



Winchester Town Advisory Board

December 11, 2018

MINUTES

Board Members:	Kenneth Dayton – Chair – PRESENT Judith Siegel – Vice Chair – EXCUSED Robert O. Mikes, Jr. – PRESENT	John Delibos – PRESENT Roxana Valladeres – EXCUSED
Secretary:	Tamara Williams (702) 455-0560 TGW@ClarkCountyNV.gov	
Town Liaison:	Tamara Williams (702) 455-0560 TGW@ClarkCountyNV.gov	
Planner:	Maria Kasaeko	

- I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions
The meeting was called to order at 6:00 p.m.
- II. Public Comment
None
- III. Approval of November 27, 2018 minutes

Moved by: Ken Dayton
Action: Approved
Vote: 3-0/ Unanimous
Voting Aye: Ken Dayton, Robert Mikes and John Delibos
Voting Nay: None

Approval of Agenda for December 11, 2018

Moved by: Ken Dayton
Action: Approved
Vote: 3-0/ Unanimous
Voting Aye: Ken Dayton, Robert Mikes and John Delibos
Voting Nay: None

Informational Items

1. Announcement of upcoming neighborhood meetings and County or community meetings and events. (For discussion)
Tamara Williams announced that the Clark County Water Reclamation District will have a Public Hearing on Tuesday, December 18 at 10:00 a.m. in the Clark County Board of

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

County Commissioner Chambers.

IV. Planning & Zoning

12/18/18 PC

1. **TA-18-0845-HUNTINGTON GEM LAB:**
TEXT AMENDMENT to amend Chapter 30.44, Table 30.44-1 to allow Secondhand Sales within the C-P (Office and Professional) zoning district. (For possible action)

No recommendation; Applicant was not present and the board did not want to make a recommendation without additional information.

12/19/18 BCC

2. **WS-18-0850-SAIA GABRIEL GOMES JR REV LIV TR & SAIA GABRIEL GOMES JR TRS:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow roof signs where not permitted; and **2)** allow an electronic or animated sign (graffiti wall) where not permitted.
DESIGN REVIEWS for the following: **1)** roof signs (lotus flowers); and **2)** electronic sign (graffiti wall) in conjunction with an approved dispensary and retail marijuana facility on 9.2 acres in an M-1 (Light Manufacturing) Zone in the MUD-1 Overlay District. Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester. CG/mk/ja (For possible action)

Moved by: John Delibos
Action: Approved with staff conditions
Vote: 3-0/ Unanimous
Voting Aye: Ken Dayton, Robert Mikes and John Delibos
Voting Nay: None

01/08/19 PC

3. **UC-18-0876-B33 SUNRISE CITY PLAZA, LLC:**
USE PERMIT to reduce the separation between a proposed tavern and an existing single family residential development in conjunction with an existing shopping center on 5.0 acres in a C-2 (General Commercial) Zone in the MUD-4 and Midtown Maryland Parkway Overlay Districts. Generally located on the west side of Maryland Parkway and 485 feet south of Karen Avenue within Winchester. CG/jor/ja (For possible action)

Moved by: Ken Dayton
Action: Approved with staff conditions.
Vote: 3-0/ Unanimous

Voting Aye: Ken Dayton, Robert Mikes and John Delibos
Voting Nay: None

- V. General Business
None.
- VI. Public Comment
None
- VII. Next Meeting Date
The next regular meeting will be on Tuesday, January 15, 2019.
- VIII. Adjournment
- IX. **The meeting was adjourned at 6:40 p.m.**

