



## Winchester Town Advisory Board

June 11, 2019

### MINUTES

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Board Members: John Delibos –Chair- **PRESENT**  
Robert O. Mikes, Jr. – Vice Chair- **PRESENT**  
Kenneth Dayton – **PRESENT**  
Judith Siegel – **PRESENT**  
Roxana Valladeres- **PRESENT**

Secretary: Victoria Bonner, 702-883-4662 victoriabelleb@gmail.com

Town Liaison: Beatriz Martinez 702-455-0560 beatriz.martinez@clarkcountynv.gov

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- I. Call to Order, Pledge of Allegiance, Roll Call,(see above) County Staff Introductions  
Beatriz Martinez; Town Liaison, Victoria Bonner; Secretary. The meeting was called to order at 6:00 p.m.
- II. Public Comment  
**None**
- III. Approval of May 28, 2019 Minutes  
**Moved by: Delibos**  
**Approve minutes as submitted**  
**Vote: 5-0 Unanimous**
- V. Informational Items  
1. Announcements of upcoming neighborhood meetings and County or community meetings and events( for discussion)  
  
Beatriz Martinez invited the community to Something’s Brewing at the Parkdale Recreation and senior center. This will be held on June 13, 2019 from 8:30 – 9:30 a.m.
- VI. Planning & Zoning:  
1. **ET-19-400065 (UC-0381-07)-GVISH LV OWNER, LLC:**  
**USE PERMIT SIXTH EXTENSION OF TIME** to commence increased building height.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the 1:3 height

setback ratio from an arterial street; and 2) reduced parking.

**DESIGN REVIEW** for 2 extended stay hotel towers with kitchens in rooms, including accessory commercial, retail, restaurant, meeting room, and recreation areas on 1.7 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the west side of Paradise Road, 207 feet south of Elvis Presley Boulevard within Winchester. TS/bb/ja (For possible action) **07/03/19 BCC**

**Moved By- Delibos**

**Approve- with a request from TAB to come back before the TAB and give status update in six months**

**Vote: 5-0 Unanimous**

IV. General Business  
**None**

VII. Public Comment  
**None**

VIII. Next Meeting Date

**The next regular meeting will be June 25, 2019**

IX. Adjournment

**The meeting was adjourned at 6:17p.m.**

PEOPLE MOVER SYSTEM  
(TITLE 30)

PARADISE RD/DESERT INN RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-19-0429-COUNTY OF CLARK (LV CONV AUTH):**

**DESIGN REVIEW** for underground stations and an underground people mover system in conjunction with an existing and approved convention facility/exposition hall on a portion of 153.5 acres in a P-F (Public Facility) Zone in the MUD-1, MUD-2, and Midtown Maryland Parkway Overlay Districts.

Generally located on the east and west sides of Paradise Road and the north and south sides of Desert Inn Road within Winchester and Paradise. TS/jt/ed (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-09-703-023; 162-10-401-003; 162-10-401-005; 162-10-401-006; 162-15-101-013; 162-15-101-015; 162-15-501-030 ptn

**LAND USE PLAN:**

WINCHESTER/PARADISE - PUBLIC FACILITIES  
WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3150 Paradise Road
- Site Acreage: 153.5 (portion)
- Project Type: Aboveground entrances to underground stations and an underground people mover system
- Parking Provided: 5,342 (entire convention facilities)

**Station Locations**

- Station 1
  - Platinum Parking Lot
    - Near the southeast corner of Swenson Street and Desert Inn Road
    - Southeast portion of the Las Vegas Convention Center (LVCC)
- Station 2
  - Northeast corner of the existing Silver Parking Lot
  - Near the southeast corner of Paradise Road and Convention Center Drive

- Central portion of the LVCC
- Station 3
  - Southwest corner of the new exhibit hall
  - Near the northwest corner of Debbie Reynolds Drive and Convention Center Drive
  - Northwest portion of the LVCC

### Site Plan & Overview

This project will consist of 3 underground stations and two, 0.83 mile tunnels connecting the existing LVCC campus to the expansion site. The tunnel route extends underneath LVCC property and public right-of-way in a southeast to northwest orientation connecting each station. Each underground station is located near exhibit hall entrances and surface level transportation connections, such as the Regional Transportation Commission of Southern Nevada bus stations and the LVCC Monorail Station. Aboveground entrances to the stations will include glass-walled enclosures over escalators and stairs leading underground. Within the tunnels, Tesla Autonomous Electric Vehicles will transport passengers to the 3 underground stations.

Conservative estimates project that up to 150 parking spaces will be removed from each parking lot to allow for the underground stations and aboveground entrances. However, it is expected that the stations will be decked and parking spaces will be replaced above the stations. Nevertheless, with the conservative estimates, 450 parking spaces will be removed, and 5,342 spaces will remain in the LVCC campus.

### Landscaping

No changes to the existing landscaping are proposed or required.

