

KIOSKS
(TITLE 30)

LAS VEGAS BLVD S/HARMON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0553-SG VEGAS OWNER, LLC:

USE PERMIT for retail sales (kiosks).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** waive setback; and **2)** waive landscaping.

DESIGN REVIEW for retail sales kiosks in conjunction with an approved shopping center on 6.5 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Las Vegas Boulevard South, 330 feet south of Harmon Avenue within Paradise. JG/rr/syp (For possible action)

RELATED INFORMATION:

APN:

162-21-301-009; 162-21-301-016; 162-21-301-018

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Waive the front setback for retail sales kiosks where 10 feet is the minimum setback per Table 30.40-7 (a 100% reduction).
- b. Waive the setback from Las Vegas Boulevard South where 25 feet from back of curb or 10 feet from property line whichever is greater, is required per Figure 30.56.060 (a 100% reduction).
2. Waive landscaping along the street frontage (Las Vegas Boulevard South) where required per Figure 30.64-17.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3743, 3755, & 3763 Las Vegas Boulevard South
- Site Acreage: 6.5
- Project Type: Kiosks
- Number of Stories: 1
- Building Height (feet): 9 feet, 6 inches
- Square Feet: 100 (7 kiosks)/75 (1 kiosk)/775 (8 kiosks total)
- Parking Required/Provided: 1,324/456 (per UC-22-0410)

Request and Site Plan

In August 2022, UC-22-0410 approved a shopping center on the subject property and 1 adjacent parcel. This development consists of 2 new connected 3 story retail buildings that include shops, restaurants with outside dining, supper clubs, service bars and outside entertainment space. The property is the site of the former Hawaiian Marketplace which has been demolished. The site plan shows a 15 foot wide pedestrian easement on the property along the front of the 2 proposed retail buildings. Within the 5 foot wide area between the pedestrian easement and the Las Vegas Boulevard right-of-way, the applicant is proposing a total of 8 new updated kiosks which will replace 5 kiosks, 3 vending machines, and a ticket booth that were previously on the site of the Hawaiian Marketplace. The overall site plan indicates there will be 7 kiosks which will be 5 feet x 20 feet (100 square feet) while 1 kiosk will be 5 feet x 15 feet (75 square feet). The kiosks adjacent to the northern building will be a minimum of 19 feet apart, while the kiosks adjacent to the southern building will be a minimum of 13 feet apart. The kiosks are placed on the property line, with no setback from Las Vegas Boulevard South.

The remainder of the site consists of a future shopping center and parking area on the east side of the property. The required number of parking spaces is 1,324, while 456 spaces will be provided which was a parking reduction approved with UC-22-0410.

Landscaping

A revised plan for the pedestrian access easement indicates various areas of hardscape along the Las Vegas Boulevard South frontage along with several tree planters. The surface area of the sidewalk/pedestrian access easement is required as a condition of UC-22-0410 to consist of colors, patterns, texture and/or material different from the adjacent private walkways and plaza areas. Also approved was alternative landscaping along the street frontage to allow six 4 foot wide planter boxes with trees and shrubs rather than require landscaping per Figure 30.64-17. The applicant is now seeking to eliminate the planters.

Elevations

Plans depict the kiosks as comprised of metal composite with small windows, and approximately 9 feet 6 inches in height with 7 feet 7 inch wide openings on each side. Clear acrylic advertising panels are located to the right of the openings on each side of the kiosk. Customers will conduct business within the kiosk.

Floor Plans

Plans indicate that each kiosk will be air conditioned and feature metal flooring, display cabinets, and roller shutters. The kiosks are prefabricated with a metal frame and are bolted to the sidewalk. Seven kiosks will be 100 square feet and 1 kiosk will be 75 square feet.

Signage

Each kiosk includes 2 advertising panels on each side which are within the size that is allowed within the H-1 zone.

Applicant's Justification

The applicant is proposing to replace previous kiosks and ticket booths that were previously associated with Hawaiian Marketplace with 8 new, updated, and modern kiosks. The kiosks will