DRAFT

**ATTACHMENT A
WINCHESTER TOWN ADVISORY BOARD
ZONING AGENDA
TUESDAY, 6:00 P.M., JANUARY 15, 2019**

02/06/19 BCC

1. **AR-18-400246 (WS-0099-17) -GLUSMAN FAMILY LP:**
WAIVER OF DEVELOPMENT STANDARDS FIRST APPLICATION FOR REVIEW to increase the area of a wall sign.
DESIGN REVIEW for a wall sign in conjunction with an existing restaurant on 1.2 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the south side of Convention Center Drive, 250 feet west of Paradise Road within Winchester. CG/tk/ja (For possible action)
2. **AR-18-400265 (WS-0237-08)-MRCI FUNDING CORPORATION:**
WAIVERS OF DEVELOPMENT STANDARDS FIFTH APPLICATION FOR REVIEW of the following: **1)** permit a use not conducted within a permanent enclosed building where required; and **2)** on-site paving requirements.
DESIGN REVIEW for an outdoor tent on 1.4 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the south side of Convention Center Drive and the west side of Paradise Road within Winchester. CG/tk/ja (For possible action)
3. **DR-18-1002-VETTER, KARL CLAY:**
DESIGN REVIEW for a place of worship within an existing shopping center on 0.1 acres in a C-2 (General Commercial) Zone within the SOSA Design and the MUD-2 Overlay Districts. Generally located on the south side of Sahara Avenue, 193 feet east of Commercial Center Drive within Winchester. TS/jor/ja (For possible action)
4. **ET-18-400267 (UC-1223-07)-MRCI FUNDING CORPORATION:**
USE PERMITS FIFTH EXTENSION OF TIME to commence the following: **1)** a High Impact Project; **2)** an expansion of the Gaming Enterprise District; **3)** a resort hotel consisting of 3,250 hotel rooms; **4)** 250 resort condominiums; **5)** public areas including all casino areas, showrooms, live entertainment, shopping center, indoor and outdoor dining, offices, meeting/convention, back-of-house areas, and parking structures; **6)** increase the height of the high-rise towers and structures; **7)** associated accessory and incidental commercial uses, buildings, and structures; and **8)** deviations from development standards.
DEVIATIONS for the following: **1)** reduce on-site parking; **2)** reduce the height setback ratios; **3)** encroachment into airspace; and **4)** all other deviations as shown per plans on file.
DESIGN REVIEWS for the following: **1)** a resort hotel/casino with high-rise towers including kitchens in rooms; and **2)** all other accessory and incidental buildings and structures on 15.0 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District. Generally located on the south side of Convention Center Drive and the west side of Paradise Road within Winchester. CG/tk/ja (For possible action)

5. **WS-18-0979-ALDABBAGH, OMAR:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increased area for an animated sign; **2)** increased area for a freestanding sign; and **3)** permit electronic message unit/video graphics where only electronic message units are allowed.
DESIGN REVIEW for an animated freestanding sign in conjunction with an existing adult cabaret on 1.0 acre in an M-1 (Light Manufacturing) Zone in the Adult Use and MUD-1 Overlay Districts. Generally located on the west side of Highland Drive, 550 feet south of Edna Avenue within Winchester. TS/pb/ja (For possible action)

TEMPORARY SIGNS
(TITLE 30)

CONVENTION CENTER DR/PARADISE RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
AR-18-400246 (WS-0099-17) -GLUSMAN FAMILY LP:

WAIVER OF DEVELOPMENT STANDARDS FIRST APPLICATION FOR REVIEW to increase the area of a wall sign.

DESIGN REVIEW for a wall sign in conjunction with an existing restaurant on 1.2 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the south side of Convention Center Drive, 250 feet west of Paradise Road within Winchester. CG/tk/ja (For possible action)

RELATED INFORMATION:

APN:

162-09-806-002 through 162-09-806-004

WAIVER OF DEVELOPMENT STANDARDS:

Increase the square footage of a wall sign on the east side of a restaurant building to 2,600 square feet where 1,040 square feet is allowed per Table 30.72-1 (a 150% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 355 Convention Center Drive
- Site Acreage: 1.2
- Project Type: Wall sign
- Total Area for Wall Sign (square feet): 2,600

Site Plans

The approved plans depict an existing restaurant with access onto Convention Center Drive. There are no changes to the existing building, parking, landscaping, or drive aisles.

Signage & Elevations

The approved plans depict 1 wall sign made of vinyl material. The wall sign is 2,600 square feet and is located on the east side of the restaurant building. The sign is oriented to be visible to traffic traveling north on Paradise Road and west on Convention Center Drive.

Previous Conditions of Approval

Listed below are the approved conditions for WS-0099-17:

Current Planning

- 2 years to commence and review;
- Applicant to file a temporary use application for each signage event;
- Advertising limited to on-premises events;
- Maximum duration of signs to correspond with the event advertised which shall be no longer than 10 days with a maximum of 6 events per year;
- Signs to be removed immediately after each event ends.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time 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.

