

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0896-HAPPY MINER, LLC:

HOLDOVER USE PERMIT for office as a principal use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** increase building height; and **3)** alternative driveway geometrics.

DESIGN REVIEW for a proposed mixed-use development on 2.16 acres in a CR (Commercial Resort) Zone.

Generally located north of Desert Inn Road and west of Pawnee Drive within Winchester.
TS/rg/cv (For possible action)

RELATED INFORMATION:

APN:

162-11-411-112

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the front setback of the multi-family component to 16 feet where 20 feet is required per Section 30.02.11B (a 20% reduction).
- b. Reduce the side setback of the multi-family component to 10 feet where 20 feet is required per Section 30.02.11B (a 50% reduction).
- c. Reduce the rear setback of the multi-family component to 10 feet where 20 feet is required per Section 30.02.11B (a 50% reduction).
2. Increase the building height of the multi-family component to 192 feet where 75 feet is the maximum allowed per Section 30.02.11B (a 156% increase).
3. Reduce throat depth to 39 feet along Desert Inn Road where 150 feet is required per Uniform Standard Drawing 222.1 (a 74% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

- General Summary
- Site Address: 1700 E. Desert Inn Road
- Site Acreage: 2.16
- Project Type: Mixed-use development
- Number of Units: 200
- Density (du/ac): 92.59
- Number of Stories: 15
- Building Height (feet): 192

- Square Feet: 31,000 (Office Building)/211,250 (Multi-Family Residential)/120,000 (Parking Garage)
- Open Space Required/Provided: 20,000/23,763
- Parking Required/Provided: 278/315
- Sustainability Required/Provided: 7/7

Site Plan

The subject site is located at the northwest corner of Desert Inn Road and Pawnee Drive and currently contains existing office buildings that will be demolished to accommodate the proposed mixed-use development. This redevelopment replaces outdated structures with a modern high-rise building that integrates residential and office uses.

The proposed development consists of a mixed-use high-rise building that includes 200 multi-family residential units, an office building, and a five-level parking garage. The garage will provide 309 parking stalls, including 3 ADA-compliant spaces, and electric vehicle accommodation consisting of 10 installed EV stalls, and 69 future EV-capable stalls. Surface-level parking is provided to the east of the office building consisting of 6 ADA spaces including one ADA EV stall. The proposed parking count complies with Title 30 by remaining within the 15 percent maximum allowance over the required 278 stalls.

Building setbacks are as follows: the parking garage is positioned 10 feet, 4 inches from Pawnee Drive (east property line), 10 feet from the north property line, and 16 feet, 7 inches from Desert Inn Road (south property line). The office building is set back 16 feet, 4 inches from Desert Inn Road and 10 feet from the north property line, while the multi-family building is set back 10 feet, 11 inches from the north property line and 10 feet from the west property line. The residential component is subject to the RM50 (Residential Single-Family 50) standards for setbacks, which results in the associated setback reductions addressed through waiver requests. Internal circulation will be accommodated by 24 foot wide drive aisles, and two loading zones measuring 10 feet by 25 feet each will be located adjacent to the office component along the existing alleyway to the north.

Pedestrian connectivity is enhanced through detached sidewalks along Desert Inn Road and Pawnee Drive, as well as a 6 foot wide meandering pathway that traverses outdoor amenity areas featuring benches, planters, decoratively stamped concrete pathways, and shaded seating areas. Portions of the site will be enclosed by an 8 foot high decorative wrought-iron fence along the north and south sides of the multi-family building. Bicycle facilities will include 12 racks providing 24 spaces.

Vehicular access will be provided via a new commercial-standard driveway from Desert Inn Road, supplemented by an existing alleyway that will remain. A waiver is requested to reduce the throat depth to 39 feet along Desert Inn Road, where 150 feet is required per Uniform Standard Drawing 222.1.

Landscaping

The plan shows a 15 foot wide street-landscape area measured from the back of curb along Pawnee Drive, consisting of two, 5 foot wide landscape strips separated by a 5-foot detached sidewalk. Along Desert Inn Road, the rear landscape strip is extended to 10 feet wide. Street landscaping provides one large tree every 30 feet and three shrubs per tree, with trees staggered on opposite sides of the sidewalk. An amenity zone adjacent to the sidewalk meets the minimum 10 foot width requirement on one side along Desert Inn Road and the 5 foot width requirement along Pawnee Drive. The proposed amenity zone area may be counted toward the overall landscaping requirement, excluding the sidewalk width. The plan provides common open space and meets the Title 30 requirement with 23,763 square feet provided.

Elevations

The elevations show a mixed-use building with a residential tower reaching 192 feet at the parapet, and the residential component is subject to the RS50 (Residential Single-Family 50) standards for building height. The office component forms a 28 foot high base, with residential levels beginning at Level 3 and continuing for 15 stories. The parking garage ranges from an 11 foot basement level to a 67 foot height. A pedestrian bridge connects the residential tower to the garage.

Horizontal articulation is provided through color, texture, window variation, and parapet returns. Vertical articulation is shown through a defined base, middle, and top. Exterior colors include Black Spruce, Ground Coffee, and Delicate White, applied through textured stucco with powder-coated metal railings. Windows are concentrated on the south elevation of the residential tower, with glazing on all four sides of the office levels.

Floor Plans

The plan depicts a mixed-use development with two levels of office space, upper-level residential floors, and a 5 level parking garage. The commercial portion totals 31,000 square feet, with 15,500 square feet per floor, including tenant suites, a central lobby, vertical circulation, shared amenities, and a large gathering area on the second floor. The residential floor plan is typical for all upper levels and is represented by the 3rd floor, which contains the bridge connection to the parking garage; units are arranged along a central corridor and include bedrooms, restrooms, storage, and private balconies. The parking garage spans 5 levels, is directly connected to the main building through the bridge corridor, and has a typical layout represented by the third floor.

