



Winchester Town Advisory Board

Winchester Dondero Cultural Center

3130 S. McLeod Dr.

Las Vegas, NV 89121

October 10, 2023

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 Valerie Leiva at (702) 468-9839.
 - 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.
 - If there are additional locations where supporting materials are available, insert them here. If not, delete this bullet.
 - Supporting material is/will be available on the County's website at specific Board/Council website.

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

Secretary: Valerie Leiva, (702) 468-9839, and valerieleivaccnv@outlook.com
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): County Liaison Beatriz Martinez: 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 September 26, 2023. (For possible action)
- IV. Approval of the Agenda for October 10, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
 - 1. **ET-23-400130 (WS-21-0207)-SAAVEDRA-MORAN ISRAEL & LOPEZ-MENDOZA MARIA OFELIA: WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for the following: **1)** reduced setback; and **2)** reduced separation in conjunction with a single family home on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the east side of Gaucho Drive and the south side of Caballero Way (alignment) within Winchester. TS/mh/syp (For possible action)
11/07/23 PC
 - 2. **SC-23-0623-HALPERIN AMIR: STREET NAME CHANGE** to name a private drive aisle to Sky Las Vegas Way for an existing condominium complex (Sky Las Vegas) on 3.0 acres in a U-V (Urban Village) Zone. Generally located on the west side of Las Vegas Boulevard South, 535 feet north of Circus Circus Drive within Winchester. TS/dd/syp (For possible action)
11/07/23 PC
 - 3. **ET-23-400128 (UC-0519-17)-ALL NET LAND DEVELOPMENT L L C: USE PERMITS THIRD EXTENSION OF TIME** to commence the following: **1)** modifications to an approved High Impact Project (All Net Arena); and **2)** convention facilities/exposition halls. **WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced on-site parking; and **2)** increased building height. **DESIGN REVIEWS** for the following: **1)** modifications to an approved High Impact Project; **2)** hotel tower and associated low-rise and mid-rise buildings and structures; **3)** convention center facilities; and **4)** all other accessory and incidental buildings and structures on 27.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located between Las Vegas Boulevard South and Paradise Road, 900 feet south of Sahara Avenue within Winchester. TS/nai/syp (For possible action)
11/08/23 BCC

4. **ET-23-400129 (UC-0568-14)-ALL NET LAND DEVELOPMENT, LLC:**
USE PERMITS FOURTH EXTENSION OF TIME to commence the following: **1)** a High Impact Project; **2)** a recreational facility (a multi-function events arena) and incidental uses; **3)** increased building height; **4)** retail sales and service; **5)** restaurants; **6)** on-premises consumption of alcohol; **7)** alcohol sales, beer & wine - packaged only; **8)** alcohol sales, liquor - packaged only; **9)** outdoor live entertainment; **10)** personal services (salon and spa); **11)** club; **12)** nightclub; **13)** food carts/booths; **14)** grocery store; **15)** kiosks/information (outdoor); **16)** offices; **17)** theater (Cineplex); **18)** outside dining, drinking, and cooking; **19)** farmer's markets; **20)** arcade; and **21)** motion picture production/studio.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced setback to a parking structure from a residential use; **2)** waive the required landscaping when adjacent to a less intensive use; **3)** permit a variety of outdoor commercial/retail uses not within a permanent enclosed building; and **4)** non-standard improvements (fences/walls, planters, and landscaping) within the future right-of-way (Las Vegas Boulevard South).
DESIGN REVIEWS for the following: **1)** a recreational facility (multi-function events arena) with ancillary uses and structures and overall site design; **2)** hotel; **3)** retail establishments; **4)** theater (Cineplex); and **5)** parking structures on 27.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located between Las Vegas Boulevard South and Paradise Road, 900 feet south of Sahara Avenue within Winchester. TS/tpd/syp (For possible action)

11/08/23 BCC

5. **UC-23-0648-SKY HI, LLC:**
USE PERMITS for the following: **1)** cannabis establishment (consumption lounge); and **2)** modify design and development standards for the Midtown Maryland Parkway Design Overlay District.
WAIVER OF DEVELOPMENT STANDARDS reduce the separation for outside cannabis consumption to a residential use.
DESIGN REVIEWS for the following: **1)** a cannabis consumption lounge; **2)** additions to an existing commercial building; and **3)** site modifications to include but not limited to façade changes, parking, and landscaping on 1.6 acres in a C-1 (Local Business) (AE-60) Zone in the Midtown Maryland Parkway Design Overlay District. Generally located on the north side of Desert Inn Road, 500 feet west of Maryland Parkway within Winchester. TS/al/syp (For possible action)

11/08/23 BCC

6. **WS-23-0601-BM HIGHLAND, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** street landscaping; **2)** parking lot landscaping; **3)** pedestrian walkways; **4)** modified commercial driveway standards; and **5)** full off-site improvements.
DESIGN REVIEW a proposed expansion to an existing contractor's office within an existing commercial/industrial complex on a portion of 6.7 acres in an M-1 (Light Manufacturing) Zone. Generally located on the east side of Highland Drive, 700 feet south of Edna Avenue within Winchester. TS/lm/syp (For possible action)

11/08/23 BCC

7. **ZC-23-0643-SUNRISE HOSPITAL & MEDICAL CENTER, LLC:**
ZONE CHANGE to reclassify 37.6 acres from a C-2 (General Commercial) (AE-60) Zone, an R-1 (Single Family Residential) (AE-60) Zone, and an H-1 (Limited Resort and Apartment) (AE-60) Zone to a C-1 (Local Business) (AE-60) Zone.
USE PERMITS for the following: **1)** parking garage; and **2)** waive design and development standards in the Midtown Maryland Parkway District.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase height; **2)** reduce parking lot landscaping; **3)** allow non-standard improvements within the right-of-way; and **4)** allow modified driveway design standards.
DESIGN REVIEWS for the following: **1)** proposed parking garage and surface parking lot modifications; and **2)** finished grade in conjunction with an existing hospital site in the Midtown Maryland Parkway District. Generally located on the east side of Maryland Parkway and the north side of Desert Inn Road within Winchester (description on file). TS/rk/syp (For possible action)
11/08/23 BCC

8. **VS-23-0644-SUNRISE HOSPITAL & MEDICAL CENTER, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Maryland Parkway and La Canada Street, and between Desert Inn Road and Vegas Valley Drive; a portion of right-of-way being Arabella Street located between Desert Inn Road and Vegas Valley Drive; a portion of right-of-way being Sombrero Drive located between Maryland Parkway and La Canada Street; a portion of Serape Circle located between Maryland Parkway and La Canada Street; and a portion of Silver Mesa Court located between Maryland Parkway and La Canada Street within Winchester (description on file). TS/rk/syp (For possible action)
11/08/23 BCC

9. **TM-23-500130-SUNRISE HOSPITAL & MEDICAL CENTER, LLC:**
TENTATIVE MAP for a commercial subdivision on 37.6 acres in a C-1 (Local Business) (AE-60) Zone in the Midtown Maryland Parkway District. Generally located on the east side of Maryland Parkway and the north side of Desert Inn Road within Winchester. TS/rk/syp (For possible action)
11/08/23 BCC

VII. General Business

Nominate and appoint a representative and alternate to the Community Development Advisory Committee (CDAC) for 2023/2024 (for possible action)

Elect a chair and vice chair for the Winchester Town Advisory Board (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: October 31, 2023.

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

September 26, 2023

MINUTES

Board Members:	Dorothy Gold – Member – PRESENT Judith Siegel – Member – PRESENT	Robert Mikes – Member – ABSENT April Mench – Member – PRESENT
Secretary:	Valerie Leiva (702)468-9839	valerieleivaccnv@outlook.com
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 Liason, Roxy Pais – Planner, & Valerie Leiva – Secretary. The meeting was called to order at 6:00 p.m.

II. Public Comment: None

III. Approval of the September 12, 2023 Minutes

Moved by: Mench
Action: Approved
Vote: 3-0

IV. Approval of Agenda for September 26, 2023

Moved by: Mench
Action: Approved
Vote: 3-0

V. Informational Items: None

VI. Planning & Zoning

1. **UC-23-0552-305CCD, LLC:**

USE PERMITS for the following: **1)** on-premises consumption of alcohol (tavern, supper club, service bar); **2)** alcohol sales (beer, wine, liquor) – packaged only; **3)** retail sales and services; **4)** restaurants; **5)** outside dining, drinking, and cooking areas; **6)** office; **7)** reduce separation to a residential use; and **8)** reduce setback to a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce parking; **2)** alternative parking design (tandem valet); **3)** cross access; **4)** reduce trash enclosure

BOARD OF COUNTY COMMISSIONERS

JAMES B. GIBSON, Chair – JUSTIN C. JONES, Vice-Chair

MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM

KEVIN SCHILLER, County Manager

setback; 5) signage; and 6) reduce driveway throat depth.

DESIGN REVIEWS for the following: 1) a shopping center with a subterranean parking garage; 2) signage; and 3) finished grade on a 2.6 acre portion of 6.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the southwest corner of Convention Center Drive and Debbie Reynolds Drive within Winchester. TS/jor/syp (For possible action)

10/04/23 BCC

Moved by: Mench

Action: Approved

Vote: 3-0

2. **WS-23-0576-3200 MCLEOD DRIVE APARTMENTS LLC:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; and 2) alternative driveway geometrics.

DESIGN REVIEW for proposed gated entry for an existing multiple family residential development on 7.8 acres in an R-4 (Multiple Family Residential - High Density) Zone. Generally located on the east side of McLeod Drive, 270 feet north of Desert Inn Road within Winchester. TS/lm/syp (For possible action)

10/17/23 PC

Moved by: Mench

Action: Approved

Vote: 3-0

3. **UC-23-0561-LD REAL ESTATE, LLC:**

USE PERMITS for the following: 1) recreational vehicle sales; 2) recreational vehicle repair; 3) recreational vehicle paint/body shop; and 4) recreational vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separations from a residential use; 2) reduce parking; 3) allow access to a local street; and 4) reduce landscaping.

DESIGN REVIEW for a proposed recreational vehicle sales and repair facility on a portion of 14.6 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Sahara Avenue and the west side of Atlantic Street within Winchester. TS/hw/syp (For possible action)

10/18/23 BCC

Moved by: Mench

Action: Approved

Vote: 3-0

4. **TM-23-500119-LD REAL ESTATE, LLC:**

TENTATIVE MAP consisting of 1 commercial lot on 8.1 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Sahara Avenue and the west side of Atlantic Street within Winchester. TS/hw/syp (For possible action)

10/18/23 BCC

Moved by: Mench

Action: Approved

Vote: 3-0

VII. General Business:None

VIII. Public Comment

Neighbor had concerns regarding the presenters responses to public comment for item 1.

IX. Next Meeting Date

The next regular meeting will be October 10, 2023

X. Adjournment

The meeting was adjourned at 7:24 p.m.

DRAFT

CARPORT
(TITLE 30)

GAUCHO DR/CABALLERO WY

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400130 (WS-21-0207)-SAAVEDRA-MORAN ISRAEL & LOPEZ-MENDOZA MARIA OFELIA:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: **1)** reduced setback; and **2)** reduced separation in conjunction with a single family home on 0.2 acres in an R-1 (Single Family Residential) Zone.

