



PARADISE TOWN ADVISORY BOARD

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

July 27, 2021

7:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Maureen Helm at 702-606-0747.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
- Supporting material is/will be available on the County's website <https://clarkcountynv.gov/ParadiseTAB>

Board/Council Members: John Williams, Chairperson
 Susan Philipp, Vice Chairperson
 Jon Wardlaw
 Katlyn Cunningham
 Roger Haywood

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

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

I. Call to Order, Pledge of Allegiance, Roll Call, and County Staff Introductions

II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

BOARD OF COUNTY COMMISSIONERS
 MARILYN KIRKPATRICK, Chair – JAMES B. GIBSON, Vice-Chair
 JUSTIN C. JONES – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM
 YOLANDA KING, County Manager

- III. Approval of Minutes for July 13, 2021. (For possible action)
- IV. Approval of the Agenda for July 27, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning

- 1. **UC-21-0318-4275 W BELL DRIVE, LLC:**
USE PERMIT to allow an office as a principal use in conjunction with an existing office/warehouse complex on 2.0 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Bell Drive and the west side of Schirlls Street within Paradise. MN/lm/jo (For possible action) **PC 8/17/21**

- 2. **VS-21-0313-UNIVERSITY BOARD OF REGENTS:**
VACATE AND ABANDON a portion of right-of-way being Maryland Parkway located between Cottage Grove Avenue and Flamingo Road and a portion of right-of-way being Cottage Grove Avenue between Claymont Street and Maryland Parkway within Paradise (description on file). TS/sd/jd (For possible action) **PC 8/17/21**

- 3. **ET-21-400105 (UC-19-0241)-TEN15 SUNSET GRIER, LLC:**
USE PERMITS FIRST EXTENSION OF TIME for the following: **1)** office as a principal use; and **2)** restaurants (food court).
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow encroachment into airspace; **2)** increased building height; **3)** reduced parking; and **4)** reduced throat depth.
DESIGN REVIEW for a proposed office building with a parking garage on 3.1 acres in an M-D (Design Manufacturing) Zone and an M-1 (Light Manufacturing) (AE-65 & AE-70) Zone. Generally located on the south side of Sunset Road and the east side of Grier Drive within Paradise. JG/lm/jo (For possible action) **BCC 8/18/21**

- 4. **UC-21-0284-HRHH PROPCO, LLC:**
USE PERMITS for the following: **1)** live entertainment; **2)** reduce separation from outdoor live entertainment to a residential use; and **3)** allow primary access to the live entertainment areas not through the interior of a resort hotel.
DESIGN REVIEWS for the following: **1)** outdoor event areas; and **2)** remodel of resort hotel areas (Virgin Hotel) on 28.8 acres in an H-1 (Limited Resort and Apartment) (AE-60 & AE-65) Zone. Generally located on the northwest corner of Paradise Road and Harmon Avenue within Paradise. JG/jt/jo (For possible action) **BCC 8/18/21**

5. **UC-21-0332-ERBR, LLC:**
USE PERMITS for the following: 1) swap meet; 2) fairground; and 3) recreational facility with accessory food, beverage, and retail sales.
WAIVER OF DEVELOPMENT STANDARDS to eliminate landscaping.
DESIGN REVIEWS for the following: 1) swap meet; 2) fairground; and 3) recreational facility on 4.6 acres in a C-2 (General Commercial) Zone. Generally located on the west side of Boulder Highway, 1,000 feet south of Indios Avenue within Paradise. TS/md/jo (For possible action)

BCC 8/18/21

6. **WC-21-400099 (UC-0729-06)-R & G HOLDINGS, LLC:**
WAIVER OF CONDITIONS of a use permit requiring massage business hours limited to 8:00 a.m. to 9:00 p.m. on 0.6 acres in a C-2 (General Commercial) Zone in the Asian Design Overlay District. Generally located 275 feet north of Spring Mountain Road, 215 feet east of Arville Street within Paradise. JJ/bb/jo (For possible action)

BCC 8/18/21

7. **WS-21-0312-GC VEGAS RETAIL, LLC & NAKASH S&W, LLC:**
WAIVER OF DEVELOPMENT STANDARDS for increased wall sign area.
DESIGN REVIEW for modifications to an approved comprehensive sign package on a 0.7 acre portion of a 6.0 acre site in an H-1 (Limited Resort and Apartment) and an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Las Vegas Boulevard South, 950 feet north of Tropicana Avenue within Paradise. JG/lm/jo (For possible action)

BCC 8/18/21

VII. General Business

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: August 10, 2021

X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:

Paradise Community Center- 4775 McLeod Dr.

<https://notice.nv.gov>



Paradise Town Advisory Board

July 13, 2021

MINUTES

Board Members:	John Williams –Chair- PRESENT Susan Philipp - Vice Chair- PRESENT Roger Haywood- PRESENT	Joh Wardlaw– EXCUSED Katlyn Cunningham – PRESENT
Secretary:	Maureen Helm 702-606-0747 mhelmtab@gmail.com	
Town Liaison:	Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov	

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

Lorna Phegley; Planning, Blanca Vazquez; Town Liaison

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

II. Public Comment:
None

III. Approval of June 29, 2021 Minutes

Moved by: Haywood
Action: Approve as submitted
Vote: 4-0 Unanimous

Approval of Agenda for July 13, 2021

Moved by: Philipp
Action: Approve with the withdraw of item#1
Vote: 4-0 Unanimous

IV. Informational Items
NONE

V. Planning & Zoning

1. **UC-21-0023-PHOENIX REALTY HOLDINGS, LLC:**
HOLDOVER USE PERMITS for the following: 1) restaurants; 2) retail sales and services; and 3) offices.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; 2) landscaping; and 3) alternative driveway geometrics.
DESIGN REVIEW for a commercial building consisting of 2 restaurants with drive-thru service on 1.2 acres in an H-1 (Limited Resort and Apartment) (AE-70) Zone. Generally located on the west side of Las Vegas Boulevard South, 820 feet north of Sunset Road within Paradise. MN/al/jd (For possible action) **PC 7/20/21**

WITHDRAWN WITHOUT PREJUDICE

2. **ET-21-400088 (ZC-19-0197)-SCHOOL BOARD OF TRUSTEES:**
DESIGN REVIEW FIRST EXTENSION OF TIME for an elementary school on 8.0 acres in a P-F (Public Facility) Zone. Generally located on the north side of Cherokee Lane, 100 feet east of Algonquin Drive within Paradise. TS/sd/jo (For possible action) **BCC 7/21/21**

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

3. **VS-21-0297-3535 LV NEWCO, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Flamingo Road and Sands Avenue and between Koval Lane and Las Vegas Boulevard South within Paradise (description on file). TS/jvm/ja (For possible action) **PC 8/3/21**

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

4. **WS-21-0243-S. VALLEY VIEW TWAIN, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase sign height; and 2) animated signs.
DESIGN REVIEW for a proposed freestanding sign in conjunction with an existing commercial complex on a portion of 1.0 acre where the overall complex is 5.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Highland Drive and the west side of Morgan Cashmans Way within Paradise. JJ/jor/jo (For possible action) **BCC 8/4/21**

MOVED BY-Williams
DENY
Philipp abstained from comment and vote
VOTE: 3-0 Unanimous

- VI. General Business
None
- VII. Public Comment
None
- VIII. Next Meeting Date
The next regular meeting will be July 29, 2021
- IX. Adjournment
The meeting was adjourned at 7:15 p.m.

DRAFT

08/17/21 PC AGENDA SHEET

OFFICE AS PRINCIPAL USE
(TITLE 30)

BELL DR/SCHIRLLS ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0318-4275 W BELL DRIVE, LLC:

USE PERMIT to allow an office as a principal use in conjunction with an existing office/warehouse complex on 2.0 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the south side of Bell Drive and the west side of Schirlls Street within Paradise. MN/lm/jo (For possible action)

RELATED INFORMATION:

APN:

162-30-502-001

LAND USE PLAN:

WINCHESTER/PARADISE INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4275 W. Bell Drive Suite 7
- Site Acreage: 2
- Project Type: Office as a principal use
- Square Feet: 1,800 (office lease space)
- Parking Required/Provided: 42/66

Site Plan

The site plan depicts a 26,600 square foot light manufacturing building on 2 acres with 62 marked parking spaces and multiple loading zone spaces. There is access from Bell Drive at the northwest corner of the property and at Schirlls Street on the southeast corner of the property. A small outside storage area is located behind the building at the southwest corner. The proposed use is located at the northeast corner of the building.

Landscaping

No changes to landscaping is required or proposed as part of this application.

Elevations

The existing building has a split masonry façade with modified mid-wall mansard roof overhang. Each unit has an aluminum storefront entry with a 10 foot wide roll-up door between entrances.

No changes are proposed to the façade or entry of the building with this application and this use will not be using the warehouse portion of the suite.

Floor Plans

The therapy office will operate out of unit 7 at the northeast corner of the building facing Bell Drive. The unit consists of 1,800 square feet consisting of an entry, 2 offices, and a bathroom.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the use is for a small, individual marriage and family therapy practice and only clients are allowed within the space. Hours of operation will be Monday through Thursday from 9:00 a.m. to 5:00 p.m. with hourly appointments.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0305	Minor training facility (suite 6)	Approved by PC	August 2020

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	M-1	Manufacturing & Industrial
South	Industrial	M-1 & R-E	Manufacturing & Industrial
East & West	Industrial	M-1	Manufacturing & Industrial

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.

Office as a principal use is a compatible use for the site due to the size of the office use and since the surrounding area (east, south, and west) has existing office and warehouse complexes. The proposed project will promote employment opportunities and encourage more uses in the area that are similar to the applicant's request. Lastly, the proposed use supports #7 of the Urban Specific Policies of the Comprehensive Master Plan, which in part states that land uses should be complementary and of similar scale and intensity; therefore, staff is in support of the proposed use permit.

