

04/05/23 BCC AGENDA SHEET

OUTDOOR TICKET SALES BOOTH  
(TITLE 30)

LAS VEGAS BLVD S/SANDS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0058-CASINO ROYALE:**

**USE PERMIT** for deviations as shown per plans on file.

**DEVIATIONS** for the following: **1)** allow retail uses not within a permanent enclosed building; **2)** allow an accessory use not accessed through the interior of a resort hotel; **3)** reduced parking; and **4)** all other deviations as depicted per plans on file.

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the setback from a future right-of-way (Las Vegas Boulevard South).

**DESIGN REVIEWS** for the following: **1)** an outdoor sales structure/booth; **2)** shade canopies; and **3)** signage in conjunction with an existing resort hotel (Casino Royale) on 3.3 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Las Vegas Boulevard South, 1,800 feet south of Sands Avenue within Paradise. TS/rk/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-16-301-013

**DEVIATIONS:**

1. Allow retail uses not within a permanent enclosed building when required to be within a permanent enclosed building per Section 30.44.005.
2. Allow an accessory use not accessed from the interior of a resort hotel where required per Table 30.44-1.
3. Reduce parking to 426 spaces where a minimum of 432 spaces are required per Table 30.60-1 (a 1.4% reduction).
4. Allow all other deviations as shown per plans on file.

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the setback from a future right-of-way (Las Vegas Boulevard South) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 3411 Las Vegas Boulevard South
- Site Acreage: 3.3
- Project Type: Outdoor sales structure/booth
- Number of Stories: 1
- Building Height (feet): 11 (outdoor sales structure/booth)/16.5 (shade canopies)
- Square Feet: 170 (outdoor sales structure/booth)/466 (shade canopies)
- Parking Required/Provided: 432/426 (overall resort hotel)

#### History & Site Plans

The property was previously approved for an outdoor ticket sales booth on December 12, 2013 (UC-0683-13), and again on November 16, 2018 per application UC-18-0740. In March of 2020, the applicant ceased operations and did not resume business until July of 2021. As a result, the special use permit is no longer valid, and now the applicant is submitting this request for re-approval.

The plans show an existing outdoor sales structure/booth located on the southwest corner of the parcel near the south entrance to the resort hotel (Casino Royale). The outdoor sales structure/booth is located 31 feet from the back of curb of Las Vegas Boulevard South and 21 feet from the front (west) property line, but within the future right-of-way. The queuing area is located to the south and east of the outdoor sales structure/booth and is covered by 3 existing shade canopies. The canopies are a minimum of 25 feet from back of curb of Las Vegas Boulevard South. The queuing line will extend eastward along the south side of the resort hotel building.

#### Parking Reduction

In December 2012, UC-0618-12 was approved for an addition and modification to the existing resort hotel. The plans depicted the demolition of the Denny's Restaurant located on the northwest corner of the site and construction of an addition to include a pharmacy and a new restaurant. While construction plans were being prepared for the construction of the new addition, a review of the existing parking facilities determined there were existing spaces that did not meet the standards of Title 30. Therefore, a waiver for a parking reduction for the resort hotel was submitted. However, since the waivers for a parking reduction were associated with the outdoor sales structure/booth applications (UC-0683-13 & UC-18-0740) which expired, a new waiver is needed. A total of 426 parking spaces are provided for the overall resort hotel where a minimum of 432 spaces are required.

#### Landscaping

No changes are proposed or required to the existing landscaping.

#### Elevations

The outdoor sales structure/booth is 11 feet in height with a flat roof. The entrance to the structure is located on the north side facing the resort hotel. Windows are located on the west

and south sides of the structure and the east side has no openings. The 3 shade canopies are 16.5 feet high and consist of a fabric umbrella supported by a single post.

#### Floor Plans

The outdoor sales structure/booth is 170 square feet in area. Customer service counters are located on the south and west sides of the structure with a manager's station on the southeast corner of the structure. A storage and work area is located on the northeast corner of the structure.

#### Signage

Existing signage is located on the west and south sides of the outdoor sales structure/booth. The plans depict a total of 6 informational displays located along the west (2 displays) and south (4 displays) sides of the structure above the sales windows. Each display has an area of 15 square feet for a total of 90 square feet. The displays list various information including shows, show times, and ticket prices. Additional signage is located below the sales windows of the west and south sides of the structure.