Generally located on the east side of Gaucho Drive and the south side of Caballero Way (alignment) within Winchester. TS/mh/syp (For possible action)

RELATED INFORMATION:

APN:

162-11-810-100

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the front setback to an accessory structure (carport) to 5 feet where 20 feet is the minimum allowed per Table 30.40-2 (a 75% reduction).
- b. Reduce the front setback to an accessory structure (carport) to a right-of-way to 5 feet where 10 feet is required per Table 30.40-2 (a 50% reduction).
2. Reduce the separation between structures to 4 feet where 6 feet is required per Table 30.40-2 (a 33% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3152 Gaucho Drive
- Site Acreage: 0.2
- Project Type: Accessory structure (carport)
- Square Feet: 480

Site Plans

The approved plans depict a 0.2 acre lot with a single family home located centrally on the site. A casita is located to the north of the home and the carport is located in front of the accessory

structure. The carport is located 5 feet from Gaicho Drive and is separated from the accessory structure by 4 feet.

Landscaping

Landscaping is not a part of this request.

Elevations

The approved plans depict a carport that is approximately 12 feet tall and has three, 4 by 4 posts on 2 sides. The roof is composed of metal sheets.

Floor Plans

The approved plans show a carport that is open on all 4 sides and covers an area of 480 square feet.

Previous Conditions of Approval

Listed below are the approved conditions for WS-21-0207:

Current Planning:

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Applicant's Justification

The applicant indicates that a lack of funding has caused a delay in commencing the project. The applicant adds that the Building Department is requiring plans to be submitted for the casita in conjunction with the plans for the carport. The applicant is working with a consultant to complete the plans and obtain building permits.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-22-0098	Reclassified 176.4 acres from an R-1 Zone to an R-1 Zone in a Historic Neighborhood (HN) Overlay District for portions of an existing residential subdivision	Approved by BCC	April 2022
WS-21-0207	Reduced setback and reduced separation between structures	Approved by PC	June 2021

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential

Clark County Public Response Office (CCPRO)

CE20-13865 is an active violation for building without a permit.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

The applicant has active building permit applications (BD21-46588 & BD23-45569) for the carport and casita and is preparing to submit revised plans for each, demonstrating a commitment to continue working towards commencement of the project. 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

- Until November 7, 2025 to commence.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: ISRAEL SAAVEDRA

CONTACT: ISRAEL SAAVEDRA, 3152 GAUCHO DR, LAS VEGAS, NV 89169

DRAFT

11/07/23 PC AGENDA SHEET

STREET NAME CHANGE
(TITLE 30)

LAS VEGAS BLVD S/CIRCUS CIRCUS DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
SC-23-0623-HALPERIN AMIR:

STREET NAME CHANGE to name a private drive aisle to Sky Las Vegas Way for an existing condominium complex (Sky Las Vegas) on 3.0 acres in a U-V (Urban Village) Zone.

Generally located on the west side of Las Vegas Boulevard South, 535 feet north of Circus Circus Drive within Winchester. TS/dd/syp (For possible action)

RELATED INFORMATION:

APN:
162-09-616-001

LAND USE PLAN:
WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:
Project Description
General Summary

- Site Address: 2700 Las Vegas Boulevard S.
- Site Acreage: 3
- Project Type: Street name change

Applicant's Justification

The applicant is requesting to name the entrance drive aisle to the Sky Las Vegas condominium complex as Sky Las Vegas Way. The request is intended to prevent confusion for guests and visitors to the complex. An entrance to the Hilton Grand Vacations property is next to the Sky Las Vegas condominium building's main entrance off of Las Vegas Boulevard and many guests often turn into the wrong thoroughfare.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0035-06	409 condominium units and 15 commercial lots	Approved by PC	March 2006
ADR-0033-05	Alterations to the access and driveway of a previously approved condominium tower (Sky Las Vegas)	Approved by ZA	March 2005

Prior Land Use Requests

Application Number	Request	Action	Date
DR-1659-04	Alterations to the design of a previously approved condominium tower (Sky Las Vegas)	Approved by BCC	November 2004
TM-0553-04	421 condominium units	Approved by BCC	November 2004
NZC-0602-04	Reclassified to U-V zoning for a proposed condominium tower (Sky Las Vegas) with commercial retail	Approved by BCC	August 2004

*Several other prior land use applications are associated with the parcel that are unrelated to the project.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Hilton Grand Vacations
South	Entertainment Mixed-Use	H-1	Art gallery
East	Entertainment Mixed-Use	H-1	Fontainebleau Resort Hotel
West	Entertainment Mixed-Use	H-1	Paved lot

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

The Las Vegas Combined Fire Communications Center recommend approval of the proposed street name; however, the Las Vegas Valley Street Naming and Address Assignment Policy only allows for the naming of dedicated streets and does not support the naming of drive aisles. For this reason, staff cannot support the approval of the proposed street name.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Subject to Sky Las Vegas Way.
- Applicant is advised that the developer is responsible for installing street signs to County standards; and that the County has adopted a rewrite to Title 30 effective January 1, 2024,

and future land use applications will be reviewed for conformance with the regulations in place at the time of application.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SKY LAS VEGAS

CONTACT: BRUCE HECKMAN, SKY LAS VEGAS, 2700 LAS VEGAS BLVD. S,
MANAGEMENT OFFICE, LAS VEGAS, NV 89109

DRAFT

HOTEL/RECREATIONAL FACILITY
(TITLE 30)

LAS VEGAS BLVD S/SAHARA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400128 (UC-0519-17)-ALL NET LAND DEVELOPMENT L L C:

USE PERMITS THIRD EXTENSION OF TIME to commence the following: **1)** modifications to an approved High Impact Project (All Net Arena); and **2)** convention facilities/exposition halls.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced on-site parking; and **2)** increased building height.

DESIGN REVIEWS for the following: **1)** modifications to an approved High Impact Project; **2)** hotel tower and associated low-rise and mid-rise buildings and structures; **3)** convention center facilities; and **4)** all other accessory and incidental buildings and structures on 27.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located between Las Vegas Boulevard South and Paradise Road, 900 feet south of Sahara Avenue within Winchester. TS/nai/syp (For possible action)

RELATED INFORMATION:

APN:

162-09-602-001; 162-09-602-005

USE PERMITS:

1. Modifications to an approved High Impact Project (All Net Arena).
2. Proposed convention facilities/exposition halls.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce on-site parking for a recreational facility (a multi-function events arena) to 7,513 spaces where 10,733 spaces are required per Table 30.60-1 (a 30% reduction).
2. Increase building height to 728 feet where a maximum height of 100 feet is the standard per Table 30.40-7 (a 628% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Acreate: 27
- Project Type: Events arena, hotel, retail establishments, and convention facilities

- Number of Stories: 63 (proposed)
- Building Height (feet): 728 (proposed)
- Square Feet: 240,000 (conference center)/2,000 (rooms)
- Parking Required/Provided: 10,733/7,513

Request and History

This request is for a third extension of time to commence UC-0519-17 which approved modifications to UC-0568-14 for the All Net Arena project. UC-0568-14 was approved for the following: 1) 160 foot high, 862,500 square foot events arena with up to 23,000 seats; 2) 300,000 square feet of retail, food, beverage, and entertainment areas; 3) 44 story, 312 foot high hotel with 500 rooms; and 4) 77 foot high theater/Cineplex per UC-0568-14. UC-0519-17 was approved to expand and enlarge the project with the following: 1) 2,000 room, 63 story, 728 foot high hotel tower; 2) 240,000 square foot conference center; 3) 24 lane bowling alley; 4) 2,500 seat showroom; 5) 174,300 square feet of additional retail space; 6) increased theater/Cineplex space; and 7) wedding chapel within the hotel.

Site Plans

The approved plans depict a multi-use facility that is anchored by an events arena, non-gaming hotels, retail and restaurant plaza, and convention center facility. There will also be outdoor uses and activities, such as outside dining, within the pedestrian streetscape. The area along Las Vegas Boulevard South consists of landscaping and other improvements within the Las Vegas Boulevard South right-of-way, with a 30 foot wide pedestrian realm immediately east of the right-of-way. Integrated into the pedestrian realm is an elevated pedestrian walkway that funnels pedestrians into the shopping plaza and eliminates conflicts between pedestrian and vehicular movements entering the site. In the northwest corner of the site, directly adjacent to the pedestrian realm, is 1 of the 2 proposed parking structures. Centrally located within the site is the retail and restaurant plaza and 2 hotels. On the northeast portion of the site is the events arena while the southeast portion of the site contains the second parking structure. On the southern portion of the site, adjacent to the arena is a proposed 240,000 square foot convention center facility. Along Paradise Road is a pedestrian realm that is up to 49 feet in width. The plans depict 1 primary ingress and egress point along Las Vegas Boulevard South with a secondary access point for the parking structure in the northwest portion of the site. There is 1 primary ingress and egress point along Paradise Road with 3 secondary access points to the parking garage in the southeast portion of the site. The primary entrance along Paradise Road lines up with an existing traffic signal on Karen Avenue and Paradise Road. The 3 secondary access points provide for bus/shuttle drop-off and pick-up queuing and service area ramp access.

Pedestrian Circulation Plan & Landscaping

The approved pedestrian circulation plan depicts clear, continuous, and unobstructed pedestrian use areas with pedestrian connections throughout the entire site. The connections include, but are not limited to, sidewalks, walkways, stairways, and an elevated pedestrian walkway. Clear and unobstructed connections are also depicted between the site and Las Vegas Boulevard South and Paradise Road. Along Las Vegas Boulevard South is a minimum 30 foot wide pedestrian realm with a minimum 20 foot sidewalk/walkway that is unobstructed. The remaining pedestrian realm consists of enhanced landscaping and amenity zone with corresponding pedestrian furnishings.

The western edge of the pedestrian realm, portions of which are within the future right-of-way, include pedestrian containment barriers/fence to preclude pedestrians from accessing the public right-of-way from the pedestrian area and potentially conflict with vehicular movements. The functional area that is generally considered the pedestrian realm is actually wider than 30 feet since portions extend into the future right-of-way of Las Vegas Boulevard South. Cross sections on file provide further detail on the pedestrian areas and connections. In some areas along Las Vegas Boulevard South, there is an 11 foot wide planting area along and within the future right of way followed by a 20 foot wide pedestrian access easement which is then followed by a 16 foot wide planting strip. Detail on the elevated pedestrian walkway depicts a 20 foot wide pedestrian access easement with 17 foot wide pedestrian walkway for a total combined pedestrian walkway width of 37 feet.

Along Paradise Road, the pedestrian realm varies in width from 25 feet up to 49 feet. The unobstructed pedestrian access easement is predominantly 20 feet in width but does narrow to 15 feet at the narrowest point. Portions of the pedestrian area, including pedestrian walkways and connections between the Paradise Road right-of-way and the arena, are up to a width of 115 feet. Non-standard improvements in the right-of-way were approved by UC-0568-14.

The top of the south parking structure, which is at the south property line, is depicted as a green roof. The green roof consists of shrubs and groundcover that includes ornamental grasses. The green roof is only over a portion of the roof where the Cineplex theater is off-set or staggered from the south wall of the parking structure.

Elevations

The plans for the arena depict a 160 foot high structure with a modern design consisting of aluminum and glass wall systems with solar screens. Throughout the various elevations, the arena will contain LED panels and lighting effect systems throughout. LED panels consist of light emitting diodes that function off the principle of electroluminescence and will primarily function as signage. However, signage is not a part of this application and will be reviewed with a subsequent land use application. The roof, which is retractable, will also consist of a metal roof system.

The 512 foot high and 728 foot high hotel towers have multiple surface planes with varying roof heights and consist primarily of aluminum and glass curtain wall system with solar panels.

The parking structure with theater (Cineplex) in the southeast portion of the site is an integrated structure with varying heights and materials. The theater (Cineplex) portion of the overall building, which is off-set or staggered from the southern edge of the parking structure, is depicted at a maximum height of 77 feet. The plans depict metal panel systems with LED feature lighting, as well as aluminum and glass curtain wall systems with a stone panel element.

