

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-26-0012-DBJM LAS VEGAS BLVD 5.46, LLC:

USE PERMITS for the following: **1)** recreational and entertainment facility; **2)** outdoor dining, drinking, and cooking; **3)** live entertainment; and **4)** mobile food vendors in conjunction with an existing vehicle sales (motorcycles), rental, and repair facility on 5.46 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-65 & AE-70) Overlay.

Generally located east of Las Vegas Boulevard South and south of Russell Road (alignment) within Paradise. JG/md/kh (For possible action)

RELATED INFORMATION:

APN:

162-33-101-007

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 5191 Las Vegas Boulevard South
- Site Acreage: 5.46
- Project Type: Recreational and entertainment facility
- Number of Stories: 2 (existing building)
- Building Height (feet): 45 (existing building)/11 (proposed pop-up tents)
- Square Feet: 50,684 (existing building)/180 to 364 (proposed pop-up tents)
- Parking Required/Provided: 164/195

History and Request

Use permits and design review for a vehicle (motorcycle) sales, rental, service, repair, and minor training facility (motorcycle riding) were previously approved via UC-0308-12 by the Board of County Commissioners in August 2012. The applicant is requesting use permits for a recreational and entertainment facility, outdoor dining, drinking, and cooking, live entertainment, and to allow more than 1 mobile food vendor in conjunction with the existing vehicle sales facility. Title 30 allows a maximum of 6 special events per calendar year on the same property in association with the licensed business. The use permits are requested as the applicant anticipates hosting approximately 2 to 3 special events per month. This request will allow events without the limitation of a maximum of 6 events per year, and without approval administrative applications per event. No proposed site improvements, modifications, or new construction is proposed with this request.

Site Plan

The plans depict an existing 2 story vehicle (motorcycle) sales and repair facility on a 5.46 acre site located on the east side of Las Vegas Boulevard South, across from Clark County Fire Station #11 and the Bali Hai Golf Club. Existing uses at the facility also include vehicle rental and a previously approved minor training facility for motorcycle riding. A use permit is requested to permit multiple food vendors (if necessary) on-site during scheduled events at the facility. The components of the entertainment and recreation facility, consisting of 2 food vendor areas, 4 vendor booths, 2 stages, 1 bar, and 2 seating areas are located to the rear of the site and behind the existing building. These components, in addition to any temporary structures which consist of fabric membrane, will not be visible from Las Vegas Boulevard South. Portable trash and recycle bins will be dispersed throughout this area for the purposes of refuse collection. The proposed and existing uses require 164 parking spaces where 195 parking spaces are provided. Access to the facility is granted via an existing commercial driveway located at the southwest corner of the site along Las Vegas Boulevard South.

Landscaping

All street and site landscaping exists and no changes to landscaping are required or proposed with this application.

Elevations

The plans depict an existing 1 story building with a maximum height of 45 feet. The building is divided into 3 sections with the height of each section varying as follows: 1) north section 20 feet; 2) south section 30 feet; and 3) center section 45 feet. Each section of the building features a flat roof located behind a parapet wall. The public entrance is located at the center section of the building facing towards Las Vegas Boulevard South. The exterior of the north and south sections of the building consist of concrete and stucco panel systems, and the center is a combination of glass and decorative metal.

The temporary structures (pop-up tents) utilized for the recreational and entertainment facility consist of fabric membrane material and measure up to 11 feet in height. The fabric membrane structures will be removed at the conclusion of each event.

Floor Plans

The plans depict an existing building measuring 50,684 square feet in area with the first floor consisting of offices, motorcycle display/sales area, retail sales, repair and service area, and a storage area. The second floor consists of a mezzanine level which includes offices, restrooms, a viewing lounge, and storage area.

Seating for the proposed facility will consist of fold out chairs. Below is a table reflecting the area, in square feet, of the various components and accessory structures associated with the recreational and entertainment facility:

Structure (number of structures)	Area (square feet)
Food vendor (2)	180
Vendor booth (4)	364
Stage (2)	228
Bar (1)	300
Seating (2)	228

Applicant's Justification

It is anticipated the subject property will host approximately 2-3 events per month. These events will be scheduled to offer diverse entertainment options for the community, including but not limited to live performances, outdoor dining experiences, and recreational activities. Events are expected to take place primarily on Fridays, Saturdays, and Sundays. In particular, live entertainment is expected on weekends, with additional events occasionally occurring on weekdays for special occasions or holidays. Outdoor dining, drinking, and cooking activities will occur between the hours of 10:00 am and 5:00 pm on event days.. Live entertainment activities will typically occur between the hours of 11:00 am and 5:00 pm on event days, and all activities will conclude by 8:00 pm to ensure minimal impact on the surrounding neighborhood. A maximum of 300 attendees are anticipated per event. This capacity will ensure that events remain enjoyable while allowing us to maintain safety and compliance with fire codes, crowd control, and the overall guest experience.

