 (Local Business) Zone. Generally located on the north side of Flamingo Road, 490 feet east of Topaz Street within Paradise. TS/lm/syp (For possible action) **PC 4/4/23**
  - 2. **WS-23-0047-HERBST FAMILY LIMITED PARTNERSHIP II:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase building height; **2)** increase wall sign area; **3)** permit animated signage (video units) where not permitted; **4)** increase animated sign area; **5)** permit roof signs; **6)** increase projecting sign area; and **7)** allow a projecting sign to be animated.  
**DESIGN REVIEWS** for the following: **1)** modifications to an approved parking garage; and **2)** a comprehensive sign plan for a parking garage, supper club, convenience store and gasoline station on 4.0 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the west side of Polaris Avenue between Dewey Drive and Russell Road within Paradise. MN/al/syp (For possible action) **PC 4/4/23**
  - 3. **UC-23-0057-PARBALL NEWCO LLC:**  
**USE PERMIT** for deviations as shown per plans on file in conjunction with a resort hotel (Horseshoe).  
**DEVIATIONS** for the following: **1)** increase building height; **2)** encroachment into airspace; and **3)** all other deviations as depicted per plans on file.  
**DESIGN REVIEWS** for the following: **1)** pedestrian bridge; and **2)** modifications to an existing resort hotel (Horseshoe) including back of house area, exterior, and site improvements on a portion of 54.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Flamingo Road and the east side of Las Vegas Boulevard South within Paradise. JG/md/syp (For possible action) **BCC 4/5/23**

4. **UC-23-0058-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.  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the setback from a 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. Generally located on the east side of Las Vegas Boulevard South, 1,800 feet south of Sands Avenue within Paradise. TS/rk/syp (For possible action) **BCC 4/5/23**
5. **ZC-23-0049-COUNTY OF CLARK (PK & COMM SERV):**  
**ZONE CHANGE** to reclassify 8.0 acres from a C-2 (General Commercial) (AE-60 & AE-65) Zone, a C-P (Office and Professional) (AE-60) Zone, and an M-D (Designed Manufacturing) (AE-60 & AE-65) Zone to a P-F (Public Facility) Zone for an existing park. Generally located on the southeast corner of Russell Road and Surrey Street within Paradise (description on file). JG/mc/syp (For possible action) **BCC 4/5/23**

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/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 (3) 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 Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: March 28, 2023.

X. Adjournment.

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following locations:  
 Paradise Community Center- 4775 McLeod Dr.  
<https://notice.nv.gov>



# Paradise Town Advisory Board

February 28, 2023

## MINUTES

---

Board Members: Susan Philipp-Chair-**PRESENT**  
Katlyn Cunningham- Vice-Chair **PRESENT**  
John Williams -**PRESENT**  
Kimberly Swartzlander- **EXCUSED**  
Angelo Carvalho- **PRESENT**

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

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

---

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

Rob Kaminski; Planning, Blanca Vazquez, Community Liaison, Vivian Kilarski

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

II. Public Comment:  
**None**

III. Approval of February 14, 2022 Minutes

**Moved by: Williams**

**Action: Approve as submitted**

**Vote: 4-0 Unanimous**

Approval of Agenda for February 28, 2023

**Moved by: Cunningham**

**Action: Approved as submitted**

**Vote: 4-0 Unanimous**

IV. Informational Items (For Discussion only)

V. Planning & Zoning

1. **UC-22-0668-MEJIAS DAISY OLAZABAL:**  
**HOLDOVER USE PERMIT** for a daycare.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate landscaping; 2) reduce drive aisle width; and 3) reduce trash enclosure setback.  
**DESIGN REVIEW** for a daycare on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Flamingo Road, 140 feet west of Sheppard Drive within Paradise. TS/sd/ja (For possible action)

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

2. **ET-22-400136 (UC-19-0668)-3900 PARADISE RESI OWNER SPE, LLC:**  
**USE PERMITS SECOND EXTENSION OF TIME** for the following: 1) multiple family residential development; and 2) increase density.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; and 2) reduce parking lot landscaping.  
**DESIGN REVIEW** for a multiple family residential development on 5.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located 250 feet east of Paradise Road, 625 feet south of Twain Avenue within Paradise. TS/dd/syp (For possible action)

**MOVED BY- Philipp**  
**APPROVE-Subject to staff conditions**  
**ADDED condition**

- **Owner of the apartments to provide/pay for valet parking for the shopping center tenants**

**VOTE: 4-0 Unanimous**

3. **WS-22-0685-PROLOGIS LP:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) attached sidewalks; 2) street landscaping; and 3) throat depth.  
**DESIGN REVIEWS** for the following: 1) distribution center; and 2) finished grade on 80.0 acres in an M-1 (Light manufacturing) Zone in the Asian Design Overlay District. Generally located on the south side of Desert Inn Road, 280 feet west of Valley View Boulevard within Paradise. JJ/sd/ja (For possible action)

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

4. **UC-23-0031-MGP LESSOR, LLC:**

**USE PERMITS** for the following: 1) high impact project; 2) resort hotel; 3) public areas including but not limited to: casino, showrooms, theater, retail, restaurants, offices, pharmacy, personal services, art gallery, live entertainment, night clubs, indoor and outdoor dining and drinking, and alcohol sales (package liquor, beer and wine); 4) associated accessory and incidental commercial uses, buildings, and structures including retail areas, dining, theater, spa, fitness center and daycare; and 5) deviations as depicted per plans on file.

**DEVIATIONS** for the following: 1) increase building height; 2) reduce height/setback ratio; 3) encroachment into airspace; 4) reduced loading spaces; 5) allow primary access into portions of the building from the exterior of the resort hotel; 6) alternative landscaping and pedestrian realm; and 7) all other deviations as depicted per plans on file.

**WAIVER OF DEVELOPMENT STANDARDS** for modified driveway geometrics.

**DESIGN REVIEWS** for the following: 1) high impact project; 2) resort hotel with all associated and accessory uses, structures, and incidental buildings and structures; and 3) finished grade on 69.8 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South, 1,300 feet south of Spring Mountain Road within Paradise. TS/rk/syp (For possible action) **BCC 3/22/23**

**MOVED BY- Williams**

**APPROVE-Subject to staff conditions**

**VOTE: 4-0 Unanimous**

5. **WC-23-400013 (ZC-0118-02)-GSN FLAMINGO LP:**

**WAIVER OF CONDITIONS** of a zone change requiring single story on all buildings, a maximum height of 30 feet with a previously approved freestanding pharmacy and future shopping center with a previously approved zone change to reclassify 4.9 acres from an R-1 (Single Family Residential) Zone to a C-1 (Local Business) Zone for a mini-warehouse facility. Generally located on the south side of Flamingo Road and the west side of Mountain Vista Street within Paradise. TS/lm/syp (For possible action) **BCC 3/22/23**

**MOVED BY- Williams**

**APPROVE-Subject to staff conditions**

**VOTE: 4-0 Unanimous**

6. **UC-23-0034-GSN FLAMINGO LP:**

**USE PERMIT** for a mini-warehouse facility.

**WAIVER OF DEVELOPMENT STANDARDS** for modified commercial driveway standards.

**DESIGN REVIEW** for a proposed mini-warehouse facility on 3.5 acres in a C-1 (Local Business) Zone. Generally located on the south side of Flamingo Road and the west side of Mountain Vista Street within Paradise. TS/lm/syp (For possible action) **BCC 3/22/23**

**MOVED BY- Williams**

**APPROVE-Subject to staff conditions**

**VOTE: 4-0 Unanimous**

7. **WS-23-0013-MORALLY JOHN P REVOCABLE TRUST & MORALLY JOHN P TRS:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) landscaping; and 2) alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) an additional office warehouse building; and 2) finished grade in conjunction with an existing office warehouse building on 1.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Polaris Avenue, 260 feet north of Cavaretta Court within Paradise. MN/al/syp (For possible action) **BCC 3/22/23**

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

- VI. General Business (for possible action)
- VII. Public Comment  
**None heard**
- VIII. Next Meeting Date  
**The next regular meeting will be March 14, 2023**
- IX. Adjournment  
**The meeting was adjourned at 8:35 p.m.**

04/04/23 PC AGENDA SHEET

HOOKAH LOUNGE  
(TITLE 30)

FLAMINGO RD/TOPAZ ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-23-0059-RUSS-WESTERN PLAZA:**

**USE PERMIT** for a hookah lounge within an existing retail center on a portion of 1.1 acres in a C-1 (Local Business) Zone.