The parking structure on the northwest portion of the site, closest to Las Vegas Boulevard South, will consist of the same materials as the southern parking structure.

The retail and restaurant buildings are proposed over multiple levels that range in height up to 77 feet. The buildings consist of the following materials: 1) stone panels; 2) mullionless glass walls;

3) metal panels; and 4) solar shade systems with LED lighting. All buildings, except for the southern parking structure, which was approved by UC-0568-14, comply with all applicable setbacks for the base zoning district, special setbacks along Las Vegas Boulevard South, and any applicable setbacks from arterial streets.

Signage

Signage is not a part of this request and will be addressed in a subsequent land use application.

Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400109 (UC-0519-17):

Current Planning

- Until September 6, 2023 to commence with any extension of time as a public hearing.
- Applicant is advised that the County may take action pursuant to the Performance Agreement if the project has not commenced by the extended date; 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; and that the extension of time may be denied if the project has not commenced or there has been substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ET-20-400096 (UC-0519-17):

Current Planning

- 6 months to execute Performance Agreement with bond and Development Agreement or application will expire;
- Until September 6, 2022 to commence with any extension of time as a public hearing;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0036-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Listed below are the approved conditions for UC-0519-17:

Current Planning

- Until September 6, 2020 to commence to coincide with UC-0568-14;
- Until September 6, 2020 to review as a public hearing to coincide with UC-0568-14;
- Per revised plans dated October 12, 2017;
- Construction traffic to be directed to the north and center driveways away from the southern driveway nearest to Turnberry Place, provided this accommodation can be achieved safely and effectively;
- Construction hours shall be from 6:00 a.m. until 10:00 p.m. Monday through Saturday, any Sunday work must be done only within the interior of a completed building or structure, and once the construction is vertical, construction may be allowed before 6:00 a.m. and after 10:00 p.m., but all such work shall be limited solely to restocking supplies with no use of any large equipment or machinery;
- A Comprehensive Signage Package for the Arena and all other uses shall be approved as part of a subsequent public hearing, and the applicant is required to meet and work with the Turnberry Place residents prior to submittal of the Comprehensive Sign Package;
- No building permits shall be issued until a Decommissioning Agreement/Plan including a Bond or Cash in lieu of Bond performance security is submitted and approved by the Board of County Commissioners;
- The applicant must work with the County to ensure that water removed from the premises during construction is appropriately directed and disposed of as approved by the County, with the County to work with the applicant to secure a dewatering permit;
- Once the Arena is completed and in operation, hours of operation for any outdoor events shall be limited to, until 10:00 p.m. on Sunday through Thursday nights, and until 12:00 a.m. on Friday and Saturday nights, when either Monday or Friday is a recognized holiday, the operating hours on the nights before that holiday shall be extended to 12:00 a.m.;
- Applicant shall provide the President of the Turnberry Place Community Association with a schedule of the event(s) at least 10 working days prior to the event(s), additionally, if an NBA or similar team is secured for the premises, the operating hours may be increased to accommodate the schedule of the team(s) on game days;
- The roof of the Arena may be kept open to accommodate the event(s) as set forth in the condition above with noise decibel measurements taken at Turnberry Place during any event(s) at which the Arena roof is open for 6 months after opening, at the conclusion of this 6 month period, this condition shall be reviewed to ensure that allowing the roof open beyond the hours set forth in the condition above, does not exceed permissible noise levels, and has not presented an undue burden on the Turnberry Place residents;
- During any event(s) held at the Arena, 1 or more dedicated traffic control officers shall be provided by the operator(s) of the Arena to ensure that all residential traffic and all emergency vehicles have access to and from Turnberry Place;

- Incorporate the expanded and amended project elements as part of the already commenced Development Agreement process to mitigate impacts including but not limited to issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners;
- Submit a security performance bond acceptable to the County in an amount sufficient to provide a screen wall and/or restore the site including removal of construction materials, site stabilization and revegetation as necessary should construction of the project be discontinued or abandoned;
- As part of the Development Agreement or as a separate agreement, applicant to submit a Decommissioning Plan acceptable to the County which specifies the actions to be taken by the Developer in the event construction of the project is stopped or abandoned with said plan to be submitted and approved prior to building permits for the stadium;
- The surface area of the sidewalk/pedestrian access easement to consist of colors, patterns, texture and/or material different from the adjacent private walkways and plaza area with final design to be approved by staff;
- Final design of the pedestrian access easement/sidewalk along all streets to be reviewed and approved by staff;
- Provide breaks (gates) in fencing along Las Vegas Boulevard South for emergency services with the design to be coordinated with the Fire Department.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time or application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that swimming pools and water features will have to comply with Section 30.64.060.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Traffic study to include pedestrian analysis and flows;
- Traffic study to also address: a) determine the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes, b) turnover analysis for the porte-cochere, c) identification and implementation of Traffic Demand Management (TDM) measures with a follow-up study and presentation to the Board of County Commissioners (BCC) within 1 year of opening to the public;
- Traffic study to also include impact mitigation plan to also be reviewed by the Freeway and Arterial System of Transportation (FAST);
- Right-of-way dedication to Clark County to accommodate any physical improvements identified in the traffic study needed to accommodate vehicular and pedestrian volumes generated by the project;
- Methods of protecting pedestrian realms adjacent to the public rights-of-way from vehicular hazards to be reviewed and approved by Public Works - Development Review;
- Full off-site improvements;

- Reconstruct any unused driveways with full off-sites;
- Developer to contribute financially to the possible future grade separated bridge at Las Vegas Boulevard South and Sahara Avenue, with the percent of participation to be addressed in the traffic study and development agreement;
- Traffic study to analyze the need for east-west pedestrian bridge(s) (pedestrian grade separation) across Las Vegas Boulevard South and Paradise Road adjacent to this site;
- Pedestrian easements to be identified on plans submitted for permits or licenses when said permits or licenses are for anything near the easements;
- Dedicate and construct bus turnouts and shelter areas as required by Regional Transportation Commission;
- No buildings within the future right-of-way;
- No advertising within the right-of-way;
- Record a public pedestrian access easement;
- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes;
- Applicant to execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Future applications, whether individually or cumulatively (including this application), that are demonstrated to have a sufficient traffic impact upon Las Vegas Boulevard South may require the owner or its successors to grant easements or dedicate its proportionate share of all or portion(s) of the planned right-of-way on Las Vegas Boulevard South adjacent to its property according to the requirements of the Clark County Transportation Element and Title 30;
- Owners or its successors shall remove any non-standard improvements within the planned right-of-way related to any current or future applications at its own expense, in the event dedication of the planned right-of-way is required.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.

- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Building/Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show on-site fire lane, turning radius, and turnarounds; to show fire hydrant locations both on-site and within 750 feet; that this comment is in reference to a proposed Fire Department access plan created by the Cunningham Group for All Net Arena and Resort, which is (labeled Level 2 Victory Plaza +6) and dated September 13, 2017; and that this proposed access plan was reviewed and approved by the Fire Chief.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; and to please contact CCWRD at sewerlocation@cleanwaterteam.com and reference POC Tracking #0359-2017 to request your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

Per the applicant, there is an active grading permit (BD23-30855) and an active permanent fencing permit (BD23-31264) with the Building Department. Both permits are close to issuance. The applicant also states that a traffic study, drainage study, economic impact study, dust permits, a development agreement, and a performance agreement have been recorded. Although the project has not commenced, the applicant states that debris has been removed along with 4 billboards being removed. Lastly, the applicant states that they have enough funding for this project to commence due to the Performance Bond that was posted of 12 million dollars with Clark County. The applicant is requesting an additional 90 day extension to commence the project.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400109 (UC-0519-17)	Second extension of time for modifications to a High Impact Project (All Net Arena) and conveyance facilities/exposition halls	Accepted by BCC	November 2022
ET-22-400110 (UC-0568-14)	Third extension of time for a High Impact Project	Approved by BCC	November 2022
AG-21-900180	Performance Agreement for All Net Arena	Accepted by BCC	April 2021
ORD-21-900147	Development Agreement for All Net Arena	Adopted by BCC	April 2021

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0546	The Loop (monorail), including a future station at the subject site	Approved by BCC	October 2021
ET-20-400095 (UC-0568-14)	Second extension of time for a High Impact Project (All Net Arena), hotel, recreational facility, retail sales and service, restaurants, outdoor live entertainment, outside dining, and motion picture production/studio	Approved by BCC	October 2020
ET-20-400096 (UC-0519-17)	First extension of time for modifications to a High Impact Project (All Net Arena) and convention facilities/exposition halls	Approved by BCC	October 2020
AG-19-900355	Discussion to receive a report on the status of the project	Approved by BCC	June 2019
AG-19-900277	Discussion regarding the condition of the site	Approved by BCC	May 2019
UC-0568-14 (ET-0087-17)	First extension of time for a High Impact Project (All Net Arena), hotel, recreational facility, retail sales and service, restaurants, outdoor live entertainment, outside dining, and motion picture production/studio	Approved by BCC	September 2017
UC-0519-17	Modified a High Impact Project (All Net Arena) and proposed convention facilities/exposition halls	Approved by BCC	October 2017
UC-0568-14 (WC-0127-14)	Waived conditions of a use permit requiring a Development Agreement to mitigate impacts of the project on 27 acres in an H-1 zone	Approved by BCC	December 2014
UC-0775-14	Recreational facility with accessory food, beverage, and retail sales, live entertainment and on-premises consumption of alcohol for the start and finish line of a 5k race	Approved by BCC	October 2014
UC-0568-14	High Impact Project (All Net Arena), a hotel, recreational facility for increased building height, on-premises consumption of alcohol, outdoor live entertainment, farmer's markets, arcade and motion picture production studio	Approved by BCC	August 2014
AG-0441-11	Clarification of conditions of UC-0690-07 relating to temporary construction storage	Withdrawn	May 2011
VC-776-89 (RC-0061-11)	Revocation of variances for a freight staging area originally approved through VC-776-89	Withdrawn at BCC	December 2011
UC-0247-10	High Impact Project (sports arena)	Withdrawn at BCC	August 2010

Prior Land Use Requests

Application Number	Request	Action	Date
RS-0012-10	Record of Survey for the property	Approved by ZA	March 2010
UC-0690-07	Temporary construction storage in conjunction with Fontainebleau Resort Hotel - expired	Approved by PC	July 2007
UC-0405-07	Temporary batch plant in conjunction with Fontainebleau Resort Hotel - expired	Approved by PC	June 2007
UC-1927-03	An expansion to a previously approved resort hotel (Palace of the Sea) - expired	Approved by PC	January 2004
UC-1699-02	Resort hotel (Voyager Resort) - expired	Approved by BCC	February 2003
VC-776-89	Variance to allow a temporary staging facility in the southeast corner of the Wet 'N Wild parking lot	Approved by BCC Entertainment Mixed-Use	January 1990

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Sahara Hotel
South	Entertainment Mixed-Use	H-1	Residential condominiums (Turnberry Place) & developing resort hotel (Fontainebleau)
East	Entertainment Mixed-Use	H-1	Residential condominiums (Turnberry Towers) & Westgate (formerly known as LVH) Resort Hotel
West	Entertainment Mixed-Use	H-1	Hotel timeshare (Hilton Grand Vacations) & Rocking Rio