### Elevations

Each station will include a surface level entrance, a stairway to a mezzanine level, and another stairway to the second subterranean level to access the transportation tunnels. Overall height of the underground stations will range from 25 feet to 40 feet. Elevators and escalators will also provide access to each level of the stations.

### Floor Plans

Each underground station will have a maximum size of 280 feet by 100 feet. Upon completion of construction, the top of each station will be decked to minimize the surface footprint. Passengers will descend into each station using escalators, stairs, and/or elevators. Passenger boarding will occur completely underground.

### Signage

Signage is located on the aboveground entrance to each underground station identifying the belowground people mover system.

### Applicant's Justification

According to the applicant, the campus wide people mover is an underground, high capacity transportation solution that will enable rapid, convenient and comfortable movement of people across the LVCC campus. Collectively, this system will provide service to thousands of trade

show attendees and LVCC employees per hour in an innovative transportation system worthy of Las Vegas visitor expectations.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-18-0343	Approved convention facilities/exposition halls and outside display area	Approved by BCC	July 2018
ZC-0142-13	Reclassified a portion of the site to P-F zoning for a parking lot and staging area in conjunction with the convention center	Approved by BCC	May 2013
ZC-0141-13	Reclassified a portion of the site to P-F zoning for a parking lot and staging area in conjunction with the convention center	Approved by BCC	May 2013
ZC-0016-08	Reclassified a portion of the site to P-F zoning for a parking lot in conjunction with the convention center	Approved by BCC	February 2008
ZC-0696-07	Reclassified portions of the site to P-F zoning for an expansion to the convention center	Approved by BCC	July 2007
ZC-1627-97	Reclassified portions of the site to P-F zoning with a use permit for a convention center	Approved by BCC	October 1997

Many land use requests were approved on the subject parcels; however, these are the most relevant applications.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist & Public Facilities	H-1, P-F, C-1, & R-1	Fountainbleau Resort Hotel, Turnberry Place, Westgate Resort Hotel, portions of the convention center, convenience store & service station, & Quasi-public building
South	Commercial Tourist & Public Facilities	H-1, P-F, & R-5	Commercial development, portions of the convention center, & multiple family residential
East	Public Facilities	R-1 & P-F	Las Vegas Country Club & portions of the convention center
West	Commercial Tourist & Public Facilities	H-1 & P-F	Commercial development & portions of the convention center

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

The proposed underground campus-wide people mover is an innovative transportation solution that complies with several policies in the Comprehensive Master Plan. For example, Urban Specific Policy 28 encourages unique transportation opportunities; Policy 1 encourages growth patterns that reduce automobile dependence, support alternative modes of transportation, and reduce air pollution; and Winchester/Paradise Specific Policy 10 encourages both public and private transit systems in the "Resort Corridor." In addition, the aboveground entrance to each station will include metal and glass, which is architecturally compatible with the LVCC buildings. Furthermore, the top of the stations will be decked and the majority of on-site parking will be restored when the project is complete.

Utilizing autonomous electric vehicles in underground tunnels is a unique transportation solution that will minimize disruptions and conflicts to existing buildings and transportation systems at ground level. In addition, the system will encourage and support additional development and approved expansions at the LVCC with an alternative mode of transportation that reduces automobile dependence and reduces air pollution. Lastly, the system complies with the Winchester/Paradise policy to encourage transit systems in the "Resort Corridor." Therefore, staff can support the request.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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 to execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that License and Maintenance Agreement(s) are anticipated for separate issues including dewatering, underground facilities within the right-of-way, and storm drain monitoring, and coordination with the District Attorney's Office will be required.

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

- Applicant is advised that CCWRD has existing sanitary sewer infrastructure within the project boundaries; proceed as proposed at the May 21st meeting with CCWRD; and to please continue coordination efforts as project progresses.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LAS VEGAS CONVENTION AND VISITORS AUTHORITY

**CONTACT:** JANE LABANOWSKI, THE BORING COMPANY, 12200 CRENSHAW BLVD,  
HAWTHORNE, CA 90250

**DRAFT**

RECREATION FACILITY  
(TITLE 30)

SAHARA AVE/STATE ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-19-0419-MIT N V, LLC:**

**USE PERMIT** for a recreational facility (escape room) within an existing shopping center (Commercial Center) on a portion of 2.7 acres in a C-2 (General Commercial) Zone in the South Of Sahara Design and Midtown Maryland Parkway Overlay Districts.

Generally located on the south side of Sahara Avenue and the east side of State Street within Winchester. TS/nr/ja (For possible action)

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RELATED INFORMATION:

**APN:**  
162-10-510-002 ptn

**LAND USE PLAN:**  
WINCHESTER/PARADISE - COMMERCIAL GENERAL

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

- Site Address: 953 E. Sahara Avenue
- Site Acreage: 2.7 (portion)
- Project Type: Recreation facility (escape room)
- Number of Stories: 1
- Square Feet: 3,000 (leased space)

Site Plans

The plans depict a shopping center (Commercial Center) on a 2.7 acre site with access from State Street, Commercial Center Drive off Sahara Avenue, Market Street and Karen Avenue. The building backs-up to Sahara Avenue and State Street with the parking area within the center of the lot. Parking for the site is located throughout the site. No design changes are proposed or required with this request.