Applicant's Justification

The applicant is requesting this early review in order to enter into agreements for the upcoming 2019 events. The applicant states that most of the events are scheduled months in advance and potential clients do not want to enter into a contract without proper notification and approvals from Clark County.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0099-17	Increased the area for a wall sign to 2,600 square feet where 1,040 square feet is allowed	Approved by BCC	April 2017
WS-0828-14	Increased the area for a wall sign to 2,600 square feet where 1,040 square feet is allowed - expired	Approved by BCC	December 2014
UC-1552-95 (ET-0258-03)	Second extension of time to review live entertainment with an existing restaurant – approved permanently	Approved by PC	November 2003
UC-1552-95 (ET-0378-98)	First extension of time to review live entertainment being approved subject to five additional years	Approved by PC	November 1998
VC-1018-94 (ET-0379-98)	First extension of time for reduced parking	Approved by PC	November 1998
UC-1552-95	Live entertainment	Approved by PC	October 1995
VC-0862-95	Reduced landscaping	Approved by PC	June 1995
VC-1018-94	Reduced parking	Approved by PC	August 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	P-F	Parking lot for the Las Vegas Convention Center
South	Commercial Tourist	H-1	Multi-family residential
East	Commercial Tourist	H-1	Undeveloped
West	Commercial Tourist	H-1	Marriott Suites Hotel

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an application for review 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. Since the original approval the applicant has commenced the temporary signs and is requesting an additional review period to ensure proper agreements are met for upcoming events, staff can support this additional 2 year request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until April 5, 2021 to review.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: EVAN GLUSMAN
CONTACT: DAVID BROWN, 520 S. FOURTH ST., LAS VEGAS, NV 89101

DRAFT

OUTDOOR TENT
(TITLE 30)

CONVENTION CENTER DR/PARADISE RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-18-400265 (WS-0237-08)-MRCI FUNDING CORPORATION:

WAIVERS OF DEVELOPMENT STANDARDS FIFTH APPLICATION FOR REVIEW

of the following: 1) permit a use not conducted within a permanent enclosed building where required; and 2) on-site paving requirements.

DESIGN REVIEW for an outdoor tent on 1.4 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the south side of Convention Center Drive and the west side of Paradise Road within Winchester. CG/tk/ja (For possible action)

RELATED INFORMATION:

APN:

162-09-806-005; 162-09-806-006

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 365 Convention Center Drive and 3175 Paradise Road
- Site Acreage: 1.4
- Project Type: Permit a use within a tent and paving requirements
- Tent Height (feet): 25
- Square Feet: 900
- Parking Required/Provided: 6/6

Site Plans

The original plans were approved for a 1 story, 900 square foot temporary outdoor tent located at the center of the site which is currently undeveloped. The plans also showed an HVAC and generator unit located adjacent to the tent to support activities within the tent. Six parking spaces were approved along the west property line. The subject site is the former location of "The Beach" nightclub. The location held a non-restricted gaming license, prior to being closed and subsequently demolished in 2006.

Elevations

The original plans show an approved 1 story tent up to 25 feet high.

Previous Conditions of Approval

Listed below are the approved conditions for WS-0237-08 (AR-0171-16):

Current Planning

- Until December 19, 2018 to review subject to 3 additional 1 day events only.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application to 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.

Listed below are the approved conditions for WS-0237-08 (ET-0126-13):

Current Planning

- Until December 19, 2016 to review subject to 3 additional 1-day events only.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Listed below are the approved conditions for WS-0237-08 (ET-0046-11):

Current Planning

- Until December 19, 2013 to commence subject to 1-day events only;
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Listed below are the approved conditions for WS-0237-08 (ET-0322-09):

Current Planning

- Until May 5, 2011 to commence subject to 1-day events only;
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Listed below are the approved conditions for WS-0237-08:

Current Planning

- 1 day event only, excluding set-up and take-down time;
- Dust mitigation to be provided per Department of Air Quality and Environmental Management standards;
- Gates to remain open during event operation;
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must commence within 2 years of approval date or it will expire.