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

Public Works - Development Review

- No comment.

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: G. R. FAMILY THERAPY

CONTACT: G. R. FAMILY THERAPY, 4275 WEST BELL DRIVE SUITE 7, LAS VEGAS, NV 89118



LAND USE APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

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

STAFF

DATE FILED: 6/24/2021 APP. NUMBER: UC-21-0318
 PLANNER ASSIGNED: LMN TAB/CAC: PARADISE
 ACCEPTED BY: LMN TAB/CAC MTG DATE: 7/27/21 TIME: _____
 FEE: \$675 PC MEETING DATE: 8/17/2021
 CHECK #: _____ BCC MEETING DATE: _____
 COMMISSIONER: MN ZONE / AE / RNP: M-1
 OVERLAY(S)? _____ PLANNED LAND USE: P-IND
 PUBLIC HEARING? Y / N NOTIFICATION RADIUS: 500 SIGN? Y / N
 TRAILS? Y / N PFNA? Y / N LETTER DUE DATE: _____
 APPROVAL/DENIAL BY: _____ COMMENCE/COMPLETE: _____

PROPERTY OWNER

NAME: DESI MORENO - 4275 W. BELL DR LLC
 ADDRESS: 4275 W BELL DRIVE
 CITY: LAS VEGAS STATE: NV ZIP: 89118
 TELEPHONE: 702-308-1800 CELL: _____
 E-MAIL: LTURNER @ MDLGROUP.COM

APPLICANT

NAME: GLENDIA RAMOS RIVERA
 ADDRESS: 5432 PIPERS STONE ST
 CITY: NORTH LAS VEGAS STATE: NV ZIP: 89031
 TELEPHONE: 702-419-8199 CELL: 702-419-8199
 E-MAIL: GLENDARAMOS7@GMAIL.COM REF CONTACT ID #: _____

CORRESPONDENT

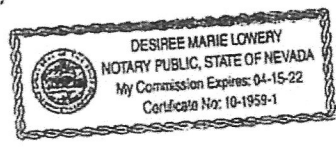
NAME: Glenda Ramos Rivera
 ADDRESS: 5432 Pipers Stone St.
 CITY: NORTH LAS VEGAS STATE: NV ZIP: 89031
 TELEPHONE: 702-419-8199 CELL: 702-419-8199
 E-MAIL: Glendaramos7@gmail.com REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 16230502001
 PROPERTY ADDRESS and/or CROSS STREETS: 4275 W BELL DR STE 7 LAS VEGAS NV 89118 TROPICANA / ARVILLE
 PROJECT DESCRIPTION: counseling office.

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code, that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Desiderio M Moreno Jr Property Owner (Signature)
Desiderio M Moreno Jr. Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON February 2, 2021 (DATE)
 By Desiree Lowery
 NOTARY PUBLIC: [Signature]



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

UC-21-0318

GR FAMILY THERAPY

RE: Justification letter

I am writing this letter to apply for a Special Use Permit for office as a principal use in an M-1 zone. The property address is 4275 West Bell Drive Suite Seven (7) located in Las Vegas, Nevada, 89118. It is a small, individual Marriage and Family Therapy practice. My intent is to provide therapy within the scope of my practice.

Glenda Ramos-Rivera would be the only therapist on site. The hours of operation would be from Monday through Thursday from 9-5pm. Our appointments are at the hour and only the client is allowed in the office /building.

If you have any questions or concerns, please feel free to contact me directly via phone or email. Thank you for your time.

Sincerely,



Glenda Ramos-Rivera

4275 W. Bell Drive Suite 7*Las Vegas*Nevada*89118*P(702)982-3406*F(702)982-6294

08/17/21 PC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

COTTAGE GROVE AVE/MARYLAND PKWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-21-0313-UNIVERSITY BOARD OF REGENTS:

VACATE AND ABANDON a portion of right-of-way being Maryland Parkway located between Cottage Grove Avenue and Flamingo Road and a portion of right-of-way being Cottage Grove Avenue between Claymont Street and Maryland Parkway within Paradise (description on file). TS/sd/jd (For possible action)

RELATED INFORMATION:

APN:

162-22-510-003 through 162-22-510-009; 162-22-510-011

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

The plans depict the vacation of a 5 foot wide right-of-way being Maryland Parkway along the eastern parcel line and the vacation of approximately 774 square feet of right-of-way along Cottage Grove Avenue. With development occurring on-site, the project requires vacation of these rights-of-way.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-18-0483	Vacated right-of-way being Cottage Grove Avenue	Approved by PC	August 2018
WS-0545-16	Waived off-site improvements	Approved by PC	September 2016
VS-0079-16	Vacated right-of-way being Cottage Grove Avenue	Approved by PC	April 2016
ZC-0187-15	Reclassified 16.1 acres from R-4 to P-F zoning in the MUD-2 Overlay District; with a design review for multiple family (student housing) residential	Approved by BCC	May 2015

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2 & R-5	Retail center & apartments
South	Public Facilities	P-F	UNLV
East	Commercial General	C-P & C-1	Office building & retail center
West	Commercial General & Public Facilities	P-F	UNLV

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

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

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

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

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- The Clark County Water Reclamation District (CCWRD) has existing or proposed assets within the area proposed to be vacated per VS-21-0313; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the easements/right-of-way are reserved; it is understood that this vacation

shall not reduce our rights to operate and maintain our facilities; and that CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: WESTWOOD PROFESSIONAL SERVICES
CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVE, STE 100, LAS VEGAS, NV 89118

DRAFT

08/18/21 BCC AGENDA SHEET

OFFICE/RESTAURANTS
(TITLE 30)

GRIER DR/SUNSET RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-21-400105 (UC-19-0241)-TEN15 SUNSET GRIER, LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) office as a principal use; and 2) restaurants (food court).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow encroachment into airspace; 2) increased building height; 3) reduced parking; and 4) reduced throat depth.

DESIGN REVIEW for a proposed office building with a parking garage on 3.1 acres in an M-D (Design Manufacturing) Zone and an M-1 (Light Manufacturing) (AE-65 & AE-70) Zone.

Generally located on the south side of Sunset Road and the east side of Grier Drive within Paradise. JG/lm/jo (For possible action)

RELATED INFORMATION:

APN:

177-03-110-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Encroachment into airspace.
2. Increase the proposed building height to 100 feet where 50 feet is the maximum per Table 30.40-5 (a 100% increase).
3. Reduce the number of parking stalls to 554 parking stalls where 605 parking stalls are required per Chapter 30.60 (an 8% decrease).
4. Reduce the throat depth to 34 feet where 150 feet is the required per Uniform Standard Drawing 222.1 (a 341% decrease).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: 700 Grier Drive
- Site Acreage: 3.1
- Project Type: Office building with restaurants (food court) and a parking garage
- Number of Stories: 6 (office building)/4 (parking garage)
- Building Height (feet): 100 (office building)/40 (parking garage)

- Square Feet: 105,110 (office lease space)/200,003 (parking garage)/10,728 (food court)/28,147 (common space)
- Parking Required/Provided: 605/554

Site Plans

The approved plans depict the subject property is a 3.1 acre site located on the southeast corner of Sunset Road and Grier Drive. Access to the site is provided by 1 driveway along the north property line adjacent to Sunset Road and a second driveway along the south property line along Grier Drive. Existing 5 foot wide attached sidewalks are located along the north, west, and south property lines. A centrally located 26 foot wide drive aisle divides the site layout and features the applicant's proposed office building with a food court on the west half of the site and a proposed parking garage on the east half of the subject property.

The approved site plan also includes the following schematic design elements: a loading area adjacent to the driveway along Sunset Road, bicycle racks on the west side of the parking garage, outdoor patio space along the north and west sides of the office building, a pedestrian walkway in between the parking garage and the office building, trash enclosures on the southeast corner of the parcel, and lastly, the entry plaza and lobby are located on the south side of the office building adjacent to Grier Drive.

Landscaping

Per the approved landscape plan, the applicant is proposing a desert contemporary streetscape which entails large decorative boulders, landscape mounding, accent agaves, yuccas, and fountain shrubs. The plan also depicts decorative river rocks adjacent to large shade trees, accent grasses, and decorative landscape rocks. Existing trees located along the north, west, and south property lines will be integrated with the proposed landscaping.

Elevations

The approved overall height of the office building is 100 feet, and the attached garage has an overall height of 40 feet. The office building features architectural elements which include glazed window wall systems with clear anodized aluminum mullions. The window wall systems accentuate the height, mass, and scale of the building by creating a vertical linear patterns on the north and south facing elevations. The east and west facing elevations display a juxtaposed diamond-shaped pattern across the exterior of the building created by the proposed installation of perforated and dimpled aluminum sheet metal panels over the window wall system. The attached parking garage exterior elevation also features horizontal dimpled aluminum sheet metal to complement the office building's exterior. Existing trees and proposed landscaping helps soften the clean lines and modern architecture proposed on-site.

Floor Plan

The approved plan depicts a basement level for the parking garage and this feature will span the entire length and width of the office building and parking garage footprint. The first level of the office building includes the food court and the office lobby, and immediately to the east of the office building is the first level of the parking garage (accessed by the pedestrian walkway). Level 2 of the office building will feature lease spaces, fitness center, storage room, data room, and the second level to the parking garage is connected to the office building. Level 2.5 will

consist of the parking garage only and is not attached to the office building. Level 3 will consist of additional lease spaces, an elevated deck area on the northwest corner of the building, electrical and data rooms, and this level of the office building is attached to the third level of the parking garage. Levels 4, 5, and 6 consist of additional lease spaces and the electrical and data rooms and are not attached to the parking garage. Restrooms and the elevators are centrally located within the office building. The office lease spaces have an overall area of 105,110 square feet with a centrally located food court which feature 10,728 square feet of restaurants and dining space. The parking garage has an overall area of 200,003 square feet and provides 554 parking stalls.

