

10/04/23 BCC AGENDA SHEET

SHOPPING CENTER  
(TITLE 30)

CONVENTION CENTER DR/DEBBIE REYNOLDS DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0552-305 CCD, LLC:**

**USE PERMITS** for the following: **1)** on-premises consumption of alcohol (tavern, supper club, service bar); **2)** alcohol sales (beer, wine, liquor) – packaged only; **3)** retail sales and services; **4)** restaurants; **5)** outside dining, drinking, and cooking areas; **6)** office; **7)** reduce separation to a residential use; and **8)** reduce setback to a residential use.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce parking; **2)** alternative parking design (tandem valet); **3)** cross access; **4)** reduce trash enclosure setback; **5)** signage; and **6)** reduce driveway throat depth.

**DESIGN REVIEWS** for the following: **1)** a shopping center with a subterranean parking garage; **2)** signage; and **3)** finished grade on a 2.6 acre portion of 6.1 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the southwest corner of Convention Center Drive and Debbie Reynolds Drive within Winchester. TS/jor/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-09-805-015; 162-09-805-016 ptn

**USE PERMITS:**

1. On-premises consumption of alcohol (tavern, supper club, service bar).
2. Alcohol sales (beer, wine, liquor) – packaged only.
3. Retail sales and services.
4. Restaurants.
5. Allow outside dining, drinking, and cooking areas.
6. Office.
7.
  - a. Reduce the separation of an on-premises consumption of alcohol establishment (tavern, supper club, service bar) from a residential use to the south to 30 feet where 200 feet is required per Table 30.44-1 (an 85% reduction).
  - b. Reduce the separation of an outside dining, drinking, cooking area from a residential use to the south to 30 feet where 200 feet is required per Table 30.44-1 (an 85% reduction).
8. Reduce the setback of an outdoor entertainment area (with live entertainment not accessed from inside of hotel) from a residential use to the south to 195 feet 4 inches where 500 feet is required per Table 30.44-1 (a 61% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce parking to 300 parking spaces where 344 parking spaces are required per Table 30.60-1 (a 13% reduction).
2. Allow an alternative parking design (tandem valet parking only and no self-parking) for all on-site parking where no more than 30% of the total number of required spaces are designed as tandem spaces per Chapter 30.60.
3. Eliminate cross access.
4. Reduce the proposed trash enclosure set back from a residential development to 9 feet 6 inches where 50 feet is required per Section 30.56.120 (an 80% reduction).
5.
  - a. Increase the proposed animated sign area to 9,560 square feet where 150 square feet is the maximum allowed per Chapter 30.72 (a 6,273% increase).
  - b. Increase the proposed wall sign area to 10,239 square feet where 2,921 square feet is allowed per Chapter 30.72 (a 251% increase).
6. Reduce driveway throat depth along Convention Center Drive to 42 feet, 4 inches where 150 feet is required per Uniform Standard Drawing 222.1 (a 254 % reduction).

**DESIGN REVIEWS:**

1. A shopping center with a subterranean parking garage.
2. Signage.
3. Increase finished grade to 76 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 111% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:****Project Description****General Summary**

- Site Address: N/A
- Site Acreage: 2.6 (portion)/6.1 (overall)
- Project Type: Proposed shopping center (The Majestic Plaza)
- Number of Stories: 2 (proposed shopping center)
- Building Height (feet): 65 maximum (proposed shopping center)
- Square Feet: 217,168 (proposed shopping center)
- Parking Required/Provided: 344/300 (proposed shopping center)

**History & Request**

UC-18-0753 was previously approved for a 45 story hotel consisting of 720 rooms with an overall area measuring 1,353,066 square feet and is located on the northeastern portion of the project site and continues south along the Debbie Reynolds Drive frontage.