Landscaping

There is existing landscaping on the site; therefore, landscaping is not a part of this request.



Elevations

Pictures show an existing 1 story shopping center (Commercial Center) with stucco exterior and decorative accents.

Floor Plans

The front of the 3,000 square foot facility will include a lobby with counter and a control room. Beyond the lobby, a corridor will provide access to storage, restrooms, and a variety of escape rooms.

Signage

Signage is not a part of this request.

Applicant’s Justification

According to the applicant, the escape room recreation facility would consist of several interactive scenarios for patrons to escape from. There are no proposed changes to the exterior of the building and the parking lot is owned by Clark County. Hours of operation will be weekdays from 4:00 p.m. to 12:00 a.m., and weekends and holidays from 10:00 a.m. until 12:00 a.m. for a maximum of 40 participants at a time.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
AR-18-400178 (UC-0282-17)	Review of a massage establishment	Approved by BCC	October 2018
UC-0282-17	Use permit for massage as a principal use	Approved by BCC	June 2017
ZC-1078-00	Reclassified all parcels within Clark County from C-C to C-2 zoning	Approved by BCC	September 2000

Commercial Center consists of many varied uses approved through land use applications on file with the Department of Comprehensive Planning.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	City of Las Vegas	C-1	Retail development
South	Commercial and Residential High (8 du/ac up to 18 du/ac)	C-2 and R-2	Shopping center (Commercial Center) and multi-family development
East	Commercial General	C-2	Shopping center (Commercial Center)
West	Commercial Tourist	H-1	Multi-family residential development

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

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

Land Use Goal 2 of the Comprehensive Master Plan encourages, in part, opportunities for a mix of uses such as commercial, office, recreational, entertainment, and other uses in close proximity to each other. The shopping center was designed and built to accommodate various types of commercial businesses by providing ample parking and various lease spaces. The proposed recreational facility (escape room) would add to the mixture of uses and complies with the Comprehensive Mater Plan. As a result, staff can support the request.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- 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:** RUSH TO ESCAPE, LLC

**CONTACT:** DAVID SCHOEN, 10483 S. DAPPLE GRAY RD, LAS VEGAS, NV 89178

AMENDED COMPREHENSIVE SIGN PLAN  
(TITLE 30)

PARADISE RD/KAREN AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-19-400081 (DR-0564-15)-WESTGATE LAS VEGAS RESORT, LLC:**

**DESIGN REVIEW THIRD APPLICATION FOR REVIEW** of an amended comprehensive sign plan for changes to an existing freestanding sign and changes to animated signage in conjunction with the Westgate Resort Hotel on 59.1 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the southeast corner of Paradise Road and Karen Avenue within Winchester. TS/tk/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-10-310-002

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 2900, 2950, and 3000 Paradise Road
- Site Acreage: 59.1
- Project Type: Amended comprehensive sign plan

**Site Plan**

The property is the site of the Westgate Resort Hotel (formerly LVH and The Las Vegas Hilton Resort Hotel). Access to the site is provided from Paradise Road, Karen Avenue, and Joe W. Brown Drive. The approved application amended the comprehensive sign plan which included eliminating an approved animated wall sign (video unit) and adding larger animated signs (video units) to the main pylon sign for the resort hotel located along Paradise Road.

**Landscaping**

No changes to the landscape areas were proposed or required in conjunction with the original application.

Signage

The original comprehensive sign plan for the resort hotel was approved by DR-0275-11 in August 2011. Since approval of the original comprehensive sign plan there have been 3 applications to amend the comprehensive sign plan for the resort hotel; UC-0659-14, DR-0194-15, and DR-0564-15. The approval of DR-0564-15 eliminated an approved animated wall sign (video unit) on the southern elevation of the southern wing of the building and modified the existing freestanding sign by increasing the animated sign area. The total area of the existing freestanding sign was not changed. The freestanding sign is the main pylon sign for the resort hotel and was approved by prior applications for a total of 5,238 square feet of animated signage (2 video units) on the north and south sides of the sign. The video units on the existing freestanding sign were increased from 5,238 square feet to 9,033 square feet with DR-0564-15. With the elimination of the animated wall sign, the animated sign area for the resort hotel was reduced by 2,205 square feet to a total of 9,033 square feet.

The table below describes the existing signage. Details related to the exact location and areas of each sign are provided in the file.

Type of sign	Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
*Freestanding	46,788	0	46,788	6,325	865	3	0	3
*Wall	66,801	-6,000	60,801	42,951	41.6	22	-1	21
Roof Sign	4,338	0	4,338	0	N/A	2	0	2
Projecting	0	0	0	**32	N/A	0	0	0
Hanging	0	0	0	**32	N/A	0	0	0
Directional	794	0	794	800	N/A	25	0	25
Overall Total	118,721	-6,000	112,721	50,076	N/A	52	-1	51

\*The existing freestanding and wall signs also contain animation.