Previous Conditions of Approval

Listed below are the approved conditions for UC-19-0241:

Current Planning

- Design review as a public hearing for significant changes to the plans;
- Design review as a public hearing for lighting;
- 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

- Per revised plan requiring a driveway on Sunset Road and a driveway on Grier Drive;
- Drainage study and compliance;
- Traffic study and compliance;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Nevada Department of Transportation approval.

Department of Aviation

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

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and to request a meeting with Fire Prevention and contact Neil Hutzol at neil.hutzol@clarkcountynv.gov to schedule a time.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0163-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this request.

Applicant's Justification

The correspondent indicates that the applicant has been in the process of addressing site constraints and fully intends to move forward with the project. Additionally, the applicant indicates that there have been no substantial changes in circumstances in the immediate area or the property, including laws or policies affecting the subject property.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0241	Allowed an office as a principal use and restaurants (food court), waived encroachment into airspace, increased building height, reduced parking, and reduced throat depth for an office building	Approved by BCC	June 2019
UC-0055-08	Allowed a hotel, increased building height, waiver for alternative landscaping, and a design review for the hotel - expired	Approved by PC	February 2008
ADR-0204-04	Allowed off-premises advertising sign (billboard) - expired	Approved by ZA	September 2004

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0817-02	Allowed an off-premises advertising sign (billboard) and a waiver to reduce the separation requirements for billboards on the same side of the street - expired	Approved by BCC	October 2002
ZC-223-88 (ET-0265-90)	First extension of time of a zone change which reclassified a portion of the site from R-E to M-1 and M-D zoning	Approved by BCC	October 1990
ZC-223-88	Reclassified a portion of the site from R-E to M-1 and M-D zoning for all of Hughes Airport Center Phase II and the ROI was valid until September 7, 1990	Approved by BCC	September 1988
ZC-182-82 (ET-0453-91)	First extension of time of a zone change	Withdrawn	Withdrawn
ZC-223-88 & ZC-182-82	Reclassified the site from R-E, M-1 and R-D to M-1 zoning, with waived conditions on a previously approved zone change (ZC-182-82) requiring residential lots along White Avenue to construct and maintain a commercial/industrial complex	Denied by BCC	June 1989
ZC-182-82	Second extension of time to reclassify a portion of the site from R-E to M-1 and M-D zoning to construct an industrial complex with a variance to reduce the front and side setback from 50 feet to 20 feet in the M-D zone, reclassified a portion of the site from R-E to R-D zoning to construct and maintain 10,000 square foot minimum single family residential lots	Approved by BCC	December 1989
ZC-182-82 & VC-390-82	First extension of time to reclassify a portion of the site from R-E to M-1 and M-D zoning to construct an industrial complex with a variance to reduce the front and side setback from 50 feet to 20 feet in the M-D zone, reclassified a portion of the site from R-E to R-D zoning to construct and maintain 10,000 square foot minimum single family residential lots	Approved by BCC	December 1988

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-182-82 & VC-390-82	The original Hughes Airport Center zone change to reclassify a portion of the site from R-E to M-1 and M-D zoning to construct an industrial complex with a variance to reduce the front and side setback from 50 feet to 20 feet in the M-D zone, reclassified a portion of the site from R-E to R-D zoning to construct and maintain 10,000 square foot minimum single family residential lots - ROI valid until December 7, 1989	Approved by BCC	December 1982

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facility	P-F	McCarran International Airport
South	Industrial	M-1	Office warehouse
East	Business and Design/Research Park	M-D	Office building & airport connector ramps
West	Business and Design/Research Park	M-D	Office building complex

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. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Staff finds that no technical studies or permits have been submitted for the offices. However, staff has no practical issue with the request and can support the extension of time as there have been no changes in the area.

Public Works - Development Review

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

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 June 19, 2023 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application, a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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: TEN15 SUNSET GRIER, LLC

CONTACT: DIONICIO GORDILLO, 985 WHITE DRIVE, SUITE 100, LAS VEGAS, NV 89119



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) UC-19-0241 (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>ET 21-400105</u> DATE FILED: <u>6/29/2021</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>7/27/2021</u> PC MEETING DATE: <u> </u> BCC MEETING DATE: <u>8/18/2021</u> FEE: <u>\$1425</u>
	PROPERTY OWNER NAME: <u>Ten15 Sunset Grier, LLC</u> ADDRESS: <u>985 White Drive #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-733-3622 x59</u> CELL: <u> </u> E-MAIL: <u>john@dapperdevelopment.com</u>
	APPLICANT NAME: <u>Ten15 Sunset Grier, LLC</u> ADDRESS: <u>985 White Drive #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-733-3622</u> CELL: <u> </u> E-MAIL: <u>john@dapperdevelopment.com</u> REF CONTACT ID #: <u> </u>
	CORRESPONDENT NAME: <u>DG Consultants</u> ADDRESS: <u>985 White Drive #100</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-379-6601</u> CELL: <u> </u> E-MAIL: <u>dgordillo@cox.net</u> REF CONTACT ID #: <u> </u>

ASSESSOR'S PARCEL NUMBER(S): 177-03-110-006
 PROPERTY ADDRESS and/or CROSS STREETS: 700 Grier Drive
 PROJECT DESCRIPTION: Extensio of Time on UC-19-0241

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature)* [Signature] J Dapper
 Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON June 8, 2021 (DATE)
 By J Dapper
 NOTARY PUBLIC: [Signature]

JOY M. CLOWES
 NOTARY PUBLIC
 STATE OF NEVADA
 My Commission Expires: 07-11-23
 Certificate No: 15-2184-1

*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

D G Consultants

June 12, 2021

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

RE: **JUSTIFICATION LETTER – First Extension of Time on UC-19-0241**

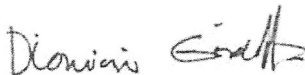
On behalf of Ten15 Sunset Grier, LLC, we are requesting a **first extension of time** on UC-19-0241 for a 6-story, 105,110 square foot office building with parking garage. **The extension of time is requested on the special use permits, waivers of development standards, and design review.** The subject site is 3.1 acres, zoned M-D and M-1, and located at the SE corner of Sunset Road and Grier Drive. By way of background, the project was originally approved with UC-19-0241 in June 2019, subject to several conditions of approval. The applicant has been in the process of addressing unique site constraints and fully intends to move forward with the project and is in the design process of technical studies.

The unique site constraints that affect the overall site consist of a very irregular shaped lot that is in close proximity to McCarran Airport. Additionally, the site is bounded by rights-of-way on all sides and currently has mature landscaping on two sides that the applicant would like to integrate, at least partially, with the proposed project. Finally, the project has not yet commenced due to the pandemic which created significant challenges with shifting employee habits such as remote working, which in turn has created some uncertainty in demand for Class A Office space.

We believe the first extension of time for the original project is appropriate for the following reasons: **1) circumstances have not substantially changed in the immediate area; 2) circumstances have not substantially changed to the subject property; 3) there have been no changes in the laws or policies affecting the subject property. Therefore, this request meets all required provisions for an extension of time as listed in Title 30.**

Thank you for the consideration.

Sincerely,



08/18/21 BCC AGENDA SHEET

LIVE ENTERTAINMENT
(TITLE 30)

PARADISE RD/HARMON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0284-HRHH PROPCO, LLC:

USE PERMITS for the following: 1) live entertainment; 2) reduce separation from outdoor live entertainment to a residential use; and 3) allow primary access to the live entertainment areas not through the interior of a resort hotel.

DESIGN REVIEWS for the following: 1) outdoor event areas; and 2) remodel of resort hotel areas (Virgin Hotel) on 28.8 acres in an H-1 (Limited Resort and Apartment) (AE-60 & AE-65) Zone.

Generally located on the northwest corner of Paradise Road and Harmon Avenue within Paradise. JG/jt/jo (For possible action)

RELATED INFORMATION:

APN:

162-21-615-003; 162-21-615-005; 162-22-201-004

USE PERMITS:

1. Live entertainment.
2. Reduce the separation from outdoor live entertainment to a residential use to 80 feet where 500 feet is the minimum per Table 30.44-1 (an 84% reduction).
3. Allow primary access to the live entertainment areas and pool areas not through the interior of a resort hotel.

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 4455 & 4475 Paradise Road
- Site Acreage: 28.8
- Project Type: Live entertainment areas & remodel of resort hotel areas
- Building Height (feet): 182
- Resort Hotel Square Feet: 610,836
- Parking Required/Provided: 1,858/3,093

Request

The Virgin Hotel is currently operating in a remodeled resort hotel, formerly the Hard Rock Hotel, with existing entitlements. This application is for outside entertainment areas and to establish the overall baseline areas and uses for the remodeled resort hotel.

Site Plan

The site plan depicts a resort hotel with the following general layout: resort hotel located near the center of the site, multiple level parking garages located on the north and southwest sides of the resort hotel, a new surface level parking area located in the northwest portion of the site, and an existing surface level parking lot located in the southeast portion of the site (the site of the former Hard Rock Restaurant near the corner of Paradise Road and Harmon Avenue was removed and replaced with a parking area). The outside pools are located near the center of the site on the northwest side of the resort hotel.

Outside live entertainment areas are shown in several locations, including in the northwest and southeast surface parking lots and within the pool areas near the center of the site. A special use permit is necessary to reduce the separation from the outside live entertainment areas on the west side of the site to the multiple family residential complex to the west. The northwestern outside live entertainment area is approximately 80 feet from the western property line, and a new DJ canopy within the westernmost outside live entertainment in the pool area will be approximately 170 feet from the western property line. Speakers for both these outside live entertainment venues will face east, away from the adjacent multiple family residential uses. A new customer queuing area will be located on the northwest side of the outside pools, which will include 2 shade structures and a ticketing booth. A special use permit is necessary to allow primary access to all the outdoor live entertainment venues as well as the pool areas not through the interior of the resort hotel.

