



# Winchester Town Advisory Board

Winchester Dondero Cultural Center

3130 S. McLeod Dr.

Las Vegas, NV 89121

September 24, 2024

6:00pm

## AGENDA

**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 Secretary Name at Secretary's Phone Number.
  - 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 specific Board/Council website.

Board/Council Members: April Mench, Chairperson  
 Dorothy Gold, Vice Chairperson  
 Judith Siegel  
 Cristhian Barneond  
 Christopher Hooper

Secretary: Mallory Cristales, (213) 949-0805, mallory.cristales@outlook.com  
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Beatriz Martinez, (702) 455-0560, and beatriz.martinez@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, Invocation, Pledge of Allegiance, and Roll Call

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 August 27, 2024. (For possible action)
- IV. Approval of the Agenda for September 24, 2024 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning Items

1. UC-24-0450-JOSEPHS FAMILY LAND LP:  
USE PERMITS for the following: 1) vehicle maintenance and repair; 2) vehicle paint/body shop; and 3) vehicle rental or sales on 6.55 acres in a CG (Commercial General) Zone. Generally located on the east side of Eastern Avenue, 225 feet south of Sahara Avenue within Winchester. TS/tpd/kh (For possible action) **10/15/24 PC**

2. UC-24-0466-JDR OWNER, LLC:  
USE PERMIT for modifications to an existing resort hotel (Fontainebleau).  
DESIGN REVIEW for modifications to an existing resort hotel (Fontainebleau) on 22.7 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the north side of Elvis Presley Boulevard within Winchester. TS/jud/kh (For possible action) **10/16/24 BCC**

3. WS-24-0433-HAPPY MINER, LLC:  
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height; 2) reduce parking lot landscaping; 3) setbacks; and 4) alternative driveway geometrics.  
DESIGN REVIEW for a motel on 2.16 acres in a CR (Commercial Resort) Zone.  
Generally located on the northwest corner of Desert Inn Road and Pawnee Drive within Winchester. TS/bb/kh (For possible action) **10/16/24 BCC**

- VII. General Business:
  - 1. Applications are available until November 14th at 5:30pm for appointments by the Clark County Board of County Commissioners to serve on the Winchester TAB for a two-year (2-year) term beginning January 2025 (for possible action)
  - 2. Review FY 2025 budget request(s) and take input regarding suggestions for FY 2026 budget request(s). (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 discussion, action, or vote may be taken on this agenda item. 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: October 8, 2024.

X. Adjournment.

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following locations:  
3130 S. McLeod Dr., Las Vegas, NV 89121  
<https://notice.nv.gov>



# Winchester Town Advisory Board

August 27, 2024

## MINUTES

Board Members: Dorothy Gold – Member – PRESENT April Mench – Member – PRESENT  
Judith Siegel – Member – PRESENT Cristhian Barneond – Member – PRESENT  
Christopher Hooper – Member – PRESENT

Secretary: NAME PHONE EMAIL  
County Liaison: Beatriz Martinez (702) 455-0560 beatriz.martinez@clarkcountynv.gov

I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions: Beatriz Martinez – County Liaison & Secretary, Dane Detommaso – Planner.  
The meeting was called to order at 6:02 p.m.

II. Public Comment: None

III. Approval of the August 13, 2024, Minutes

**Moved by: Gold**  
**Action: Approved**  
**Vote: 3-1**

IV. Approval of Agenda for August 27, 2024.

**Moved by: Gold**  
**Action: Approved**  
**Vote: 4-0**

V. Informational Items: **None**

VI. Planning & Zoning

1. UC-24-0382-E-J CLUB, LLC:

USE PERMIT for an office in conjunction with an existing commercial/industrial building on 1.02 acres in an IL (Industrial Light) Zone. Generally located on the west side of Sammy Davis Jr. Drive, 550 feet south of Circus Drive within Winchester. TS/mh/syp (For possible action) 09/18/24 BCC

**Moved by: Barneond**

**Action: Approve**

**Vote: 5-0**

**2. UC-24-0395-SAIA, GABRIEL GOMES JR. REVOCABLE LIVING TRUST & SAIA, GABRIEL GOMES JR. TRS:**

**USE PERMITS** for the following: **1)** a museum; **2)** a banquet facility; and **3)** a recreational facility in conjunction with an existing cannabis establishment within an existing office/warehouse complex on 14.0 acres in an IL (Industrial Light) Zone. Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester and Paradise. TS/hw/syp (For possible action)

09/18/24 BCC

**Moved by: Barneond**

**Action: Approve**

**Vote: 5-0**

**VII.** General Business: None

**VIII.** Public Comment: None

**IX.** Next Meeting Date

**The next regular meeting will be September 10, 2024.**

**X.** Adjournment

**The meeting was adjourned at 6:18pm.**

**ATTACHMENT A  
WINCHESTER TOWN ADVISORY BOARD  
ZONING AGENDA  
TUESDAY, 6:00 P.M., SEPTEMBER 24, 2024**

10/15/24 PC

1. **UC-24-0450-JOSEPHS FAMILY LAND LP:**  
**USE PERMITS** for the following: **1)** vehicle maintenance and repair; **2)** vehicle paint/body shop; and **3)** vehicle rental or sales on 6.55 acres in a CG (Commercial General) Zone. Generally located on the east side of Eastern Avenue, 225 feet south of Sahara Avenue within Winchester. TS/tpd/kh (For possible action)