\*\* Per tenant.

The details for animated signs are listed below:

Type of sign	Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
Animated	11,238	-2,205	9,033	***450	1,907	3	-1	2

\*\*\*150 square feet permitted per street frontage.

Previous Conditions of Approval

Listed below are the approved conditions for AR-18-400226 (DR-0564-15):

Current Planning

- 6 months to review as a public hearing.
- Applicant is advised that 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.

Listed below are the approved conditions for AR-18-400028 (DR-0564-15):

#### Current Planning

- Until October 4, 2018 to review as a public hearing;
- Use of white light for background and graphics on the north facing video unit of the free standing sign shall be minimal;
- No flashing video on the north facing video unit of the freestanding sign from 30 minutes after sunset until 30 minutes prior to sunrise;
- Reduce nits (brightness) of the north facing video unit of the freestanding sign to 4 percent of maximum brightness from 30 minutes after sunset until 30 minutes prior to sunrise.
- Applicant is advised that 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.

Listed below are the approved conditions for DR-0564-15 (ET-0051-16):

#### Current Planning

- Until June 22, 2017 to commence and review as a public hearing;
- Reduce nits (brightness) of the video unit to 25% of maximum brightness at nighttime.
- 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 DR-0564-15:

#### Current Planning

- 6 months to commence and review as a public hearing;
- Reduce nits (brightness) of the video unit by 25% of maximum brightness at nighttime.
- 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.

#### Building/Fire Prevention

- Applicant is advised that the proposal has been reviewed and it does not conflict with Fire Code requirements.

#### Applicant's Justification

The applicant states the original DR-0564-15 was approved by the Board of County Commissioners on October 21, 2015 and was subjected to a review 6 months after the approval, there was also an extension of time that was granted to reduce the brightness of the message

display. The second review was granted in December 2018 for 6 months for the sign conditions. The applicant has been in compliance with the conditions of a 4% maximum brightness from 30 minutes after sunset until 30 minutes prior to sunrise. The applicant is requesting to remove the time limit or request a 3 year review period.

### Prior Land Use Requests

Application Number	Request	Action	Date
AR-18-400226 (DR-0564-15)	Second review of an amended comprehensive sign plan	Approved by BCC	December 2018
AR-18-400028 (DR-0564-15)	First review of an amended comprehensive sign plan	Approved by BCC	April 2018
DR-0564-15 (ET-0051-16)	First extension of time to complete and review an amended comprehensive sign plan for the Westgate Resort Hotel for addition animated signage on an existing freestanding sign	Approved by BCC	June 2016
DR-0564-15	Amended comprehensive sign plan for the Westgate Resort Hotel for addition animated signage on an existing freestanding sign	Approved by BCC	October 2015
DR-0194-15	Amended comprehensive sign for the Westgate Resort Hotel for addition wall/animated signage	Approved by BCC	May 2015
UC-0659-14	Amended comprehensive sign plan for the Westgate Resort Hotel	Approved by BCC	September 2014
DR-0275-11	Comprehensive sign plan for an existing resort hotel (Las Vegas Hilton)	Approved by BCC	August 2011
UC-0621-03 (ET-0146-04)	First extension of time to commence kitchens in existing hotel rooms in conjunction with an existing resort hotel (Las Vegas Hilton)	Approved by PC	July 2004
UC-0621-03	Kitchens in existing hotel rooms in conjunction with an existing resort/hotel (Hilton Hotel)	Approved by PC	May 2003
DR-0240-02	In-line switch and transfer station for the monorail	Approved by PC	March 2002
UC-2034-98	6 level, 70 foot high parking structure	Approved by PC	January 1999
UC-0160-98	18 story, 210 foot high, 418 unit hotel/timeshare/condominium building with kitchen including retails sales	Approved by PC	March 1998
DR-1075-96	52 foot high, 1,017 square foot freestanding animated sign in conjunction with a resort hotel (Hilton Hotel)	Approved by BCC	August 1996
VC-0268-95	Permit total sign area of 58,450 square feet in conjunction with a resort hotel	Approved by PC	March 1995

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	H-1	Turnberry Towers at Paradise Road & Karen Avenue
South	Public Facilities	P-F	Convention Center
East	Residential High (8 du/ac to 18 du/ac); Residential Urban Center (18 du/ac to 32 du/ac); and Public Facilities	R-1, R-2, R-3, & R-4	Las Vegas Country Club
West	Commercial Tourist and Public Facilities	H-1 & P-F	Turnberry Place, hotel, gas station & convention center (under construction)

### **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. Since the original approval, there have been several code enforcement violations (CE18-00773, CE18-06483, CE18-07872) regarding the brightness of the sign which have all been resolved and closed. Since then, the applicant has been in conformance with the conditions of approval that were placed on the previous applications, and there have been no known recent complaints with the brightness of the lighting on the signs. To ensure continued compliance, staff requests another review in a year.