In addition to the outdoor live entertainment venues, new queuing area, and new DJ booth, this application will establish baseline areas and uses for the resort hotel. These areas and uses include a 610,836 square foot resort hotel, 1,503 hotel rooms, kitchens in the hotel rooms, 4,041 square foot porte-cochere, 138,264 square foot convention center, 81,875 square foot concert hall, day clubs, nightclubs, outdoor event areas, inside/outside storage areas, restaurants with food and beverage areas, on-premises consumption of alcohol (service bars and taverns), packaged beer, wine, and liquor sales, retail sales, office uses, spa and salons, showrooms, outside dining and drinking, pools, outside casino areas, theater, valet parking, ride share and taxi areas, electric vehicle charging stations, and also a new parking lot/outside entertainment area in the northwest portion of the site. Approval of this application will allow accessory uses to a resort hotel.

Elevations

Heights of key existing structures includes 182 feet for the resort hotel and 42 feet for the porte-cochere. Heights of new structures include 14 feet for the 2 new shade structures in the pool queuing area, 9 feet for the ticketing booth, and 19 feet for the DJ canopy.

The design of the new structures includes fabric mesh over metal posts for the shade structures, metal posts and a metal roof for the ticketing booth, and a dramatic curved roof structure for the

DJ canopy. A new gated entry is also provided to the pool area, which includes new walls, doors, and stairs.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, these amenities and services are an asset to the community and will not create any detrimental negative impacts.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-20-0503	Comprehensive sign package (Virgin Hotel)	Approved by BCC	January 2021
ET-20-400031 (VS-18-0074)	First extension of time to vacate and abandon pedestrian access and utility easements	Approved by PC	May 2020
DR-19-0726	Exterior remodel, addition to a surface parking lot, and alternative parking lot landscaping for a resort hotel	Approved by BCC	November 2019
VS-18-0074	Vacated and abandoned easements	Approved by PC	March 2018
UC-0716-17	Proposed theater in conjunction with an existing resort hotel (Hard Rock)	Approved by BCC	October 2017
DR-0723-15	Amended comprehensive sign package	Approved by BCC	December 2015
DR-0213-15	Convention center expansion	Approved by BCC	May 2015
DR-0211-12	Increased wall sign area and revisions to a comprehensive sign package	Approved by BCC	June 2012
UC-0228-10	Dive entertainment and outdoor events - expired	Approved by PC	July 2010
DR-0467-09	Additions and modifications to a previously approved sign package including an increase to the animated sign area	Approved by BCC	September 2009
UC-0263-09	Reduced setbacks for directional signs	Approved by BCC	May 2009
UC-0054-09	Additions to an approved resort hotel including an outdoor casino area, outdoor bar, drinking and dining areas	Approved by BCC	February 2009
UC-0034-09	Comprehensive sign package	Approved by BCC	February 2009
DA-1424-07	Development agreement	Approved by BCC	January 2008
UC-0272-05 (ET-0123-07)	First extension of time to commence resort condos and GED expansion	Approved by BCC	June 2007

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0479-07	Resort hotel expansion and GED expansion	Approved by BCC	July 2007
UC-1465-06	Addition of 349 hotel rooms, meeting, retail, and restaurant space	Approved by BCC	December 2006
UC-0272-05	Resort condos and GED expansion	Approved by BCC	May 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Hotel & undeveloped
South	Commercial Tourist	H-1	Hotels & shopping center
East	Commercial Tourist	H-1 & C-2	Undeveloped, hotel, motel, adult cabaret, & shopping center
West	Commercial Tourist	H-1	Multiple family residential

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.

Use permits for live entertainment, reducing the separation from live entertainment to the multiple family residential development to the west, and to allow access not through the interior of the resort hotel are appropriate at this location and will not create any negative impacts. Speakers for the western outdoor live entertainment areas face east, away from the adjacent residential uses. Also, the property line wall, live entertainment structures such as the back of the DJ canopy, and landscaping will all help soften the auditory impacts of the live entertainment. In addition, the resort hotel is located in Community District 1, which is the most intense area of development in Clark County, and this area is zoned H-1, which is intended for resort hotel uses that cater to both tourists and residents. As a result, staff can support these requests.

Design Reviews

The outside live entertainment areas are designed to minimize impacts on adjacent parcels. For example, the speakers are all pointed away from adjacent and abutting uses, and the outside live entertainment areas will create negligible impacts to parking, queuing, and traffic. Furthermore, the baseline areas and uses established with this application are appropriate for the resort hotel,

and this baseline will be helpful to track the data for land use, building permitting, and business license applications as the resort hotel evolves over time.

Department of Aviation

A portion of the property lies within the AE-65 (65-70 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand.

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

Public Works - Development Review

- Coordinate with Public Works - Design Division for the Paradise Road improvement project;
- Dedicate any right-of-way and easements necessary for the Paradise Road improvement project.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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: HRHH PROPCO, LLC AND HRHH CAFE PROPCO, LLC
CONTACT: ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE,
SUITE 650, LAS VEGAS, NV 89135

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input checked="" type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WC-21-0284</u> DATE FILED: <u>6/21/21</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>7/27/21</u> PC MEETING DATE: <u>-</u> BCC MEETING DATE: <u>8/18/21</u> FEE: <u>1,350</u>
	PROPERTY OWNER NAME: <u>HRHH Propco, LLC & HRHH Cafe Propco, LLC</u> ADDRESS: <u>4455 Paradise Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u> TELEPHONE: <u>702-693-5000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>kfellows@hrhvegas.com</u>
	APPLICANT NAME: <u>HRHH Propco, LLC & HRHH Cafe Propco, LLC</u> ADDRESS: <u>4455 Paradise Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u> TELEPHONE: <u>702-693-5000</u> CELL: <u>000-000-0000</u> E-MAIL: <u>kfellows@hrhvegas.com</u> REF CONTACT ID #: <u>n/a</u>
CORRESPONDENT NAME: <u>Kaempfer Crowell - Ann Pierce</u> ADDRESS: <u>1980 Festival Plaza Drive, #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u> E-MAIL: <u>apierce@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>	

ASSESSOR'S PARCEL NUMBER(S): 162-21-615-003 and 005 162-22-201-004

PROPERTY ADDRESS and/or CROSS STREETS: 4455 Paradise Road

PROJECT DESCRIPTION: Design review to establish floor area for Virgin Hotel and live entertainment/outdoor events

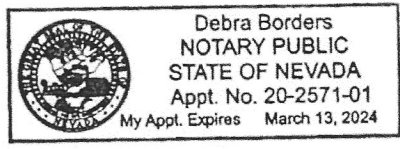
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

[Signature]
Property Owner (Signature)*
Richard Bosworth
Property Owner (Print)

STATE OF NEVADA
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON JANUARY 25, 2021 (DATE)
By RICHARD BOSWORTH

NOTARY PUBLIC: [Signature]



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

4

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH

jlazovich@kcnvlaw.com

702.792.7050

May 12, 2021

VIA ELECTRONIC UPLOAD

Jennifer Ammerman
Clark County
Department of Comprehensive Planning
500 S. Grand Central Parkway, 1st Floor
Las Vegas, Nevada 89155

**Re: *Revised Justification Letter –Virgin Hotels Las Vegas
4455 and 4475 Paradise Road
APN's 162-21-615-003 and 005 and 162-22-201-004***

Dear Jennifer:

Please be advised, this firm represents the applicant. On behalf of the Applicant, we are submitting the following land use applications to establish updated entitlements for the Virgin Hotels Las Vegas (the "Hotel") formerly known as the Hard Rock Hotel and Casino. The business operation of the Hotel will continue to operate with the uses and amenities historically provided and utilized throughout the Hotel. While there have been some minor renovations, entitlements for the Hotel are in place and in good standing. We are seeking a design review and special use permits for the following to ensure the ability to continue offering these services and products to guests.

Special Use Permits

- 1) Live Entertainment in conjunction with temporary and permanent indoor and outdoor events;
- 2) An event lawn with a stage and storage for outdoor events;
- 3) A day club with deejays and other entertainment;
- 4) Entry to the outdoor event area and day club with live entertainment area as an accessory use with a separate entrance not thru the hotel; and
- 5) Separation reduction from 172 feet where 200 feet is required from residential to the west for the live entertainment.

In addition to the above special use permits we are requesting a design review to establish a baseline for the overall entitlements for the Hotel including details for new tenants and uses. The Hotel consists of the following:

- 1) 610,836 square foot hotel and casino;
- 2) 1503 hotel rooms;
- 3) Kitchens in room;
- 4) Outside casino area;
- 5) 4,041 porte-cochere (approved with DR-19-736);
- 6) 138,264 square foot convention center;

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

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3800
Fax: 775.327.2011

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

- 7) 81,875 square foot concert hall;
- 8) Day clubs;
- 9) Nightclubs;
- 10) Outdoor event areas;
- 11) Storage areas;
- 12) Restaurants, food and beverage areas;
- 13) Alcohol uses, such as bars, package liquor, and service bars in restaurants, etc.;
- 14) Retail Sales;
- 15) Office Space;
- 16) Spa and Salons;
- 17) Showrooms;
- 18) Outside Dining and Drinking;
- 19) Pools;
- 20) Valet Parking, ride share and taxi areas;
- 21) Electric vehicle charging stations;
- 22) New Parking Lot on northwest portion of the site; and
- 23) All other accessory and incidental uses associated with a resort hotel and casino.

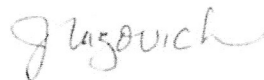
The Hotel has been remodeled and exteriors have been updated. The maximum height of the Hotel is 182 feet and the height of the porte-cochere is 42 feet. We have provided photographs of the exteriors of the buildings to illustrate the current color scheme. The Hotel is meeting parking requirements. There are 3,093 parking spaces being provided where 1,858 parking spaces are required.

An updated sign package for the Hotel was approved in January 2021 under DR-20-0503.