Applicant's Justification

The applicant states that the temporary tent structure is required to conduct a 1 day gaming operation on the site in order to preserve the existing grandfathered non-restricted gaming license on the site. The site was licensed for non-restricted gaming prior to the adoption of Senate Bill 208, which limited the location of non-restricted gaming establishments. The applicant must operate a gaming operation on the subject site within 18 months of license abandonment. It is anticipated that additional 1 day gaming operations will be required on the property before it is developed.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0237-08 (AR-0171-16)	Fourth extension of time to review an outdoor tent for a temporary event	Approved by BCC	January 2017
WS-0237-08 (ET-0126-13)	Third extension of time to review an outdoor tent for a temporary event	Approved by BCC	February 2014
UC-1223-07 (ET-0127-13)	Third extension for the resort hotel with resort condominiums	Approved by BCC	February 2014
WS-0237-08 (ET-0046-11)	Second extension of time to review an outdoor tent for a temporary event	Approved by BCC	June 2011
UC-1223-07 (ET-0045-11)	Second extension for the resort hotel with resort condominiums	Approved by BCC	June 2011
UC-1223-07 (ET-0321-09)	First extension of time for the resort hotel with resort condominiums	Approved by BCC	January 2010
WS-0237-08 (ET-0322-09)	First extension of time to review an outdoor tent for a temporary event	Approved by PC	January 2010
WS-0237-08	Original application to allow an outdoor tent for a temporary event	Approved by PC	April 2008
UC-1223-07	Expand the Gaming Enterprise District, a resort hotel consisting of 3,250 hotel rooms, and 250 resort condominiums	Approved by BCC	December 2007
UC-0786-06	Allow a 39 story, 300 hotel room, 300 resort condominium resort hotel (The Beach) on the northeast corner of the subject site	Approved by BCC	August 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	P-F	Las Vegas Convention Center parking lot
South	Commercial Tourist	H-1	Residence Inn by Marriott
East	Public Facilities	P-F	Las Vegas Convention Center
West	Commercial Tourist	H-1	Piero's Italian restaurant

Related Applications

Application Number	Request
ET-18-400267 (UC-1223-07)	A request for a fourth extension of time for a resort hotel with resort condominiums is a related item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval for an application for review 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 since the original approval.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until December 19, 2021 to review:
- Subject to 3 additional 1 day events only.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application to review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: MRC I FUNDING, LLC

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

DRAFT

PLACE OF WORSHIP
(TITLE 30)

SAHARA AVE/COMMERCIAL CENTER DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-18-1002-VETTER, KARL CLAY:

DESIGN REVIEW for a place of worship within an existing shopping center on 0.1 acres in a C-2 (General Commercial) Zone within the SOSA Design and the MUD-2 Overlay Districts.

Generally located on the south side of Sahara Avenue, 193 feet east of Commercial Center Drive within Winchester. TS/jor/ja (For possible action)

RELATED INFORMATION:

APN:
162-10-510-007

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:
Project Description

General Summary

- Site Address: 953 Sahara Avenue, Suite B-9
- Site Acreage: 0.1
- Project Type: Place of Worship
- Number of Stories: 1
- Square Feet: 6,000 (lease space)

Site Plan

The site plan depicts an existing place of worship within a leased space located within an existing shopping center (Commercial Center). Access to the site is from Karen Avenue, State Street, Market Street, and Commercial Center Drive. Parking for the place of worship can be accommodated by the parking lot that is in the middle of the shopping center.

Landscaping

No changes are proposed or required to the existing landscaping.

Elevations

The photos depict an existing 1 story building constructed of aluminum storefront doors and windows. The exterior finishes consist of stucco and brick veneer and a parapet roof.

Floor Plans

The floor plans depict the following areas: an altar, seating space, sound booth, storage/pantry, offices, kitchen, lobby areas, gathering space, and classrooms. The floor plans do not suggest that additional square footage will be added to the lease space.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the applicant, the existing place of worship is a place of spiritual guidance for the community. The church offers activities to their members which include church band practice, leadership school, and additional worship services. Their intent is to contribute to the local community in a positive way by giving the public a place to have a spiritual outlet. The worship services are held on Sundays and Wednesdays from 7:00 p.m. to 9:00 p.m.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1078-00	Reclassified site from C-C Zoning to C-2 Zoning	Approved by BCC	September 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	C-1	Offices & retail
South	Residential High (8 to 18 du/ac)	R-2	Las Vegas Country Club townhomes & golf course
East	Commercial General	C-2	Bank of America
West	Commercial Tourist	H-1	Apartment complex

Numerous land use applications have been applied for within the overall site of the shopping center for temporary and permanent uses.

Clark County Public Response Office (CCPRO)

CE17-6465 is an active zoning violation for operating a place of worship without proper land use approvals within the shopping center.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

The existing place of worship is located within a shopping center with 6 existing places of worship. Staff finds that there is an administratively approved place of worship (ADR-0560-17) located 125 feet east of the applicant's suite and there have been no reported issues. The place of worship does not interfere with uses within the shopping center since the services are only held

twice a week and the shopping center has adequate parking. Staff finds that the place of worship is an appropriate use and 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CASA DE AMOR Y FE

CONTACT: CASA DE AMOR Y FE, 1934 WESTERN AVENUE, LAS VEGAS, NV 89102

RESORT HOTEL
(TITLE 30)

CONVENTION CENTER DR/PARADISE RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-18-400267 (UC-1223-07)-MRCI FUNDING CORPORATION:

USE PERMITS FIFTH EXTENSION OF TIME to commence the following: **1)** a High Impact Project; **2)** an expansion of the Gaming Enterprise District; **3)** a resort hotel consisting of 3,250 hotel rooms; **4)** 250 resort condominiums; **5)** public areas including all casino areas, showrooms, live entertainment, shopping center, indoor and outdoor dining, offices, meeting/convention, back-of-house areas, and parking structures; **6)** increase the height of the high-rise towers and structures; **7)** associated accessory and incidental commercial uses, buildings, and structures; and **8)** deviations from development standards.