Generally located on the north side of Flamingo Road, 490 feet east of Topaz Street within Paradise. TS/lm/syp (For possible action)

---

RELATED INFORMATION:

**APN:**  
162-13-417-001

**LAND USE PLAN:**  
WINCHESTER/PARADISE - CORRIDOR MIXED-USE  
WINCHESTER/PARADISE - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

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

- Site Address: 2790 Flamingo Road
- Site Acreage: 1.1
- Project Type: Hookah lounge
- Number of Stories: 1
- Square Feet: 1,960
- Parking Required/Provided: 41/58

Site Plans

The plans show a proposed hookah lounge (Krave) within an existing retail center (Snug Harbor). The lease area is located near the north end of the building which is zoned C-1. The southerly portion of the building is zoned C-2 and is not a part of this request. Access to the shopping center is from Flamingo Road.

Landscaping

No changes are proposed or required to the existing landscaping.



Elevations

The plans depict an existing 1 story building consisting of stucco, aluminum storefront systems, and enhanced architectural features (lighthouse).

Floor Plans

The plans show a 1,960 square foot lease area. The interior of the building consists of lounge area, 2 karaoke rooms, office, and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the retail center is located along a busy street with built in foot traffic from the multiple family residential complex to the north. The proposed use will provide a relaxed and laid back environment where patrons can listen to good music/karaoke and escape the typical sports bar or club scenes. The proposed use will provide a unique feature to the retail center that currently consists of a beauty salon, barber shop, and Persian restaurant. The hookah lounge will operate Sunday through Thursday 5:00 p.m. to 1:00 a.m. and Friday and Saturday 4:00 p.m. to 4:00 a.m.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-050-90 & VC-131-90	Reclassified to C-2 zoning for a 3,780 square foot restaurant within a retail center and reduced parking to 41 parking spaces	Approved by BCC	May 1990
ZC-209-88, UC-252-89, & VC-402-88	Reclassified to C1 and R-3 zoning (parcel to the north) for retail and planned unit development and reduced the lot area to 3.3 acres where 5 acres is required	Approved by BCC	August 1988

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	R-3	Multiple family residential
South	Public Use	P-F	School District administrative offices
East	Neighborhood Commercial	C-1	Business complex
West	Corridor Mixed-Use	C-1	Retail building

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Comprehensive 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 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 is located within a shopping center with other entertainment, recreational, and retail/restaurant type uses. The site is also located within the Corridor Mixed-Use planned land use category where the Master Plan states primary land uses should be a mix of retail, restaurants, entertainment, and other professional services. Therefore, a hookah lounge would be in harmony with the primary land uses stated.

### **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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive 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.

#### **Fire Prevention Bureau**

- 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: SASHEENE COOK**

**CONTACT: SASHEENE COOK, 2790 E. FLAMINGO ROAD, SUITE E, LAS VEGAS, NV**

**89121**

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

### APPLICATION TYPE

- TEXT AMENDMENT (TA)
- ZONE CHANGE (ZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
- (ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
- (ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
- (ORIGINAL APPLICATION #)

STAFF

APP. NUMBER: UC-23-0059 DATE FILED: 2/7/2023  
 PLANNER ASSIGNED: LMN  
 TAB/CAC: PARADISE TAB/CAC DATE: 3/14/23  
 PC MEETING DATE: 4/4/2023  
 BCC MEETING DATE: \_\_\_\_\_  
 FEE: \$675

PROPERTY OWNER

NAME: Russ-Western Plaza  
 ADDRESS: 1025 W. 190th St, Suite 370  
 CITY: Gardona STATE: CA ZIP: 90248  
 TELEPHONE: 310-515-7538 CELL: \_\_\_\_\_  
 E-MAIL: janette@russproperty.com

APPLICANT

NAME: Sasheene Cook  
 ADDRESS: 3301 N Park Dr. #3514  
 CITY: Sacramento STATE: CA ZIP: 95835  
 TELEPHONE: \_\_\_\_\_ CELL: (239) 529-7503  
 E-MAIL: sasheenecook@yahoo.com REF CONTACT ID #: \_\_\_\_\_

CORRESPONDENT

NAME: Sasheene Cook  
 ADDRESS: 2790 E Flamingo Rd Suite E  
 CITY: Las Vegas STATE: NV ZIP: 89121  
 TELEPHONE: \_\_\_\_\_ CELL: (239) 529-7503  
 E-MAIL: sasheenecook@yahoo.com REF CONTACT ID #: \_\_\_\_\_

ASSESSOR'S PARCEL NUMBER(S): 16213417001  
 PROPERTY ADDRESS and/or CROSS STREETS: 2790 E Flamingo Rd, Suite E Las Vegas, NV. 89121  
 PROJECT DESCRIPTION: Hookah Lounge

(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.

Janette M. Roberts  
 Property Owner (Signature)\*  
 STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_  
 SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: \_\_\_\_\_

Russ Western Plaza By: Russ Properties LLC General Partner  
 Property Owner (Print) By: Janette M. Roberts, Managing Member

SEE ATTACHED

\*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.

December 13, 2022

Clark County Comprehensive and Planning  
500 S Grand Central Parkway Box 551741  
Las Vegas NV 89155-1741

PLANNER  
COPY

Re: Justification letter Regarding Application for land use change

UL-23-0059

To Whom It May Concern:

This letter is being written to serve as the required justification letter for a Special Use permit change for the Krave Hookah Lounge.

We propose to occupy a 1960 square foot retail space located in Snug Harbor, a 11,400 square foot single story retail building. The Property Location is at 2790 E Flamingo Road, centrally located on Flamingo Road between Topaz Road and McLeod Drive in Las Vegas, Nevada. Krave will operate Sunday – Thursday, 5:00 pm – 1:00 am and Friday - Saturday, 4:00 pm – 4:00 am.

Krave seeks Special Use approval in order to effectively operate within the Snug Harbor retail. The current C-1 Neighborhood Commercial Zone does allow for the retail sale of tobacco.

Snug Harbor is currently a high traffic location with 34,500 cars traveling to and from the location daily with built in foot traffic from the multi-family residential complex. The surroundings communities have a represented population of 18,713 people that can and will benefit from the Krave Hookah Lounge. Krave will not only be a great destination for shisha"tobacco" smokers, but it will also provide a relaxed and laidback environment where patrons can listen to good music/karaoke and escape the typical sports bar or club scenes. Krave will be a complement to the current tenants offering an opportunity for their patrons to spend more time in the Snug Harbor complex and share that experience with family and friends. In addition, the increased foot traffic from the lounge will also bring attention to these establishments and help bolster their business. Krave will also bring more jobs to the community as well as on special occasions offering special giveaways for those that may need help during hard times.

The Snug Harbor location currently require 58 parking spaces and is approved 41 parking spaces that support the following businesses.

Salon Kvlvtre and Suites, a full-service salon, operating Tuesday – Saturday from 9 am – 6 pm.  
KTB Swag Kutz, a barber shop operating 7 days a week with varying hours from 8:00 am to 9:00 pm. The American Gypsy Café, a 26 year old Persian restaurant that operates Tuesday – Sunday from 11:00 am to 9:30 pm. Krave's hours of operation are complementary to these businesses with evening hours of operation. The current business scheduling is primarily in the

daytime. With 41 available spaces, Krave will not adversely impact the current parking set up, nor will it require additional spaces to accommodate patrons.

I greatly appreciate your time and effort in reviewing this letter and considering this request. If you have any questions, or require additional information, please do not hesitate to contact me at 239-529-7503 or [info@kravehookah.com](mailto:info@kravehookah.com)

Sincerely,

Sasheene Cook, Owner/Operator  
Krave Hookah Lounge

SIGNAGE & PLAN MODIFICATIONS  
(TITLE 30)

RUSSELL RD/POLARIS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0047-HERBST FAMILY LIMITED PARTNERSHIP II:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; 2) increase wall sign area; 3) permit animated signage (video units) where not permitted; 4) increase animated sign area; 5) permit roof signs; 6) increase projecting sign area; and 7) allow a projecting sign to be animated.