We greatly appreciate all of your assistance with this project. Please do not hesitate to contact us with any questions or concerns.

Sincerely,

KAEMPFER CROWELL



Jennifer Lazovich

JJL/amp

08/18/21 BCC AGENDA SHEET

SWAP MEET/FAIRGROUND/
RECREATIONAL FACILITY
(TITLE 30)

BOULDER HWY/INDIOS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0332-ERBR, LLC:

USE PERMITS for the following: 1) swap meet; 2) fairground; and 3) recreational facility with accessory food, beverage, and retail sales.

WAIVER OF DEVELOPMENT STANDARDS to eliminate landscaping.

DESIGN REVIEWS for the following: 1) swap meet; 2) fairground; and 3) recreational facility on 4.6 acres in a C-2 (General Commercial) Zone.

Generally located on the west side of Boulder Highway, 1,000 feet south of Indios Avenue within Paradise. TS/md/jo (For possible action)

RELATED INFORMATION:

APN:

161-17-702-006; 161-17-801-002

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Eliminate landscaping and screening adjacent to Boulder Highway where landscaping and screening are required per Figure 30.64-17.
- b. Eliminate parking lot landscaping where landscaping is required per Figure 30.64-14.
- c. Eliminate landscaping adjacent to a less intensive use where landscaping is required per Figure 30.64-11.

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4700 Boulder Highway
- Site Acreage: 4.6
- Project Type: Swap meet, fairground, and recreational facility
- Number of Stories: 2
- Building Height (feet): 20
- Square Feet: 6,375 (existing building)/19,380 (temporary structures)
- Parking Required/Provided:105/109

History & Request

The site consists of 2 parcels that were previously utilized as a swap meet, fairground, and recreational facility. The use permit for the swap meet expired in March 2020; therefore, the applicant is applying for a new use permit to continue the previously approved use except for live entertainment, which is no longer a part of the request. The rear (west) and south portions of the site are partially paved and secured with a chain-link fence. There are no buildings on this portion of the site. Access to this site is granted via 2 existing driveways along Boulder Highway. The request is to allow the site to be used for different events like swap meets, car shows, festivals, or sport events.

Site Plans

The plans depict parking for the site to be located along the northern portion of the parcel. Access to the parking lot will be granted from a driveway located between the existing building and the plaza area. The plans depict 82,200 square foot area allocated for temporary retail booths, located to the west of the building and plaza area. Eight, 300 square foot areas also reserved for temporary retail booths are located to the west of the plaza area. The cumulative area for all temporary retail booths consists of 19,000 square feet. The plans also depict a snack bar (100 square feet), food vending area Coco Loco (400 square feet), and a ticket booth (80 square feet). An area for a food truck, that will only be on-site during the operating hours of the swap meet, is depicted along the northwest side of the plaza. No on-premises consumption of alcohol or the sale of alcoholic beverages will occur on-site. The swap meet requires a total of 105 parking spaces and 109 parking spaces are provided for the site. The proposed hours of operation for the swap meet are 7:00 a.m. to 2:00 p.m., Friday through Sunday, weather permitting.

Landscaping

There are existing trees located around the plaza (courtyard) at the southeast portion of the site. No other landscaping exists or is proposed for the project site at this time.

Elevations

The existing building is 2 stories, approximately 20 feet in height, and constructed of block with a pitched roof. The existing building is painted white with a red trim. The temporary structures will be tents with nylon covers supported by metal posts. The ticket booth is 8 feet in height and consists of a white painted wood exterior with an asphalt shingled roof. The snack bar is 11 feet in height and consists of a green painted wood exterior with an orange painted trim and a metal roof. The food vending area (Coco Loco) is 8 feet in height and consists of metal poles with a nylon roof.

Floor Plan

The existing 6,375 square foot building will be utilized for offices, retail sales, and storage. Eighty-two spaces consisting of 200 square feet each, and 8 spaces consisting of 300 square feet each will be used for the temporary structures for the retail sales of the swap meet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the existing uses are absent in this part of the community, and that the swap meet is a safe and drug-free outdoor vending market that gives opportunities to small businesses and entrepreneurs. There are currently 25 vendors occupying 70 percent of the available spaces for rent. All vendors are required to have a business license and to comply with all Clark County and State regulations. The goal of the swap meet is to create a marketplace environment helping to bring some financial stability to families in the community by giving them the opportunity to open small businesses.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400079 (UC-0090-17)	First application for review of the following: 1) swap meet; 2) live entertainment; 3) fairground; and 4) recreational facility - expired	Approved by BCC	March 2020
UC-0090-17	Second application for a swap meet, live entertainment, fairground, and recreational facility with waivers for reduced separation for live entertainment to a residential use, reduced parking, and alternative landscaping along with a design review - expired	Approved by BCC	March 2017
UC-0759-13 (ET-0002-15)	First extension of time to commence and review the following: 1) swap meet; 2) live entertainment; 3) fairground; and 4) recreational facility - expired	Approved by BCC	March 2015
UC-0759-13 (WC-0011-14)	Waived conditions for a drainage study, traffic study, replaced existing driveways, and NDOT approval, adding a condition that off-sites and technical studies may be required with future development - expired	Approved by BCC	January 2014
UC-0759-13	Original application for a swap meet, live entertainment, fairground, and recreational facility with waivers for reduced separation for live entertainment to a residential use, reduced parking, and alternative landscaping along with a design review - expired	Approved by BCC	January 2014
ZC-1087-02	Reclassified the site to C-2 zoning for vehicle sales	Approved by BCC	September 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	H-2 & C-2	Skating rink & tavern
South	Commercial General	C-2	Recreational vehicle sales
East	Commercial General	RVP	Recreational vehicle park
West	Commercial General	R-3	Multiple family residential

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 site is centrally located between the Boulder Station, Sam's Town, and Eastside Cannery Resort Hotels. Along the east side of Boulder Highway is an RV Park and motels. Urban Specific Policy 7 of the Comprehensive Master Plan encourages site designs to be compatible with adjacent land uses. The existing resort hotels and RV Park are tourist uses; therefore, staff finds the proposed facility is compatible with these uses. There is an existing multiple family development to the rear of the site, and the impacts to this development can be mitigated by restricting hours of the facility. Staff recommends a condition for 1 year to commence and review the proposed use permits to ensure that the use remains in compliance with all applicable Codes and licenses.

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 #1a & #1c

Staff cannot support the request to waive the landscaping requirement along Boulder Highway. This site and the adjacent developments were constructed under a prior Development Code. The standards for landscaping in effect when these parcels were developed were less intense. Portions of Boulder Highway have undergone projects to intensify landscaping and improve the appearance of the community. Since Boulder Highway is an entryway into the Las Vegas Valley, an arterial street, and efforts have been made to improve the appearance of developments along this right-of-way, staff cannot support the request to waive the landscaping requirement. If the request is approved, staff recommends a 3 year review period as a public hearing to address landscaping along Boulder Highway.

Staff cannot support the request to waive the landscaping requirement adjacent to a less intensive use. The intent of providing landscape screening and buffering between commercial and residential uses is to mitigate any adverse or negative impacts the commercial use may have on the residents of the community.

Waiver of Development Standards #1b

The request to waive parking lot landscaping will give the site more flexibility for future events associated with the proposed swap meet. A significant portion of the required parking spaces for the proposed use are generated by the 19,000 square feet that will be occupied by the temporary structures. If the site develops with permanent structures in the future, staff believes interior parking lot landscaping should be required. Due to the temporary nature of the structures, staff can support the parking lot landscaping waiver with a 3 year review period as a public hearing to address any future development proposed for the site.

Design Reviews

The swap meet, fairground, and recreational facility consists of multiple temporary structures that will allow the site to be utilized for multiple functions which require open space to allow flexibility. Staff can support these requests with a time limit for review to determine if there are any negative impacts on the community and determine any measures that can be implemented to mitigate these impacts. Staff also recommends a uniformed theme for the temporary structures located on the site, which should include durable, fabric membrane canopies and aluminum metal poles supporting the structures. The canopies should be uniform in appearance and have a consistent and neutral color. Staff recommends an additional condition requiring all temporary structures to have a fabric membrane canopy.

Staff Recommendation

Approval of use permits, waiver of development standards #1b, and the design reviews; denial of waiver of developments standards #1a and #1c.

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:

- 1 year to commence and review as a public hearing;
- 3 years to review waiver of development standards #1a, #1b, and #1c as a public hearing;
- No sale of live animals;
- Uniformed theme for the temporary structures to include aluminum metal support poles, durable, fabric membrane canopies with a consistent and neutral color.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; 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.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DAVID ANDERSON

CONTACT: DAVID ANDERSON, BOULDER SWAP MEET, 4700 BOULDER HIGHWAY,
LAS VEGAS, NV 89121

DRAFT



LAND USE APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

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

STAFF	DATE FILED: <u>6/29/21</u> PLANNER ASSIGNED: <u>MNO</u> ACCEPTED BY: <u>MNO</u> FEE: <u>\$1,825.00</u> CHECK #: <u>PAEO VEA ENTERPRISE</u> COMMISSIONER: <u>TS</u> OVERLAY(S)? <u>NONE</u> PUBLIC HEARING? <input checked="" type="checkbox"/> <u>YES</u> TRAILS? <input checked="" type="checkbox"/> <u>Y</u> PFNA? <input checked="" type="checkbox"/> <u>Y</u> APPROVAL/DENIAL BY: <u>-</u>	APP. NUMBER: <u>UC-21-0732</u> TAB/CAC: <u>PARADISE</u> TAB/CAC MTG DATE: <u>7/27</u> TIME: <u>7:00</u> PC MEETING DATE: <u>-</u> BCC MEETING DATE: <u>8/19/21 @ 9:00</u> ZONE / AE / RNP: <u>C-2 / NONE / NONE</u> PLANNED LAND USE: <u>WPCG</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <input checked="" type="checkbox"/> <u>Y</u> LETTER DUE DATE: <u>-</u> COMMENCE/COMPLETE: <u>-</u>
PROPERTY OWNER	NAME: <u>ERISK LLC</u> ADDRESS: <u>8985 Durango #2106</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>915-525-0825</u> CELL: <u>-</u> E-MAIL: <u>BHRM RAZY@yahoo.com</u>	
APPLICANT	NAME: <u>David Anderson</u> ADDRESS: <u>4700 Boulder Hwy</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>-</u> CELL: <u>702-557-4888</u> E-MAIL: <u>BoulderSwapmeet@gmail.com</u> REF CONTACT ID #: <u>-</u>	
CORRESPONDENT	NAME: <u>David Anderson</u> ADDRESS: <u>P.O. Box 620426</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89162</u> TELEPHONE: <u>-</u> CELL: <u>702-557-4888</u> E-MAIL: <u>BoulderSwapmeet@gmail.com</u> REF CONTACT ID #: <u>-</u>	