DEVIATIONS for the following: **1)** reduce on-site parking; **2)** reduce the height setback ratios; **3)** encroachment into airspace; and **4)** all other deviations as shown per plans on file.

DESIGN REVIEWS for the following: **1)** a resort hotel/casino with high-rise towers including kitchens in rooms; and **2)** all other accessory and incidental buildings and structures on 15.0 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the south side of Convention Center Drive and the west side of Paradise Road within Winchester. CG/tk/ja (For possible action)

RELATED INFORMATION:

APN:

162-09-806-001, 005, 006, 007, 008, & 011

USE PERMITS:

1. Allow a High Impact Project.
2. Allow an expansion of the Gaming Enterprise District.
3. Allow a resort hotel (Marriott) consisting of 3,250 hotel rooms.
4. Allow 250 resort condominiums.
5. Allow public areas including all casino areas, showrooms, live entertainment, shopping center (retail and restaurants), indoor and outdoor dining, offices, meeting/convention, back-of-house areas, and parking structures.
6. Increase the height of the high-rise towers up to 670 feet where 100 feet is the standard (a 570% increase).
7. Allow all associated accessory and incidental commercial uses, buildings, and structures.
8. Allow for deviations from development standards.

DEVIATIONS:

1. a. Reduce required on-site parking from 5,666 spaces to 3,917 spaces (a 30% reduction).

- b. Reduce required loading spaces from 23 spaces to 18 spaces (a 12% reduction).
 - a. Reduce the height setback ratio on Paradise Road from 200 feet to 20 feet with intrusions occurring at 140 feet above grade.
 - b. Reduce the height setback ratio on Desert Inn Road from 200 feet to 20 feet with intrusions occurring for a small portion of the building at 104 feet above grade and recurring at 372 feet above grade.
3. Permit encroachments into the airspace.
4. Permit all other deviations as shown per plans on file.

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: List on file
- Site Acreage: 15
- Number of Units: 3,250 hotel rooms and 250 resort condominiums
- Project Type: Resort hotel with resort condominiums
- Number of Stories: 42
- Building Height (feet): 670
- Parking Required/Provided: 5,666/3,917 (a 30% reduction)

Site Plan

The original application was a request to expand the Gaming Enterprise District to facilitate the construction of a High Impact Project. The project is the Marriott Resort Hotel, consisting of 6,279,180 square feet of total area. Public access to the site is provided via curb cuts on Convention Center Drive, Desert Inn Road, and Debbie Reynolds Drive. There is no vehicular access provided from Paradise Road. A curb cut for an entrance to the employee parking area is provided from Debbie Reynolds Drive. A 30 percent parking reduction was approved to reduce the overall parking for the resort.

Landscaping

The approved pedestrian realm, consisting of a minimum of 20 feet is provided along all street frontage areas and includes a detached sidewalk. The pedestrian realm consists of a minimum 10 foot wide amenity zone, planted with trees and shrubs, located adjacent to the back of curb, a minimum 10 foot wide sidewalk, and a minimum 5 foot wide supplemental area adjacent to the structures.

Elevations

The approved exterior elevations for the high-rise tower involve the use of a glazed aluminum window wall system, EIFS applications, aluminum composite panels, and a metal louver system on the parking garage elevations. The low-rise convention center portion of the building consists of pre-cast concrete panels and aluminum composite panels.

Floor Plans

The approved plans depict 75,000 square feet of casino area; 182,950 square feet of retail, restaurant, and entertainment floor area; 150,000 square feet of exhibit area; 400,000 square feet of meeting rooms associated with the convention center; 24,000 square feet of theater area; a 71,500 square foot spa and salon; 283,000 square feet of circulation areas; 1,046,116 square feet of back-of-house areas; 2,196,114 square feet of floor area associated with the hotel rooms and resort condominiums; 20,000 square feet of loading areas; a 50,400 square foot central plant; and 1,705,100 square feet of floor area in the 5 level parking garage for the total floor area of the project.