#### **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 May 30, 2020 to review as a public hearing.
- Applicant is advised that 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**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** WESTGATE LAS VEGAS RESORT AND CASINO

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

**DRAFT**



RESORT HOTEL  
(TITLE 30)

LAS VEGAS BLVD S/ELVIS PRESLEY BLVD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-19-0428-2755 LAS VEGAS, LLC:**

**DESIGN REVIEW** for changes and modifications to an approved resort hotel (Drew formally Fontainebleau) on 22.7 acres in an H-1 (Limited Resort and Apartment) Zone.

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

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RELATED INFORMATION:

**APN:**  
162-09-617-001; 162-09-617-002

**LAND USE PLAN:**  
WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**  
**Project Description**

**General Summary**

- Site Address: 2777 Las Vegas Boulevard South
- Site Acreage: 22.7
- Project Type: Modifications to an approved resort hotel
- Guest Rooms: 3,719
- Number of Stories: 63
- Building Height (feet): 735
- Square Feet: 8,931,452
- Parking Required/Provided: 5,779/5,787

History

UC-0932-06 was approved by the Board of County Commissioners (BCC) in October 2006 for a resort hotel with various components and amenities, and included all associated accessory and incidental commercial uses, buildings, and structures. Since approval, the project has been revised by subsequent applications and the ownership of the project has changed. The approved resort hotel was originally named Fontainebleau but the project has been renamed The Drew. Construction of the resort hotel began in February 2007 but was stopped in 2009 during the economic recession when the project went into bankruptcy. The current owners of the site are working to complete the project.

### Site Plan

The applicant is requesting approval for modifications to the approved Drew Resort Hotel (formally Fontainebleau). The building has been partially constructed and was designed with a single tower that is elevated upon a podium level with varying heights on the west side of the site nearest to Las Vegas Boulevard South. The east side of the site is the location of the convention center and the above grade parking garage for the resort which has been incorporated into the building design, with the valet parking being provided below the podium level. Access to the site is provide from Las Vegas Boulevard South and Elvis Presley Boulevard.

### Landscaping

An attractively landscaped pedestrian realm area is provided along both Las Vegas Boulevard South and Elvis Presley Boulevard, and includes outdoor patios, a detached sidewalk along Las Vegas Boulevard South, planting areas, enhanced paving, and several water features.

### Elevations

The resort has been approved for a maximum height of 735 feet with the high-rise portion of the building consisting of 63 stories. No major changes are being made to the height or exterior elevations of the buildings; however, there are some minor changes to the low-rise façade along Las Vegas Boulevard South and Elvis Presley Boulevard which are reflected on the plans submitted with this application. The podium levels of the building will include EIFS wall finishes, block, metal wall panels, and glass wall systems. The high-rise portion of the building will consist of non-reflective glass screen walls over metal panels.

### Floor Plans

The plans depict a total of 3,719 guest rooms where a maximum of 3,900 rooms (1,020 condominium units and 2,880 guest rooms) were depicted on previous plans. The plans indicate all rooms will now be guest rooms and that condominium units will no longer be provided with the project. The resort hotel has a total area of 8,931,452 square feet which includes the guest rooms, gaming areas, showrooms, live entertainment areas, shopping center, indoor and outdoor dining areas, offices, meeting and convention areas and back-of-house areas. No major changes are proposed to the area of the building with this request; however, locations for various uses and floor areas within the hotel have been rearranged to reflect changes in the market and specific goals of the new owners.

### Signage

Signage is not part of this request.

### Applicant's Justification

The applicant indicates that this new design request does not in any way modify and previous land use approvals for building setbacks, height, or area. This request is intended to allow design changes that will enhance the facility and serve to provide a more enjoyable resort experience for both visitors and locals. The proposed changes reflect the changes in the market and specific goals of the new owners of the project.

### Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400040 (DR-0289-09)	Second extension of time for a redesign of a loading dock and cover	Approved by BCC	April 2018
ET-18-400042 (UC-0489-08)	Second extension of time for deviations for roof signs and modified separation requirements	Approved by BCC	April 2018
ET-18-400043 (UC-0932-06)	Second extension of time for the resort hotel	Approved by BCC	April 2018
ET-18-400044 (UC-0233-07)	Second extension of time for use permit to increase the number of resort condominiums with kitchens	Approved by BCC	April 2018
ET-18-400045 (DR-0213-08)	Second extension of time to redesign east façade of parking garage/convention facility	Approved by BCC	April 2018
ET-18-400046 (UC-0698-07)	Second extension of time to increase building height and square footage of project	Approved by BCC	April 2018
ET-18-400047 (UC-1515-06)	Second extension of time for alternative landscaping on east property line	Approved by BCC	April 2018
ET-18-400048 (UC-1242-06)	Second extension of time to allow modular buildings during construction of the resort hotel	Approved by BCC	April 2018
ADET-1371-17 (DR-0213-08)	First extension of time to redesign east façade of parking garage/convention facility	Approved Administratively	December 2017
ADET-1369-17 (UC-0698-07)	First extension of time to increase building height and square footage of project	Approved Administratively	December 2017
ADET-1368-17 (DR-0289-09)	First extension of time to redesign loading dock area	Approved Administratively	December 2017
ADET-1367-17 (UC-0489-08)	First extension of time for roof signs and modified separation requirements	Approved Administratively	December 2017
ADET-1366-17 (UC-1515-06)	First extension of time for alternative landscaping on east property line	Approved Administratively	December 2017
ADET-1365-17 (UC-0932-06)	First extension of time for the resort hotel	Approved Administratively	December 2017
ADET-1364-17 (UC-0233-07)	First extension of time to increase the number of resort condominiums with kitchens	Approved Administratively	December 2017
ADET-1363-17 (UC-1242-06)	First extension of time to allow modular buildings during construction of the resort hotel	Approved Administratively	December 2017
AG-0889-17	Consent to assignment and assumption of Fontainebleau Las Vegas Resort Development Agreement	Approved by BCC	August 2017
WS-0370-15	Extension to off-site bond improvements	Approved by BCC	November 2015

### Prior Land Use Requests

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

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Undeveloped (approved for a sports arena)
South	Commercial Tourist	P-F	Parking for the Las Vegas Convention Center

## Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Commercial Tourist	H-1	Turnberry Place (residential high-rise)
West	Commercial Tourist	H-1 & U-V	Circus Circus Resort Hotel & The Sky mixed use development

### STANDARDS FOR APPROVAL:

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

### Analysis

#### Current Planning

The proposed changes to the project are consistent and compatible with the past approvals for this project and are also consistent and compatible with other developments in the area. The proposed modifications are in response to changes in trends within the resort community since the project was first approved. The proposed changes also reflect the new goals and direction the current owners of the project have for the property. Therefore, staff supports the design review.

#### 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

- Applicant shall return all barrier rails to Clark County Public Works once the installation of the new bollards are in place.
- Applicant is advised that compliance with the Uniform Standard Drawings is required.

#### 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:** JBW CONSULTING, LLC

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

**DRAFT**

MARIJUANA ESTABLISHMENT  
(TITLE 30)

DESERT INN RD/HIGHLAND DR

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-19-0380-SAIA GABRIEL GOMES JR REV LIV TR & SAIA GABRIEL GOMES JR  
TRS:**

**USE PERMIT** for a proposed marijuana establishment (production) in conjunction with an existing office/warehouse complex consisting of 2 buildings on 9.2 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester. TS/pb/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-08-805-009

**LAND USE PLAN:**

WINCHESTER/PARADISE - INDUSTRIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 2548 W. Desert Inn Road
- Site Acreage: 9.2
- Project Type: Relocate an approved marijuana establishment (production) facility
- Number of Stories: 1
- Building Height (feet): 30
- Square Feet: 11,786 marijuana establishment (production) facility/35,400 retail marijuana store/67,390 remaining uses
- Parking Required/Provided: 250/300

**Site Plans**

The plans depict a proposed 11,786 square foot marijuana establishment (production) in an existing office/warehouse building (Suite 125). An approved marijuana dispensary co-located with an approved retail marijuana store is also located in the same existing office/warehouse building (Suite 100). There are 2 buildings located on the site. The marijuana establishments are located in the office/warehouse building on the east side of the site, the other building on the property is located near the southwest corner of the property, and is not a part of this business.

Parking spaces are located on the north, east, south, and west sides of the building. Access to the site is from Desert Inn Road to the south.

#### Landscaping

A decorative entry feature is located in front of the building. No additional landscaping is proposed or required as part of this request.

#### Elevations

The plans depict the existing building along with previously approved changes that include a 22 foot high decorative feature replacing the approved porte-cochere and a raised planter wall along the front elevation of the building. The height of the parapet walls along the front elevation will be increased and new exterior finishes will be added. The building height is 31 feet which will match the height of the remaining rear portion of the office/warehouse building. The exterior finishes include new paint, metal mesh panel accents, store front windows, and decorative CMU block. No changes are proposed or required to the exterior of the building.

#### Floor Plans

The plans depict an existing building with multiple businesses. Of that, 11,876 square feet will be dedicated to production and include the following:

- Production rooms
- Office space
- Restrooms

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant indicates that the establishment will operate in accordance with the requirements of Title 30 and the Comprehensive Master Plan. The facility will be modern and will not change the current architecture and design of the building's exterior. There will be little, if any, adverse impact to the adjacent properties since the facility is located in an industrially developed area.