Related Applications

Application Number	Request
ET-23-400129 (UC-0568-14)	A fourth extension of time for modifications to a High Impact Project is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have

substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

This project was approved 9 years ago with very little progress towards commencement being made. There have been applications submitted to the Department of Public Works and the Building Department, an off-sites permit has been submitted, a drainage study has been approved, and an early grading permit is ready for issuance. The applicant has asked for 90 more days to get the early grading permit issued. However, an issued early grading permit is not considered as commencement, as the action should be towards the ultimate construction of the site and the applicant needs to diligently work through completion of the project. Staff cannot support the extension of time request.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Until September 6, 2024 to commence with any extension of time as a public hearing.
- Applicant is advised that the County may take action to pursuant to the Performance Agreement if the project has not commenced by the extended date; 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: ALL NET LAND DEVELOPMENT, LLC
CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA
DRIVE, SUITE 650, LAS VEGAS, NV 89135

DRAFT

HOTEL/RECREATIONAL FACILITY
(TITLE 30)

LAS VEGAS BLVD S/SAHARA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400129 (UC-0568-14)-ALL NET LAND DEVELOPMENT, LLC:

USE PERMITS FOURTH EXTENSION OF TIME to commence the following: **1)** a High Impact Project; **2)** a recreational facility (a multi-function events arena) and incidental uses; **3)** increased building height; **4)** retail sales and service; **5)** restaurants; **6)** on-premises consumption of alcohol; **7)** alcohol sales, beer & wine - packaged only; **8)** alcohol sales, liquor - packaged only; **9)** outdoor live entertainment; **10)** personal services (salon and spa); **11)** club; **12)** nightclub; **13)** food carts/booths; **14)** grocery store; **15)** kiosks/information (outdoor); **16)** offices; **17)** theater (Cineplex); **18)** outside dining, drinking, and cooking; **19)** farmer's markets; **20)** arcade; and **21)** motion picture production/studio.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced setback to a parking structure from a residential use; **2)** waive the required landscaping when adjacent to a less intensive use; **3)** permit a variety of outdoor commercial/retail uses not within a permanent enclosed building; and **4)** non-standard improvements (fences/walls, planters, and landscaping) within the future right-of-way (Las Vegas Boulevard South).

DESIGN REVIEWS for the following: **1)** a recreational facility (multi-function events arena) with ancillary uses and structures and overall site design; **2)** hotel; **3)** retail establishments; **4)** theater (Cineplex); and **5)** parking structures on 27.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located between Las Vegas Boulevard South and Paradise Road, 900 feet south of Sahara Avenue within Winchester. TS/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

162-09-602-001; 162-09-602-005

USE PERMITS:

1. Allow a High Impact Project.
2. Allow a recreational facility (a multi-function events arena) and incidental uses.
3.
 - a. Increase building height (hotel) to 512 feet where 100 feet is permitted (a 412 increase).
 - b. Increase building height (arena) to 160 feet where 100 feet is permitted (a 60% increase).
4. Allow retail sales and service.
5. Allow restaurants.
6. Allow on-premises consumption of alcohol.

7. Allow alcohol sales, beer & wine - packaged only.
8. Allow alcohol sales, liquor - packaged only.
9. Allow outdoor live entertainment.
10. Allow personal services (salon and spa).
11. Allow a club.
12. Allow a nightclub.
13. Allow food carts/booths.
14. Allow a grocery store.
15. Allow kiosks/information (outdoor).
16. Allow offices.
17. Allow a theater (Cineplex).
18. Allow outside dining, drinking, and cooking.
19. Allow farmer's markets.
20. Allow an arcade.
21. Allow motion picture production/studio.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the side setback from a residential use (Turnberry Place Condominiums) for a parking structure to zero feet where 10 feet is required (a 100% reduction).
2. Waive required landscaping adjacent to a less intensive use (Turnberry Place Condominiums) per Figure 30.64-11.
3. Permit a variety of outdoor commercial/retail uses not within a permanent enclosed building when required to be within a permanent enclosed building.
4. Allow non-standard improvements (fences/walls, planters, and landscaping) within the future right-of-way (Las Vegas Boulevard South) where not permitted.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

Project Description

General Summary

- Site Acreage: 27
- Project Type: Events arena, hotel, retail establishments including food and beverage, theater (Cineplex), and grocery store
- Number of Stories: 44 (hotel)/4 (arena)/4 (parking structures)
- Building Height (feet): 160 (arena)/512 (hotel)/77 (theater/Cineplex)/up to 77 (retail that is proposed over multiple levels)/65 (north parking garage)/46 (south parking garage)
- Square Feet: 862,500 with up to 22,000 seats (event arena)/500 room hotel/300,000 (retail, food, beverage, and entertainment)
- Parking Required/Provided: 8,759/8,999

History & Request

This request is for a fourth extension of time to commence UC-0568-14 for the All Net Arena project. The project as originally approved (UC-0568-14) consists of the following:

1. Hotel with 500 suites. The hotel tower will be 44 stories with an overall height of 512 feet. The hotel tower has been submitted to the Federal Aviation Administration. The hotel will also contain accessory uses such as a restaurant with a private lounge, wedding chapel and reception area, a specialty clothing and jewelry boutique, along with a full service spa;
2. Victory Plaza, a 300,000 square foot retail, food, beverage, and entertainment pedestrian streetscape, will funnel visitors from Las Vegas Boulevard South into the overall site. The plaza will include lush landscaping, food and retail establishments with outdoor seating, and staging and consists of retail uses within several levels within the overall development. The 300,000 square feet consists of uses within enclosed buildings. There will also be outdoor uses and activities, such as outside dining, within the pedestrian streetscape but no functional square footage areas were included with this request. Victory Plaza is designed to transform to different themes in accordance with events, activities, holidays, and celebrations;
3. 16 screen Cineplex with movie theater;
4. Event arena (All Net Arena). The arena's interior will consist of 4 levels for a total of 862,500 square feet with a retractable roof. The overall height of the arena is 160 feet. The seating accommodations will include 22,000 for basketball, 21,600 for hockey, and 22,000 for concerts and conventions. Also included is a restaurant and night club. The facility will also include home and visiting locker rooms, a practice court, media facilities, training facilities, training offices, fitting rooms, official locker rooms and dining facility, event staging area, pre/post game area, coach and administrative offices, and laundry and dry-cleaning facility. The arena is designed to accommodate the National Basketball Association professional teams and events;
5. Two lower basement levels that contain support spaces, receiving docks, and parking (employees and valet). Level B-1 is the event floor level for the arena. The project also contains 2 parking structures which serve the property with access off Las Vegas Boulevard South and Paradise Road.

Modifications to the project including an additional tower and convention center, were approved by UC-0519-17, which an extension of time is also being requested for and is a companion item on this agenda. The contents within this section of the report describe the project as originally approved per UC-0568-14.

Site Plans

The approved plans depict a multi-use facility that is anchored by an events arena, non-gaming hotel, and 300,000 square foot retail and restaurant plaza. The 300,000 square feet consists of uses within enclosed buildings. There will also be outdoor uses and activities, such as outside dining, within the pedestrian streetscape but no functional square footage areas were included with this request. The area along Las Vegas Boulevard South consists of landscaping and other improvements within the Las Vegas Boulevard South right-of-way with a 30 foot wide pedestrian realm immediately east of the right-of-way. Integrated into the pedestrian realm is an elevated pedestrian walkway that funnels pedestrians into the shopping plaza and eliminates conflicts between pedestrian and vehicular movements entering the site. In the northwest corner of the site, directly adjacent to the pedestrian realm, is 1 of the 2 proposed parking structures. Centrally located within the site are the 300,000 square foot retail and restaurant plaza and hotel.

In the northeast portion of the site is the events arena while the southeast portion of the site contains the second parking structure. The arena is set back 158 feet from Paradise Road. Along Paradise Road is a pedestrian realm that is up to 49 feet in width. The plans depict 1 primary ingress and egress point along Las Vegas Boulevard South with a secondary access point for the parking structure in the northwest portion of the site. There is 1 primary ingress and egress point along Paradise Road with 3 secondary access points to the parking garage in the southeast portion of the site. The primary entrance along Paradise Road lines up with an existing traffic signal on Karen Avenue and Paradise Road. The 3 secondary access points provide for bus/shuttle drop-off and pick-up queuing and service area ramp access.

Pedestrian Circulation Plan & Landscaping

The pedestrian circulation plan depicts clear, continuous, and unobstructed pedestrian use areas with pedestrian connections throughout the entire site. The connections include, but are not limited to, sidewalks, walkways, stairways, and an elevated pedestrian walkway. Clear and unobstructed connections are also depicted between the site and Las Vegas Boulevard South and Paradise Road. Along Las Vegas Boulevard South is a minimum 30 foot wide pedestrian realm with a minimum 20 foot sidewalk/walkway that is unobstructed. The remaining pedestrian realm consists of enhanced landscaping and amenity zone with corresponding pedestrian furnishings. The western edge of the pedestrian realm, portions of which are within the future right-of-way, include pedestrian containment barriers/fence to preclude pedestrians from accessing the public right-of-way from the pedestrian area and potentially conflict with vehicular movements. The functional area that is generally considered the pedestrian realm is wider than 30 feet since portions extend into the future right-of-way of Las Vegas Boulevard South. Cross sections on file provide further detail on the pedestrian areas and connections. In some areas along Las Vegas Boulevard South, there is an 11 foot wide planting area along and within the future right-of-way followed by a 20 foot wide public sidewalk which is then followed by a 16 foot wide planting strip. Detail on the elevated pedestrian walkway depicts a 20 foot wide public sidewalk with 17 foot wide private sidewalk for a total combined pedestrian walkway width of 37 feet.

Along Paradise Road, the pedestrian realm varies in width from 25 feet to up to 49 feet. The unobstructed sidewalk is predominantly 20 feet in width but does narrow to 15 feet at the narrowest point. Portions of the pedestrian area, including pedestrian walkways and connections, between the Paradise Road right-of-way and the arena reach up to a width of 115 feet.

The top of the south parking structure, which is at the south property line, is depicted as a green roof. The green roof consists of shrubs and groundcover that includes ornamental grasses. The green roof is only for a portion of the roof where the Cineplex theater is off-set or staggered from the south wall of the parking structure.

One of the waivers is to not provide required landscaping between the south parking structure and south property line, per Figure 30.64-11, adjacent to an existing 8 foot to 10 foot high wall enclosing the less intensive residential condominium use (Turnberry Place).

Use Permits

This project is a High Impact Project that was considered through a special use permit in the H-1 zone. Additionally, 2 of the structures within this project exceed the permitted 100 foot height

for buildings. Increased height, above 100 feet, was approved with a special use permit. The hotel is proposed at 512 feet while the arena is proposed at 160 feet in height. Since a shopping center is not a specific land use under Table 30.44-1, of the specific land uses within the area that will contain the 300,000 square foot retail and restaurant plaza. The 300,000 square feet consists of uses within enclosed buildings. There will also be outdoor uses and activities, such as outside dining, within the pedestrian streetscape but no functional square footage areas were included with this request.

The following outlines the uses anticipated for retail and restaurant plaza:

- Restaurants and bars (alcohol sales)
- Retail stores
- Grocery store
- Outdoor dining
- Arcade
- Outdoor live entertainment (positioned 500 feet from adjacent residential)
- Outdoor ice skating rink
- Night clubs
- Office
- Farmers market
- Movie production
- Food carts
- Kiosks

Waivers of Development Standards

Waiver of development standards #1 was to eliminate the required setback to the parking structure on the southeast portion of the site, adjacent to a residential use. The required setback is 10 feet, and the plans depict a zero foot setback.

Waiver of development standards #2 was to eliminate required landscaping along the southeast portion of the site adjacent to the residential use (Turnberry Place). The majority of the area is where the parking structure has a zero foot setback.

Waiver of development standards #3 was to conduct outdoor commercial/retail uses not within an enclosed building. Within the Victory Plaza area, there will be outdoor uses and activities, such as outside dining, within the pedestrian streetscape.