Applicant's Justification

The project is intended to provide an enhanced environment for senior living in proximity to Sunrise Hospital, with integrated medical and residential uses and supporting amenities. The applicant states that the design emphasizes accessibility, sustainability, and compliance with mixed-use development standards. The waiver request pertains to commercial driveway geometrics for a reduced throat depth, and the applicant is also requesting waivers to reduce the required setbacks and to increase the building height of the multi-family component.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-24-0433	Waiver of development standards and design review for a motel - expired	Hold No Date by BCC	October 2024
UC-0167-07	Use permit for a beauty salon	Approved by PC	March 2007
UC-1095-05	Use permit for a public utility structure	Approved by PC	August 2005
VC-1030-96	Variance for a permanent make-up establishment	Approved by PC	July 1996
VC-1961-95	Variance for a massage establishment	Approved by PC	January 1996
VC-1311-95	Variance for psychic arts	Approved by PC	September 1995
UC-0737-95	Use permit for check cashing - expired	Approved by PC	June 1995
UC-0238-94	Use permit for sales and rental (personal pager rental and sale)	Approved by PC	April 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2 (HDO)	Single-family residential
South	Neighborhood Commercial	CP & RS5.2	Office & single-family residential
East & West	Neighborhood Commercial	CR	Office

Related Applications

Application Number	Request
PA-26-700020	A plan amendment from NC to EM is a companion item on this agenda.
VS-25-0897	A vacation and abandonment of a portion of rights-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The proposed office use is permitted in the CR (Commercial Resort) zoning district with a Special Use Permit under Section 30.03.06G.6 and meets the standards for approval. It will not create substantial adverse impacts on adjacent properties, neighborhood character, traffic, parking, or public health and safety. The site is surrounded by compatible uses, including offices to the east and west, mixed office and residential uses to the south, and residential to the north, which is separated from the site by an existing alley providing additional buffering. The property is adequately served by public infrastructure and services, and the proposed use will not impose an undue burden on public facilities. Staff recommends approval of the Special Use Permit as the request is consistent with the applicable standards and surrounding land use context.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

The request includes reductions to the required setbacks for the multi-family component, consisting of a front setback reduction to 16 feet where 20 feet is required, a side setback reduction to 10 feet where 20 feet is required, and a rear setback reduction to 10 feet where 20 feet is required. These requests meet the criteria for waivers of development standards because the reduced setbacks will not affect adjacent uses in a substantially adverse manner, and staff could support these waiver requests based on site constraints and the mixed-use nature of the project. However, since staff is not supporting the other waiver requests and the design review request, staff recommends denial.

Waiver of Development Standards #2

The request includes an increase in the maximum building height for the multi-family residential component to 192 feet, where 75 feet is the maximum height permitted. Staff finds that there are no existing buildings of comparable height in the immediate area. The surrounding development consists primarily of single-family residential uses, as well as office uses that are generally one to two stories in height. Staff finds that the proposed building height is out of scale and character with the surrounding area. Due to the substantial increase in height, staff is concerned that the

proposal would create visual incompatibility with adjacent and abutting properties and could negatively impact the character of the surrounding neighborhood. Staff finds the request is not compatible with the existing development pattern and, therefore, recommends denial.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and other architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The project incorporates architectural and aesthetic features consistent with Title 30 standards for mixed-use projects, and provides site access and circulation designed to minimize impacts on surrounding roadways and neighborhood traffic. The plan provides common open space, that meets the Title 30 requirement, with 23,763 square feet provided. The overall design reflects compliance with applicable regulations through building articulation, color palette, landscaping, pedestrian connectivity, and vehicular access. The proposal supports Winchester/Paradise Master Plan goals and policies by promoting neighborhood revitalization (Policy WP-1.7) and introducing high-density housing options near established employment centers. Although the project does not involve adaptive reuse (Policy WP-3.1), it advances reinvestment and sustainability objectives by replacing outdated office buildings with a modern mixed-use development emphasizing accessibility and sustainability. The project also aligns with Countywide Goal 1.1 and Policy 1.1.4 by providing diverse housing options and incorporating accessibility features that support aging-in-place and residents with mobility limitations.

That being said, staff remains concerned with the requested increase in building height. Staff finds that the proposed building height is significantly greater than surrounding development and may negatively impact adjacent and abutting properties. While the project otherwise incorporates many positive design features and is generally consistent with the goals and policies identified above, staff finds that the requested height is not compatible with the surrounding development pattern. Therefore, staff recommends denial of the request.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the reduced throat depth for the driveway on Desert Inn Road. The applicant created a better design than was previously approved, which will allow for vehicles to safely exit the right-of-way.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid 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 the Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval of **use permit and** waiver of development standards #3; denial of waivers of development standards #1, #2, and the design review. **This item will be forwarded to the Board of County Commissioners' meeting for final action on August 5, 2026 at 9:00 a.m., unless otherwise announced.**

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- 30 days to coordinate with Public Works - Construction Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Desert Inn Road improvement project;
- Said dedication must occur prior to issuance of building permits, concurrent with the recording of a subdivision map, OR within 30 calendar days from a request for dedication by the County.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; 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 residents wish to have their buildings purchased or soundproofed./kc

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

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 0354-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Winchester - denial.

APPROVALS: 2 cards

PROTESTS: 7 cards

PLANNING COMMISSION ACTION: June 16, 2026 – HELD – To 07/07/26 – per the Planning Commission.

APPLICANT: ACG DESIGN

CONTACT: ACG DESIGN, 4310 CAMERON STREET, SUITE 12-A, LAS VEGAS, NV 89103