**DESIGN REVIEWS** for the following: 1) modifications to an approved parking garage; and 2) a comprehensive sign plan for a parking garage, supper club, convenience store and gasoline station on 4.0 acres in an M-1 (Light Manufacturing) (AE-60) Zone.

Generally located on the west side of Polaris Avenue between Dewey Drive and Russell Road within Paradise. MN/al/syp (For possible action)

---

RELATED INFORMATION:

**APN:**

162-29-401-013; 162-29-401-014; 162-29-401-016

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 72 feet for a roof mounted flagpole where a maximum building height of 50 feet is permitted per Table 30.64-5 (a 44% increase).
2. Increase wall sign area to 8,767 square feet where a maximum of 3,781 square feet is permitted per Table 30.72-1 (a 131.9% increase).
3. Permit animated signage (video units) where only electronic message units are permitted per Table 30.72-1.
4. Increase animated sign area to 8,405 square feet where 300 square feet is permitted per Table 30.72-1 (a 2701.7% increase).
5. Permit roof signs where not permitted per Section 30.72.
6. Increase projecting sign area to 60 square feet where a maximum of 32 square feet is permitted per Table 30.72-1 (an 87.5 % increase).
7. Permit a projecting sign to be animated where not permitted per Table 30.72-1.

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

## BACKGROUND:

### Project Description

#### General Summary

- Site Address: 5625 Polaris Avenue
- Site Acreage: 4
- Project Type: Building modifications and comprehensive sign plan
- Building Height (feet): 54 (building)/72 (roof top flagpole)

#### Site Plan

The site is located within the Stadium District. On the southern portion of the site in an existing convenience store with gasoline station. The northern portion of the site is being developed with a parking garage that includes a supper club and spaces for future tenants on the first floor. Access to the existing convenience store and gasoline station is provided by existing driveways from Russell Road and Polaris Avenue. Access to the parking garage is provided by a driveway located on the northwestern corner of the site.

#### Elevations

The building was originally approved with a height of 49 feet 4 inches. Materials for the exterior of the supper club will include a painted aluminum fascia, glass overhead roll-up doors, metal railing, and a painted concrete retaining wall. The majority of the parking garage building is approximately 42 feet in height. The building height is increased to approximately 54 feet to allow for an elevator. The highest portion of the building is 72 feet in height which is a flagpole that is incorporated into the design of the building for a stairway and elevator.

#### Signage

The request includes a comprehensive sign plan that includes the existing signage for the convenience store and gasoline station on the southern portion of the site. The existing signage consists of 5 wall signs with a total of 142 square feet and a 235 square foot freestanding sign. There is no animated signage on the site at this time.

Table summarizing the signage is provided below:

Type of sign	Approved/ Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	# of Existing Signs	# of Proposed Signs	Total # of Signs
Flag (non-commercial)	600 (flag)	216 (flag)	816	3 (flags)	1	1	2
Wall*	142	8,625	8,767	3,781	5	5	10
Roof	0	360	360	0	0	6	6
Projecting*	0	60	60	32	0	1	1
Freestanding*	235	195	430	750	1	0	1
Animated (1 & 3)	0	8,405	8,405	100	0	5	5
Totals (2 & 3)	377	9,240	9,617	4,563	7	13	20

1. Animated signage includes 1 projecting sign, 3 wall signs and a cabinet on the existing freestanding sign.

2. Flags not counted towards total sign area.

3. Animated signs not counted toward total number of signs or sign area since counted in other categories.



The plans show a total of 5 animated signs which include a cabinet being added to the existing freestanding sign on the southern portion of the site, a projecting sign on the north side of the parking garage, and 3 wall signs located on the north, south, and east sides of the parking garage. The 3 animated wall signs are a total of 8,150 square feet out of 8,405 square feet of proposed signage (97%) for the site. The 6 roof signs are located on the front edge of canopies along the east side of the building. These signs extend above the top of the canopies which are considered as roofs making these roof signs. The 2 remaining wall signs are located on the northwest corner of the parking garage.

Applicant's Justification

The applicant indicates that it is necessary to increase the height of the parking garage building to allow for an elevator, light poles on the top of the structure, and a flagpole that is incorporated into the design of the structure. The increase in the height for the elevator is only 4 feet above the Code requirement and will have no impact on the abutting development. Light poles on top of the structure are needed for safety and security. The flagpole is an architectural enhancement for the Stadium District. The additional signage and animated signage will result in a design aesthetics synergy and character outlined in the Stadium District Plan. The signage will create an ambiance and provide additional lighting in the area to create a safe environment for pedestrians in the district. The site is in close proximity to the Las Vegas Resort Corridor which is designated as a scenic highway renowned for distinct signage. Following this example in this area will create another distinction that is different from other stadium areas. Therefore, the applicant states this request is appropriate for and compatible with the area.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ET-22-400100 (WS-20-0294)	First extension of time for a design review for a parking garage	Approved by BCC	October 2022
VS-22-0182	Vacated and abandoned patent easements	Approved by PC	May 2022
UC-21-0412	Supper club on the first floor of a parking garage	Approved by PC	October 2021
WS-20-0294	Parking garage	Approved by BCC	August 2020
VC-0321-99	Turf landscaping	Approved by PC	April 1999
VC-1118-97	75 foot high freestanding sign	Approved by PC	August 1997
UC-0752-97	100 foot high flagpole	Approved by BCC	July 1997
VC-0153-97	Reduced parking for a warehouse	Approved by PC	March 1997
ZC-1579-93	Reclassified the southern portion of the site to M-1 zoning for a convenience store with gasoline pumps and an office/warehouse	Approved by BCC	October 1993

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0246-90	Reclassified the northern portion of the site and the parcel to the west to M-1 zoning for a warehouse and office building	Approved by BCC	October 1990

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	M-1	Parking lot
South	Commercial Tourist	M-1	Convenience store with gasoline station
East	Commercial Tourist	H-1	Allegiant Stadium
West	Public Facilities	M-1	NV Energy substation & parking lot

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive 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.

Waiver of Development Standards #1

The increase in the height of the building for the elevator is a minor increase in the height of the building. The light poles on the roof of the parking garage will improve safety and security for people using the facility. The flagpole is designed as part of the structure. If this were a standalone structure Section 30.56.045 would allow a height of up to 100 feet. Therefore, staff can support this request.

Waivers of Development Standards #2 through #7

The applicant has stated that the site is located in the Stadium District and is in close proximity to the Las Vegas Resort Corridor, and that the proposed signage will enhance the Stadium District and help establish this area as another iconic location like the Resort Corridor. The Stadium District Plan was accepted by the Board of County Commissioners in June 2021 as guidelines for development within the Stadium District. This plan did not establish any specific Code standards for the Stadium District. Title 30 has established specific requirements for signage within the Resort Corridor for the resort hotels which have allowed them to develop with unique signage and again there are no similar special Code standards for signage within the

Stadium District. Signage discussed within the Stadium District Plan pertains to wayfinding signage including directional signage and identity signage. Therefore, staff finds that the Stadium District Plan does not support the applicant's statement that the proposed signage will enhance the Stadium District. There is an existing convenience store and gasoline station on this site. The parking garage building is under construction at this time, which will include the approved supper club. Based on the plans there is space for other businesses within the parking garage, possibly 2 more tenants for the site. Staff finds the amount of signage proposed for the site is excessive based on the number of businesses that will be located on the site. There are other existing businesses in this area, allowing the proposed increase could cause other businesses in this area to request increases in signage. Staff finds the applicant has not provided a sufficient justification to warrant the approval of this request, the requested signage is excessive in relation to the size of the site and the potential number of businesses to be located on the site. Therefore, staff does not support these requests.

#### Design Review #1

The proposed increase to the height of the parking garage will improve the safety and security of the facility with the addition of the light poles on the roof of the structure. The elevator is a minor increase in the height of the structure and if the flagpole were a standalone structure, it would be allowed by Code. Staff finds the proposed increase will have little impact on the abutting developments and support this request.

#### Design Review #2

Staff does not support the required waivers of development standards for proposed signage; therefore, staff cannot support this request.

#### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for Harry Reid 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 of waiver of development standards #1 and design review #1; denial of waivers of development standards #2 through #7, and design review #2.

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

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Comprehensive Planning**

If approved:

- Reduce nits (brightness of the video unit) to 25% of maximum brightness at nighttime.
- Applicant is advised that off-premises advertising is not permitted at this location; 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.

#### **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; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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.

#### **Fire Prevention Bureau**

- 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0122-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TIMOTHY HERBST

**CONTACT:** CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV  
89101

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 type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) 475 <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING 675 <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 23-0047</u> DATE FILED: <u>1-31-23</u> PLANNER ASSIGNED: <u>A</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>3-14-23</u> PC MEETING DATE: <u>4-4-23</u> BCC MEETING DATE: <u>—</u> FEE: <u>\$11500</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Herbst Family Limited Partnership II</u> ADDRESS: <u>5195 S. Las Vegas Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.798.6400</u> CELL: <u>702.327.0291</u> E-MAIL: <u>tpherbst@terribleherbst.com</u>
	<b>APPLICANT</b>  NAME: <u>Timothy P. Herbst - Trustee Timothy</u> ADDRESS: <u>5195 S. Las Vegas Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702.798.6400</u> CELL: <u>702.327.0291</u> E-MAIL: <u>tpherbst@terribleherbst.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>	

ASSESSOR'S PARCEL NUMBER(S): 162-29-401-016, 162-29-401-014, 162-29-401-013

PROPERTY ADDRESS and/or CROSS STREETS: Polaris Ave & Russell Rd.

PROJECT DESCRIPTION: Additions and Waivers to previously approved application (WS-20-0294)

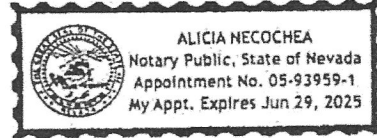
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and 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.

Property Owner (Signature)\* Timothy P. Herbst  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON June 24, 2022 (DATE)

By Timothy P. Herbst  
NOTARY PUBLIC: Alicia Necochea



\*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.

APR-22-10 1169

2

LAW OFFICE

*Brown, Brown & Premsrirut*

JAY H. BROWN  
DAVID T. BROWN  
PUOY K. PREMSRIRUT

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS  
520 SOUTH FOURTH STREET  
LAS VEGAS, NEVADA 89101

TELEPHONE: (702) 384-5563  
FACSMILE: (702) 385-1023  
EMAIL: jbrown@brownlawlv.com

December 20, 2022

Current Planning Division  
Department of Comprehensive Planning  
Clark County, Nevada  
500 Grand Central Pkwy  
Las Vegas, Nevada 89155-1841

WS-23-0047

**Re: Herbst Family Limited Partnership II**

**Justification Letter: - Waivers of Development Standards and Design Review to Increase Height of the Building (Parking Structure & Supper Club) and a Comprehensive Sign Package Application – Revision 2.**

**Assessors' Parcel Number: 162-29-401-013, 162-29-401-014 & 162-29-401-016.**

**To Whom It May Concern:**

On behalf of our Client, Herbst Family Limited Partnership II, please accept this justification letter for a proposed application package to increase the height of a previously approved parking structure with a supper club and a comprehensive sign package application for the structure and uses. The project is on a total of 4.3 acres in the M-1 zone. The parcel is located on the southwest corner of Dewey Drive and Polaris Avenue across the street (west) from the Allegiant Stadium.

**Project Description:**

This project includes waivers and design review requests to increase the height of the previously approved parking structure (WS-20-0294) and a comprehensive sign package for the structure and the approved supper club (UC-21-0412) within a portion of the structure. The previously approved supper club is a total of 18,305 square feet and is located within the northeastern portion of the structure. The primary vehicular access to the site is from Dewey Drive on the north property line into the parking structure. Except for the request to increase the height of the parking structure all other previous approvals for the structure and the supper club remain the same.

**Signage:**

The proposed signage is located on the north, south and east facades of the previously approved parking structure with a supper club also included on the plans are existing signs for other uses on the parcels. This specific request includes the following: wall signs, animated (wall signs/video units) on the north, south and east facades; roof signs on the north and east facades along the frontage of the supper club, a projecting sign and a non-commercial sign on a flagpole attached to the northern portion of the parking structure. A total of 8,625 square feet of wall signage is proposed on the façade approved the structure. A total of 8,767 square feet of the animated signs (video units) included on wall signs, a projecting and an addition to an existing freestanding sign are proposed. A total of five (5) animated signs area proposed consisting of three wall signs, one,

2

projecting sign and one on the existing freestanding sign. The roof signs project above the canopies along the frontage of the structure and are a total of 360 square feet. The non-commercial sign is a flagpole with a flag attached to the northern portion of the structure. The flagpoles and flags are a branding/logo for all Terrible Herbst developments. One flagpole and flag already exists on the site. The proposed flagpole is attached to the approved parking structure and increases the height of the structure to 72 feet. The maximum height of the structure is up to 53 feet 6 inches to the top of the elevator shaft.

**We respectfully request the following applications:**

**Waivers of Development Standard:**

- 1. Increase the height of the previously approved parking structure up to 72 feet where 49 feet 4 inches was previously approved and where 50 feet is the standard height in an M-1 zone.**

**Justification:**

The parking structure was original approved a few inches below the allowable height for a building and or structure in the M-1 zone. The height of up to 53 feet 6 inches is necessary to accommodate the height of the elevator shaft to meet Building Code requirements for the structure. This request is 4 feet 2 inches above the allowable height of the building which is appropriate to accommodate the elevator shaft which is for a small area of the building. The requested height of up to 72 foot is for the flagpole attached to the building and the light poles on the roof top of the parking structure. This waiver is required because the flagpole is attached to the parking structure and the light poles on the roof top. The flagpole is an additional aesthetic design for the building and an enhancement to the Stadium District. The site is located across the street and west of the Allegiant Stadium. The requested 72 foot height is actually only for the flagpole and lighting which will not impact the area. The height of the light poles will provide more lighting coverage and security at the top of the parking structure and the area. The proposed increase in height for the structure to accommodate the elevator shaft, flagpole and light poles are appropriate in this special district which was created to enhance the areas adjacent to the Stadium. The requested height is also compatible with the area because the Stadium is over 200 feet in height, therefore, the requested height of the parking structure will be more in scale with the height of the Stadium as compared to the allowed height of 50 foot in the M-1 zoning district.

- 2. Increase the square footage of the wall signs to 8,625 square feet where a total of 3,781 square footage is allowed.**

**Justification:**

This request is primarily to accommodate the animated signs proposed for the site. The wall signs double as video units to enhance the structure, supper club future uses on the site and the Stadium District. This request will result in the kind of design aesthetics, synergy, and character outlined in the Stadium District Plan. The signage will also create an ambiance and provide additional



lighting in the area to create a safe environment for pedestrians in the district. The approved design of the Polaris Street frontage for the structure and the supper club combined achieves the goals, policies, and intent of the district plan. The frontage along the site as designed is in conjunction with the approved supper club and is per the design criteria desired and encourage along Polaris Street to create and achieve walkability standards in the district. The approved design is similar to the design of the street frontage to the east along the east side of Polaris Street adjacent to the Allegiant Stadium. This coupled with the signage will for all intents and purposes achieves the intent and vision of the Stadium District plan. This area is also in close proximity to the Las Vegas Strip; where the distinct signage in that area is renown all over the work and is a designated scenic highway following this example in this area will create another distinction that is different from other stadium areas, therefore, this request is appropriate for and compatible with the area.

**3. Allow animated signs (video units)**

**a. Allow animated signs (video units) where only electronic message units (emu) are allowed in the M-1 zoning district.**

**b. Allow a total of 8,767 square feet of animated signs (video units) where a total of 300 square feet (100 square feet of electronic message units (emu units) per street frontage) is allowed.**

**Justification:**

The requested signage is for the approved parking structure and uses located just west of the Stadium, within the Stadium District. This request will result in the kind of synergy, and character outlined in the Station District Plan. The signage will also create an ambiance and provide additional lighting in the area and create a safe environment for pedestrians the district. The design of the Polaris Street frontage adjacent to the approved structure and uses achieves the goals and intent of the district. The frontage along the site as designed is in conjunction with the approved supper club per the design criteria along desired and encourage along Polaris Street to create walkability standards in the district. The approved design is similar to the design of the street frontage to the east adjacent to the Allegiant Stadium. This coupled with the signage will all achieve the intent and vision of the Stadium District plan. This area is also in close proximity to the Las Vegas Strip; therefore, this request is appropriate for and compatible with the area.