10/16/24 BCC

2. **UC-24-0466-JDR OWNER, LLC:**  
**USE PERMIT** for modifications to an existing resort hotel (Fontainebleau).  
**DESIGN REVIEW** for modifications to an existing resort hotel (Fontainebleau) on 22.7 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the north side of Elvis Presley Boulevard within Winchester. TS/jud/kh (For possible action)
3. **WS-24-0433-HAPPY MINER, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase fence height; **2)** reduce parking lot landscaping; **3)** setbacks; and **4)** alternative driveway geometrics.  
**DESIGN REVIEW** for a motel on 2.16 acres in a CR (Commercial Resort) Zone.  
Generally located on the northwest corner of Desert Inn Road and Pawnee Drive within Winchester. TS/bb/kh (For possible action)

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**UC-24-0450-JOSEPHS FAMILY LAND LP:**

**USE PERMITS** for the following: **1)** vehicle maintenance and repair; **2)** vehicle paint/body shop; and **3)** vehicle rental or sales on 6.55 acres in a CG (Commercial General) Zone.

Generally located on the east side of Eastern Avenue, 225 feet south of Sahara Avenue within Winchester. TS/tpd/kh (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-12-101-009

**LAND USE PLAN:**

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 2570 S. Eastern Avenue
- Site Acreage: 6.55
- Project Type: Vehicle maintenance & repair/vehicle paint & body shop/vehicle rental or sales
- Parking Required/Provided: 56/16 (overnight parking)/57 (customer parking)/20 (vehicle display)/173 (vehicle storage)

**History, Request, & Site Plan**

The plan depicts an existing commercial development with 4 buildings on the site that has been operating as an automobile dealership for nearly 40 years. The site is accessible with one means of ingress and egress from Eastern Avenue. The largest building centrally located within the parcel is being converted to a vehicle maintenance and repair and vehicle paint/body shop facility and will operate separately from the dealership under a separate ownership. The 3 other buildings within the site are consisting of a showroom, directly to the west of the proposed vehicle maintenance and repair and vehicle paint/body shop facility, an office building to the south of the showroom building, and a storage building to the east of the office building. Parking spaces have been designated for overnight parking, customer parking, vehicle storage and vehicle display.

In October 2023, an application (UC-23-0561) was approved to allow for a recreational vehicle sales and repair facility for the parcels to the east (APNs 162-12-101-004, 162-12-101-005, 162-

12-101-006 and 162-12-101-010). The eastern portion of the subject site APN 162-12-101-009 was designed as parking for the approved recreational vehicle sales and repair facility to the east.

The request is to allow a vehicle maintenance or repair facility within 195 feet of a residential property to the south, a vehicle paint/body shop, and a vehicle rental or sales facility. Since the dealership will now be sharing parking with a different business, the number of vehicle displays are limited to 5 vehicles when 20 exist.

Landscaping

No new landscaping is proposed or required for this request.

Elevations

The plans depict the proposed vehicle maintenance/repair and vehicle paint/body shop building as a single-story building with gray CMU siding and a flat roof. The storage area and detail bay have gray metal siding with a pitched metal roof. There are 5 roll-up doors on the south side of the building, 1 on the west side, and 1 on the east side. The vehicle paint/body shop has 6 roll-up doors on the north side of the building, 1 is attached to a 839 square foot detail bay on the east side of the northern portion. In addition to the north side roll-up door, there is a roll-up door on the south side of the detail bay. The showroom building is single-story with gray CMU siding and a flat roof.

Floor Plans

The plans depict an existing building that is split into 2 distinct uses. The south portion is 11,825 square feet and intended to be used as a vehicle maintenance facility. The north portion is 6,060 square feet and intended to be use as a vehicle paint/body shop facility. The showroom building is where the vehicle rental or sales exists. This building is 6,619 square feet and depicts several offices, a showroom, a parts department, and 2 bathrooms. There is a second level for this showroom building that will not be used, as indicated by the applicant.

Applicant's Justification

The applicant states this site is pre-existing and has had the same use for nearly 40 years. No changes are proposed for the existing layout and design. Approval of the application would allow the property to continue its intended use while matching similar commercial businesses in the area, adding value to the local economy. The applicant indicates the hours of operation will be from Monday to Friday from 9:00 a.m. to 5:00 p.m.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-23-0561	Use permits, waivers of development standards with a design review for recreational vehicle sales and repair for the northeastern side of APNs 162-12-101-004, 162-12-101-005, 162-12-101-006, and 162-12-101-010	Approved by BCC	October 2023
ET-400084-13 (WS-0342-11)	First extension of time for an accessory structure - expired	Approved by PC	October 2013



**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-0342-11	Waivers of development standards with a design review for an accessory structure in conjunction with a commercial development - expired	Approved by PC	September 2011

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	CG	Commercial complex, vehicle rental or sales, vehicle maintenance & repair, & undeveloped
South	Urban Neighborhood (greater than 18 du/ac)	RM32	Residential multi-family & residential single-family
East	Corridor Mixed-Use	CG	Undeveloped
West	Corridor Mixed-Use	CG	Shopping center

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis****Comprehensive Planning**

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff believes that the request is harmonious with the surrounding area. There are commercial businesses to the north, east, and west of the subject parcel, and the proposed uses are compatible with the surrounding uses. Furthermore, the request aligns with what the site was originally approved for in 1974, as well as with Policy 5.5.3, which seeks to encourage the retention of established local businesses in unincorporated Clark County. There is no new construction being proposed with this request. Everything is existing and pre-dates the construction of residential properties to the south. The request to reduce the setback from residential to 195 feet where 200 feet is required is minor. There are similar uses that were approved to the east of the subject site that are closer to residential subdivisions. Also, there is more than enough parking to accommodate the proposed uses. The activities for the vehicle maintenance/repair and vehicle paint/body shop facility occurs within the enclosed building. Staff can support these requests.