have doors on both sides which will allow for customers to enter from either side to ensure there is no queuing within the pedestrian access easement, meeting a condition of approval of UC-22-0410. Sales representatives will assist customers from inside each kiosk. The waivers are needed to allow the kiosks within the required setback areas. However, the kiosks will be located outside of the 15 foot wide pedestrian easement and the existing sidewalk within the Las Vegas Boulevard South right-of-way which will allow ample room for pedestrian traffic. The request to waive the required planter boxes will improve the appearance of the area, aid with pedestrian access, and remove high water consumption palm trees.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-22-0411	Vacated pedestrian access easements	Approved by BCC	August 2022
TM-22-500143	1 lot commercial subdivision	Approved by BCC	August 2022
UC-22-0410	Showcase 5 Shopping Center, with waivers for setbacks, alternative landscaping, non-standard improvements, and reduced parking	Approved by BCC	August 2022
UC-0476-17	Recreational facility (amusement ride/virtual reality motion machine)	Approved by BCC	July 2017
UC-0711-15	Outside dining and drinking associated with a supper club with direct access within existing shopping center (Hawaiian Marketplace)	Approved by BCC	December 2015
UC-0375-11	Allowed various uses within H-1 zoning for a shopping center including restaurant, on-premises consumption of alcohol, and outside dining uses	Approved by PC	October 2011
DR-1705-04	Reviewed the sidewalk location and temporary structures	Approved by BCC	November 2004
UC-1096-03	Modified landscaping, permit temporary structures, and reduced setbacks in conjunction with the shopping center	Approved by BCC	February 2004
UC-1227-02	Expansion and remodel of an existing shopping center, a banquet facility, and covered outdoor shopping area	Approved by PC	October 2002
UC-1226-02	Parking reduction for the Hawaiian Marketplace and an existing and proposed hotel timeshare development on adjacent parcels (Polo Towers)	Approved by PC	October 2002
UC-0235-02	Expansion to a shopping center, permit modular structure, reduced on-site parking, and allowed off-site parking on the adjacent parcel to the north (The Travelodge)	Approved by PC	June 2002

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0332-15 (AR-17-0003)	First application for review for a redesign of the site frontage (sidewalk and pedestrian access easement), a new plaza area with outside dining, and façade changes at an existing retail center (Cable Center) subject to removing the time limit	Approved by BCC	May 2018
WS-0815-16	Reduced the special setback to Las Vegas Boulevard South and allowed a roof sign	Approved by BCC	January 2017
WS-0332-15 (WC-0072-16)	Waived the minimum 5 foot high fence around the outside dining area	Approved by BCC	July 2016
WS-0332-15	Alternative landscaping and screening with reduced setbacks and non-standard improvements within the right-of-way for a new plaza area, and façade changes to a portion of the existing retail center	Approved by BCC	July 2015
UC-0095-14	Amusement/theme park with waivers and design review for an amusement park with associated buildings and structures	Denied by BCC	November 2014
WS-0044-13	Outside retail sales structures in conjunction with an existing shopping center - expired	Approved by BCC	March 2013
RS-0025-08	Record of Survey	Reviewed by staff	February 2008

Numerous applications for uses have been approved for the subject parcels over the years, and a complete list may be obtained at Comprehensive Planning offices or online.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Travelodge motel, Polo Towers Hotel timeshare
South	Entertainment Mixed-Use	H-1	Showcase mall
East	Entertainment Mixed-Use	H-1	MGM Resort Hotel
West	Entertainment Mixed-Use	H-1	City Center resort hotel complex, Park MGM 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 & Design Review

The kiosks are prefabricated metal composite structures that appear to be modern and not unsightly in appearance. The design of the kiosks will allow customers to enter from either side rather than queue outside in pedestrian areas. Staff can support the placement of the kiosks as proposed so long as the pedestrian access easement is maintained and kept clear of any obstructions, including all customer queuing.

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 #1

These waiver requests are needed to allow the kiosks to be located between the 15 foot wide pedestrian easement and the Las Vegas Boulevard South right-of-way. Staff does not object to the reduction in setbacks if it does not impact the pedestrian easement and the sidewalk areas within the right-of-way. UC-22-0410 approved a zero foot setback for the upper levels of the shopping center building; therefore, approval of these waivers would not be out of character with the previously approved setbacks for this development.

Waiver of Development Standards #2

This waiver is requested to eliminate the landscape planters previously approved under UC-22-0410 as alternative landscaping to the street frontage requirements in Figure 30.64-17. The alternative landscaping approved 6 planters along the street frontage as well as 4 elevated planter areas within the open area on the third level of the shopping center. Plans continue to show landscaping elsewhere on the property including the parking areas to the east and valet drop-off areas. The placement of planters on the sidewalk areas could impede pedestrian movement, especially with the addition of the kiosks. The intent was to plant palm trees in the planters which do not provide significant shade for pedestrians. Therefore, staff can support this waiver.

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

- Pedestrian access easement must be kept clear of any obstructions, including all customer queuing;
- Kiosks shall be designed so that business may be conducted from within the kiosk.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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

- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes.

Fire Prevention Bureau

- No comment.

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 #0456-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: SG VEGAS OWNER, LLC

CONTACT: LINDSAY KAEMPFER, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135