**4. Permit roof signs where not permitted.**

**Justification:**

This request is for 360 square feet of signage that sits on top of the canopies along the frontage of the supper club. This is a design feature than further enhances the frontage of the supper club portion of the structure, the street frontage, and the Stadium District. The request is minimal and will not impact the area but provide a distinct design for the structure, use and area.

**5. Increase the projection of the proposed roof signs to 4 feet where 3 feet is the**

**standard.**

**Justification:**

This request is necessary because placement of the signs on the canopies will allow the signs to be attached to the top of the canopy. This is a design feature that enhances the sign as designed and the street frontage of the district.

- 6.a. Increase the size of the projecting sign to 60 feet where a total of 32 square feet is allowed.**
- 6.b. Allow the projecting sign to be animated where not permitted and only allowed for wall and freestanding sign.**

**Justification:**

This request to increase the size of the projecting sign is minimal compared the other signs requested on the site. This increase with not impact the site or the Stadium District but will rather enhance the area and district and meet the intent of creating a unique district around the Stadium.

The request for animation for the projecting sign is also minimal compared to the overall animation requested for the site. This request in conjunction with the other signs requested will enhance the Stadium District and the intent to create a unique district surrounding the area.

**Design Reviews:**

- 1. To review the additional height of a previous approved parking structure with a supper club within a portion of the structure.**

**Justification:**

The approved design along the façade of the parking structure and the supper club remains the same as previously approved. The proposed height increase of the structure is to accommodate the elevator shaft, flagpole, and light poles on top of the parking structure which results in a building height that is in scale with the stadium. The requested height, is therefore, appropriate in this special district which was created to enhance the areas adjacent to the Stadium. The requested height is also compatible with the area because the Stadium is over 200 feet in height, therefore, the requested height will be more in scale with the height of the Stadium as compared to the 50 foot height allowed in the M-1 zoning district.

- 2. A comprehensive sign package for a parking structure, supper club and other future use.

**Justification:**

The signage proposed will enhance the entire site/area and comply with the intent of the Stadium District Plan. The parking structure, uses, and the proposed signage will encourage other similar well designed buildings, structures, uses and signage in the area to create a positive visual impact for the area while achieving the intent and goals for creating this special stadium district/plan.

LAW OFFICE

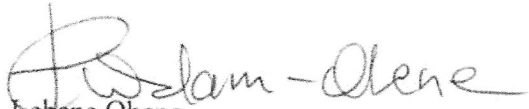
*Brown, Brown & Premisrut*

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

We appreciate your consideration in the review and positive recommendation of the applications.

Please contact me at 702-598-1429, if you have any questions or need additional information.

Sincerely,

  
Lebene Ohene  
Land Use and Development Consultant

RESORT HOTEL  
(TITLE 30)

FLAMINGO RD/LAS VEGAS BLVD S

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0057-PARBALL NEWCO LLC:**

**USE PERMIT** for deviations as shown per plans on file in conjunction with a resort hotel (Horseshoe).

**DEVIATIONS** for the following: **1)** increase building height; **2)** encroachment into airspace; and **3)** all other deviations as depicted per plans on file.

**DESIGN REVIEWS** for the following: **1)** pedestrian bridge; and **2)** modifications to an existing resort hotel (Horseshoe) including back of house area, exterior, and site improvements on a portion of 54.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Flamingo Road and the east side of Las Vegas Boulevard South within Paradise. JG/md/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-21-102-003 through 162-21-102-005; 162-21-102-009 ptn

**DEVIATIONS:**

1. Increase building height to 290 feet where 272 feet (a 6.7% increase) was previously approved for the existing resort hotel (Horseshoe – formerly Bally’s) and where a maximum height of 100 feet is permitted per Table 30.40-7 (a 190% overall increase).
2. Encroachment into airspace.
3. Allow all other deviations as depicted per plans on file.

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3645 to 3655 Las Vegas Boulevard South
- Site Acreage: 54
- Project Type: Modifications to an existing resort hotel (Horseshoe)
- Building Height (feet): 290
- Square Feet: 342 (back of house space)
- Parking Required/Provided: 5,308/7,262

### Site Plan & Request

This is a request for revisions and additions to an existing resort hotel, the Horseshoe (formerly Bally's). The application addresses the changes and modifications to the existing resort hotel site. The proposed changes and modifications are necessary to enhance the quality and safety of the resort hotel and the surrounding resort properties.

The first modification consists of increasing the height of the existing tower from the current height of 272 feet to a maximum height of 290 feet, in addition to exterior modifications that include a new parapet rooftop to the tower, and new balconies with exterior access to the existing guestrooms; 2) a new pedestrian bridge spanning a private drive aisle located between the Paris and Horseshoe Resort Hotels; and 3) modifications to the existing east/west fire lane that services both resort hotels.

The first modification consists of increasing the height of the existing guestroom (Jubilee) tower, located at the southwest portion of the Horseshoe Resort Hotel site, APN 162-21-102-009. The existing tower is set back as follows: 1) 170 feet from the west property line adjacent to Las Vegas Boulevard South; 2) 365 feet from the north property line along Flamingo Road; 3) 1,460 feet from the east property line; and 4) 76 feet from the south property line, adjacent to the existing vehicle drive aisle/fire lane. The footprint of the tower will remain the same with only a negligible increase in the total building area.

The second site modification includes the addition of a new pedestrian bridge spanning an existing vehicle drive aisle/fire lane located between the Horseshoe and Paris Resort Hotels. The pedestrian bridge, located at the west portion of the site, connects the Paris with the Jubilee tower located on the site of the Horseshoe Resort Hotel. The pedestrian bridge is set back 242 feet from the west property line, along Las Vegas Boulevard South.

The third modification includes the addition of a median island measuring 9 feet in width and 183 feet in length with 2 vehicle drive aisle lanes located on each side of the island. The median island is located on the west side of the project site within the vehicle drive aisle/fire lane located between Paris and the Horseshoe Resort Hotels. The existing fire access lane will be maintained at 24.5 feet in width, with a vertical height clearance under the pedestrian bridge of a minimum 15 feet, 9 inches (in excess of the required 13.5 feet as required by the International Fire Code (2018)). To accommodate the pedestrian bridge and related improvements, a total of 26 parking spaces will be permanently removed, consisting of 23 parking spaces located on the Paris site and 3 spaces located on the Horseshoe property. During construction, 19 parking spaces will be temporarily closed at the Horseshoe site. A total of 5,308 parking spaces are required for the subject properties where 7,262 parking spaces are provided.

### Landscaping

All street landscaping exists along Las Vegas Boulevard South and Flamingo Road and no street landscaping is proposed or required. Landscaping is proposed within median island consisting of trees, shrubs, and groundcover. No additional landscaping is proposed or required within the interior of the project site.

Elevations

The plans depict an existing guestroom tower (Jubilee) measuring up to 272 feet in height to the top of the building. A deviation is requested to increase the height of the existing tower to a maximum height of 290 feet with modifications to the exterior of the building consisting of the following: 1) a standing seam metal panel parapet wall; 2) painted EIFS façade and molding; and 3) balconies that will provide access to the exterior of the building with exterior sliding doors and metal railings 3.5 feet in width and 11.4 feet in width. Balconies are located on portions of the north and south elevations and are included for all rooms on the west elevation.

An enclosed pedestrian bridge, measuring up to a maximum height of 37.5 feet, will provide a connection between the Paris and Horseshoe Resort Hotels. A minimum vehicular clearance of 15.9 feet is provided where a minimum clearance of 13.5 feet is required per the International Fire Code. The exterior of the pedestrian bridge consists of EIFS painted with neutral, earth tone colors matching the resort hotels. Tempered glazing (windows) will also be included on both sides of the pedestrian bridge.