**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**

- No outside work for the vehicle maintenance/repair and vehicle paint/body shop facility.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

**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:** CODY SPRINKLE

**CONTACT:** CODY SPRINKLE, 2570 S. EASTERN AVENUE, LAS VEGAS, NV 89169

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-24-0466-JDR OWNER, LLC:**

**USE PERMIT** for modifications to an existing resort hotel (Fontainebleau).

**DESIGN REVIEW** for modifications to an existing resort hotel (Fontainebleau) on 22.7 acres in a CR (Commercial Resort) Zone.

Generally located on the east side of Las Vegas Boulevard South and the north side of Elvis Presley Boulevard within Winchester. TS/jud/kh (For possible action)

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RELATED INFORMATION:

**APN:**

162-09-617-001; 162-09-617-002

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2777 Las Vegas Boulevard South
- Site Acreage: 22.7
- Project Type: Guard shack & access gates
- Number of Stories: 1
- Building Height (feet): 9
- Square Feet: 35 each

Site Plans

The plans depict 2 sets of existing structures (access gate and guard shack) located on the northeastern and southeastern portions of the site (Fontainebleau). The structures on the north portion of the site meet setbacks. However, the structures to the south intrude on the required setback to any street by 1 foot where 10 feet is required for resort hotels, and the access gate is set back 43 feet where the required setback is 50 feet.

Landscaping

No changes are proposed to the existing landscaping.

Elevations

The gates are 6 feet high and approximately 25 feet wide, consisting of painted tubular steel. The 35 square foot guard shacks are 9 feet in height. The exterior materials consist of steel and composite panels with glass panel doors and windows.

### Applicant's Justification

The applicant states the access gates and guard shack are necessary especially along Elvis Presley Boulevard to secure and restrict access to these areas of the resort hotel. The gate is staffed with an employee to check all deliveries and trash pick-up. The location of the gate and shack on Elvis Presley Boulevard was carefully considered to ensure there is no queuing into the right-of-way. The reduction in the setbacks requested for the access gate and guard shack along Elvis Presley Boulevard are necessary and will not impact the right-of-way or pedestrian realms in the area. This driveway along Elvis Presley Boulevard only provides access to the loading docks and delivery area of the site.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADR-24-900103	Exterior modifications to an existing resort hotel	Approved by ZA	March 2024
SC-23-0311	Private street name change	Approved by BCC	August 2023
UC-23-0235	Deviations to reduce height/setback ratio, increased projection of wall signs, increased the height of directional signs, increased the area of directional signs, reduced setback, allowed temporary signs, and deviations as shown per plans on file, waivers to reduce setback from the right-of-way, and a design review for a comprehensive sign package	Approved by BCC	June 2023
UC-21-0726	Nightclub, deviations for landscaping, waiver for setbacks for the resort hotel	Approved by BCC	February 2022
ET-21-400083 (UC-1515-06)	Third extension of time for alternative landscaping on the east property line	Approved by BCC	July 2021
ET-21-400084 (UC-1242-06)	Third extension of time to allow modular buildings during construction of the resort hotel	Approved by BCC	July 2021
ET-21-400080 (UC-0213-08)	Third extension of time to redesign east façade of parking garage/convention facility	Approved by BCC	July 2021
ET-21-400082 (UC-0698-07)	Third extension of time to increase building height and square footage of the project	Approved by BCC	July 2021
ET-21-400077 (UC-0489-08)	Third extension of time for deviations for roof signs and modified separation requirements	Approved by BCC	July 2021
ET-21-400078 (UC-0932-06)	Third extension of time for the resort hotel	Approved by BCC	July 2021
ET-21-400079 (UC-0233-07)	Third extension of time for a use permit to increase the number of resort condominiums with kitchens	Approved by BCC	July 2021
ET-21-400074 (DR-19-0428)	First extension of time for changes and modifications to an approved resort hotel	Approved by BCC	July 2021

### Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-400079 (UC-0233-07)	Third extension of time for a use permit to increase the number of resort condominiums with kitchens	Approved by BCC	July 2021
ET-21-400074 (DR-19-0428)	First extension of time for changes and modifications to an approved resort hotel	Approved by BCC	July 2021
ET-21-400075 (DR-0289-09)	Third extension of time for a redesign of a loading dock and cover	Approved by BCC	July 2021
DR-19-0428	Changes and modifications to an approved resort hotel	Approved by BCC	July 2019
ET-18-400040 (DR-0289-09)	Second extension of time for a redesign of a loading dock and cover	Approved by BCC	April 2018
ET-18-400042 (UC-0489-08)	Second extension of time for deviations for roof signs and modified separation requirements	Approved by BCC	April 2018
ET-18-400043 (UC-0932-06)	Second extension of time for the resort hotel	Approved by BCC	April 2018
ET-18-400044 (UC-0233-07)	Second extension of time for a use permit to increase the number of resort condominiums with kitchens	Approved by BCC	April 2018
ET-18-400045 (DR-0213-08)	Second extension of time to redesign east façade of parking garage/convention facility	Approved by BCC	April 2018
ET-18-400046 (UC-0698-07)	Second extension of time to increase building height and square footage of the project	Approved by BCC	April 2018
ET-18-400047 (UC-1515-06)	Second extension of time for alternative landscaping on the east property line	Approved by BCC	April 2018
ET-18-400048 (UC-1242-06)	Second extension of time to allow modular buildings during construction of the resort hotel	Approved by BCC	April 2018
ADET-1371-17 (DR-0213-08)	First extension of time to redesign east façade of parking garage/convention facility	Approved by ZA	December 2017
ADET-1369-17 (UC-0698-07)	First extension of time to increase building height and square footage of the project	Approved by ZA	December 2017
ADET-1368-17 (DR-0289-09)	First extension of time to redesign the loading dock area	Approved by ZA	December 2017
ADET-1367-17 (UC-0489-08)	First extension of time for roof signs and modified separation requirements	Approved by ZA	December 2017
ADET-1366-17 (UC-1515-06)	First extension of time for alternative landscaping on the east property line	Approved by ZA	December 2017
ADET-1365-17 (UC-0932-06)	First extension of time for the resort hotel	Approved by ZA	December 2017
ADET-1364-17 (UC-0233-07)	First extension of time to increase the number of resort condominiums with kitchens	Approved by ZA	December 2017

### Prior Land Use Requests

Application Number	Request	Action	Date
ADET-1363-17 (UC-1242-06)	First extension of time to allow modular buildings during construction of the resort hotel	Approved by ZA	December 2017
AG-0889-17	Consent to assignment and assumption of Fontainebleau Las Vegas Resort Development Agreement	Approved by BCC	August 2017
WS-0370-15	Extension to off-site bond improvements	Approved by BCC	November 2015
SC-0207-15	Renamed Riviera Boulevard to Elvis Presley Boulevard	Approved by PC	May 2015
WS-0214-11	Extension to off-site bond improvements	Approved by BCC	July 2011
DA-0311-09	Third amendment to Development Agreement	Approved by BCC	June 2009
DR-0289-09	Redesigned loading dock area	Approved by BCC	June 2009
SC-0288-09	Allowed an alternative floor/unit numbering system	Approved by PC	June 2009
DA-0951-08	Second amendment to Development Agreement	Approved by BCC	November 2008
UC-0489-08	Deviations for roof signs and modified separation requirements	Approved by BCC	June 2008
DR-0213-08	Redesigned east façade of parking garage/convention facility	Approved by BCC	April 2008
DA-0949-07	First amendment to Development Agreement	Approved by BCC	August 2007
UC-0698-07	Increased building height and square footage of the project	Approved by BCC	July 2007
DA-0343-07	Development Agreement for the site	Approved by BCC	April 2007
UC-0233-07	Increased the number of resort condominiums with kitchens	Approved by PC	April 2007
UC-1515-06	Alternative landscaping on the east property line	Approved by BCC	December 2006
UC-0932-06 (WC-0334-06)	Waiver of conditions to amend the development agreement condition for early permits	Approved by BCC	December 2006
UC-1242-06	Allowed modular buildings during construction of the resort hotel	Approved by PC	October 2006
UC-0932-06	Resort hotel	Approved by BCC	October 2006
UC-1591-04	Temporary batch plant - expired	Approved by PC	October 2004

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	CR	Undeveloped
South	Entertainment Mixed-Use	CR & PF	Las Vegas Convention Center
East	Entertainment Mixed-Use	CR	Turnberry Place
West	Entertainment Mixed-Use	CR & CC	Circus Circus Resort Hotel & The Sky mixed-use development

### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### **Analysis**

#### **Comprehensive Planning**

##### Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff does not foresee any negative impact to the neighboring developments. The 1 foot setback reduction to the street is small in scale and guard shacks are found on other properties in the area. Therefore, staff can support this request.

##### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Staff finds that the access gates and guard shacks are consistent with other resort hotel designs throughout the Resort Corridor. The request renders no negative impact to the surrounding area; therefore, staff can support this request.

#### **Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- Ensure that the required Fire Access Lane width is not restricted to less than 24 feet wide.

**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:** JDR OWNER, LLC

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



PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0433-HAPPY MINER, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase fence height; **2)** reduce parking lot landscaping; **3)** setbacks; and **4)** alternative driveway geometrics.  
**DESIGN REVIEW** for a motel on 2.16 acres in a CR (Commercial Resort) Zone.