ASSESSOR'S PARCEL NUMBER(S): 161-17-801-002 161-17-702-006

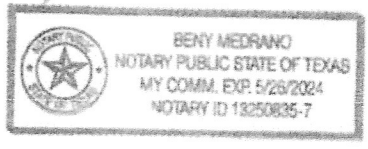
PROPERTY ADDRESS and/or CROSS STREETS: 4700 Boulder Hwy

PROJECT DESCRIPTION: Outdoor Swapmeet

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature): Bahram Razy Property Owner (Print): BAHRAM RAZY

STATE OF Texas
 COUNTY OF El Paso
 SUBSCRIBED AND SHOWN BEFORE ME ON May 21 2021 (DATE)
 By: Beny Medrano
 NOTARY PUBLIC: Beny Medrano



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

Boulder Highway Swapmeet
4700 Boulder Highway
Las Vegas, Nevada 89121
Phone: (702) 898-3002

UC - 21-0332

June 11, 2021

PLANNER
COPY

Clark County Comprehensive Planning
500 Grand Central Parkway
Las Vegas, NV 89155-1744

To the Clark County Comprehensive Planning Dept.,

Because of our company's success and experience in the outdoor vending market, we propose a special use permit and request for a food booth to continue to allow us to bring our business service to the Paradise region of Las Vegas. No alcoholic beverages will be sold on the subject property. The business service we are offering is absent in this part of our community, and therefore perceive a need for a safe and drug-free outdoor vending market that gives opportunities to small businesses and entrepreneurs.

We would like to include the following requests, as specified within the original Use Permit, UC-0090-17, for the subject parcels:

- a. Use Permits:
 - i. Swap meet
 - ii. Fairground
 - iii. Recreational facility with accessory food, beverage, and retail sales
 - iv. Food booth (per comment one (1) above)
- b. Waivers of Development Standards:
 - i. Waive landscaping and screening adjacent to Boulder Highway
 - ii. Waive parking lot landscaping
 - iii. Waive landscaping adjacent to a less intensive use
- c. Design Reviews:
 - i. Swap meet
 - ii. Fairground
 - iii. Recreational facility
 - iv. Food booth

For the past five years of doing business at this location, Boulder Swapmeet has complied with all Clark County rules and regulations. The property has been landscaped and all signage corrected as requested. Eighty percent of all structures are uniformed, and we are working toward our goal of 100 % this year.

We have five (5) acres of property with 100 vendor spaces available. Our hours of operation are Friday, Saturday, and Sunday from 7:00 a.m. – 2:00 p.m. Hours may vary due to weather conditions and seasons. We currently have 25 vendors occupying 70% of the spaces. All vendors are required to have a business license and to comply with all Clark County and State regulations.

Approval for this special land use permit allows us to reach our goal by creating a marketplace environment, hoping to bring economic stability to families in the community by allowing them to open a small business and at the same time, helping families save money by supporting those businesses.

Also, approval for continued use of the special land permit allows economic stimulation and encourages community involvement. Please consider our request for this land use permit and we look forward to continuing to serve our community.

Sincerely,

David Anderson
Management

**PLANNER
COPY**

MASSAGE
(TITLE 30)

SPRING MOUNTAIN RD/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-21-400099 (UC-0729-06)-R & G HOLDINGS, LLC:

WAIVER OF CONDITIONS of a use permit requiring massage business hours limited to 8:00 a.m. to 9:00 p.m. on 0.6 acres in a C-2 (General Commercial) Zone in the Asian Design Overlay District.

Generally located 275 feet north of Spring Mountain Road, 215 feet east of Arville Street within Paradise. JJ/bb/jo (For possible action)

RELATED INFORMATION:

APN:

162-18-510-002

WAIVER OF CONDITIONS:

The applicant is requesting to extend hours of operation from 8:00 a.m. to 9:00 p.m. to 8:00 a.m. to 2:00 a.m. (an increase of 5 hours).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4350 Spring Mountain Road
- Site Acreage: 0.6
- Project Type: Massage establishment
- Square Feet: 2,193 (lease space)

Site Plan & History

The original plans depict a 2,193 square foot massage therapy establishment located within a lease space in the northwest corner of an existing shopping center (Arville Square). In-line retail buildings are located along the east and north sides of the shopping center, and a larger 22,150 square foot retail building is located on the west side of the shopping center. Several smaller buildings are located on pad sites with cross access. Vehicular access to the shopping center is provided by driveways on both Spring Mountain Road and Arville Street.

The original use permit for the massage establishment was in accordance with the regulations contained within Title 30 which allowed massage establishments to operate 24 hours. In June 2008, Title 30 was amended to add hours of operation for massage establishments of 8:00 a.m. to 9:00 p.m. During the extension of time of the massage establishment in October 2010, the Las Vegas Metropolitan Police Department (LVMPD) confirmed criminal activity at the location and as a result, the Planning Commission (PC) imposed restricted hours of 8:00 a.m. to 9:00 p.m. consistent with Title 30. Following the second extension of time, a waiver of conditions to allow the business to operate from 11:00 a.m. to 12:00 a.m. was denied at the April 19, 2011 (PC) meeting. The applicant applied for a third extension of time with a request to change the previously imposed hours of operation from 8:00 a.m. to 9:00 p.m. to a later opening and closing time of 10:00 a.m. to 11:00 p.m. which was ultimately approved by the (PC) on August 16, 2011. A fourth extension of time was denied by the (PC) but approved on appeal by the Board of County Commissioners (BCC) in September 2012 with no change to the hours of operation. In January 2014, the (BCC) approved a sixth extension of time and a companion item UC-0729-06 (WC-0120-13) to allow hours of operation from 10:00 a.m. to 1:30 a.m. In February 2015, the (BCC) approved the seventh extension of time for the massage establishment and a companion item UC-0729-06 (WC-0156-14) to allow hours of operation from 10:00 a.m. to 3:00 a.m. The ninth application for review was approved by the (BCC) in March 2019 with a review date of September 6, 2019 and a condition to limit the hours of operation from 8:00 a.m. to 9:00 p.m. due to 2 employees being arrested for soliciting prostitution. The tenth application for review was submitted to staff in August, 2019 and ultimately withdrawn by the applicant as the license for this business was revoked. Since the withdrawal of the previous application, the business has come under new ownership and the new business owner sought to keep the use permit active with the eleventh extension of time, which was approved in April, 2020 with 8:00 a.m. to 9:00 p.m. hours of operation. The owner is now requesting to extend the hours of operation to 2:00 a.m.

Floor Plans

The lobby area is located next to the main entrance to the suite, with an office area adjacent to the lobby. A circular hallway provides access to 7 separate massage rooms, breakroom, kitchen, shower room, and restroom.

Previous Conditions of Approval

Listed below are the approved conditions for AR-20-400019 (UC-0729-06):

Current Planning

- Hours limited to 8:00 a.m. to 9:00 p.m.
- 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.

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.

Listed below are the approved conditions for UC-0729-06:

Current Planning

- 2 years for review;
- 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.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting the extended hours of operation to effectively compete with other massage uses in the area. The applicant is attempting to increase the number of customers through extended hours of operation. The applicant is requesting a 2:00 a.m. closing time rather than the original approved 24 hour use, as a way to show good faith with County concerns and Codes.

Prior Land Use Requests

Application Number	Request	Action	Date
AR-20-400019 (UC-0729-06)	Eleventh application for review of a massage establishment	Approved by BCC	April 2020
AR-19-400111 (UC-0729-06)	Tenth application for review of a massage establishment	Withdrawn	October 2019
AR-19-400004 (UC-0729-06)	Ninth application for review of a massage establishment - hours limited from 8:00 a.m. to 9:00 p.m.	Approved by BCC	March 2019
UC-0729-06 (AR-0004-17)	Eighth application for review of a massage establishment	Approved by BCC	March 2017
UC-0729-06 (ET-0155-14)	Seventh extension of time to review a massage establishment	Approved by BCC	February 2015
UC-0729-06 (WC-0156-14)	Waived conditions of a use permit requiring hours of operation be limited from 10:00 a.m. to 1:30 a.m. - hours limited from 10:00 a.m. to 3:00 a.m.	Approved by BCC	February 2015
UC-0729-06 (WC-0120-13)	Waived conditions for a use permit requiring hours of operation be limited from 10:00 a.m. to 11:00 p.m. - hours limited from 10:00 a.m. to 1:30 a.m.	Approved by BCC	January 2014
UC-0729-06 (ET-0119-13)	Sixth extension of time to review a massage establishment	Approved by BCC	January 2014
UC-0729-06 (ET-0002-13)	Fifth extension of time to review a massage establishment	Approved by BCC	March 2013
UC-0729-06 (ET-0083-12)	Fourth extension of time to review a massage establishment	Approved on appeal by BCC	September 2012

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0729-06 (ET-0057-11)	Third extension of time to review a massage establishment - hours limited to 10:00 a.m. to 11:00 p.m.	Approved by PC	August 2011
UC-0729-06 (WC-0008-11)	Waived conditions for a use permit requiring hours of operation be limited to 8:00 a.m. to 9:00 a.m. for the massage establishment	Denied by PC	April 2011
UC-0729-06 (ET-0096-10)	Second extension of time to review a massage establishment - hours limited to 8:00 a.m. to 9:00 p.m.	Approved by PC	October 2010
UC-0729-06 (ET-0159-08)	First extension of time to review a massage establishment	Approved by PC	July 2008
UC-0729-06	Original application for a massage establishment in conjunction with an existing shopping center	Approved by PC	July 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Mini-warehouse
East	Commercial General	M-1	Office & warehouse
South & West	Commercial General	C-2	Retail

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

While staff is not holding this applicant to the 1,000 foot separation requirement, due to the lengthy history of this property, there are up to 3 additional massage establishments within 700 feet of this site. A concentration of such uses during nighttime hours may not be beneficial to the surrounding area or promote harmonious development of a wide variety of uses compatible with the neighborhood. Staff recommends continued hours of operation beginning at 8:00 a.m. and ending no later than 9:00 p.m. which is compatible with Title 30 and per Code which cannot be waived.