#### Prior Land Use Request

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-18-0850	Signage for marijuana establishment (dispensary)	Approved by BCC	December 2018
ADR-18-900699	Operation of a water feature in conjunction with an approved dispensary and retail marijuana facility	Approved administratively	October 2018



**Prior Land Use Request**

Application Number	Request	Action	Date
UC-18-0703	Increased wall sign area; allowed a marijuana dispensary as the only business advertising on a freestanding sign, roof signs where not permitted, electronic or animated sign where not permitted, and retail marijuana facility (roof sign and electronic graffiti wall were withdrawn)	Approved by BCC	October 2018
UC-18-0122	Marijuana establishment (dispensary) in conjunction with an approved retail marijuana store; and design review for modifications to an existing office/warehouse complex consisting of 2 buildings	Approved by BCC	April 2018
UC-17-1076	Marijuana establishment (retail marijuana store) with a waiver to reduce parking and modifications to an existing office/warehouse complex	Approved by BCC	February 2018
UC-0722-06	Sales center in conjunction with an approved mixed-use development, and waivers for reduced parking and sign requirements – expired	Approved by BCC	July 2006
ZC-1697-04	Reclassified the property from M-1 to H-1 zoning for a mixed-use high-rise development – expired	Approved by BCC	February 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Business and Design/Research Park	M-1	Office/warehouse development
East	Business and Design/Research Park & Commercial General	M-1	Office/warehouse & retail development

**Related Applications**

Application Number	Request
UC-19-0381	A use permit for a restaurant with a service bar, banquet facility, and retail uses with waivers for alternative parking standards 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**

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

The separation survey shows that all the required separations are being met. The crime report indicates that within a 1 mile radius, 641 crime reports were filed by Metro in the 60 days prior to application submittal.

The applicant submitted the required security and transportation plans. The security plan addresses the need for interior and exterior security of the facility, and the transportation plan discusses the security of delivery services. Building elevations indicate that a professional appearance will be maintained.

### **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**

- A valid Clark County business license must be issued for this establishment 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 Business License Department.
- 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; approval of this application does not constitute or imply approval of 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 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)**

- 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:** MM DEVELOPMENT COMPANY, LLC

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BLD 3 STE 577, LAS VEGAS, NV 89134

DRAFT

RESTAURANT/SERVICE BAR/  
BANQUET FACILITY/RETAIL  
(TITLE 30)

DESERT INN RD/HIGHLAND DR

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-19-0381-SAIA GABRIEL GOMES JR REV LIV TR & SAIA GABRIEL GOMES JR TRS:**

**USE PERMITS** for the following: **1)** retail sales as a principal use; **2)** restaurants; **3)** on-premises consumption of alcohol (service bar); and **4)** banquet facility.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced parking; **2)** alternative landscaping; and **3)** alternative parking design standards.

**DESIGN REVIEW** modifications to the parking lot in conjunction with an existing office/warehouse complex on 9.2 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester. TS/pb/ja (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-08-805-009

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce parking to 300 spaces where 310 spaces are required per Table 30.60-1 (a 0.03% reduction).
2. Eliminate parking lot landscaping where landscaping per Figure 30.64-14 and Section 30.60.050 is required.
3. Allow a surface parking lot without pedestrian walkways where required per Section 30.60.050.

**LAND USE PLAN:**

WINCHESTER/PARADISE - INDUSTRIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 2548 W. Desert Inn Road
- Site Acreage: 9.2
- Project Type: Proposed retail sales, restaurant with a service bar, and a banquet facility in the same building as an approved marijuana establishment (retail marijuana store) and a proposed marijuana establishment (production) facility

- Number of Stories: 1
- Building Height (feet): 30
- Square Feet: 1,883 retail sales/5,087 restaurant with service bar/1,495 banquet facility/11,786 marijuana establishment (production) facility/35,400 marijuana establishment (retail marijuana store)/58,925 office/warehouse/114,576 total building
- Parking Required/Provided: 310/300

### Site Plans

The plans depict a retail sales business, a restaurant with a service bar, a banquet facility, marijuana establishment (production) facility, marijuana establishment (retail marijuana store), and office/warehouse space in an existing office/warehouse building. All of the uses are located in the office/warehouse building on the east side of the site, the other building on the property is located near the southwest corner of the property and separated by existing fencing is not a part of this request. Existing parking spaces are located on the north, east, south, and west sides of the building. Additional parking spaces are located on the north side of the building. No other changes are proposed to the site layout. Access to the site is from Desert Inn Road to the south.

### Landscaping

A decorative entry feature is located in front of the building. No additional landscaping including interior parking lot trees are proposed as part of this request.

### Elevations

The plans depict the existing building along with previously approved changes that include a 22 foot high decorative feature replacing the approved porte-cochere and a raised planter wall along the front elevation of the building. The height of the parapet walls along the front elevation will be increased and new exterior finishes will be added. The building height is 31 feet which will match the height of the remaining rear portion of the office/warehouse building. The exterior finishes include new paint, metal mesh panel accents, store front windows, and decorative CMU block. No changes are proposed or required to the exterior of the building.