Generally located on the northwest corner of Desert Inn Road and Pawnee Drive within Winchester. TS/bb/kh (For possible action)

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RELATED INFORMATION:

**APN:**

162-11-411-112

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase fence height to 8 feet where a maximum of 3 feet is permitted within the front yard in a commercial district per Section 30.04.03 (a 167% increase).
2. Reduce the number of landscape islands where 1 is required every 6 parking spaces per Section 30.04.01D.
3. Reduce the front setback of an existing accessory carport structure to zero feet where 10 feet is required per Section 30.02.17 (a 100% reduction).
4. a. Reduce the throat depth for a driveway along Desert Inn Road to a minimum of 36 feet where a minimum of 75 feet is required per Uniform Standard Drawing 222.1 (a 52% reduction).  
b. Reduce the departure distance for a driveway on Desert Inn Road from the intersection of Desert Inn Road and Pawnee Drive to 133 feet where 190 feet is the standard per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 30% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 1700 E. Desert Inn Road
- Site Acreage: 2.16
- Project Type: Motel
- Number of Stories: 2
- Building Height (feet): 26
- Square Feet: 22,653

- Parking Required/Provided: 82/101
- Sustainability Required/Provided: 7/5

### Site Plan

The plan depicts 8 existing 2 story commercial buildings that will be converted to a motel on 2.16 acres at the northwest corner of Desert Inn Road and Pawnee Drive. The proposed motel will use 2 existing driveways on Desert Inn Road and close 1 existing driveway on Desert Inn Road. All buildings have access from a 20 foot wide public alley on the north side of the property between Pawnee Drive and La Canada Street. The Paradise Palms historic neighborhood area is located north of this property. Parking is located on the west side of the west group of Buildings 5 through 8, adjacent to the alley on the north side of the buildings, and between the building groups on the west side of Buildings 1 through 4. The motel requires 82 parking spaces with 101 parking spaces provided. Forty of the parking spaces are existing covered parking spaces. Three electric vehicle parking spaces and 21 electric vehicle capable parking spaces are shown on the plan. Each group of 4 buildings has 2 accessible parking spaces available. Each of the building groups has an existing courtyard with pedestrian walkways connecting all parking areas and public sidewalks. Additional parking is provided by existing parking spaces on the south side of the alley. An 8 foot high wrought iron fence is proposed along Desert Inn Road and Pawnee Drive. New curbing and defined driveways are shown in the internal areas of the proposed motel on the site plan. New trash enclosures will be located between the 2 groups of buildings and will be screened by 6 foot high walls and new trees. Existing trash enclosures are located 20 feet south of the north edge of the alley and will be relocated and built to current standards. An existing 6 foot to 8 foot high screen wall is located along the north side of the alley separating the alley from the adjacent residential homes to the north.

### Landscaping

The plan depicts existing plant areas adjacent to Desert Inn Road, Pawnee Drive, and interior planter boxes adjacent to parking areas and buildings. Fourteen new trees will be planted adjacent to Desert Inn Road, outside the sight zone and in the existing landscape area between the buildings and sidewalk. Four new trees will be planted in 4 new landscape islands in the westernmost parking lot area. The landscaping waiver request is due to 4 other landscape islands not being provided or not having a tree in the island. Most of the existing mature landscaping on the site will remain.

### Elevations

The elevations depict existing buildings with flat rooflines, interior balconies, interior second floor walkways, interior facing windows, masonry block siding, and vertical slat wood façades. Exterior staircases are located between the building and in the courtyard areas. Windows are located on all but the north façade of each building. Some second floor exterior walls are stucco finish and most windows and entry doors are covered by shade structures.

### Floor Plans

Room sizes range from 162 square feet to 632 square feet in area on both the first and second floors of each building. Exterior entrances are accessed at the ground level walkways and by metal staircases and elevated walkways on the second level. The first floor of Buildings 1

through 8 have a total of 68 units. The second floor of Buildings 2 through 8 have a total of 48 units. The second floor of Building 1 has no units and will be used for storage or office area. A total of 116 units are shown on the entire property for the proposed motel.

Applicant's Justification

The applicant is requesting to modify some driveway geometrics to allow for the proposed access at Desert Inn Road. The 8 foot wrought iron fence in the front yard will provide controlled pedestrian access from Desert Inn Road and Pawnee Drive. The fence will be decorative and will not allow for direct access from the public sidewalk to the buildings. The existing architecture of the buildings and interior courtyards are conducive to the proposed motel use.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0167-07 (ET-0075-09)	Extension of time for a beauty salon	Approved by PC	May 2009
UC-1311-95 (ET-0209-98)	Extension of time for psychic arts	Approved by PC	July 1998
UC-0167-07	Beauty salon	Approved by PC	March 2007
UC-1095-05	Public utility structure	Approved by PC	August 2005
VC-1030-96	Permanent make-up	Approved by PC	July 1996
VC-1961-95	Massage	Approved by PC	January 1996
VC-1311-95	Psychic arts	Approved by PC	September 1995
UC-0737-95	Check cashing - expired	Approved by PC	June 1995
UC-0238-94	Personal pager rental and sale	Approved by PC	April 1994

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8du/ac)	RS5.2 (HDO)	Single-family residential
South	Neighborhood Commercial	CP & RS5.2	Office & single-family residential
East & West	Neighborhood Commercial	CR	Office

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

## **Analysis**

### **Comprehensive Planning**

#### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

#### Waiver of Development Standards #1

The applicant is proposing to control direct access from pedestrian sidewalks along Desert Inn Road and Pawnee Drive for security reasons and is providing a wrought iron fence that is on the property line but set back from the edge of the sidewalks to allow free movement on existing sidewalks. There are several areas for pedestrian ingress and egress with the option of access gates where internal sidewalks connect to the public sidewalk. As a largely open design and decorative in nature, wrought iron style fences are preferred for highly visible areas that are not in sight zones. This type of fence allows for existing landscaping to be viewed. Fencing over 3 feet in height is not supported in Title 30. A 3 foot fence is preferred for crime prevention through environmental design efforts in this type of development. Therefore, staff cannot support the 8 foot high fence in the front yard.