Floor Plans

The plans depict a total of 342 square feet of back of house space that will be added on levels 54 through 73 of the guestroom tower (Jubilee), or 19 square feet per floor. No additional floor area will be added to the resort hotel. Exterior balconies are featured as part of the floor plans located on portions of the north and south sides of the tower. Balconies are also included for each floor plan immediately adjacent to the west side of the tower. The total area of the enclosed pedestrian bridge measures 3,181 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the proposed increase to the height of the existing guestroom tower is minimal and will remain shorter than the adjacent Paris hotel tower and Eiffel Tower replica measuring 367 feet and 540 feet in height, respectively. The exterior façade improvements to the Jubilee tower will be updated to match the existing exterior façade of the buildings located on the adjacent Paris property. The proposed update and redesign to the Jubilee Tower is consistent with the existing Paris façade design and is compatible with other properties within the Resort Corridor. The proposed modifications to the existing vehicle drive aisle are necessary to accommodate the pedestrian bridge.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-22-0638	Modifications to an approved comprehensive sign package with an increase to the number and area of directional signs	Approved by BCC	January 2023
VS-22-0281	Vacated and abandoned a pedestrian access easement	Approved by BCC	June 2022

### Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0280	2, four story retail buildings with alternative street landscaping and reduced building setback	Approved by BCC	June 2022
DR-22-0177	Freestanding sign in conjunction with a resort hotel (Horseshoe Hotel)	Approved by BCC	May 2022
ADR-22-900058	Remodeled with modifications to the interior and exterior of existing buildings within a shopping center (Grand Bazaar) in conjunction with a resort hotel (Bally's)	Approved by ZA	February 2022
TM-20-500099	1 lot commercial subdivision	Approved by PC	August 2020
UC-20-0547	Monorail with waivers to not provide a franchise agreement and to reduce parking	Approved by BCC	October 2021
UC-20-0546	Project of regional significance for a monorail with a waiver to not provide a franchise agreement	Approved by BCC	October 2021
UC-18-0263	Modification to the interior and exterior of an existing building within a shopping center (Bally's Bazaar)	Approved by BCC	January 2018
DR-1035-17	Exterior and interior remodel of an existing building	Approved by BCC	January 2018
UC-0303-16	Signage in conjunction with the Grand Bazaar	Approved by BCC	June 2016
DR-0188-16	Modifications to an approved comprehensive sign package with an increased wall sign area	Approved by BCC	May 2016
UC-0854-14	Grocery store with a design review for signage	Approved by BCC	December 2014
UC-0847-13	Modifications to a comprehensive sign package	Approved by BCC	March 2014
UC-0227-12	Comprehensive sign and lighting plan with modifications to an approved shopping center (Bally's Bazaar)	Approved by BCC	July 2012
UC-0037-12	Outdoor shopping center (Grand Bazaar Shops)	Approved by PC	March 2012
DR-0077-11	Modifications to an approved sign package and reduced the separation between monument signs	Approved by BCC	May 2011
UC-0305-10	Sign package for Bally's and Paris Resort Hotels	Approved by BCC	August 2010
UC-1384-03 (ET-0283-09)	Second extension of time to allow permanent banners	Approved by PC	December 2009
UC-1384-03	Allowed permanent banners	Approved by PC	October 2003
UC-0855-00	Three sided on/off-premises freestanding sign with deviations to required setbacks	Approved by PC	July 2000

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	H-1	Drai's Beachclub & Nightclub
South	Entertainment Mixed-Use	H-1	Planet Hollywood Resort Hotel
East	Entertainment Mixed-Use	H-1	Motion picture production studio, parking lots, and undeveloped
West	Entertainment Mixed-Use	H-1	Bellagio Resort Hotel

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive 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 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.

Deviation #1

Staff finds the proposed height increase to the guestroom tower is consistent and compatible with the existing height of the surrounding resort hotels. The increase in tower height should not have an adverse or negative impact on the surrounding properties; therefore, staff recommends approval.

Design Reviews #1 & #2

Staff finds the proposed changes and modifications to the project are consistent and compatible with previous approvals for the project and other developments in the area. The proposed modifications are in response to changes in trends within the resort community, in addition to the current improvements to the project site. The proposed changes also reflect the new goals and direction for the rebranding of the Horseshoe Resort Hotel. Therefore, staff recommends approval of the design review.

**Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for Harry Reid 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.

More importantly, the development will penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.48.100 of the Clark County Unified Development Code. Therefore, as required by Section 30.16.210(12)(D) of the Clark County Unified Development Code, final action cannot occur until the FAA has issued an airspace Determination of No Hazard and the Department of Aviation has reviewed the determination. (Note that Section 30.16.210(12)(D) requires that the FAA Determination of No Hazard shall be



submitted 2 weeks prior to final approval for any proposed structure that intrudes into Airport Airspace Overlay District [see Chapter 30.48 Part B].)

**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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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.

**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;
- 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 many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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.
- 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PARBALL NEWCO LLC

**CONTACT:** REBECCA MILTENBERGER, BROWNSTEIN HYATT FARBER SCHRECK,  
100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106

**DRAFT**



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE (ZC)</p> <p><input checked="" type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>_____ (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>_____ (ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>UC-23-0057</u>      DATE FILED: <u>2/7/23</u></p> <p>PLANNER ASSIGNED: <u>MNO</u></p> <p>TAB/CAC: <u>PARADISE</u>      TAB/CAC DATE: <u>3/14/23</u> <span style="margin-left: 150px;"><u>@ 7:00 P.M.</u></span></p> <p>PC MEETING DATE: <u>-</u></p> <p>BCC MEETING DATE: <u>4/5/23 @ 9:00 A.M.</u></p> <p>FEE: <u>\$1,825.00</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>Paris Las Vegas Operating Company, LLC</u></p> <p>ADDRESS: <u>One Caesars Palace Drive</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89109</u></p> <p>TELEPHONE: <u>N/A</u>      CELL: <u>N/A</u></p> <p>E-MAIL: <u>N/A</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>Paris Las Vegas Operating Company, LLC</u></p> <p>ADDRESS: <u>One Caesars Palace Drive</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89109</u></p> <p>TELEPHONE: <u>N/A</u>      CELL: <u>N/A</u></p> <p>E-MAIL: <u>N/A</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>Rebecca Miltenberger - Brownstein Hyatt Farber Schreck</u></p> <p>ADDRESS: <u>100 North City Parkway, Suite 1600</u></p> <p>CITY: <u>Las Vegas</u>      STATE: <u>NV</u>      ZIP: <u>89106</u></p> <p>TELEPHONE: <u>702-464-7052</u>      CELL: <u>N/A</u></p> <p>E-MAIL: <u>RMiltenberger@BHFS.com</u>      REF CONTACT ID #: <u>176001</u></p>

ASSESSOR'S PARCEL NUMBER(S): 162-21-102-003, -004 and -005

PROPERTY ADDRESS and/or CROSS STREETS: 3655 S. Las Vegas Blvd., Las Vegas, NV 89109

PROJECT DESCRIPTION: Jubilee Tower Updates

(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.

\_\_\_\_\_  
Property Owner (Signature)\*      GARY BOGAN  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 11-22-2022 (DATE)

By GARY BOGAN  
NOTARY PUBLIC: [Signature]

CAROLYN J. WILLIS  
NOTARY PUBLIC  
STATE OF NEVADA  
My Commission Expires: 05-09-25  
Certificate No: 97-1260-1

\*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.

January 30, 2023

Rebecca L. Miltenberger  
Attorney at Law  
702.464.7052 direct  
rmiltenberger@bhfs.com

## VIA ELECTRONIC DELIVERY

Clark County Comprehensive Planning Department  
500 S. Grand Central Parkway, First Floor  
Las Vegas, NV 89155

PLANNER  
COPY

RE: Justification Letter – Jubilee tower façade updates and pedestrian bridge connecting the Paris Las Vegas and Horseshoe Las Vegas  
APNs: 162-21-102-003, 162-21-102-004, 162-21-102-005 & 162-21-102-009

### To Whom It May Concern:

We represent Paris Las Vegas Operating Company, LLC, a Nevada limited liability company (“Paris”), owner and operator of the Paris Las Vegas hotel and casino located at 3655 S. Las Vegas Blvd., Las Vegas, NV 89109, bearing Clark County Assessor Parcel Numbers (“APNs”) 162-21-102-003, 162-21-102-004, 162-21-102-005 (the “Paris Property”), and Parball NewCo, LLC, a Delaware limited liability company (“Horseshoe” and together with Paris, the “Applicant”), owner and operator of the Horseshoe Las Vegas (f/k/a Bally’s Las Vegas Hotel & Casino), located at 3645 S. Las Vegas Blvd. Las Vegas, NV 89109, bearing APN 162-21-102-009 (the “Horseshoe Property” and, together with the Paris Property, the “Properties”), in connection with the land use application enclosed herewith.