### Floor Plans

The plans depict an existing building with a 1,883 square foot retail sales business (Suite 120), 5,087 square foot restaurant with a service bar (Suite 105), 1,495 square foot banquet facility (Suite 115), 11,786 square foot marijuana establishment (production) facility (Suite 125), 35,400 square foot marijuana establishment (retail marijuana store) (a portion of Suite 100), and 58,925 square foot office/warehouse space (the remaining portion of Suite 100) in an existing office/warehouse building. All of the proposed and existing uses will occupy suites that share a common corridor. All improvements are internal to the existing building.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant indicates the customer base for the proposed uses will be the same as the customer base for the retail marijuana store (Planet 13) and will arrive at the site via taxis and

Uber/Lyft/Ride sharing and the provided parking should be adequate as described in the parking study provided.

### Prior Land Use Request

Application Number	Request	Action	Date
WS-18-0850	Signage for marijuana establishment (dispensary)	Approved by BCC	December 2018
ADR-18-900699	Operation of a water feature in conjunction with an approved dispensary and retail marijuana facility	Approved administratively	October 2018
UC-18-0703	Increased wall sign area; allowed a marijuana dispensary as the only business advertising on a freestanding sign, roof signs where not permitted, electronic or animated sign where not permitted, and retail marijuana facility (roof sign and electronic graffiti wall were withdrawn)	Approved by BCC	October 2018
UC-18-0122	Marijuana establishment (dispensary) in conjunction with an approved retail marijuana store; and design review for modifications to an existing office/warehouse complex consisting of 2 buildings	Approved by BCC	April 2018
UC-17-1076	Marijuana establishment (retail marijuana store) with a waiver to reduce parking and modifications to an existing office/warehouse complex	Approved by BCC	February 2018
UC-0722-06	Sales center in conjunction with an approved mixed-use development, and waivers for reduced parking and sign requirements – expired	Approved by BCC	July 2006
ZC-1697-04	Reclassified the property from M-1 to H-1 zoning for a mixed-use high-rise development – expired	Approved by BCC	February 2005

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Business and Design/Research Park	M-1	Office/warehouse development
East	Business and Design/Research Park & Commercial General	M-1	Office/warehouse & retail development

## Related Applications

Application Number	Request
UC-19-0380	A use permit to relocate an approved marijuana establishment (production) facility to this site 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

##### Use Permits

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

The M-1 Light Manufacturing District is established to provide areas suitable for the development of light manufacturing establishments and to prohibit the development of incompatible uses. Approximately 40% of the building will be used for retail and restaurant uses that create more intense impacts to traffic, public services, and infrastructure than typical industrial uses. Furthermore, the requested uses create a higher parking requirement and this request includes waivers of development standards to reduce the number of parking spaces, eliminated interior parking lot trees, and alternative parking lot design standards which staff cannot support. Therefore, staff finds the requested uses are too intense for this site, incompatible with the existing development in the area and conflicts with Urban Specific Policy 101 of the Comprehensive Master Plan which states in part that industrial developments should be complementary with abutting uses. Staff is also concerned that the proposed uses will conflict with the existing retail marijuana store (Planet 13) on the site and create unanticipated impacts associated with the possible mixing of the proposed and existing uses on the site. Therefore, staff cannot support these request.

##### Waivers of Development Standards

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

##### Waiver of Development Standards #1

Staff finds the reduction in parking along with the request to eliminate interior parking lot trees, and modify the parking lot design standards is excessive and staff cannot support. The purpose of the Parking and Loading Regulations is to provide safe and efficient parking and loading facilities in amounts sufficient to meet the existing and/or proposed land uses in Clark County.

This request does not meet that intent. Staff also finds this request is a self-imposed hardship based on the uses proposed on this site which staff finds too intense for this site and the surrounding area. Therefore, staff cannot support this request.

#### Waivers of Development Standards #2 & #3 & Design Review

The purpose of providing landscaping, internal walkways, and dividing large parking lots into smaller sub-areas is to improve air quality, the visual image of the property and community, and allow pedestrians safe access through the parking lot. Landscaping and pedestrian walkways help with the reduction of dust, noise, glare, and heat. Landscape areas also assist with wind control and minimize water runoff. Approval of the design review is contingent upon approval of the waivers of development standards which staff cannot support. Staff finds that the design of the parking lot with the requested waivers of development standards conflicts with Urban Specific Policy 91 of the Comprehensive Master Plan which encourages enhanced landscaping (trees) at the interior parking areas to provide shade and visual relief. Therefore, staff cannot support these 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

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

##### **Current Planning**

If approved:

- A valid Clark County business license must be issued for this establishment 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 Business License Department.
- 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; approval of this application does not constitute or imply approval of 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 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 (not a mitigation) and compliance.



**Building Department - Fire Prevention**

- Applicant is advised that permits will be required for this facility and to contact Fire Prevention for further information; that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316; and to contact the Building Department at (702) 455-3000 regarding a potential change in occupancy classification; and that any changes in occupancy classification may have impacts on both the site plan and construction.

**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:** BLC MANAGEMENT COMPANY, LLC

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BLD 3 STE 577, LAS VEGAS, NV 89134

**DRAFT**