Waiver of development standards #4 was for a portion of the proposed landscaping and structures such as fences, benches, trash receptacles, and pedestrian barriers that are within a portion of the future right-of-way of Las Vegas Boulevard South.

Elevations

The approved plans for the arena depict a 160 foot high structure with a modern design consisting of aluminum and glass wall systems with solar screens. Throughout the various elevations, the arena will contain LED panels and lighting effect systems throughout. LED

panels consist of light emitting diodes that function off the principle of electroluminescence and will primarily function as signage. However, signage is not a part of this application and will be reviewed with a subsequent land use application. The roof, which is retractable, will also consist of a metal roof system.

The 512 foot high hotel has multiple surface planes with varying roof heights and consists primarily of aluminum and glass curtain wall system with solar panels.

The parking structure with theater (Cineplex) in the southeast portion of the site is an integrated structure with varying heights and materials. The parking structure, which is closest to Paradise Road and the south property line, is a maximum of 46 feet in height and will be enhanced with a decorative architectural perforated metal screen system. A picture representation of an existing building with the proposed metal screen system is depicted on the plans on file. The theater (Cineplex) portion of the overall building, which is off-set or staggered from the southern edge of the parking structure, is depicted at a maximum height of 77 feet. The plans depict metal panel systems with LED feature lighting, as well as aluminum and glass curtain wall systems with a stone panel element.

The parking structure on the northwest portion of the site, closest to Las Vegas Boulevard South, will consist of the same materials as the southern parking structure. However, the height for the northern parking structure will be 65 feet.

The retail and restaurant buildings are proposed over multiple levels that range up to 77 feet in height. The buildings consist of the following materials: 1) stone panels; 2) mullion less glass walls; 3) metal panels; and 4) solar shade systems with LED lighting.

All buildings, with the exception of the southern parking structure, comply with all applicable setbacks for the base zoning district, special setbacks along Las Vegas Boulevard South, and any applicable setbacks from arterial streets.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400110 (UC-0568-14):

Current Planning

- Until September 6, 2023 to commence with any extension of time as a public hearing.
- Applicant is advised that the County may take action to pursuant to the Performance Agreement if the project has not commenced by the extended date; 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; and that the extension of time may be

denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ET-20-400095 (UC-0568-14):

Current Planning

- 6 months to execute Performance Agreement with bond and Development Agreement or application will expire;
- Until September 6, 2022 to commence with any extension of time as a public hearing;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-0568-14 (ET-0087-17):

Current Planning

- Until September 6, 2020 to commence, to run concurrent with UC-0519-17;
- Until September 6, 2020 to review as a public hearing, to run concurrent with UC-0519-17;
- Submit a security performance bond acceptable to the County in an amount sufficient to provide a screen wall and/or restore the site including removal of construction materials, site stabilization and revegetation as necessary should construction of the project be discontinued or abandoned;
- As part of the Development Agreement or as a separate agreement, applicant to submit a Decommissioning Plan acceptable to the County which specifies the actions to be taken by the Developer in the event construction of the project is stopped or abandoned with said plan to be submitted and approved prior to building permits for the stadium;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that an adopted Development Agreement is required prior to permits other than the permits allowed per original conditions; and a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-0568-14:

Current Planning

- 3 years to commence and review;
- Per revised plans presented at the 08/06/14 Board of County Commissioners' meeting;
- Landscape buffer between the southern parking garage and south property line per revised plans presented at the 08/06/14 Board of County Commissioners' meeting;
- Landscaping and pedestrian realms per plans on file;
- Lighting for signs to be addressed with a subsequent land use application including nits;
- Design review for lighting to address nits and shielding;
- Design review as a public hearing on final plans for the outdoor live entertainment area and to address uses, with associated details such as, but not limited to, address location of stages, any amplified sound, plaza cover, lighting, and involve neighbors such as but not limited to Turnberry Place and Towers, Skye, Allure, and Las Vegas Country Club for design and issues;
- Hours of operation for outdoor uses and live entertainment shall be up to 10:00 p.m. on weekdays and up to 12:00 a.m. on weekends;
- Provide notification to neighbors for all events;
- A Development Agreement to mitigate impacts of the project including but not limited to issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners;
- As part of the Development Agreement, applicant to submit a Decommissioning Plan acceptable to the County which specifies the actions to be taken by the Developer in the event construction of the project is stopped or abandoned for 90 days or longer;
- Construct pedestrian bridge(s) (pedestrian grade separation) across Las Vegas Boulevard South and Paradise Road (east/west bridge easements) and identify easement areas on the plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised to coordinate with other entities and or agencies; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license, or approval; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance as a public hearing;
- Traffic study to include pedestrian analysis and flows and address turns on Paradise Road;
- Traffic study to also address: a) determine the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes, b) turnover analysis for the porte-cochere, c) identification and implementation of Traffic Demand Management (TDM) measures with a follow-up study

and presentation to the Board of County Commissioners (BCC) within 1 year of opening to the public;

- Traffic study to also include impact mitigation plan to also be reviewed by the Freeway and Arterial System of Transportation (FAST);
- Right-of-way dedication to Clark County to accommodate any physical improvements identified in the traffic study needed to accommodate vehicular and pedestrian volumes generated by the project;
- Full off-site improvements;
- Reconstruct any unused driveways with full off-sites;
- Developer to contribute financially to the possible future pedestrian grade separated bridge at Las Vegas Boulevard South and Sahara Avenue, percent of participation to be addressed in the traffic study and development agreement;
- Traffic study to analyze the need for east/west pedestrian bridge(s) (pedestrian grade separation) across Las Vegas Boulevard South and Paradise Road and identify easement areas on the plans;
- Dedicate and construct bus turnouts and shelter areas as required by the Regional Transportation Commission;
- No buildings within the future right-of-way;
- No advertising within the right-of-way;
- Record a public pedestrian access easement;
- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes;
- Applicant to execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Owner acknowledges that the proposed non-standard improvements are within a portion of the area planned for a "200 foot planned right-of-way" per Title 30 and the Clark County Transportation Element adopted on May 16, 2006;
- Future applications, whether individually or cumulatively (including this application), that are demonstrated to have a sufficient traffic impact upon Las Vegas Boulevard South may require the owner or its successors to grant easements or dedicate its proportionate share of all or portion(s) of the planned right-of-way on Las Vegas Boulevard South adjacent to its property according to the requirements of the Clark County Transportation Element and Title 30;
- Owners or its successors shall remove any non-standard improvements related to this application or any future application(s) within the planned right-of-way at its own expense, in the event dedication of the planned right-of-way is required.

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 the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; 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 the separate airspace determinations will be needed for construction cranes or other temporary equipment.

Building/Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; permits and fire protection may be required for this facility; and to please contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there is an existing public 21 inch sanitary sewer line within an existing public sanitary sewer easement on the property, there is currently insufficient capacity in the 21 inch public sanitary sewers adjacent to the applicant's site; the drawings provided by the applicant proposed structures and intense landscaping over or in the near vicinity of the sewer line and within the easement; the public sewer easement does not allow encumbrances within its boundaries; CCWRD must have 24 hour access to maintain public sewer lines; the applicant is required to meet with CCWRD to resolve sanitary sewer easement and access issues and capacity issues; construction of an off-site sewer may be required as part of the applicant's project to reach a point of adequate capacity in the CCWRD collection system; and that at the time of construction of new improvements, CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to verify sewer point of connection and check for any changed conditions.

Applicant's Justification

The applicant states they have been working with various county departments for the last 9 months to commence the project by September 6, 2023, as outlined in the previous extension of time ET-22-400110 (UC-0568-14). Through this process a grading permit and a fence permit have been submitted to the Building Department. The applicant has received comments on both submittals and are hopeful that the permits will be issued soon. However, this request is to ensure that enough time is provided for the project to commence.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400109 (UC-0519-17)	Second extension of time for modifications to a High Impact Project (All Net Arena) and convention facilities/exposition halls	Approved by BCC	November 2022
ET-22-400110 (UC-0568-14)	Third extension of time for a High Impact Project	Approved by BCC	November 2022
AG-21-900180	Performance Agreement for All Net Arena	Accepted by BCC	April 2021
ORD-21-900147	Development Agreement for All Net Arena	Adopted by BCC	April 2021
UC-20-0546	The Loop (monorail), including a future station at the subject site	Approved by BCC	October 2021
ET-20-400095 (UC-0568-14)	Second extension of time for a High Impact Project (All Net Arena), hotel, recreational facility, retail sales and service, restaurants, outdoor live entertainment, outside dining, and motion picture production/studio	Approved by BCC	October 2020
ET-20-400096 (UC-0519-17)	First extension of time for modifications to a High Impact Project (All Net Arena) and convention facilities/exposition halls	Approved by BCC	October 2020
AG-19-900355	Discussion to receive a report on the status of the project	Approved by BCC	June 2019
AG-19-900277	Discussion regarding the condition of the site	Approved by BCC	May 2019
UC-0568-14 (ET-0087-17)	First extension of time for a High Impact Project (All Net Arena), hotel, recreational facility, retail sales and service, restaurants, outdoor live entertainment, outside dining, and motion picture production/studio	Approved by BCC	September 2017
UC-0519-17	Modified a High Impact Project (All Net Arena) and proposed convention facilities/exposition halls	Approved by BCC	October 2017
UC-0568-14 (WC-0127-14)	Waived conditions of a use permit requiring a Development Agreement to mitigate impacts of the project on 27 acres in an H-1 zone	Approved by BCC	December 2014
UC-0775-14	Recreational facility with accessory food, beverage, and retail sales, live entertainment and on-premises consumption of alcohol for the start and finish line of a 5k race	Approved by BCC	October 2014

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0568-14	High Impact Project (All Net Arena), a hotel, recreational facility for increased building height, on-premises consumption of alcohol, outdoor live entertainment, farmer's markets, arcade and motion picture production studio	Approved by BCC	August 2014
AG-0441-11	Clarification of conditions of UC-0690-07 relating to temporary construction storage	Withdrawn	May 2011
VC-776-89 (RC-0061-11)	Revocation of variances for a freight staging area originally approved through VC-776-89	Withdrawn by BCC	December 2011
UC-0247-10	High Impact Project (sports arena)	Withdrawn by BCC	August 2010
RS-0012-10	Record of Survey for the property	Approved by ZA	March 2010
UC-0690-07	Temporary construction storage in conjunction with Fontainebleau Resort Hotel - expired	Approved by PC	July 2007
UC-0405-07	Temporary batch plant in conjunction with Fontainebleau Resort Hotel - expired	Approved by PC	June 2007
UC-1927-03	An expansion to a previously approved resort hotel (Palace of the Sea) - expired	Approved by PC	January 2004
UC-1699-02	A resort hotel (Voyager Resort) - expired	Approved by BCC	February 2003
VC-776-89	Variance to allow a temporary staging facility in the southeast corner of the Wet 'n' Wild parking lot	Approved by BCC	January 1990

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Sahara Hotel
South	Entertainment Mixed-Use	H-1	Residential condominiums (Turnberry Tower) & developing resort hotel (Fontainebleau)
East	Entertainment Mixed-Use	H-1	Residential condominiums (Turnberry Towers) & Westgate Resort Hotel
West	Entertainment Mixed-Use	H-1	Hotel timeshare (Hilton Grand Vacations) & Rocking Rio

Related Applications

Application Number	Request
ET-23-400128 (UC-0519-17)	A third extension of time for modifications to a High Impact Project (All Net Arena) and convention facilities/exposition halls is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

This project was approved 9 years ago with very little progress towards commencement being made. There have been applications submitted to the Department of Public Works and the Building Department, an off-sites permit has been submitted, a drainage study has been approved, and an early grading permit is ready for issuance. The applicant has asked for 90 more days to get the early grading permit issued. However, an issued early grading permit is not considered as commencement, as the action should be towards the ultimate construction of the site and the applicant needs to diligently work through completion of the project. Staff cannot support the extension of time request.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Until September 6, 2024 to commence with any extension of time as a public hearing.
- Applicant is advised that the County may take action to pursuant to the Performance Agreement if the project has not commenced by the extended date; 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; and that the extension of time may be

denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS: 5 cards

PROTEST: 1 card

APPLICANT: ALL NET LAND DEVELOPMENT, LLC

CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, LAS VEGAS, NV 89135

DRAFT

CANNABIS CONSUMPTION LOUNGE
(TITLE 30)

DESERT INN RD/MARYLAND PKWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0648-SKY HI, LLC:

USE PERMITS for the following: **1)** cannabis establishment (consumption lounge); and **2)** modify design and development standards for the Midtown Maryland Parkway Design Overlay District.