The Applicant is seeking approval of the following in connection with (1) modifications and façade updates to an existing hotel tower located on the Horseshoe Property (the “Tower”), (2) modifications to existing guestrooms to add a balcony with exterior access; (3) a proposed pedestrian bridge over a private right-of-way, and (3) modifications to an existing private right-of-way, in conjunction with resort hotels in an H-1 (Limited Resort and Apartment) Zone and MUD-1 Overlay District:

Deviations for the following: 1) to increase the height of the existing building by approximately 17 feet for a total height of approximately 290 feet from casino level; and 2) encroachment into the airspace over the 100 feet permitted per Table 30.40-7.

Design Review for the following: 1) exterior modifications and new parapet rooftop to the Tower; 2) new balconies with exterior access to existing guestrooms at the Tower; 3) a new pedestrian bridge spanning a private right-of-way; and 4) modifications to the existing fire access lane.

### Tower Updates:

The existing Tower is being updated to (a) change the color scheme and design of the exterior façade, (b) update the rooftop and add a metal parapet (adding an approximate 17 feet of additional height), and (c) adding balconies to existing hotel guest rooms with exterior access, each as shown on the enclosed plans. The existing building height of the Tower is approximately 272 feet 11 inches, and with the proposed modifications, the overall height will increase to approximately 290 feet<sup>1</sup>, which remains shorter than the adjacent Paris hotel tower being approximately 367 feet 3 inches<sup>2</sup> in height, and the Paris Eiffel Tower replica being approximately 540 feet in height. Additionally, the Notice of Proposed Construction or Alteration was submitted with the Federal Aviation Administration

<sup>1</sup> All heights are measured from casino level, located approximately 100 feet above the ground floor.

<sup>2</sup> The total approved height of the Paris hotel building is 410 feet per application no. UC-0310-96, as amended by UC-1876-96, and last extended by ET-0332-03.

(application nos. 2022-AWP-16378-OE, 2022-AWP-16379-OE, 2022-AWP-16380-OE and 2022-AWP-16381-OE) with a total proposed structural height of 310 feet.

The exterior façade will be updated to match the existing exterior façade of the buildings located on the adjacent Paris Property, as shown on the enclosed plans. The balconies will provide access to the exterior of the building with a new exterior sliding door and metal railing approximately 3' 6" in height and 11' 4" in width. The proposed update and redesign to the Tower is consistent with the existing Paris Las Vegas façade design, and is compatible with other properties within the Resort Corridor. The new back of house space will be added on levels 54 through 73, consisting of approximately 19 square feet per floor for a total of 342 square feet of additional back of house space.

Pedestrian Bridge:

The proposed pedestrian bridge (the "Bridge") will be fully enclosed and will extend across the Properties, providing an above grade pedestrian connection between the Properties, as shown on the enclosed plans. The proposed Bridge will have a vertical height clearance from approximately 15 feet 9 inches to 18 feet 3 inches. The proposed Bridge is visually compatible with the adjacent developments and surrounding properties within the H-1 zoning designation and Resort Corridor, and will provide a safe pedestrian connection between the Properties. The Bridge is setback from Las Vegas Boulevard approximately 242 feet 10 inches from the Horseshoe Property line and approximately 242 feet 2 inches from the Paris Property line, both in excess of the required 25 feet per Section 30.56.060 of the Clark County Development Code.<sup>3</sup>

Drive Isle Modifications:

The existing private right-of-way located on the northern end of the Paris Property will be modified to add a median island approximately 9 feet 1 inch wide and approximately 183 feet in length with two drive lanes to be located on each side of the median island as show on the enclosed plans. The existing fire access lane will be maintained at 24 feet 6 inches, with a vertical height clearance under the Bridge of a minimum of 15' 9" (in excess of the required 13' 6" as required per Section 503.2.1 of the International Fire Code 2018), as shown on the enclosed plans. The drive isle modifications will included updated landscaping as shown on the enclosed landscape plans. The proposed modifications are necessary to support the infrastructure for the proposed Bridge.

Parking:

To accommodate the Bridge and related improvements, a total of 26 parking spaces will be permanently removed, consisting of 23 spaces located on the Paris Property and 3 spaces located on the Horseshoe Property. During construction, 19 parking spaces will be temporarily closed at the Horseshoe Property). An updated parking chart is enclosed herewith, reflecting a total required parking count of 5,308 parking spaces with 7,062 parking spaces being provided after the removal of the aforementioned 26 parking spaces.

Thank you in advance for your consideration of this application. Please contact me should you have any questions or require additional information.

Sincerely,



Rebecca L. Miltenberger  
Enclosures

<sup>3</sup> Additionally, per application no. UC-1876-96 the side setback was reduced to 0 feet for bridges and structures near or crossing property lines where a minimum of 10 feet is required.

OUTDOOR TICKET SALES BOOTH  
(TITLE 30)

LAS VEGAS BLVD S/SANDS AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0058-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.

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the setback from a 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.

Generally located on the east side of Las Vegas Boulevard South, 1,800 feet south of Sands Avenue within Paradise. TS/rk/syp (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.

**WAIVER OF DEVELOPMENT STANDARDS:**

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).

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

## **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 (feet): 11 (outdoor sales structure/booth)/16.5 (shade canopies)
- Square Feet: 170 (outdoor sales structure/booth)/466 (shade canopies)
- Parking Required/Provided: 432/426 (overall resort hotel)

#### History & Site Plans

The Property was previously approved for an outdoor ticket sales booth on December 12, 2013, and again on November 16, 2018 per application UC-18-0740. In March of 2020, the applicant ceased operations and did not resume business until July of 2021. As a result, the special use permit is no longer valid, and now the applicant is submitting this request for re-approval.

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 the back of curb of Las Vegas Boulevard South and 21 feet from the front (west) property line, but within the future right-of-way. 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.

#### 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 waivers for a parking reduction were associated with the outdoor sales structure/booth applications (UC-0683-13 & UC-18-0740) which 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 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.

### Applicant's Justification

The applicant states that the sales booth (UC-18-0740) ceased operations and did not resume business until July of 2021. As a result, the special use permit is no longer valid, and now the applicant is submitting this request for re-approval. A ticket sales booth is appropriate as the property is located within the resort corridor and along the Las Vegas Boulevard South pedestrian walkway. Additionally, similar outdoor sales booths have been approved at other locations along Las Vegas Boulevard South and identical requests for this site were approved on 2 previous occasions.

### Prior Land Use Requests

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-18-0740	Outdoor sales structure/booth, shade canopies, and signage, and a waiver to reduce parking for the overall resort hotel - expired	Approved by BCC	November 2018
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-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-0618-12	Additions and modifications including a pharmacy and restaurant in conjunction with a resort hotel (Casino Royale) - expired	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	Approved by PC	April 2012



**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0338-11	Allow a use (coupon dispensing machines) not within an enclosed building	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
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	For a 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

Since the early 1990's there have been numerous land use applications for various uses approved on the property; therefore, the above land use applications are the most recent and relevant applications.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Entertainment Mixed-Use	H-1	Venetian/Palazzo Resort Hotel
South	Entertainment Mixed-Use	H-1	Harrah's Resort Hotel
West	Entertainment Mixed-Use	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**

**Comprehensive 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 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 and #4

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 the 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 queuing 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.

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 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.

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 this request.

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 the 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.

Staff finds that the existing signs are compatible with the existing developments along Las Vegas Boulevard South and 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.