#### Waiver of Development Standards #2

The majority of parking spaces are existing with several areas in the central part of the property being updated to include new landscaping and existing landscaping. The plan shows 3 landscape areas adjacent to parking spaces and 1 location with no landscape island that does not have a tree. Since the applicant is making revisions to the site, with the exception of the parking adjacent to the alley, staff finds that all parking lot landscaping should be installed. Therefore, staff cannot support this request.

#### Waiver of Development Standards #3

The western parking lot has an existing carport that with a zero foot setback where 10 feet is required to the front property line. The carport covers an area that would normally be used to meet landscape requirements. Therefore, staff cannot support the waiver request.

#### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The existing buildings were built in 1974 and are limited to existing design elements of the structure for compliance with sustainability standards. Additional plants will meet low water use standards with good shade coverage provided in the existing courtyards, over most of the low E

windows, and at entrances to each unit. Additional trees are being planted adjacent to the streets and in new landscape islands on the property. Existing planter and landscape materials will remain on the property. The conversion of the existing office buildings into a motel will utilize existing parking areas. Some traffic can be expected on local roads north of this site, since there is no traffic signal at Desert Inn Road and Pawnee Drive to make east bound access onto Desert Inn Road easier. There are no windows facing the residential neighborhood to the north and an existing wall and alley separate the residential homes from these buildings. Trash enclosures are being moved about twice the distance south from the existing trash enclosure locations. Conversion of the existing structures and maintaining the existing architecture of the buildings, without additional height or change in separation from residential uses is supported by Policy WP-1.6 of the Master Plan and will preserve the unique history and character of the area. No swimming pools or outdoor facilities are proposed with this conversion. The existing design does not change the architecture through new construction and will not encroach on the existing Paradise Palms neighborhood with relocated buildings or additional height. The applicant is proposing to meet 5 of the 7 required points for sustainability characteristics on this property. However, since staff cannot support the waivers, staff cannot support the design review.

#### **Public Works - Development Review**

##### Waiver of Development Standards #4a

Staff has no objection to the reduced throat depth for both commercial driveways on Desert Inn Road. The 2 driveways should see equal use, mitigating potential impacts from the reduced throat depths.

##### Waiver of Development Standards #4b

Staff has no objection to the reduction of the departure distance for eastern most driveway on Desert Inn Road. Although the departure distance does not comply with minimum standards, staff finds the location allows vehicles to safely access the site.

#### **Staff Recommendation**

Approval of waiver of development standards #4; denial of waivers of development standards #1 through #3 and the design review.

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:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Traffic study and compliance;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site improvement permits may be required.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features; ensure that the alley will serve as a 24 foot wide fire access lane, fire will not back out onto Desert Inn Road.

**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 #0157-2024 to obtain your POC exhibit and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** BINYUN LE

**CONTACT:** BINYUN LE, 1700 E. DESERT INN ROAD, SUITE 205B, LAS VEGAS, NV 89169





# Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 162-12-101-009

PROPERTY ADDRESS/ CROSS STREETS: 2570 S Eastern Ave, Las Vegas NV 89169

### DETAILED SUMMARY PROJECT DESCRIPTION

Application for Use Permit for Vehicle Repair and Body Shop at existing site and facility that has been built and used under vehicle repair and body shop for many years.

### PROPERTY OWNER INFORMATION

NAME: Josephs Family Land LP  
ADDRESS: 5395 South Polaris Ave  
CITY: Las Vegas STATE: NV ZIP CODE: 89118  
TELEPHONE: 702-385-2474 CELL 702-604-9002 EMAIL: josephsproperties@yahoo.com

### APPLICANT INFORMATION (must match online record)

NAME: Cody Sprinkle  
ADDRESS: 2570 S Eastern Ave  
CITY: Las Vegas STATE: NV ZIP CODE: 89169 REF CONTACT ID # \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_ CELL 718-290-6315 EMAIL: cody.s@voyagergm.com

### CORRESPONDENT INFORMATION (must match online record)

NAME: Cody Sprinkle  
ADDRESS: 2570 S Eastern Ave  
CITY: Las Vegas STATE: NV ZIP CODE: 89169 REF CONTACT ID # \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_ CELL 718-290-6315 EMAIL: cody.s@voyagergm.com

\*Correspondent will receive all communication on submitted application(s).

(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 and 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.

Adele Josephs Matthews  
Property Owner (Signature)\*

Adele Josephs Matthews  
Property Owner (Print)

7/2/2024  
Date

#### DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input checked="" type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) UC-24-0450

ACCEPTED BY Tyler (tpd)

PC MEETING DATE 10/15/24

DATE 8/14/24

BCC MEETING DATE \_\_\_\_\_

FEES \$1,000.00

TAB/CAC LOCATION Winchester

DATE 9/24/24

7/2/2024

# CLARK COUNTY

To whom it may concern,

RIGO FTL 1003, LLC dba WrenchDoc has applied for a business license under the Vehicle Repair use at 2570 S Eastern Ave, Las Vegas, NV 89169. We are requesting a use permit to operate a vehicle maintenance or repair facility within 200 feet of a property subject to residential adjacency per Section 30.03.06(B)(12). Also, we would like to request a use permit to operate a vehicle paint/body shop within a CG zone per Section 30.03.06(B)(13). The property will be used for both vehicle rental, under another related business, and vehicle repair under WrenchDoc. This site is preexisting and has been used for vehicle repair and body shop for over 40 years. We are making no changes to the property design, layout, or facilities. This request would allow the property to continue to be used for its intended and built purpose in an area of Clark County that has similar uses. Approval should be given to allow the property to continue its intended use bringing further value to the community. The 200 feet residential adjacency condition would be waived. The facility is 195 feet from the residential property nearest. Our hours of operation are Monday-Friday from 9am to 5pm. There will be no new landscaping added.