WAIVER OF DEVELOPMENT STANDARDS reduce the separation for outside cannabis consumption to a residential use.

DESIGN REVIEWS for the following: **1)** a cannabis consumption lounge; **2)** additions to an existing commercial building; and **3)** site modifications to include but not limited to façade changes, parking, and landscaping on 1.6 acres in a C-1 (Local Business) (AE-60) Zone in the Midtown Maryland Parkway Design Overlay District.

Generally located on the north side of Desert Inn Road, 500 feet west of Maryland Parkway within Winchester. TS/al/syp (For possible action)

RELATED INFORMATION:

APN:

162-10-803-015

USE PERMITS:

1. Cannabis establishment (consumption lounge).
2.
 - a. Waive the requirements for a pedestrian realm as required by Section 30.48.1870.
 - b. Reduce required open space to 3,180 square feet where a minimum of 3,484.8 square feet is required by Section 30.48.1870 (an 8.7% reduction).
 - c. Waive the requirement for a minimum of one 1 of the open space to front a street or pedestrian way where required by Section 30.48.1870.

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the separation between outside cannabis consumption to a residential use to 67 feet where a minimum of 1,500 square feet is required per Table 30.44-1 (a 95.5% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 1140 E. Desert Inn Road
- Site Acreage: 1.6
- Project Type: Cannabis consumption lounge
- Number of Stories: 1
- Building Height (feet): 35
- Square Feet: 11,060
- Parking Required/Provided: 59/59

Site Plan

The request is to redevelop the site as a cannabis consumption lounge, which will be operated in conjunction with an existing cannabis dispensary and retail store (Jade Cannabis Company) that is located on the adjacent property to the west. The site was originally developed in 1975 as a bank and the existing building is located in the central portion of the property with parking located to the north, east, and south of the building. An existing canopy for the former drive-thru teller is located on the northwest corner of the building with a driveway located along the west property line. Access to the site is provided by 2 existing driveways located on the southeast and southwest corners of the property and there is shared access with the adjacent property to the west. Posts and a chain currently prevent shared access with the property to the east. The plan depicts additions along the north and east sides of the building with a reconfiguration of the parking areas. The plan also depicts public art (sculptures) located near the southeast and southwest corners of the building. On the north side of the building the plan depicts covered patios for events. The applicant is requesting a waiver of development standards to allow consumption of cannabis products in these patio areas, which are approximately 67 feet from an existing single family residential development to the north, where a separation of 1,500 feet is required. These patios have an area of 3,180 square feet and is below the minimum open space requirement for the Midtown Maryland Parkway Design Overlay District. Additionally, the patio area is not open to front a street or pedestrian way as required by the Midtown Maryland Parkway Design Overlay District. Therefore, the applicant is requesting a use permit to deviate from these standards.

Landscaping

There is an existing attached sidewalk along Desert Inn Road which will remain. There is an existing approximately 27 foot wide landscape area along Desert Inn Road consisting of Palm trees, shrubs, and groundcover. Per development standards of the Midtown Maryland Parkway Design Overlay District this area should be redeveloped as a pedestrian realm. The applicant is requesting a use permit to deviate from this standard since this is a developed property. The landscape area along Desert Inn Road will be slightly modified to allow for a reconfiguration of the parking area in front of the building and to allow for curb returns at the driveways. The width of the landscape area will be reduced to a minimum of 24 feet. The Palm trees will be removed, and the landscape materials will consist of additional trees, more shrubs, and groundcover. A minimum 12 foot wide landscape area consisting of 2 off-set rows of large Evergreen trees is being added along the northern boundary of the site adjacent to an existing

single family residential development. Additional landscape areas consisting of trees, shrubs, and groundcover are depicted along the east and west property lines, within the parking areas and adjacent to the buildings.

Elevations

The existing building is 1 story with a height of approximately 19 feet with a flat roof behind parapet walls. The addition along the north and sides of the building are 1 story with a maximum height of 24 feet. The additions have flat roofs behind parapet walls to match the existing building. There are architectural elements located on the central portion of the east side of the building and on the southwest corner of the building that will increase the height of the building to 35 feet.

Floor Plans

The existing building has an area of 4,835 square feet. The additions have an area of 6,225 square feet which will make the total area of the project 11,060 square feet. The cannabis consumption lounge will have an area of 6,600 square feet and will consist of a vault, 8 private rooms, a check-in area, storage areas, and an open lounge area. The addition along the east side of the building will consist of an entry area, 2 large open areas for future lease spaces, and restrooms that are shared with the cannabis consumption lounge.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant indicates the proposed facility will be operated in conjunction with an existing cannabis dispensary and retail store (Jade Cannabis Company) that is located on the adjacent property to the west. Additionally, there are other commercial and medical uses in the area; therefore, the proposed facility is consistent and compatible with surrounding businesses. The site was developed prior to the establishment of the Midtown Maryland Parkway Overlay District and to bring the site into compliance with all the Overlay District standards would require the demolition of the existing building and a complete redevelopment of the site. The request for the outside consumption of cannabis products is for patio areas that are located approximately 67 feet from an existing single family residential development to the north. Between the patio areas and the closest residences are a 35 foot wide private street within the residential development, an existing landscape area within the residential development adjacent to the subject site and a new landscape area that is being added to the subject site, adjacent to the residential development. The private street and landscaping will mitigate the impact of the patios on the residences. The additions and modifications to the building will revitalize the property and help improve the appearance of the area.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
South	Urban Neighborhood (greater than 18 du/ac)	H-1	Multiple family residential

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
East	Corridor Mixed-Use	C-2	Psychiatric hospital
West	Neighborhood Commercial	C-1	Cannabis dispensary & retail sales facility

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permits

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

Use Permit #1

The proposed facility will be operated in conjunction with an existing cannabis dispensary and retail store (Jade Cannabis Company) that is located on the adjacent property to the west. The applicant submitted a State of Nevada Cannabis Compliance Board approval for a prospective license for a cannabis consumption lounge. A certified separation survey was submitted which indicated that the existing establishment exceeds the separation requirement of 1,500 feet from a school or community facility.

The crime report indicates that within a 1 mile radius of the site, 1,046 crime reports were filed by the Las Vegas Metropolitan Police Department in the approximately 60 days prior to the application date. An Impaired Driver Prevention Plan was submitted which includes employee training, an alternative transportation plan, including a 24-hour no tow policy, and signage plan with concurrence from the Office of Traffic Safety. Submitted elevation plans depict that the outdoor consumption lounge will be screened from the right-of-way and adjacent businesses accordingly. In consideration of this information, staff can support this request.

Use Permit #2a

The site is located within the Midtown Maryland Parkway Overlay District; however, the site was originally developed in 1975, well before the establishment of the Overlay District. The parcels adjacent to this site were also developed prior to the establishment of the Overlay District. To remove the existing sidewalk and provide a pedestrian realm for this 1 parcel would be out of harmony with the other developments in this area. The landscape for the area adjacent to Desert Inn Road exceeds the 15 foot of landscaping required for property outside the Overlay District and is consistent with the abutting development and will provide a more uniform streetscape. Therefore, staff can support this request.

Use Permit #2b & #2c

The purpose of the Midtown Maryland Parkway Overlay District is to implement and encourage design standards, and incentives for transit-oriented, walkable, and sustainable development and revitalization of properties within the district. The applicant is attempting to revitalize the property with a use that is constant and compatible with the adjacent business. The plan submitted by the applicant is making use of an existing building that is located on the property creating design constraints for the proposed additions. The project is providing open space that is 8.7% less than required by the Overlay District in a location on-site that allows the continued use of the existing building. Staff finds that the design of the project meets the intent of the Overlay District sustainable development and revitalization of properties. Since the design of the project is allowing for the continued use of the existing building staff can support this request.

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.

The applicant is requesting a 95.5% reduction in the required separation of an outside cannabis consumption area to a single family residential development which staff finds to be extreme. Staff is concerned about this reduction due to certain types of cannabis consumption producing an offensive order. Staff finds that the applicant has not provided a sufficient justification to warrant the reduction to the required separation or provide sufficient mitigation to limit the impacts of the use on the residential development to the north. Therefore, staff does not support this request.

Design Reviews

Staff finds the proposed modification and additions to the building and site will allow for a development that meets the intent of the Midtown Maryland Parkway Overlay District and be consistent and compatible with the existing commercial developments abutting the site. The landscaping along the street will provide a uniform streetscape. Therefore, staff recommends approval of these requests.

Staff Recommendation

Approval of the use permits and design reviews; denial of the waiver of development standards.

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:

- 1 year to review as a public hearing.
- A valid Clark County business license must be issued for this cannabis consumption lounge within 2 years of approval, or the application will expire;
- To prevent odor nuisances, an odor control plan must be submitted to the Clark County Department of Air Quality;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Traffic study and compliance.

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: TBL, LLC

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135

11/08/23 BCC AGENDA SHEET

OFFICE BUILDING EXPANSION
(TITLE 30)

HIGHLAND DR/EDNA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0601-BM HIGHLAND, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** street landscaping; **2)** parking lot landscaping; **3)** pedestrian walkways; **4)** modified commercial driveway standards; and **5)** full off-site improvements.

DESIGN REVIEW a proposed expansion to an existing contractor's office within an existing commercial/industrial complex on a portion of 6.7 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the east side of Highland Drive, 700 feet south of Edna Avenue within Winchester. TS/lm/syp (For possible action)

RELATED INFORMATION:

APN:

162-08-707-002 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Waive street landscaping and detached sidewalk where Figure 30.64-17 is required.
2. Waive parking lot landscaping where Figure 30.64-14 is required.
3. Waive pedestrian walkway where required per Section 30.60.050.
4. Allow the existing driveway to remain where compliance with commercial driveway standards Uniform Standard Drawing 221.1 is required.
5. Waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Highland Drive.

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 3030 Highland Drive
- Site Acreage: 6.7 (ptn)
- Project Type: Expansion to existing office building (Martin Harris) and parking lot redesign
- Number of Stories: 1
- Building Height (feet): 24.5

- Square Feet: 20,000 (Building A)/26,750 (Building B)/36,500 (Martin Harris)/8,884 (Martin Harris expansion)/92,134 (total)
- Parking Required/Provided: 316/336

Site Plan

The plan depicts an existing office building located along the northern portion of an office/commercial/industrial complex. Access to the site is located via existing driveways along Highland Drive. A previously approved use permit (UC-0829-17) allowed the office as a principal use and design reviews to convert the warehouse portion of the building into office areas and façade changes. The existing building has 36,500 square feet, with the proposed additions at the northeast and southwest corners of the building for a total expansion area of 8,884 square feet. Parking has been redesigned along the south elevation of the building, with additional employee parking located to the east. A pedestrian access route has been provided from the westerly parking area south of the remodeled building, which connects the accessible parking area to the building entrance; however, there is no pedestrian walkway between other parking areas and building entrances. Additional parking is located along the west and south property lines. A portion of the site parking is provided on the parcel to the east located within the jurisdiction of the City of Las Vegas (APN 162-09-301-004), with legal access only through the subject parcel. The remainder of site design changes include relocating the trash enclosure on the east side of the building and restriping the larger parking area south of the building. Site improvements also include new screening materials on the existing 8 foot tall chain-link enclosures around the storage areas on the east side of the site.