**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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- 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 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**

- 30 days to coordinate with Public Works - Design and Construction Management Divisions and to dedicate any necessary right-of-way and easements for the Las Vegas Boulevard improvement project;
- Owner acknowledges that the proposed 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 dedicate its 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 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.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TIX CORPORATION DBA TIX4VEGAS

**CONTACT:** BOB GRANAUER, 1980 FESTIVAL PLAZA DR., SUITE 650, LAS VEGAS, NV 89135



**KAEMPFER**

**CROWELL**

ATTORNEYS AT LAW  
LAS VEGAS OFFICE

LEXA D. GREEN  
Lgreen@kcnvlaw.com

**LAS VEGAS OFFICE**  
1980 Festival Plaza Drive  
Suite 650  
Las Vegas, NV 89135  
Tel: 702.792.7000  
Fax: 702.796.7181

**RENO OFFICE**  
50 West Liberty Street  
Suite 700  
Reno, NV 89501  
Tel: 775.852.3900  
Fax: 775.327.2011

**CARSON CITY OFFICE**  
510 West Fourth Street  
Carson City, NV 89703  
Tel: 775.884.8300  
Fax: 775.882.0257

January 4, 2023

**VIA ONLINE SUBMITTAL**

CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, NV 89106

UC-23-0058

**Re: *Justification Letter – Design Review, Special Use Permit, Waiver of Development Standards  
Tix Corporation  
APN: 162-16-301-013***

To Whom It May Concern:

This Firm represents Tix Corporation (the “Applicant”) in the above-referenced matter. The proposed project is located at the Casino Royale, on the east side of Las Vegas Blvd., 1,600 feet south of Sands Avenue. The site is more specifically described as Assessor’s Parcel Number 162-16-301-013 (the “Property”). The Applicant is proposing a design review, special use permit, waivers of development standards and deviations to allow for an outdoor ticket sales booth with shade canopies. The Property was previously approved for an outdoor ticket sales booth and the above stated requests on December 12, 2013, and again on November 16, 2018 in application UC-18-0740. In March of 2020, the Applicant ceased operations and did not resume operations until July of 2021. As a result, the special use permit is no longer valid, and now the applicant is submitting this request for re-approval.

The Property is currently zoned for Limited Resort and Apartment (H-1) and master-planned Entertainment Mixed-Use (EM). The Property is located on the Strip, and therefore surrounded by H-1 zoned properties, with land uses of EM.

**Design Review:**

The Applicant is proposing to continue its use of the 170-square-foot, modular metal structure, for ticket sales. The structure is 16.5 feet in height, and is located on the south side of the Casino Royale. The Applicant is not proposing any changes or improvements to the existing building. The booth is appropriately placed, and allows adequate space for customer queuing, without interfering with the pedestrian flow along the Las Vegas Blvd. walkway. The sales booth is located 31 feet from the Las Vegas Blvd. curb and 21.5 feet from the property line. The booth has 3 shade canopies located along the south and east sides of the sales booth that are 17 feet in height. The shade canopies are a minimum of 25-feet from Las Vegas Blvd. Signage is depicted

on the west and south sides of the sales booth. None of the signage is animated. The Applicant is not proposing any changes to the existing signage.

**Special Use Permit:**

In conjunction with the design review application, the Applicant is requesting a special use permit to allow for an outdoor ticket sales booth and all deviations shown on plans. With special use permit approval, an outdoor ticket sales booth is allowed in an H-1 zoned district. A ticket sales booth is appropriate as the Property is located within the Resort Corridor and along the Las Vegas Strip pedestrian walkway. Similar outdoor sales booths have been approved at other locations along Las Vegas Blvd. South. Additionally, identical requests for the Site were approved on two previous occasions.

**Deviations:**

The Applicant is requesting a deviation to allow a retail use that is not within a permanent enclosed building, as required under Section 30.44.005. Similar outdoor sales structures/booths have been approved at other locations along Las Vegas Blvd., so long as the applicant adequately demonstrated that said structure does not negatively impact the pedestrian access easement along Las Vegas Blvd. The applicant was approved for an identical request in December of 2013 and again in November of 2018. Since the initial approval in 2013, the outdoor booth has been operating with no reported issues or violations. Therefore, the outdoor ticket booth will not negatively impact the pedestrian walkway.

The Applicant is also requesting a deviation to allow an accessory use not accessed from the interior of the resort/hotel, where required per Table 30.44-1. The outdoor ticket booth is located outside of the Casino Royale, within the hardscape, walkable area of the Las Vegas Blvd. pedestrian walkway. This ticket booth is typical of those seen throughout the Las Vegas Strip, most of which are not accessed from the interior resort/hotels. Additionally, as previously stated, this particular outdoor ticket booth has operated for nine (9) years without any complaints filed with the Clark County Public Response Office.

The Applicant is also requesting a deviation to allow a reduction in parking to 426 spaces, where 432 spaces are required. The existing ticket sales booth has not resulted in any significant increase in the demand for parking at the hotel and casino. The Property is located within the Resort Corridor where many visitors walk, utilize mass transit, or other forms of transportation. The majority of the Tix4Tonight customers are walk-up patrons that stay at surrounding properties. The existing parking provided for the Casino Royale is adequate for the Property, and there have been no complaints filed with the Clark County Public Response Office related to parking. Additionally, the applicant was approved for an identical request in December of 2013 and again in November 2018.

**Waiver of Development Standards:**

The Applicant is also requesting a waiver to reduce the setback from a future right-of-way of Las Vegas Boulevard South to zero feet, where 10 feet is required. 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-ways. Additionally, the existing sales booth facility has been operating for several years with no issues and no reported violations.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or concerns.

Sincerely,

KAEMPFER CROWELL



Lexa D. Green

PARK  
(TITLE 30)

RUSSELL RD/SURREY ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-23-0049-COUNTY OF CLARK (PK & COMM SERV):**

**ZONE CHANGE** to reclassify 8.0 acres from a C-2 (General Commercial) (AE-60 & AE-65) Zone, a C-P (Office and Professional) (AE-60) Zone, and an M-D (Designed Manufacturing) (AE-60 & AE-65) Zone to a P-F (Public Facility) Zone for an existing park.

Generally located on the southeast corner of Russell Road and Surrey Street within Paradise (description on file). JG/mc/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

162-35-513-011

**LAND USE PLAN:**

WINCHESTER/PARADISE - PUBLIC USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 5800 Surrey Street
- Site Acreage: 8
- Project Type: existing park (McCarran Marketplace Park)

Applicant's Justification

The applicant requests to change the parcel's 3 existing zoning designations to 1 designation, P-F (Public Facility). According to the applicant, the request to reclassify the site as P-F is the most appropriate for the designated activities. In addition, the zone change will create a cohesive design code requirement across the entire site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-0792-06	Soccer fields and play areas in conjunction with an approved shopping center	Approved by BCC	August 2006
ZC-0487-03	Reclassified a portion of the parcel to C-2 zoning	Approved by BCC	May 2003



### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial	R-1 & CRT	Single family residential
South	Business Employment	C-2	Shopping center
East	Business Employment	C-2 & C-P	Shopping center
West	Business Employment	M-D	Warehouses

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Comprehensive Planning

##### Zone Change

The request is to reclassify the entire subject site to P-F (Public Facility) zoning. The subject site is developed with an existing park, McCarran Marketplace Park. The proposed P-F zoning district conforms to the planned land use of the parcel, which is P-U (Public Use). The subject site is currently zoned with 3 different zoning designations, M-D on the west side, C-2 on the east side, and a small portion of C-P on the northeast corner adjacent to Russell Road. These zoning designations are typically utilized for retail, office, and light industrial uses. There are 2 existing parks zoned P-F that are near the subject site, Paradise Vista Park north of the site, and Cannon Middle School Park east of the site. The existing multiple zoning designations of the site do not reflect the existing park use. The park consists of artificial grass sports fields, picnic facilities, a playground and 2 parking lots. The P-F zoning district is compatible with the existing park, and staff can support the request.

#### Staff Recommendation

Approval.

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

#### Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning.
- 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.

#### Public Works - Development Review

- No comment.

#### Fire Prevention Bureau

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** DANIEL SAGAON CORNEJO

**CONTACT:** DANIEL SAGAON CORNEJO, 500 S. GRAND CENTRAL PARKWAY, 4TH FLOOR, LAS VEGAS, NV 89155

DRAFT