Previous Conditions of Approval

Listed below are the approved conditions for UC-1223-07 (ET-0170-16):

Current Planning

- Until December 19, 2018 to commence.
- Applicant is advised that a Development Agreement was a condition of approval on the first extension of time and is required to ensure that any increased impact for public services and infrastructure is mitigated and adequate amenities are provided; 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-1223-07 (ET-0127-13):

Current Planning

- Until December 19, 2016 to commence.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Public Works – Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that at the time of development CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates from all phases of the proposed project at build-out before sewer point-of-connection can be approved for the hotel casino; active odor control treatment of wastewater liquid and vapor will be required as part of this project; all on-site sewers shall be private; public sewers shall only be allowed in the public streets; there are existing public 21 inch and 8 inch sanitary sewer lines on the property; as part of the applicant's project, at the time of development CCWRD will require the developer to vacate and abandon the on-site public sewers that are no longer being actively used as part of the development; developer relocation of existing public sanitary sewers will require full engineering review and evaluation; all new sewers must meet CCWRD design standards and have adequate capacity as determined by CCWRD;

rerouted sewers must have capacity at least equal to the existing sewer plus any net additional flows resulting from the proposed project; CCWRD will not vacate existing right-of-way or public utility/sewer easements until all rerouted or replacement sewers are constructed, inspected, and accepted by CCWRD; and that CCWRD has no objection to the extension of time.

Listed below are the approved conditions for UC-1223-07 (ET-0045-11):

Current Planning

- Until December 19, 2013 to commence;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- All applicable standard conditions for this application type.
- Applicant is advised that a Development Agreement was a condition of approval on the first extension of time and is required to ensure that any increased impact for public services and infrastructure is mitigated and adequate amenities are provided; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

Public Works – Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-1223-07 (ET-0321-09):

Current Planning

- Until December 19, 2011 to commence;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- All applicable standard conditions for this application type.
- Applicant is advised that this application is subject to a Development Agreement; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

Civil Engineering

- Compliance with previous conditions.

Listed below are the approved conditions for UC-1223-07:

Current Planning

- A Development Agreement as agreed upon by the applicant to mitigate impacts of the project including but not limited to issues identified by the technical reports and studies; and issues identified by the Board of County Commissioners;
- Grading, excavation, foundations, structures up to 35 feet high but not within 45 feet of any public rights-of-way, underground utilities, mechanical, electrical and plumbing undergrounds, and dewatering permits may be issued prior to final approval of the Development Agreement;
- Developer to hold a neighborhood meeting with the Metropolis Condominium owners;

- Design review as a public hearing for significant changes to the plans;
- Decorative fencing or barriers shall be installed around this site to prohibit pedestrian access across Paradise Road, Desert Inn Road, and Convention Center Drive;
- A 50 foot minimum setback from right-of-way at the intersection of Convention Center Drive and Paradise Road to create an open plaza area at the intersection;
- Pedestrian realms per plans on file;
- All applicable standard conditions for this application type.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license, or approval; any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must commence within 2 years of approval date or it will expire.

Civil Engineering

- Compliance with Development Agreement with Clark County, if required;
- Right-of-way dedication and construction of the following: Convention Center Drive to accommodate dual turn lanes, 30 feet on Debbie Reynolds Drive to back of curb, and Paradise Road to accommodate a bus turn out and additional through lanes;
- Construct full off-site improvements with construction of off-sites on Paradise Road to be coordinated with Public Works;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control, which may require a vacation of excess right-of-way or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Dedication and construction of bus turnouts including passenger loading shelter areas in accordance with Regional Transportation Commission standards on Paradise Road and a combination bus turnout/turning lane on Desert Inn Road;
- Drainage study and compliance;
- Traffic study and compliance;
- Traffic study to also address: a) any additional right-of-way dedications to Clark County as required by the traffic study to accommodate any turn lanes, physical improvements, and pedestrian volumes generated by this project, b) the required width of all public walk way segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes, c) turnover analysis for the porte-cochere and recommendation of mitigation measures as applicable, d) on-site circulation, e) identification and implementation of Traffic Demand Management (TDM) measures, f) traffic impact mitigation plan to be reviewed by the staffs of Regional Transportation Commission, Freeway and Arterial System of Transportation (FAST), Clark County Development Services Civil Engineering Division and Clark County Public Works, g) air quality analysis to the Department of Air Quality and Environment Management (DAQEM), h) on-site turnaround analysis to be provided for loading docks on Debbie Reynolds Drive, and i) congestion and circulation;
- Driveway location and widths on Convention Center Drive to be approved by Clark County Civil Engineering Division;