Staff Recommendation

Denial.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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:

- Hours of operation shall be according to Code requirements.

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 if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: REGAL SPA, LLC

CONTACT: KIRK KENNEDY, 815 S. CASINO CENTER BOULEVARD, LAS VEGAS, NV
89101

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) <u>UC-0729-06</u> (ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #)</p> <p><input checked="" type="checkbox"/> APPLICATION REVIEW (AR) <u>UC-0729-06</u> (ORIGINAL APPLICATION #)</p>	STAFF	<p>APP. NUMBER: <u>WC-21-400099</u> DATE FILED: <u>6-16-2021</u></p> <p>PLANNER ASSIGNED: <u>BBB</u></p> <p>TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>7-27-21</u> 7pm.</p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>8-18-21</u></p> <p>FEE: <u>\$475</u></p>
	PROPERTY OWNER	<p>NAME: <u>R & G Holdings</u></p> <p>ADDRESS: <u>3585 E. Flamingo Road, Ste. 201</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u></p> <p>TELEPHONE: <u>702-303-6365</u> CELL: _____</p> <p>E-MAIL: _____</p>
	APPLICANT	<p>NAME: <u>Regal Spa LLC dba Regal Health Spa</u></p> <p>ADDRESS: <u>4300 W. Spring Mountain Road, Ste. 117</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89146</u></p> <p>TELEPHONE: <u>702-350-9914</u> CELL: _____</p> <p>E-MAIL: _____ REF CONTACT ID #: _____</p>
	CORRESPONDENT	<p>NAME: <u>Kirk T. Kennedy, Attorney at Law</u></p> <p>ADDRESS: <u>815 S. Casino Center Blvd.</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u></p> <p>TELEPHONE: <u>702-385-5534</u> CELL: _____</p> <p>E-MAIL: <u>ktkennedylaw@gmail.com</u> REF CONTACT ID #: <u>165299</u></p>

ASSESSOR'S PARCEL NUMBER(S): 162-18-510-002

PROPERTY ADDRESS and/or CROSS STREETS: 4300 W. Spring Mountain Road, Ste. 117, Las Vegas

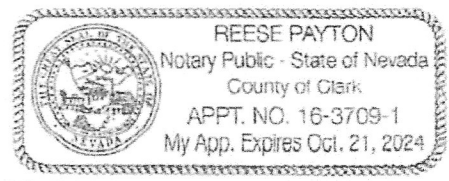
PROJECT DESCRIPTION: massage establishment

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

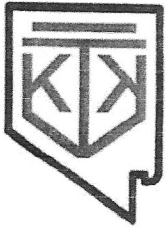
[Signature] Robert B Hedden
Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 07/28/2021 (DATE)
By Robert Brown Hedden
NOTARY PUBLIC: _____



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.



KIRK T. KENNEDY
ATTORNEY AT LAW
Licensed in Nevada since 1993

815 S. Casino Center Blvd.,
Las Vegas, NV 89101

Phone: (702) 385-5534
Facsimile: (702) 385-1869
Email: ktkennedylaw@gmail.com

WC - 21 - 400099
PLANNER
COPY

June 15, 2021

Clark County
Department of Comprehensive Planning
500 S. Grand Central Pkwy.
Las Vegas, NV 89155

Re: Justification Letter for UC-0729-06- Regal Spa LLC dba Regal Health Spa
Property Owner: R & G Holdings, LLC
Property Address: 4300 W. Spring Mountain Road, #117, Las Vegas 89146

Dear Sirs:

The Applicant files this request for waiver of conditions and for an application review related to its licensed massage establishment known as Regal Health Spa. Originally, this location was approved for a massage establishment in July, 2006. From July, 2006, to the present, this location has existed as a licensed massage establishment. The original use permit allowed this business to operate with 24 hour operation times and there was no 1000 feet separation concern under Title 30. From 2006 to the present, the Planning Department has never revoked or cancelled the use permit regarding the hours of operation or made any issue that the separation between this business use and other massage businesses in this commercial location was less than 1000 feet.

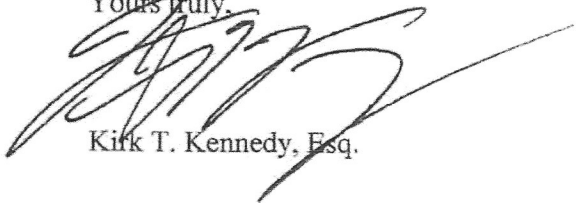
By way of history, the previous applicant and business was called Macau Health Spa Massage, which was owned by Brisk Ocean Properties from 2010 to September, 2019. In September, 2019, the business closed following a Business License hearing which revoked the business license for that entity. However, the original use permit conditions of 24 hour operation and no 1000 feet separation requirement remain in existence since the original application approval in July, 2006.

In 2020, the Paradise Town Board approved the Applicant's special use permit but with hours of operation limited from 9 a.m. to 9 p.m., despite the Zoning approved 24 hours of operation for this location. The Applicant is requesting to extend the hours of operation from a closing time of 9 p.m. to a new, proposed closing time of 2 a.m.

The Applicant is requesting the extended hours of operation in order to effectively compete with other, licensed establishments in the area and to increase its overall customer base. The Applicant is requesting a 2 a.m. closing time, rather than a full 24 hour operation request, in order to allow time for the Applicant to show its good faith compliance with County Code requirements and Nevada law over the next operating year.

If you have any questions or concerns, please contact my office for assistance. Thank you.

Yours truly,

A large, stylized handwritten signature in black ink, appearing to read 'Kirk T. Kennedy'.

Kirk T. Kennedy, Esq.

PLANNER
COPY

SIGNAGE
(TITLE 30)

LAS VEGAS BLVD S/TROPICANA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0312-GC VEGAS RETAIL, LLC & NAKASH S&W, LLC:

WAIVER OF DEVELOPMENT STANDARDS for increased wall sign area.

DESIGN REVIEW for modifications to an approved comprehensive sign package on a 0.7 acre portion of a 6.0 acre site in an H-1 (Limited Resort and Apartment) and an H-1 (Limited Resort and Apartment) (AE-60) Zone.

Generally located on the east side of Las Vegas Boulevard South, 950 feet north of Tropicana Avenue within Paradise. JG/lm/jo (For possible action)

RELATED INFORMATION:

APN:

162-21-301-014 ptn

WAIVER OF DEVELOPMENT STANDARDS:

Increase wall sign area to 42,534 square feet where 41,399 square feet was previously approved and a maximum of 4,320 square feet is permitted per Table 30.72-1.

DESIGN REVIEW:

1. a. Modifications to an approved comprehensive sign package for an existing shopping center.
- b. Increase the number of wall signs to 91 where 87 signs were previously approved per Table 30.72-1.
- c. Allow 18,179 square feet of video units where 15,216 square feet of video units were previously approved.

LAND USE PLAN:

WINCHESTER/ PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: 3791 Las Vegas Boulevard South
- Site Acreage: 0.7 (portion)
- Project Type: Proposed signs for Olive Garden Restaurant
- Sign area (square feet): 2,963 (wall signs)/2,963 (video units)

Site Plans

The plans show an existing shopping center (Showcase Mall) located along the east side of Las Vegas Boulevard South, approximately 950 feet north of Tropicana Avenue. The request is to modify the approved comprehensive sign package for the Showcase Mall and add new signs for the new restaurant (Olive Garden Restaurant). The proposed signs face west toward Las Vegas Boulevard South and north toward the driveway.

Signage

The following signs are proposed for the new restaurant:

- The existing glass walls and building façade on a portion of building exterior will now include LED panels which will display 2,963 square feet of video units.
- Sign A - on the west face is an “L” shaped approximate 9 feet by 45 feet and 9 feet by 55 feet wall sign located above the third story windows on the building façade and running down the right suite face of the building, with an overall area of 928 square feet.
- Sign B - on the west face is an approximate 16 feet by 43 feet wall sign located at the third story windows (interior) and have an overall area of 710 square feet.
- Sign C - on the north face is an approximate 9 feet by 54 feet wall sign located above the third story windows on the building façade and has an overall area of 447 square feet.
- Sign D - on the north face is an approximate 16 feet by 54 feet wall sign located at the third story windows (interior) and have an overall area of 878 square feet.

The following table is a summary for signage:

Type of sign	Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	# of existing signs	# of proposed signs	Total # of signs
Freestanding	426	0	426	3,890	5	0	5
Wall*	42,534 (per WS-21-0231)	2,963	45,497	4,320	87	4	91
Directional	35	0	35	32 (per tenant)	6	0	6
Projecting	1,203.5 (per WS-21-0231)	0	1,203.5	32 (per tenant)	7	0	7
Hanging	34	0	34	32 (per tenant)	5	0	5
Overall Total	44,232.5	2,963	47,195.5	n/a	110	4	114

*The wall signs also contain animation.