This site has existed as is for 40+ years and operated as vehicle sales and repair under multiple different tenants. The property is designed to operate in vehicle repair without creating any undue burden on the surrounding community/residential property and coincides with adjacent properties to the north and east. There will be no impact to neighboring residential property as



the building was designed to operate under these uses and our operating hours are during the weekdays within normal business hours.

SINCERELY, CODY SPRINKLE

**Vehicle Paint and Body Shop - 1:500 SF of Indoor Area**

- 6,289 SF total
- $6,289/500 = 12.58$  required spaces

**Vehicle Maintenance and Repair - 1:500 SF of Indoor Area**

- 12,205 SF total
- $12,205/500 = 24.41$  required spaces

**Vehicle Rental or Sales - 1:500 SF of sales floor area per 30.04-2**

- 2,182 SF total sales floor
- $2,182/500 = 4.36$  required spaces

**Office - 1:400 SF indoor area**

- 6,009 SF total
- $6,009/400 = 15.02$  required spaces

**Total required spaces = 56.37**

**Total spaces provided = 266**

**Parking provided/required = 266/56.37**



# Department of Comprehensive Planning Application Form

WS-24-0466

PLANNER  
COPY

ASSESSOR PARCEL #(s): 162-09-617-001 & 162-09-617-002

PROPERTY ADDRESS/ CROSS STREETS: Las Vegas & Elvis Presley Boulevard

DETAILED SUMMARY PROJECT DESCRIPTION

Waiver to reduce Access Gate and Guard House

PROPERTY OWNER INFORMATION

NAME: JDR Owner LLC  
 ADDRESS: 19950 West County Club Drive 10th Floor  
 CITY: Aventura STATE: FL ZIP CODE: 33180  
 TELEPHONE: 305-682-4256 CELL N/A EMAIL: skass@fbdev.com

APPLICANT INFORMATION (must match online record)

NAME: Sheryl Kass  
 ADDRESS: 19950 West County Club Drive 10th Floor  
 CITY: Aventura STATE: FL ZIP CODE: 33180 REF CONTACT ID # \_\_\_\_\_  
 TELEPHONE: 305-682-4256 CELL N/A EMAIL: skass@fbdev.com

CORRESPONDENT INFORMATION (must match online record)

NAME: Jay Brown/Lebene Ohene  
 ADDRESS: 520 South Fourth Street  
 CITY: Las Vegas STATE: NV ZIP CODE: 89106 REF CONTACT ID # 173835  
 TELEPHONE: 702-598-1429 CELL 702-561-7070 EMAIL: lohene@brownlawlv.com

\*Correspondent will receive all communication on submitted application(s).

(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.

Sheryl Kass  
 Property Owner (Signature)\*

Sheryl Kass  
 Property Owner (Print)

8/1/2024  
 Date

DEPARTMENT USE ONLY:

- |                              |                             |                              |                               |                             |                             |                             |
|------------------------------|-----------------------------|------------------------------|-------------------------------|-----------------------------|-----------------------------|-----------------------------|
| <input type="checkbox"/> AC  | <input type="checkbox"/> AR | <input type="checkbox"/> ET  | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA  | <input type="checkbox"/> SC   | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG  | <input type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR  | <input type="checkbox"/> TM | <input type="checkbox"/> WC | OTHER _____                 |

APPLICATION # (s) WS-24-0466

ACCEPTED BY RG

PC MEETING DATE \_\_\_\_\_

DATE 8/20/24

BCC MEETING DATE 10/16/24

FEES \$1,300

TAB/CAC LOCATION Winchester

DATE 9/24/24



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

August 20, 2024

Clark County Comprehensive Planning  
Current Planning Division  
500 Grand Central Parkway  
Las Vegas, Nevada 89155

**PLANNER  
COPY**

8/20/24  
WS-24-0466

**Re: JDR Owner, LLC (Fontainebleau Resort)  
Las Vegas Boulevard and Elvis Presley Boulevard  
Justification Letter: Revision 2 (APR-24-100938)  
Waivers of Development Standards: Reduce setbacks Access Gate & Guard  
Enclosure/Structure (Shack)  
Design Review: Access Gates & Guard Enclosures/Structures (Shack)  
Assessors' Parcel Numbers: 162-09-617-001 & 162-09-617-002**

**To Whom It May Concern:**

On behalf of our Client, JDR Owner, LLC, please accept this application package for existing access gates and guard enclosures/structures (shacks) for the Fontainebleau Resort Hotel. The Resort is located on the east side of Las Vegas Boulevard South and on the north side of Elvis Presley Boulevard. Access to the site are from Las Vegas Boulevard South to the west side of the site and Elvis Presley Boulevard on the south side of the site. A named existing private drive aisle/street (Avenue Fontainebleau) is located along the northern boundary of the site. The application is to allow the existing structures to remain on the property.