Today, the applicant is proposing to develop the northwest portion of the subject site only and is separate from the previously approved hotel (UC-18-0753). The applicant is proposing a 2 story shopping center, fronting Convention Center Drive. The applicant is requesting the following use permits: on-premises consumption of alcohol (tavern, supper club, service bar), alcohol sales

(beer, wine, liquor) – packaged only, retail sales and services, restaurants, allow outside dining, drinking, and cooking areas, offices, reduce separation for on-premises consumption of alcohol from a residential use to the south to 30 feet where 200 feet is required; reduce the separation of an outside dining, drinking, cooking area from a residential use to the south to 30 feet where 200 feet is required; and reduce the setback of an outdoor entertainment area (including live entertainment not accessed from inside of hotel) from a residential use to 195 feet where 500 feet is required.

Waivers of development standards include the following: reduce parking to 300 parking spaces where 344 is required, allow alternative parking lot design (tandem valet only) since no self-parking is available; eliminate cross access to the existing commercial development to the west; reduce the trash enclosure set back; increase area for proposed wall signs and animated signs; and reduce driveway throat depth. The design reviews for the shopping center include a subterranean parking garage and increased finished grade. The maximum amount of increase finished grade is located on the eastern portion of the shopping center beneath the building.

#### Site Plan

The plan shows a u-shaped shopping center building, with the opening of the central courtyard facing north. Access to the site is provided via 2 driveways on the northeast and northwest corners of the building. The drive aisle entryway begins on the northeast corner, and vehicles navigate in a southerly direction to a private drive which leads to a valet parking ramp area on the southeast corner of the building. Vehicles which are exiting will head in a westerly direction and then head north towards the northwest driveway exit. Pedestrian circulation allows customers to venture around the perimeter of the building and throughout the open central courtyard which includes a center bar area and features a canopied performance stage area with a platform. Cross access to the existing commercial development to the west is not provided, hence the request for this waiver of development standards. There is a proposed trash enclosure on the southwest corner of the site that is set back 9 feet, 6 inches from the multiple family residences to the south, where 50 feet is required per Code. Lastly, the shopping center will provide 300 parking spaces in an underground parking area beneath the shopping center building, where 344 is required per Code.

#### Landscaping

The plan shows detached sidewalks along the north property line with associated landscaping. The landscape section plan shows that there is a 7 foot high landscape planter with shrubs to be installed south of the southernmost landscape strip adjacent to the detached sidewalk. This landscape planter provides a visual and physical buffer from Convention Center Drive. The section plan also shows that this landscape planter is only 3 feet high when standing on the actual finished grade of the shopping center. This landscape planter will also function as a barrier for restaurants who would like to incorporate outside dining, drinking, and cooking patio areas.

Lastly, the plan shows 65 trees spaced every 10 feet along the west and south property lines adjacent to the proposed shopping center. The central courtyard also includes 10 trees to be planted in pairs in a north to south pattern.

### Elevations

The shopping center has an overall height of 65 feet. The design consists of sleek modern architecture with proposed signage.

The north elevation depicts the 7 foot high steel and concrete finished planters, the first level includes a curtain wall with non-reflective glass. The second level includes a glass guardrail and patio areas surrounding lease spaces. Decorative metal cladding is also shown as an aesthetic feature. The exterior walls to the roof top deck include proposed signage.

The south elevation includes decorative metal cladding, stucco walls, decorative metal panels, and elevator areas.

The east facing elevation includes additional decorative metal cladding, an opening to the central plaza (courtyard), proposed signage, and additional concrete planters. The west facing elevation includes all of the aforementioned exterior finishes including overhead canopy areas, and proposed signage as well.

Lastly, the central courtyard includes a center bar with a performance area. The overall height of this tear-drop shaped structure is 38 feet, 6 inches to the top of the canopy. The center bar area is on first level, and the performance area that includes a platform is on the second level. A video screen is located underneath the performance canopy.

### Floor Plans

Level B1 and Level B2 include the subterranean parking levels of the shopping center. Level B1 features 124 total parking stalls and Level B2 includes 176 total parking stalls. No self-parking is available. The applicant is requesting to reduce required parking to 300 parking spaces where 344 parking spaces are required per Table 30.60-1. The applicant is also requesting a waiver to allow an alternative parking design (tandem valet parking only and no self-parking) for all on-site parking where no more than 30% of the total number of required spaces are designed as tandem spaces per Chapter 30.60.