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)	# of existing signs	# of proposed signs	Total # of signs
Animated	6,253	0	6,253	n/a	17	0	17
Video Units	15,216	2,963	18,179	n/a	21	4	25
Overall Total	21,469	2,963	24,432	150	38	4	42

Applicant's Justification

The applicant indicates that the proposed signage is consistent with the design and intent of the area by providing attractive and effective technology utilized currently in the corridor while enhancing the current building features. The proposed signs are consistent within the resort corridor and while tasteful provide a pleasing aesthetic balance to the corridor .

Prior Land Use Requests

Application Number	Request	Action	Date
WS-21-0231	Modification to an approved comprehensive sign plan - Raising Canes Restaurant	Approved by BCC	July 2021
WS-21-0117	Modification to an approved comprehensive sign plan - T-Mobile projecting sign	Approved by BCC	June 2021
WS-21-0019	Modification to an approved comprehensive sign package to increase wall sign area	Approved by BCC	March 2021
WS-18-0245	Amended sign plan for the Showcase Mall	Approved by BCC	May 2018
WS-18-0165	Reduced parking and design review for modifications to a parking lot in conjunction with an approved expansion of the Showcase Mall	Approved by BCC	April 2018
WS-18-0084	Amended sign plan for the Showcase Mall	Approved by BCC	March 2018
DR-0819-17	Remodeled and modified entrance of a retail space for the Designer Shoe Warehouse in the Showcase Mall	Approved by BCC	November 2017
UC-0657-17	Expansion of the Showcase Mall	Approved by BCC	September 2017
WS-0456-17	Amended sign plan for the Showcase Mall	Approved by BCC	July 2017
WS-0153-17	Waivers and a design review for a portion of the Showcase Mall for a building addition and modified the existing plaza, sidewalks, and landscape areas along Las Vegas Boulevard South	Approved by BCC	April 2017
WS-0579-16	Amended sign plan for the Showcase Mall with facade change to a portion of the site	Approved by BCC	October 2016

There have been several other land use applications for this site. The applications listed above are the most recent.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Portions of the Showcase Mall
South & East	Commercial Tourist	H-1	MGM Grand Resort Hotel
West	Commercial Tourist	H-1	New York New York & Park Resort Hotels

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waiver of Development Standards

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

Code allows alternative sign standards to be approved within the Resort Corridor if the signs result in the development having a visual character which is compatible with adjacent development. The proposed signs are compatible with other signs in the area and are in harmony with the unique nature of signage along Las Vegas Boulevard South and within the Resort Corridor; therefore, staff can support this request.

Design Review

Staff finds that the proposed signs are compatible with the existing developments along Las Vegas Boulevard South and comply with Urban Specific Policy 20 of the Comprehensive Master Plan which states that all signage should be compatible with building styles on-site and also with surrounding developments. Las Vegas Boulevard South is also designated and recognized as a National Scenic Byway; therefore, the signs further promote this designation and are appropriate and compatible with the surrounding uses and area. 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 the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: SHAWN SMITH

CONTACT: SHAWN SMITH, SITE ENHANCEMENT SERVICES, 6001 NIMTZ
PARKWAY, SOUTH BEND, IN 46628

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-21-0312</u> DATE FILED: <u>6/28/2021</u> PLANNER ASSIGNED: <u>LUN</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>7/27/2021</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>8/18/2021</u> FEE: <u>\$</u>
	PROPERTY OWNER NAME: <u>G C VEGAS RETAIL L L C</u> ADDRESS: <u>19 WEST 34TH STREET 11TH FLOOR</u> CITY: <u>New York</u> STATE: <u>NY</u> ZIP: <u>10001</u> TELEPHONE: <u>212-760-3565</u> CELL: _____ E-MAIL: <u>jake@gindicapital.com</u>
	APPLICANT NAME: <u>Shawn Smith/Olive Garden</u> ADDRESS: <u>6001 Nimtz Parkway</u> CITY: <u>South Bend</u> STATE: <u>IN</u> ZIP: <u>46628</u> TELEPHONE: <u>574-532-3968</u> CELL: <u>574-532-3968</u> E-MAIL: <u>sts@sesbranding.com</u> REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>Shawn Smith</u> ADDRESS: <u>6001 Nimtz Parkway</u> CITY: <u>South Bend</u> STATE: <u>IN</u> ZIP: <u>46628</u> TELEPHONE: <u>574-532-3968</u> CELL: <u>574-532-3968</u> E-MAIL: <u>sts@sesbranding.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 162-21-301-014, 162-21-401-005, 007, 023, 028 & 029

PROPERTY ADDRESS and/or CROSS STREETS: 3767 S Las Vegas Blvd

PROJECT DESCRIPTION: Olive Garden at Showcase Mall 1) Waiver of Development Standards: increase sign area (animated)
2) Design Review for modification to an approved comprehensive sign package for an existing shopping center in an H-1 zone

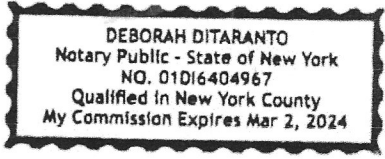
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code, that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

[Signature] Jack Brake
Property Owner (Signature)* Property Owner (Print)

STATE OF New York
COUNTY OF New York

SUBSCRIBED AND SWORN BEFORE ME ON April 9, 2021 (DATE)

By Deborah DiTaranto
NOTARY PUBLIC: Deborah DiTaranto



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

Clark County
Department of Comprehensive Planning
500 S Grand Central Parkway
Las Vegas, NV 89155

WS-21-0312

April 20, 2021

APN: 162-21-301-104, 162-21-401-005, 007, 023, 028 & 029
RE: Olive Garden – Showcase Mall – Design Review and Waiver

Lorna Phegley

Justification Statement

The new Olive Garden located at 3767 S Las Vegas Boulevard within Showcase Mall is respectfully requesting to Waiver of Development Standards to increase sign area (animated), and Design Review for modification to an approved comprehensive sign package for an existing shopping center in an H-1 zone.

- 1) Modify an approved comprehensive sign package to increase sign area and number of signs to the existing comprehensive sign package per (WS-21-0231) to allow an increase of the video unit (aminated) signage area and number on the exterior of the building to allow an additional 1,374 SF of area adding an additional number of 2 to the exterior, and to allow an increase of the video unit (aminated) signage area and number on the interior of the building adding an additional 1,588 SF of sign area adding an additional number of 2 to the interior. Totaling and overall proposed modification of 2,963 SF of video unit (animated) interior/exterior signage area and an increase of total number of signs by and additional number of 4, to install On-Premises Animated Signs in the H-1 zoning district where 150 SF is allowed.
 - a. Request exterior wall sign portion totaling a sign area increase of 1,375 SF and sign number increase of 2 where 15,216 SF currently exists with and existing number of 21. **The increase would allow for a total SF of 16,591 and total number of 23.** (green section on the attached exhibit and sign table)
 - b. Request interior sign area of 1,588 SF and sign number of 2, where currently there are none noted in the existing comprehensive sign package. **The increase would allow for a total SF of 18,179 and total number of 25.** (yellow section on the attached exhibit and sign table)
 - c. The total request is an increase of SF area for animated and video units within the existing comprehensive signage packet of 2,963 and an increase of 4 signs **resulting in an overall SF modification to the comprehensive sign packet totaling 24,432 SF and an overall total sign number modification to the comprehensive sign packet totaling 42.** (please see sign table in attached exhibit)
 - I. The reason for the Waiver of the Development Standards is requested due to the location of the property on Las Vegas Boulevard and the size of the space occupied for the restaurant. The site currently has this type of device requested over the allowed 150 SF per the H-1 zoning classification.

- II. The location is also connected to the Showcase Mall which is a destination for the area and has access from Las Vegas Boulevard.
 - III. The proposal is requested due to the amount of elevation area along with the fact that the occupant is located on the upper floor areas which 150 SF would cause more visual clutter than the proposed application.
 - IV. The proposal is consistent with the design and intent of the area by providing attractive and effective technology utilized currently in the corridor.
 - V. The proposed video/animated signage is constant the design and scope to that of other signs in the shopping center and along the Las Vegas Boulevard Scenic Byway.
 - VI. To adequately advertise a business in the resort corridor, signage must be of a size and scope than can be visible to the public and attractions nearby, which these signs do while maintain a tasteful and pleasing aesthetic balance to the corridor.
- 2) A Design Review for modification to an approved comprehensive sign package for an existing shopping center in an H-1 zone district
1. The proposed request is compatible with the adjacent properties and surrounding area as the usage is currently being utilized.
 2. The proposal is compatible to the Chapter 30.16 Land Use Code and Title 30.72 (Signs) as the requested use is allowed.
 3. The materials and landscaping are compatible to the surrounding neighborhood and adjacent properties with following code requirements
 4. The proposal will have no adverse effect on the health or safety of the public and the proposal will not affect motoring traffic due to setback form ROW.
 5. The site is existing and no additional circulation patterns are requested to the current condition.
 6. The location and proposal are well below the flight patterns of commercial aircraft and light will not project up into the sky.
 7. The proposal is compatible to the building architecture and utilizes the existing glass currently in place along with minimal penetrations to the building façade for the external usage.

The site is being developed utilizing commercial shopping and restaurant opportunities in this area. The reason for the increased signage area is to enhance the current building features and usage of the glass areas that historically would be opaque or solid wall features. The proposal being the glass will allow guests to see out while the message is being displayed and providing privacy for guests while enjoying a meal. The proposal was discussed and reviewed at great lengths to ensure this application would last through the years and reflects the surrounding area by utilizing current technology within the corridor. By doing this, the proposal is in harmony with the design intent of the area. The proposed video

Sincerely,

Shawn Smith
sts@sesbranding.com
800-599-7696

7