Landscaping

The plan depicts existing street landscaping that consists of trees, turf, and shrubbery that does not include sidewalks or the required quantity of trees along the street frontage. Trees along Highland Drive include Palms, Bay Laurel, and Pines. Existing parking lot landscaping includes Palm trees and shrubbery. The proposed parking lot and building entry landscaping includes Date Palm, Wilson Olive, Mediterranean Fan Palm, and shrubbery. The restriped parking areas do not include the required parking lot landscaping.

Elevations

The plan depicts the building remodel and addition to the existing office building on the north portion of the parcel. The proposed design continues the previously approved visual interest of the elevations with varying parapet heights and faced relief. Additionally, the elevations include metal panel features, painted concrete block, stucco, and commercial window and door features, that are consistent with the previously approved façade changes within the complex.

Floor Plan

The proposed plan includes an expansion of the existing 36,500 square foot building with an 8,884 square foot expansion for additional office space, for a total building area of 45,384 square feet. The expansion includes a new main entry, which includes a reception area, conference rooms, and offices, along with an expansion of the employee area at the northeast corner of the building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the requested building additions are consistent with the existing building design and continue current site exterior materials. The requests for site and parking lot landscaping are included in this request, as the intent is to maintain the existing property conditions outside of the project area. The applicant states the existing entryway landscaping exceeds the current standards for other parcels along Highland Drive that were installed prior to current standards. In addition to the relocated accessible parking, a pedestrian access route with any new walkways would represent a burden on the property owner beyond what they believe is warranted by the scale of the new development and the fact that there is little movement between tenants of different buildings on the site.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-19-900704 (ADET-21-900649)	First extension of time for modifications to the exterior facade	Approved by ZA	November 2021
ADR-19-900704	Modifications to the exterior facade of an existing commercial/industrial complex	Approved by ZA	October 2019
UC-19-0142	Recreational facility (indoor simulated shooting facility), minor training facility, sporting goods - firearms, hookah lounge within an existing commercial complex - withdrawn	Withdrawn by PC	May 2019
UC-0829-17	Office as a principal use and design reviews to convert an existing warehouse space into office areas, and modifications to the exterior of an office/warehouse building	Approved by PC	November 2017
UC-0028-16	Recreational facility (indoor simulated shooting facility) with accessory commercial uses, minor training facility, and hookah lounge, waiver to allow roof signs, and a design review for roof signs - waiver and design review were denied - expired	Approved by PC	March 2016
UC-0838-15	Recreational facility (indoor simulated shooting range) and minor training facility in the southernmost building (3030 Highland Drive) - currently still in operation	Approved by PC	February 2016
UC-0383-12	Banquet facility	Approved by PC	September 2012
UC-0086-07	Recreational facility (table tennis)	Approved by PC	March 2007

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0175-05	Private club (supportive recovery group)	Approved by PC	March 2005
UC-1569-04	Banquet facility - expired	Approved by PC	October 2004
UC-0550-04	Secondhand sales	Approved by PC	June 2004
UC-1830-03	Private recreational facility (indoor shooting range and gun store) with gunpowder storage and ancillary offices	Approved by BCC	February 2004
UC-0490-00	Live entertainment in conjunction with a gift shop within an existing retail building	Approved by PC	May 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	M	Industrial buildings
South & West	Business Employment	M-1	Industrial buildings
East	City of Las Vegas	M	Storage yard & a portion of the overall parking for this site

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.

Waivers of Development Standards #1 & #2

Staff is unable to support requests for street landscaping that include allowing existing turf to remain when local conservation efforts are in place to help businesses and property owners replace and meet the environmental standards of the Master Plan. The proposed design reconfigures the visitor and employee parking areas along the southern elevation of the building and restripes the central parking areas south of the subject building. Staff finds that the redesign could provide the required parking lot landscaping south of the building and north of the driveway. Policy 3.6.1 of the Master Plan encourages reducing the footprint of hardscaped areas and providing shade to help reduce heat absorption by exterior surfaces.

Waivers of Development Standards #3

Staff finds that while there is 1 new pedestrian access provided to the redesigned building, the parking area east of the accessible parking space area is proposed to be restriped, and along with the parking area east of the building, albeit located in the City of Las Vegas, any redesign should provide safe pedestrian access. Therefore, staff is unable to support this request.

Design Review

The proposed exterior changes to the building continue to be in harmony with the complex and developments on the adjacent parcels. Site improvements include creating a trash enclosure, restriping visitor parking spaces, and screening outside storage spaces. However, since staff cannot support the waivers of development standards, staff cannot support this request.

Public Works - Development Review

Waivers of Development Standards #4 & #5

The applicant has worked with staff to install the off-site improvements and reconstruct the driveway to a commercial curb return with future development expansion. Therefore, staff can support these requests.

Staff Recommendation

Approval of waivers of development standards #4 and #5; 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:

- Remove turf prior to final inspection per Southern Nevada Water Authority standards;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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

- Full off-site improvements shall be required with future development as determined by Public Works - Development Review.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0329-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BM HIGHLAND, LLC

CONTACT: KGA ARCHITECTURE, 9075 W. DIABLO DRIVE, SUITE 300, LAS VEGAS, NV 89148

DRAFT

PARKING GARAGE/SITE IMPROVEMENTS
(TITLE 30)

MARYLAND PKWY/DESERT INN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0643-SUNRISE HOSPITAL & MEDICAL CENTER, LLC:

ZONE CHANGE to reclassify 37.6 acres from a C-2 (General Commercial) (AE-60) Zone, an R-1 (Single Family Residential) (AE-60) Zone, and an H-1 (Limited Resort and Apartment) (AE-60) Zone to a C-1 (Local Business) (AE-60) Zone.

USE PERMITS for the following: **1)** parking garage; and **2)** waive design and development standards in the Midtown Maryland Parkway District.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase height; **2)** reduce parking lot landscaping; **3)** allow non-standard improvements within the right-of-way; and **4)** allow modified driveway design standards.

DESIGN REVIEWS for the following: **1)** proposed parking garage and surface parking lot modifications; and **2)** finished grade in conjunction with an existing hospital site in the Midtown Maryland Parkway District.

Generally located on the east side of Maryland Parkway and the north side of Desert Inn Road within Winchester (description on file). TS/rk/syp (For possible action)

RELATED INFORMATION:

APN:

162-11-301-009; 162-11-301-010; 162-11-401-003 through 162-11-401-007; 162-11-401-009; 162-11-401-011; 162-11-410-029 through 162-11-410-032; 162-11-410-043; 162-11-410-044; 162-11-410-046 through 162-11-410-056; 162-11-410-058 through 162-11-410-063; 162-11-410-080 through 162-11-410-084

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 109 feet where a maximum of 35 feet is permitted per Table 30.40-3 (a 211% increase).
2. Reduce parking lot landscaping where compliance with Figure 30.64-14 is required.
3. Allow non-standard improvements (landscaping) within the right-of-way (Desert Inn Road) where not permitted per Chapter 30.52.
4.
 - a. Reduce throat depth to 15 feet for a driveway located along Desert Inn Road where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 90% reduction).
 - b. Reduce throat depth to 121 feet for a driveway located along Maryland Parkway where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 19% reduction).

DESIGN REVIEWS:

1. A proposed parking garage and surface parking lot modifications.
2. Increase finished grade up to 50 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 39% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE & NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 3186 Maryland Parkway (multiple addresses)
- Site Acreage: 37.6
- Project Type: Proposed parking garage and surface parking lot modifications
- Number of Stories: 9
- Building Height (feet): Up to 109
- Square Feet: 78,420 (garage footprint)
- Parking Required/Provided: 1,889/3,990

Site Plan

This request is for new parking garage structure and surface parking lot modifications to the existing Sunrise Hospital complex. The parking garage will be 9 levels and add 2,023 additional parking spaces that include 36 EV charging stalls to the medical site. The parking garage is located on the north side of the hospital building, approximately 295 feet east of Maryland Parkway, and 50 feet from the north property line. The undeveloped area in front of the parking garage facing Maryland Parkway is shown as future development and is not part of this application. The surface parking lot reconfiguration occurs on the south half of the site which includes resurfacing, updating parking lot landscaping, providing new access points, and incorporating new covered carports.

Landscaping

The plans depict existing street landscape areas, measuring between 6 feet to 21 feet in width, located behind existing 5 foot wide attached sidewalks along Desert Inn Road and Maryland Parkway. Trees, shrubs, and groundcover are located within the street landscape areas. A waiver of development standards is requested to eliminate some of the landscape finger every 6 or 12 spaces due new covered carports being located throughout the site. Existing portions of landscaping along Desert Inn Road are not within the boundaries of the project site and requires a waiver for non-standard improvements within the right-of-way. Also shown on plans are half diamonds and full diamond planters located toward the center of the development and near Maryland Parkway.

Elevations

The plans depict a proposed 9 story parking garage ranging between 96 feet to 109 feet in height. The parking garage measures 104 feet in height to the top of the parapet wall, while the maximum height of 109 feet is necessary to accommodate the highest point of the elevator shafts

and safety lighting. The parking garage will be constructed of pre-cast concrete and EFIS panels, decorative metal siding, and stone accents.

Floor Plans

The parking garage consists of nine, 78,420 square foot parking levels. The total number of new parking stalls provided for the development is 2,023.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant indicates all parcels within the development are planned for either Neighborhood Commercial or Corridor Mixed-Use, which both categories classify C-1 zoning as conforming. Additionally, C-1 zoning will be consistent with other developments along Maryland Parkway and Desert Inn Road. Applicant states no new construction of the hospital building is being proposed with this request and the requested height of the parking garage is not significantly different from the rooftop helipad that was approved in 2018.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-22-900684	Administrative design review for an exterior façade remodel of a hospital	Approved by ZA	November 2022
UC-18-0076	Heliport in conjunction with an existing hospital (Sunrise Hospital)	Approved by BCC	June 2018
WS-0808-17	Increased wall height	Approved by PC	November 2017
WS-0482-16	Addition and modifications to an existing hospital (Sunrise Hospital)	Approved by BCC	September 2016
UC-0499-09	Air ambulance heliport and modifications to the parking lot layout for a portion of an existing parking garage in conjunction with an existing hospital	Denied by BCC	November 2009
WS-0575-03	Increased building height for an addition to the hospital	Approved by PC	May 2003
DR-0893-99	Addition to the hospital	Approved by PC	July 1999
VC-1666-98	Increased building height for an addition to the hospital	Approved by PC	November 1998
VC-1318-98	Building addition and parking garage for the hospital with variances to increase lot coverage and increased building height	Approved by PC	September 1998
UC-1061-98	Rooftop heliport and an addition to the hospital with variances to increase lot coverage and increased building height	Approved by PC	August 1998

Since the 1950's there have been numerous land use applications for various temporary and permanent uses, as well as expansions and zoning to the hospital campus.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use; Urban Neighborhood (greater than 18 du/ac)	R-1 & R-4	Medical offices & multiple family residential
South	Corridor Mixed-Use	C-2 & CRT	Boulevard Shopping Mall; Office building
East	Urban Neighborhood (greater than 18 du/ac); Neighborhood Commercial; Corridor Mixed-Use	R-4 & H-1	Multiple family residential & single family residential
West	Corridor Mixed-Use	C-2	Commercial developments

Related Applications

Application Number	Request
VS-23-0644	A request to vacate an access easement and rights-of-way that traverse the site is a companion item on this agenda.
TM-23-500130	A tentative map for a one lot commercial subdivision on 37.6 acres is a companion item on this agenda.