#### Applicant's Justification

The applicant states that the sales booth (UC-18-0740) ceased operations and did not resume business until July of 2021. As a result, the special use permit is no longer valid, and now the applicant is submitting this request for re-approval. A ticket sales booth is appropriate as the property is located within the resort corridor and along the Las Vegas Boulevard South pedestrian walkway. Additionally, similar outdoor sales booths have been approved at other locations along Las Vegas Boulevard South and identical requests for this site were approved on 2 previous occasions.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-18-0740	Outdoor sales structure/booth, shade canopies, and signage, and a waiver to reduce parking for the overall resort hotel - expired	Approved by BCC	November 2018
UC-0970-14	Grocery store and packaged beer, wine, and liquor sales	Approved by BCC	February 2015
UC-0608-14	Exterior access modifications to the exterior façade of an existing resort hotel	Approved by PC	September 2014
UC-0588-14	Comprehensive sign plan for existing and additional signage, including signs with animation	Approved by BCC	August 2014
UC-0683-13	Outdoor sales structure/booth, shade canopies, and signage, and a waiver to reduce parking for the overall resort hotel subject to 3 years to review as a public hearing - expired	Approved by BCC	December 2013
UC-0618-12	Additions and modifications including a pharmacy and restaurant in conjunction with a resort hotel (Casino Royale) - expired	Approved by BCC	December 2012

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0376-12	Exterior modifications to an existing resort hotel (Casino Royale)	Approved by PC	September 2012
UC-0003-12	Allow a use (helicopter tour ticket sales) not within an enclosed building and setback reductions	Approved by PC	April 2012
UC-0338-11	Allow a use (coupon dispensing machines) not within an enclosed building	Approved by BCC	December 2011
UC-0211-11	Outside display (vintage car), setback reduction, allow non-standard improvements within the right-of-way	Approved by PC	July 2011
UC-0255-07	Expansion of the resort hotel for additional casino area and other accessory and incidental uses	Approved by PC	June 2007
UC-019-92 & VC-055-92	For a 22,000 square foot casino, waive a portion of the 6 foot wide landscaping adjacent to Las Vegas Boulevard South, a parking garage, reduced parking, and a restaurant (the motel was purchased and connected with the casino and the property was renamed Casino Royale)	Approved by BCC	March 1992

Since the early 1990's there have been numerous land use applications for various uses approved on the property; therefore, the above land use applications are the most recent and relevant applications.

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & East	Entertainment Mixed-Use	H-1	Venetian/Palazzo Resort Hotel
South	Entertainment Mixed-Use	H-1	Harrah's Resort Hotel
West	Entertainment Mixed-Use	H-1	Mirage Resort Hotel

### **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Comprehensive Planning**

##### Use Permit

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

##### Use Permit & Deviations #1, #2 and #4

Similar outdoor sales structures/booths have been approved at other locations along Las Vegas Boulevard South as long as it is demonstrated that said structure/booth does not negatively

impact the pedestrian access easement/sidewalk along Las Vegas Boulevard South. The existing outdoor sales structure/booth is located 31 feet from the back of curb of Las Vegas Boulevard South, where the area between consists of hardscape/walkable area. The outdoor sales structure/booth is also located behind the front of the resort hotel façade and entrance. The structure/booth is also designed with the queueing line running east, away from Las Vegas Boulevard South. Therefore, the outdoor sales structure/booth will not impede the pedestrian access easement/sidewalk. Furthermore, the outdoor sales structure/booth has operated for several years without any complaints filed with the Clark County Public Response Office.

### Deviation #3

Staff finds that the proposed 1.4% reduction in parking for the resort hotel to be minimal and will not adversely impact the surrounding area. Many patrons to the resort hotel arrive via other means such as public transportation, taxis, walking, and/or ridesharing which will help to mitigate parking demand.

### 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.

Similar requests to reduce the setback from the future right-of-way of Las Vegas Boulevard South have been approved in the past, as many existing buildings along Las Vegas Boulevard South are currently within the future right-of-way. Therefore, staff has no objection to this request.

### Design Reviews

This site is located within the Resort Corridor which is a high intensity economic center that is tourist oriented and caters to pedestrians both in circulation and scale of development. The request complies with the Master Plan which encourages the localized areas of tourist oriented development to be the prime activity centers in the planning area and where hotels, resort hotels, entertainment uses, general business, professional and public offices, and commercial uses are located. The location of the outdoor sales structure/booth and queueing area is setback in an alcove to keep the facility clear of the adjacent pedestrian access easement/sidewalk.

Staff finds that the existing signs are compatible with the existing developments along Las Vegas Boulevard South and that all signage should be compatible with building styles on-site and also with surrounding development. Additionally, similar signs for other developments along Las Vegas Boulevard South have been approved.

### **Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

- Prominently display an original stamped copy of this Notice of Final Action on the front of the outdoor sales structure/booth during all times of business operation;
- No solicitation of customers outside of the outdoor sales structure/booth.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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**

- 30 days to coordinate with Public Works - Design and Construction Management Divisions and to dedicate any necessary right-of-way and easements for the Las Vegas Boulevard improvement project;
- Owner acknowledges that the proposed improvements are within a portion of the area planned for a 200 foot wide right-of-way per Title 30 and the Clark County Transportation Element;
- Future applications, whether individually or cumulatively (including this application), that are demonstrated to have a sufficient traffic impact upon Las Vegas Boulevard South may require the owner, or its successors, to dedicate its share of all or portions of the planned right-of-way for Las Vegas Boulevard South adjacent to its property according to the requirements of the Clark County Transportation Element and Title 30;
- Owners or its successors shall remove any improvements (buildings, structures, and improvements) related to this application or any future applications within the planned right-of-way at its own expense, in the event dedication of the planned right-of-way is required.

### **Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TIX CORPORATION DBA TIX4VEGAS

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