- Developer to participate in the construction of the pedestrian bridges with financial cooperation and collaboration from Las Vegas Convention Authority and coordinate the design and construction with Clark County Public Works;
- Developer shall provide pavement markings and signs to create a continuous two-way left turn lane (TWLTL) centered on the ultimate street centerline of Debbie Reynolds Drive along the project's frontage;
- Reconstruct any unused driveways with full off-sites;
- Vacate any unnecessary rights-of-way and/or easements;
- Any applicable vacations to be recordable prior to building permit issuance or applicable map submittal;
- Any signs to remain a minimum of 10 feet from right-of-way and maintain clearance from site visibility zone.

Department of Aviation

- No building permits shall be released for the project prior to the Department of Aviation notifying Zoning Plan Check that the applicant has received all necessary airspace approvals;
- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved.

Applicant's Justification

The applicant states that the proposed project is entirely consistent and compatible with what has been approved and constructed in the area. The area remains unchanged since approval of the original application in December 2007, and remains an appropriate area for this type of resort hotel use. As staff indicated on previous approvals, the request for the expansion of the Gaming Overlay is appropriate and compatible as the area is master planned for gaming. The original approval was granted just before a debilitating recession. The market is now coming back and the applicant would like to maintain these entitlements to preserve the opportunity to develop the property in the future.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1223-07 (ET-0170-16)	Fourth extension of time for the resort hotel with resort condominiums	Approved by BCC	January 2017
UC-1223-07 (ET-0127-13)	Third extension of time for the resort hotel with resort condominiums	Approved by BCC	February 2014
WS-0237-08 (ET-0046-11)	Second extension of time for outdoor tent for a temporary event	Approved by BCC	June 2011
UC-1223-07 (ET-0045-11)	Second extension of time for the resort hotel with resort condominiums	Approved by BCC	June 2011
UC-1223-07 (ET-0321-09)	First extension of time for the resort hotel with resort condominiums	Approved by BCC	January 2010
WS-0237-08 (ET-0322-09)	First extension of time for outdoor tent for a temporary event	Approved by PC	January 2010
WS-0237-08	Allow an outdoor tent for a temporary event	Approved by PC	April 2008
UC-1223-07	Original application, included an expansion of the Gaming Enterprise District, a resort hotel consisting of 3,250 hotel rooms and 250 resort condominiums	Approved by BCC	December 2007
UC-0786-06	Allow a 39 story, 300 hotel room, 300 resort condominium resort hotel (The Beach) on the northeast corner of the subject site – expired	Approved by BCC	August 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facility	P-F	Parking lot for the Las Vegas Convention Center
South	Commercial Tourist	H-1	Wynn Golf Course
East	Public Facility	P-F	Las Vegas Convention Center
West	Commercial Tourist	H-1	Undeveloped

Related Applications

Application Number	Request
AR-18-400265 WS-0237-08	A request for the fourth application for review for an outdoor tent for a temporary event is a related item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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. Since the original approval, several applications have been approved in the surrounding area, including the convention center expansion (UC-18-0343 and UC-18-0843), a new non-gaming hotel to the west (UC-18-0753) and a lagoon/convention center to the south (UC-17-0669). The project still complies with all separations from residential, educational, and religious uses and other commercial tourist developments, and is in close proximity to the Wynn and Encore Resort Hotels. However, no technical studies for the project have been submitted to date. Staff finds that the design of this development may no longer be appropriate for this location. In addition, this is the fifth extension of time application with no progress being made. Therefore, staff cannot support an extension of time on this application.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Until December 19, 2021 to commence.
- Applicant is advised that a Development Agreement was a condition of approval on the first extension of time and is required to ensure that any increased impact for public services and infrastructure is mitigated and adequate amenities are provided; 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: MRCI FUNDING, LLC

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

DRAFT

ANIMATED FREESTANDING SIGN
(TITLE 30)

HIGHLAND DR/EDNA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0979-ALDABBAGH, OMAR:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increased area for an animated sign; **2)** increased area for a freestanding sign; and **3)** permit electronic message unit/video graphics where only electronic message units are allowed.

DESIGN REVIEW for an animated freestanding sign in conjunction with an existing adult cabaret on 1.0 acre in an M-1 (Light Manufacturing) Zone in the Adult Use and MUD-1 Overlay Districts.

