

06/21/23 BCC AGENDA SHEET

RESTAURANT ACCESS
(TITLE 30)

KOVAL LN/FLAMINGO RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
AR-23-400069 (UC-21-0120)-3535 LV NEWCO, LLC:

USE PERMIT FIRST APPLICATION FOR REVIEW to allow primary access to a restaurant from the exterior of a resort hotel.

DESIGN REVIEW to update the exterior façade in conjunction with an approved restaurant within a resort hotel (LINQ) on a 9.0 acre portion of approximately 60.0 acres on an H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Koval Lane, 900 feet north of Flamingo Road within Paradise. TS/dd/syp (For possible action)

RELATED INFORMATION:

APN:

162-16-312-002; 162-16-411-003; 162-16-411-005; 162-16-412-008 through 162-16-412-021; 162-16-413-001

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3535 Las Vegas Boulevard South
- Site Acreage: 9 (request)/60 (overall)
- Project Type: Review exterior access

Site Plan & Request

The approved restaurant is located at the southwest corner of the site where existing exit doors exit onto Las Vegas Boulevard South. The restaurant space has interior and exterior access to the site, not through the main entrance of the resort/hotel.

Landscaping

No changes were proposed or required to the existing landscape areas.

Elevations

The approved façade change consisted of storefront windows and entry and signage on the flat entry façade. The changes to the façade are for the southerly 40 feet of the building and the

lower 14 feet of the building on the west elevation along with the westerly 11 feet 7 inches and lower 24 feet on the south elevation of the LINQ Resort/Hotel.

Floor Plans

The approved changes to the southeast corner of the resort/hotel include an approximate 780 square foot restaurant that has interior and exterior access to the resort/hotel from Las Vegas Boulevard South. The lease space includes 2 customer queue spaces with sales counters and kitchen preparation area between the customer counters.

Previous Conditions of Approval

Listed below are the approved conditions for UC-21-0120:

Current Planning

- 2 years to review entry area adjacent to pedestrian access easement/sidewalk and the entrance/exits for the resort hotels and amenities for the restaurant.
- 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; 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

- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes;
- In the event that the queuing operations occur in a way that disrupts pedestrian traffic flow, then the developer/owner shall coordinate with Public Works - Development Review Division to employ measures to alleviate the situation at the sole expense of the developer/owner;
- Coordinate with Public Works - Traffic Management for the Las Vegas Boulevard improvement project.
- Applicant is advised 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.

Signage

Signage approved by the previous application is not a part of this review.

Applicant's Justification

The applicant states that there have been no issues with respect to any entrances or exits at this location since its completion.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-21-0120	Allowed entry and exit from the exterior of a resort hotel and amend the sign plan	Approved by BCC	May 2021
UC-19-0685	Ticket kiosks & amended sign plan	Approved by BCC	October 2019
DR-19-0646	Modified an approved comprehensive sign package for the LINQ	Approved by BCC	October 2019
UC-19-0482	Modified an approved comprehensive sign package for the LINQ	Approved by BCC	August 2019
WS-19-0149	Modified an approved comprehensive sign package for the LINQ	Approved by BCC	April 2019
WS-18-1022	Modified an approved comprehensive sign package and façade changes to a lease area at the LINQ Promenade (Kind Heaven)	Approved by BCC	February 2019
UC-18-0951	Modified the LINQ Resort/Hotel and the LINQ Promenade and an amendment to an approved comprehensive sign package	Approved by BCC	January 2019
DR-18-0934	Modified an approved comprehensive sign package for the LINQ Resort/Hotel and the LINQ Promenade	Approved by BCC	January 2019
ADR-18-900800	Exterior remodel of an existing restaurant with outside dining	Approved by ZA	December 2018
UC-18-0611	Restaurant with outside dining and modified an approved comprehensive sign package	Approved by BCC	October 2018
DR-18-0610	Modified an approved comprehensive sign package	Approved by BCC	October 2018
UC-18-0546	Outdoor sales structure/booth with amended sign plan	Approved by BCC	September 2018
UC-18-0364	Modified an approved comprehensive sign package	Approved by BCC	September 2018
UC-0979-17	Recreational facility (zip line)	Approved by BCC	December 2017
UC-0625-16	Modified an approved comprehensive sign package	Approved by BCC	October 2016
DR-0294-15	Building addition (box office) and shade structures in conjunction with the LINQ	Approved by BCC	June 2015
UC-0244-15	Modified an approved comprehensive sign package	Approved by BCC	June 2015
UC-0203-15	Temporary outdoor commercial events with temporary structures, associated retail sales, rentals, food and beverage sales with outdoor dining, and drinking areas	Approved by BCC	May 2015
DR-0105-14	Modified an approved comprehensive sign package	Approved by BCC	April 2014

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0234-12	Additional parking lot on 1.5 acres for the LINQ APNs 162-16-401-007 and 162-16-410-042	Approved by BCC	July 2012
UC-0153-12	Increased height of a freestanding sign and design reviews for a freestanding sign, a roof sign, and modified a comprehensive sign package	Approved by BCC	July 2012
UC-0281-11	Allowed commercial, retail, entertainment, restaurant, and recreational facility uses (LINQ project)	Approved by BCC	August 2011

There are additional land use applications on this site.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Harrah's Resort Hotel
South	Entertainment Mixed-Use	H-1	Flamingo Resort Hotel
East	Entertainment Mixed-Use	H-1	The Meridian at Hughes Center, multiple family residential, undeveloped, & Wynn Resorts employee parking structure
West	Entertainment Mixed-Use	H-1	Caesar's Palace

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**

Title 30 standards of approval for an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred since the original approval.

The Certificate of Completion for the restaurant and exterior remodel were issued in May of 2021 (BD20-22886), and the business license for the site was subsequently issued in June of 2021. Based on aerial data, it does not appear that the entrance to the restaurant has had any negative impacts on the adjacent pedestrian access easement since the opening of the business. Furthermore, there are currently no active Code Enforcement cases on the property. For these reasons staff can recommend approval of this application, as well as the removal of the time limit for review.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: 3535 LV NEWCO, LLC

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