The event center's on-site parking lot provides 195 standard vehicle spaces and 41 motorcycle spaces. Should additional parking be required for larger events, licensed, insured, and properly permitted third-party parking management companies will be contracted to provide off-site parking accommodation. When necessary, shuttle services operated by licensed and insured third-party providers will be utilized to transport attendees safely between designated off-site parking areas and the event center. Traffic management during event days will be coordinated by trained on-site staff responsible for directing vehicles, managing ingress and egress points, and maintaining orderly flow within the parking areas. Cones, barricades, and clear directional signage will be used to assist in guiding traffic and ensuring pedestrian safety.

Events will take place inside the dealership building and in the back lot area of the property. Live entertainment, including music and other performances, will take place inside the dealership building or in the designated back lot event area. These areas are configured to ensure appropriate crowd management, noise control, and safety compliance.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0563	A use permit for a temporary construction activities (office trailers) in conjunction with the previously approved resort hotel north of the site – expired	Approved by PC	December 2022

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0551-14	A use permit for packaged liquor sales (beer and wine); convenience store; and retail sales in conjunction with a vehicle (motorcycle) sales facility	Approved by PC	August 2014
WS-0030-14	A waiver of development standards for a sign package in conjunction with a vehicle (motorcycle) sales facility	Approved by BCC	March 2014
VS-0456-13	Vacation and abandonment for a portion of right-of-way being Las Vegas Boulevard South - recorded	Approved by PC	October 2013
UC-0308-12	A use permit and design review for vehicle (motorcycle) sales, rental, service, repair, and minor training facility (motorcycle riding)	Approved by PC	August 2012

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	CR (AE-65)	Previously approved Resort Hotel with partial site improvements
South	Entertainment Mixed-Use	CR (AE-65 & AE-70)	Office buildings
East	Public Use	PF (AE-65 & AE-70)	Harry Reid International Airport
West	Public Use & Business Employment	PF (AE-65)	Clark County Fire Station #11 & Bali Hai Golf Club

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 Permits

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 project site is located within an area featuring a planned land use category of Entertainment Mixed-Use. The Entertainment Mixed-Use category encourages a mix of retail, entertainment,

gaming, lodging, and other tourist-oriented services. Policy 5.1.3 of the Master Plan emphasizes tourism, conventions, trade shows, and gaming as one of the region's economic pillars. Las Vegas Boulevard South is also designated and recognized as a national and international Scenic Byway; therefore, the proposed uses further promote this designation and are appropriate and compatible with the surrounding uses and area. Live entertainment, outdoor dining, drinking, and cooking, and mobile food vendors are common uses typically associated with outdoor recreational and entertainment facilities. Staff finds the proposed uses comply with the aforementioned policy from the Master Plan and should not have a negative or detrimental impact on the surrounding land uses or properties. Therefore, staff recommends approval of these requests.

Department of Aviation

The property lies within the AE-65 (65 - 70 DNL) noise contour for 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 Harry Reid International Airport facilities to meet future air traffic demand.

If cranes are utilized onsite to erect stages, vendor booths, buildings, etc., they will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

This proposal abuts the border with Harry Reid International Airport's west side perimeter, which presents numerous safety and security concerns for the airport.

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

- 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; 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; applicant is advised that certain uses are not permitted in the airport environs and certain other uses will require a special use permit; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Las Vegas Boulevard 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

- 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.
- If cranes are to be utilized onsite, 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 (DOA) a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If cranes are to be utilized onsite and 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 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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; and that the FAA's airspace determinations include expiration dates.
- When filing with the FAA, all cranes will require separate FAA airspace determinations that provide "Determinations of No Hazard to Air Navigation" and a finding of no significant impact on aircraft activity at Harry Reid International Airport. A Crane/Temporary Equipment plan that includes the separate FAA airspace determinations must be submitted and approved by the DOA (airspace@lasairport.com) if requested by the Airspace Manager, prior to the use of said crane.
- All lighting to be shielded, directed downward, and away from the airfield.
- Lasers, flashing graphics, pyrotechnics, and other forms of potentially disruptive lighting are prohibited.
- Drones prohibited unless approval has been obtained by the FAA prior to each use.
- The use of balloons, kites and other similar lightweight items which may blow on to the airfield are prohibited.

- All outside dumpsters and trash cans must remain closed with a properly fitting lid to prevent debris from the receptacles from blowing onto the airfield and to prevent the attraction of hazardous wildlife.
- Proponents must provide to the Airspace Manager (airspace@lasairport.com) an onsite, point of contact (POC) that has full operational knowledge of every special event to be held onsite. Examples of an appropriate POC include, but are not limited to: Event Coordinator, Project Manager, Security Supervisor, etc. POC must be immediately available 24 hours a day, in the event of an emergency occurring at an event which impacts or could impact DOA operations.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: MATTHEW VASQUEZ

CONTACT: MATTHEW VASQUEZ, LAS VEGAS HARLEY-DAVIDSON, 5191 LAS VEGAS BOULEVARD SOUTH, LAS VEGAS, NV 89119