**Project Description:**

The plans depict two sets of structures (access gates and guard shacks) located on the northeastern and southeastern portions of the site.

The first set of structures (gate and guard shack) is located on the northeastern portion within the Resort site and at the end of the named private street. The gate and shack restricts access to this portion of the site for security and safety reasons because this provides internal access to the down ramp to get to the loading docks, delivery, and trash collection area of the site. These structures do not impact any rights-of-way or circulation on the site or area. The Fire Department required transponders to automatically open the gates in an emergency are added to the gate which will not impede Fire Department access to this area of the site. This gate is sometimes open during daytime hours.

The second set of structures (gate and guard shack) is located on the southeastern portion of the site and is along the Elvis Presley Boulevard entry to the loading, delivery trash area of the site. The structures are located adjacent to the driveway and entry ramp (down ramp) to the loading and delivery area of the Resort. The gate and shack restricts access to this portion of the site for security and safety reasons because the driveway provides direct access to the loading docks, delivery, and trash collection area of the site. These structures require waivers because they do not comply with setbacks with the intersecting right-of-way. The Fire Department required transponders to automatically open the gates in an emergency are added to the gate which will not impede Fire Department access to this area of the site.

#### **Elevations:**

The gates are each 6 feet high and 43 feet wide. The material for the gates are painted Tubular Steel consisting of top, bottom and side rails with pickets inserted to form the gate.

The guard enclosures/structures (shacks) are 35 square feet and 9 feet high. The construction materials consist of steel exterior walls and composite interior panels. The roofing, doors and window frames consist of steel. The doors and windows are inserted with glass panels. The shacks are located on foundations.

#### **Waivers of Development Standards:**

1. a. **Reduce the setback of the access gate from the lip of the gutter of the intersecting street (Elvis Presley Boulevard) to 43 feet, where a minimum of 50 feet is required.**
- b. **Reduce the setback of the guard enclosure/structure (shack) from the right-of-way line/property line of the intersecting street (Elvis Presley Boulevard) to 9 feet, where a minimum of 50 feet is required.**

#### **Justification:**

The access gates and guard shack are necessary especially along Elvis Presley Boulevard. Both sets of structures are existing and were installed to secure and restrict access to these areas of the Resort. The gate is staffed with an employee to check all deliveries and trash pickup, etc. at the site because these locations provide access to areas below the building. The location of the gate and shack on Elvis Presley Boulevard was carefully considered to ensure there is no queuing into the right-of-way. The setbacks requested for the access gate and guard shack along Elvis Presley Boulevard are necessary and will not impact the right-of-way or pedestrian realms in the area because the gate is set back more than 43 feet from the lip of the gutter and some distance from the property line. The loading and delivery area does not have enough room to set back the structures per Code because there is a down ramp (see site plan and detail plan) to the loading/delivery area. Since this

is a loading and delivery area very few vehicles need to enter the site at the same time. Deliveries are scheduled throughout the day, therefore, queuing to enter the area is not an issue. The location of the gate allows for adequate space for vehicles to be checked and approved prior to entering the ramp and load/delivery area of the Resort. The guard shack is located in an area that will not impede access to the gate or block vehicles entering the site. Additionally, parking for the Resort does not use this driveway on Elvis Presley, this driveway only provides access to the loading docks and delivery area of the site.

2. Reduce the setback of the guard enclosure (shack) from the right-of-way to 9 feet where a 10 foot setback is required.

**Justification:**

The access guard shack along Elvis Presley Boulevard is existing and was installed to secure and restrict access to these areas of the Resort. The gate is staffed with an employee to check all deliveries and trash pickup, etc. at the site because this area provide access to areas below the building. The location of the shack on Elvis Presley Boulevard was carefully considered to ensure there is no queuing into the right-of-way. The guard shack is located in an area that will not impede access to the gate or block vehicles entering the site. Additionally, parking for the Resort does not use this driveway on Elvis Presley, this driveway only provides access to the loading docks and delivery area of the site.

**Design Reviews:**

1. For the access gates.
2. For guard enclosures/structures (shacks).

**Justification:**

The guard shacks are necessary to shelter employees who check entry in to the areas and secure the site. The guard shacks are painted to match the color scheme of the Resort and are appropriate and compatible in conjunction with the site.

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

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

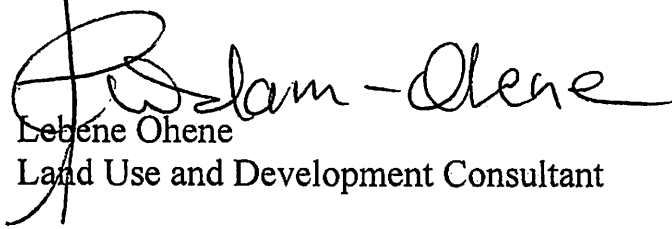
LAW OFFICE

*Brown, Brown & Premsrirut*

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

Sincerely,

BROWN, BROWN & PREMSRIRUT

A handwritten signature in black ink, appearing to read "Lebene Ohene". The signature is fluid and cursive, with a large initial "L" and "O".

Lebene Ohene  
Land Use and Development Consultant