The first floor plan includes lease spaces for restaurants, retail stores, the center bar, and the valet area. The second floor plan depicts additional lease spaces, outdoor balconies which face internal to the courtyard and north towards Convention Center Drive, and the live entertainment performance platform area above the center bar. The roof top deck includes areas for solar panel installation, mechanical equipment that are screened from view, and a 5,520 square foot observation deck on the western portion of the shopping center building.

### Signage

The north elevation includes the following:

- Wall signs (animated): N-1, N-2, N-3, N-4, and N-11.
- Wall signs (static video unit): N-6, N-7, N-8, N-9, and N-10
- Freestanding sign (static video unit): N-5 (approximately 33 feet in overall height)

The west elevation includes the following:

- Wall signs (animated): W-1, W-2, and W-3

- Wall signs (static video unit): W-4

The east elevation includes the following:

- Wall signs (animated): E-1, E-2, and E-3
- Wall signs (static video unit): E-4, E-5, E-6, and E-7

The applicant is requesting to increase the proposed animated sign area to 9,560 square feet where 150 square feet is the maximum allowed per Chapter 30.72. In addition, there is also a request to increase the proposed wall sign area to 10,239 square feet where 2,921 square feet is allowed per Chapter 30.72. No signage is proposed on the south face elevation of the shopping center building.

Type of Sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft)	# of Existing Signs	# of Proposed Signs	Total # of Signs
Wall	0	10,239	10,239	2,921	0	21	21
Freestanding	0	213	213	250	0	1	1
Overall total	n/a	10,452	10,452	3,171	0	22	22

The details for the animated signs included in the signs above are listed below.

Type of Sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft)	# of Existing Signs	# of Proposed Signs	Total # of Signs
Static video unit *(includes freestanding sign)	0	679	679	2,771	0	11	11
Animated	0	9,560	9,560	150	0	11	11

#### Applicant's Justification

This request is only for a proposed shopping center on the western portion of the site. This project was designed to capture and reflect the spirit of Las Vegas with an exciting new development the southwest corner of Convention Center Drive and Debbie Reynolds Drive and across the street, the new portion of the Las Vegas Convention Center. This project is in an area that is a vibrant, urban center and is geared towards tourists and conventioners. The project is intended to rejuvenate the area by providing fine retail and dining establishments. Access to the site is from 2 driveways on Convention Center Drive. Furthermore, the site includes a myriad of retail uses, on and off-premises consumption of alcohol establishments, restaurants, offices, and a covered entertainment plaza that is centrally located in the plaza.

The shopping center is a 2 story 'U' shaped 87,564 square foot building. The proposed development is an in-fill development in the Resort Corridor and provides an additional venue for entertainment, dining and live entertainment to the area across from the Convention Center and promotes more walkability cutting down on emissions. The increase in finished grade for the building on the site is necessary because of the slope of the site. The east land falls west to east, the site will require excavation to accommodate the parking garage below grade and in-filled around. The grading plan has been designed with the center portion below grade and the in-fill around the building to allow for the drive aisle to remain at the existing grade height. As

designed and proposed, the project is appropriate and compatible with existing, approved, and future uses in the area.

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

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-21-400036 (UC-18-0753)	First extension of time for a non-gaming hotel (HIP) - until May 18, 2024 to commence	Approved by BCC	May 2021
VS-20-0328	Vacated a portion of right-of-way being Convention Center Drive	Approved by PC	September 2020
SC-19-0473	Street name change from Debbie Reynolds Drive to Majestic Plaza Place	Withdrawn	April 2020
TM-19-500172	Commercial subdivision	Approved by PC	October 2019
UC-18-0753	Allowed a non-gaming hotel (HIP)	Approved by BCC	May 2019

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use & Public Use	H-1 & P-F	Convention facilities & parking lot
South & West	Entertainment Mixed-Use	H-1	Multiple family residential, golf course, & office complex
East	Entertainment Mixed-Use	H-1	Multiple family residential, hotels, & undeveloped