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 to C-1 zoning conforms to the Winchester Land Use Plan which designates the site as Neighborhood Commercial and Corridor Mixed-Use. Staff finds that the proposed zoning is consistent and compatible with the existing and approved land uses in the area. The site is located along Maryland Parkway and Desert Inn Road where commercial zoning is appropriate. Furthermore, this is an in-fill development, and the proposed use will enhance the area. Therefore, staff can support the zone change request.

Use Permits

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

Use Permit #1 & Design Review #1

The elevations for the proposed parking garage will consist of multiple surface plane variations to give both vertical and horizontal articulation along with various materials and elements as depicted on the submitted renderings and materials sheet. The architectural detailing is provided on all sides consistent with the primary/front elevation. Furthermore, the project is well designed and functionally and aesthetically integrated with the existing development. The request also complies with policies of the Master Plan which encourages architectural treatments on all building sides to eliminate blank elevations and areas visible to the general public to improve visual quality.

Use Permit #2

Staff finds that compliance with the Midtown Maryland Parkway standards for construction of a parking garage is not necessary since the placement of the buildings is set back 295 feet from Maryland Parkway and the use itself (a parking garage) was not contemplated for imposing such development standards. The undeveloped area in front of the parking garage, adjacent to Maryland Parkway will be developed in the future and would then abide by the development standards for the Midtown Maryland Parkway District.

Waivers of Development Standards

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

Waivers of Development Standards #1 & #2

Staff finds the existing hospital building height of 104 feet, is not significantly different from the proposed parking garage. This is an in-fill redevelopment, and the proposed use will improve the parking situation at Sunrise Hospital which in turn will provide a public benefit to residents of Clark County. Lastly, the project will be incorporating covered carports throughout the parking lots which requires a reduction in parking lot landscaping. The interior landscaping will have both traditional landscape fingers at the ends of each parking row and landscape diamonds. Staff does not have any issues with the proposed modification to the parking lot or landscaping and will not impact the surrounding area; therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #3

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #3 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Waiver of Development Standards #4

Staff has no objection to the reduction in the throat depths for the Desert Inn commercial driveway and the Maryland Parkway commercial driveway north of Sunrise Hospital Drive. The

applicant provided landscape buffers adjacent to the driveway which will improve the visibility of traffic trying to access the site, allowing vehicles to safely exit the right-of-way.

Design Review #2

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the undeveloped pad site in front of the proposed parking garage shall meet the development standards of the Midtown Maryland Parkway Overlay; County has adopted a rewrite to Title 30 effective January 1, 2024, 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 the use permits, waivers of development standards, and design reviews must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include 60 feet for Serape Circle, 60 feet for Oneida Way and associated knuckles and spandrels;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;

- 30 days to coordinate with Regional Transportation Commission (RTC) of Southern Nevada and to dedicate any necessary right-of-way and easements for the Maryland Parkway bus rapid transit (BRT) improvement project;
- Coordinate with Jim Benoit with Public Works - Traffic Division for traffic signal rehabilitation project for Oneida Way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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: SUNRISE HOSPITAL & MEDICAL CENTER, LLC

CONTACT: CIVIL 360 PLANNING & ENGINEERING, 6490 W. DESERT INN RD, LAS VEGAS, NV 89146

EASEMENTS/RIGHTS-OF-WAY
(TITLE 30)

MARYLAND PKWY/DESERT INN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0644-SUNRISE HOSPITAL & MEDICAL CENTER, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Maryland Parkway and La Canada Street, and between Desert Inn Road and Vegas Valley Drive; a portion of right-of-way being Arabella Street located between Desert Inn Road and Vegas Valley Drive; a portion of right-of-way being Sombrero Drive located between Maryland Parkway and La Canada Street; a portion of Serape Circle located between Maryland Parkway and La Canada Street; and a portion of Silver Mesa Court located between Maryland Parkway and La Canada Street within Winchester (description on file). TS/rk/syp (For possible action)

RELATED INFORMATION:

APN:

162-11-301-009; 162-11-301-010; 162-11-401-003 through 162-11-401-007; 162-11-401-009; 162-11-401-011; 162-11-410-029 through 162-11-410-032; 162-11-410-043; 162-11-410-044; 162-11-410-046 through 162-11-410-056; 162-11-410-058 through 162-11-410-063; 162-11-410-080 through 162-11-410-084

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE & NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

The plans show the vacation and abandonment of an access easement as granted to Clark County under File 24, Page 50 of parcel map on file. Included in plans is the vacation and abandonment of Arabella Street, Serape Circle, a portion of the cul-de-sac for Silver Mesa Court, and a portion of Sombrero Drive. The rights-of-way are being eliminated or shifted slightly based on the new design of the surface parking lot while maintaining through access for the single family residences to the east.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-22-900684	Administrative design review for an exterior façade remodel of a hospital	Approved by ZA	November 2022
UC-18-0076	Heliport in conjunction with an existing hospital (Sunrise Hospital)	Approved by BCC	June 2018

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0808-17	Increased wall height	Approved by PC	November 2017
WS-0482-16	Addition and modifications to an existing hospital (Sunrise Hospital)	Approved by BCC	September 2016
UC-0499-09	Air ambulance heliport and modifications to the parking lot layout for a portion of an existing parking garage in conjunction with an existing hospital	Denied by BCC	November 2009
WS-0575-03	Increased building height for an addition to the hospital	Approved by PC	May 2003
DR-0893-99	Addition to the hospital	Approved by PC	July 1999
VC-1666-98	Increased building height for an addition to the hospital	Approved by PC	November 1998
VC-1318-98	Building addition and parking garage for the hospital with variances to increase lot coverage and increased building height	Approved by PC	September 1998
UC-1061-98	Rooftop heliport and an addition to the hospital with variances to increase lot coverage and increased building height	Approved by PC	August 1998

Since the 1950's there have been numerous land use applications for various temporary and permanent uses, as well as expansions and zoning to the hospital campus.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use; Urban Neighborhood (greater than 18 du/ac)	R-1 & R-4	Medical offices & multiple family residential
South	Corridor Mixed-Use	C-2 & CRT	Boulevard Shopping Mall & office building
East	Urban Neighborhood (greater than 18 du/ac); Neighborhood Commercial; & Corridor Mixed-Use	R-4 & H-1	Multiple family residential & single family residential
West	Corridor Mixed-Use	C-2	Commercial developments

Related Applications

Application Number	Request
ZC-23-0643	A request to reclassify this site to C-1 zoning for a parking garage and surface parking lot modifications with waivers of development standards and design reviews is a companion item on this agenda.

Related Applications

Application Number	Request
TM-23-500130	A tentative map for a 1 lot commercial subdivision on 37.6 acres is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of easements and right-of-way that are not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include 60 feet for Serape Circle, 60 feet for Oneida Way and associated knuckles and spandrels;
- 30 days to coordinate with Regional Transportation Commission (RTC) of Southern Nevada and to dedicate any necessary right-of-way and easements for the Maryland Parkway bus rapid transit (BRT) improvement project;
- Coordinate with Jim Benoit with Public Works - Traffic Division for traffic signal rehabilitation project for Oneida Way;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SUNRISE HOSPITAL & MEDICAL CENTER, LLC

CONTACT: CIVIL 360 PLANNING & ENGINEERING, 6490 W. DESERT INN ROAD,
LAS VEGAS, NV 89146

DRAFT

SUNRISE HOSPITAL CAMPUS
(TITLE 30)

MARYLAND PKWY/DESERT INN RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-23-500130-SUNRISE HOSPITAL & MEDICAL CENTER, LLC:

TENTATIVE MAP for a commercial subdivision on 37.6 acres in a C-1 (Local Business) (AE-60) Zone in the Midtown Maryland Parkway District.

Generally located on the east side of Maryland Parkway and the north side of Desert Inn Road within Winchester. TS/rk/syp (For possible action)

RELATED INFORMATION:

APN:

162-11-301-009; 162-11-301-010; 162-11-401-007; 162-11-401-009; 162-11-401-011; 162-11-410-029 through 162-11-410-032; 162-11-410-043; 162-11-410-044; 162-11-410-046 through 162-11-410-052; 162-11-410-058 through 162-11-410-063; 162-11-410-080 through 162-11-410-084

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE & NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 3186 Maryland Parkway (multiple addresses)
- Site Acreage: 37.6
- Number of Lots: 1
- Project Type: Commercial subdivision

The plan depicts a 1 lot commercial subdivision on a 37.6 acre site which is part of the Sunrise Hospital complex. Access to the site is from existing driveways on Maryland Parkway and Desert Inn Road. The hospital and off-sites have been constructed at this site since the late 1950's.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-22-900684	Administrative design review for an exterior façade remodel of a hospital	Approved by ZA	November 2022
UC-18-0076	Heliport in conjunction with an existing hospital (Sunrise Hospital)	Approved by BCC	June 2018

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0808-17	Increased wall height	Approved by PC	November 2017
WS-0482-16	Addition and modifications to an existing hospital (Sunrise Hospital)	Approved by BCC	September 2016
UC-0499-09	Air ambulance heliport and modifications to the parking lot layout for a portion of an existing parking garage in conjunction with an existing hospital	Denied by BCC	November 2009
WS-0575-03	Increased building height for an addition to the hospital	Approved by PC	May 2003
DR-0893-99	Addition to the hospital	Approved by PC	July 1999
VC-1666-98	Increased building height for an addition to the hospital	Approved by PC	November 1998
VC-1318-98	Building addition and parking garage for the hospital with variances to increase lot coverage and increased building height	Approved by PC	September 1998
UC-1061-98	Rooftop heliport and an addition to the hospital with variances to increase lot coverage and increased building height	Approved by PC	August 1998

Since the 1950's there have been numerous land use applications for various temporary and permanent uses, as well as expansions and zoning to the hospital campus.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use; Urban Neighborhood (greater than 18 du/ac)	R-1 & R-4	Medical offices & multiple family residential
South	Corridor Mixed-Use	C-2 & CRT	Boulevard Shopping Mall & office building
East	Urban Neighborhood (greater than 18 du/ac); Neighborhood Commercial; & Corridor Mixed-Use	R-4 & H-1	Multiple family residential & single family residential
West	Corridor Mixed-Use	C-2	Commercial developments

Related Applications

Application Number	Request
ZC-23-0643	A request to reclassify this site to C-1 zoning for a parking garage and surface parking lot modifications with waivers of development standards and design reviews is a companion item on this agenda.
VS-23-0644	A vacation of an access easement and rights-of-way that traverse the site is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

This request meets the tentative map requirements as outlined in Title 30.

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, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include 60 feet for Serape Circle, 60 feet for Oneida Way and associated knuckles and spandrels;
- 30 days to coordinate with Regional Transportation Commission (RTC) of Southern Nevada and to dedicate any necessary right-of-way and easements for the Maryland Parkway bus rapid transit (BRT) improvement project;
- Coordinate with Jim Benoit with Public Works - Traffic Division for traffic signal rehabilitation project for Oneida Way.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Comprehensive Planning - Addressing

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SUNRISE HOSPITAL & MEDICAL CENTER, LLC

CONTACT: CIVIL 360 PLANNING & ENGINEERING, 6490 W. DESERT INN ROAD,
LAS VEGAS, NV 89146

DRAFT