Generally located on the west side of Highland Drive, 550 feet south of Edna Avenue within Winchester. TS/pb/ja (For possible action)

RELATED INFORMATION:

APN:

162-08-705-005; 162-08-705-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the area of a proposed animated sign to 180 square feet where 100 square feet is allowed per Table 30.72-1 (an 80% increase).
2. Increase the area of a proposed freestanding sign to 273 square feet where 228.75 square feet is allowed per Table 30.72-1 (a 19.3% increase).
3. Permit electronic message unit/video graphics where only electronic message units are allowed in an M-1 zone per Table 30.72-1.

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 3016 Highland Drive
- Site Acreage: 1
- Project Type: Animated freestanding sign
- Freestanding Sign Height (feet): 27
- Square Feet: 180 (electronic message unit/video graphics)/273 (overall freestanding sign including proposed electronic message unit)

Site Plans

The plans depict an existing commercial building on the site that consists of an adult cabaret (Scores Gentlemen's Club). Access to the site is from Highland Drive.

Landscaping

Existing landscape areas are located adjacent to Highland Drive. The proposed sign is located within the landscape area which includes groundcover and landscaping around the base of the sign.

Signage

The plans depict a proposed freestanding sign located in the landscape area along Highland Drive on the northeastern portion of the southern parcel. The 27 foot high, 273 square foot freestanding sign will include a 180 square foot, double faced, animated video unit. Additionally, the sign column will be wrapped in marble tile matching the existing building.

Applicant's Justification

The applicant indicates that the sign will be located in an existing landscape planter and will be compatible with the approved signage on the adjacent parcel to the south. This is an industrial area largely vacated by sunset so the additional light will not disrupt nor distract significant amounts of traffic not related to the business.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-18-0643	A request for signage including an animated (video) sign	Approved/Denied by BCC	1/23/19 pending
DR-18-0071	Parking lot expansion in conjunction with an existing adult cabaret	Approved by BCC	June 2018
UC-0649-16	Hookah lounge in conjunction with an existing tavern and adult cabaret; permit a roof sign & increase sign area; exterior improvements to existing tavern & adult cabaret	Approved by BCC	November 2016
UC-0436-15	For an expansion and exterior remodel of a tavern within an existing commercial/warehouse complex with a design review	Approved by BCC	August 2015
WS-0200-02	Allow an off-premises sign on the north parcel	Approved by PC	March 2002
WS-1105-01	Reduced parking for an appliance store and industrial uses	Approved by PC	October 2001
ADR-0761-01	Exterior remodel of an adult cabaret	Approved administratively	August 2001
ADR-0535-01	Exterior remodel of an adult cabaret	Approved administratively	June 2001
ADR-1019-00	Allow an adult cabaret	Approved administratively	December 2000

Prior Land Use Requests

Application Number	Request	Action	Date
VC-0125-00	Reduce parking for a retail store, tavern, and warehouse	Approved by PC	March 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	M-1	Industrial buildings
South	Business and Design/Research Park	M-1	Existing warehouse/office building to be demolished for a proposed marijuana establishment
East	Business and Design/Research Park & City of Las Vegas	M-1 & M	Industrial buildings
West	Business and Design/Research Park	M-1	Industrial buildings & mini-warehouse

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers of Development Standards

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

Waiver of Development Standards & Design Review

Urban Specific Policy 20 of the Comprehensive Master Plan states that all signage should be compatible with building styles on-site and also with surrounding development. Staff did not find any approvals to allow a video message unit in conjunction with a freestanding sign, increase animated sign area or freestanding sign area for other businesses on the abutting properties. Therefore, staff finds the requests for the video message unit and increased area are not compatible with surrounding development and does not comply with Urban Specific Policy 20. Staff also finds that the applicant has not provided a sufficient justification to warrant approval of the waivers of development standards. These waivers are the result of the applicant's desire for a type of sign that is not permitted at this location, which is a self-imposed hardship, that staff does not support.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that the video unit shall not contain messages or pictures of specified anatomical areas or sexually specified activities as described in subsections 8 and 9 of the definition of adult use in Section 30.08.030 of Title 30; off-premises advertising is not permitted on the sign; 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

- Applicant is advised that signs shall not encroach into public right-of-way, easements, or sight-visibility zones.

Clark County Water Reclamation District (CCWRD)

- No comments.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SOUTHERN HIGHLAND CENTERFOLD INC

CONTACT: LORA DREJA, BROWN, BROWN, AND PREMSRIRUT, 520 S. 4TH STREET,
LAS VEGAS, NV 89101