#### **STANDARDS FOR APPROVAL:**

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

#### **Analysis**

##### **Comprehensive Planning**

##### Use Permits

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 Permits #1 through #7b

Staff determines that the proposed uses are consistent and similar with the surrounding land uses and properties and the area's planned land use of Entertainment Mixed-Use. Retail uses, restaurants with outside dining and drinking, taverns, supper clubs, and service bars are common amenities associated within the Gaming Corridor. In addition, the proposed uses should not have a negative or detrimental impact on the surrounding properties. These requests support Goal 5.1 of the Master Plan which encourages diversification of the economic base. The shopping center

will support new restaurants and retail areas which will promote economic and employment growth to the immediate area. Therefore, staff recommends approval.

#### Use Permit #8

The applicant is requesting to reduce the setback of an outdoor entertainment area (including live entertainment not accessed from inside of a hotel) from a residential use to the south to 195 feet, 4 inches where 500 feet is required per Table 30.44-1 (a 61% reduction). Staff is concerned that excessive sound from the center bar performance area may transmit a nuisance to the multiple family residential units to the south. However, the shopping center building provides a physical buffer between the 2 to mitigate any unwelcomed sound. Staff can support this request if the live entertainment is limited.

#### 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.

#### Waivers of Development Standards #1 through #3

Staff finds that this shopping center is designed to accommodate many convention goers and visitors who do not rent vehicles due to the proximity of the resort hotels from one another. Ride sharing and carpooling is a common method of transportation for Las Vegas tourists, therefore, reducing the parking spaces to 300 spaces is appropriate. Due to the overall size limitations of the northwest corner of the site, subterranean parking which features tandem valet parking spaces, and no self-parking is plausible. Lastly, since the site is adjacent to an existing commercial development to the west. Cross access is not provided from the applicant's property or from the existing property to the west. With this information, staff can support these waivers.

#### Waiver of Development Standards #4

The applicant is requesting to reduce the proposed trash enclosure set back from a residential development to 9 feet, 6 inches where 50 feet is the required per Section 30.56.120. Aerial views show that the nearest multiple family residence to the south is an additional 43 feet away. Staff determines that because of this additional set back, and there is an existing screen wall along the south property line to help mitigate the setback reduction adjacent to the trash enclosure, staff can support this request.

#### Design Review #1

The site design displays a modern aesthetic that is consistent to architecture immediately to the north. Furthermore, the shopping center site will enhance this portion of the Convention Center Drive streetscape in conjunction to the previously approved hotel. Staff recommends approval.

#### Design Review #2 & Waiver of Development Standards #5

Plans for proposed signage is consistent the signage within the Gaming Corridor. The applicant is requesting to increase the proposed animated sign area to 10,066 square feet where 150 square

feet is the maximum allowed per Chapter 30.72 (a 6,610% increase). Furthermore, the request is to also increase the proposed wall sign area to 10,239 square feet where 2,921 square feet is allowed per Code. Proposed signage is harmonious to the site and does not negatively impact the multiple family residential development to the south. Staff recommends approval.

### **Public Works - Development Review**

#### Waiver of Development Standards #6

Staff have no objection to the reduction in throat depth for the ingress only driveway on Convention Center Drive. The applicant has provided 3 lanes to help vehicles access the site without stacking in the right-of-way.

#### Design Review #3

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

### **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**

- Live entertainment to be daytime hours only Sunday to Thursday, and until midnight on Friday and Saturday;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a new design review is required for the hotel, spa, and underground garage, approved per UC-18-0753; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; the installation and use of cooling systems that consumptively use water will be prohibited; 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**

- Drainage study and compliance;
- Traffic study and compliance;
- Applicant to install a crosswalk with pedestrian flashers across Convention Center Drive, as required by Public Works - Development.
- Applicant is advised that any future development may require additional throat depth.

**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 #0040-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LORENZO DOUMANI

**CONTACT:** CASSANDRA WORRELL, 520 S. FOURTH STREET, LAS VEGAS, NV 89101