

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-23-400131 (DR-19-0906)-MANDALAY PROPCO, LLC:**

**HOLDOVER WAIVER OF CONDITIONS** of a design review requiring full animation allowed only when Mandalay Bay Road is closed to vehicle traffic, with animation at other times to consist of static images that are displayed for a minimum of 1 hour before transitioning to the next static image in conjunction with an existing Resort Hotel (Mandalay Bay) on 124.1 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60 and AE-65) Overlay.

Generally located on the north and south sides of Mandalay Bay Road and the west side of Las Vegas Boulevard South within Paradise. MN/mh/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-29-610-002; 162-29-710-002

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3930 & 3950 Las Vegas Boulevard South
- Site Acreage: 124.1
- Project Type: Amended comprehensive sign plan

**Site Plan & Request**

The property is the site of the Mandalay Bay Resort Hotel and the Mandalay Place Shopping Center. The Mandalay Place Shopping Center connects the Luxor Resort Hotel with the Mandalay Bay Resort Hotel. The existing resort hotel is located on the northwest corner of Russell Road and Las Vegas Boulevard South with additional frontage along Frank Sinatra Drive and Mandalay Bay Road. Access to the site is provided from all of these adjacent streets. A portion of the Mandalay Place Shopping Center crosses over Mandalay Bay Road. The airspace from 18.5 feet to 100 feet above Mandalay Bay Road was vacated to allow the building to cross over the right-of-way (VS-0387-11). The original request (DR-19-0906) was to amend the approved comprehensive sign plan for the resort hotel and shopping center which includes removing a total of 8 existing non-animated wall signs and replacing them with 2 animated (LED video units) signs. The approved plans featured proposed signs located on the east and west sides of the building, over the portion of the shopping center that crosses over Mandalay Bay Road. A condition of approval restricted full animation to be allowed only when Mandalay Bay Road is closed to vehicle traffic, with animation at other times to consist of static images that are

displayed for a minimum of 1 hour before transitioning to the next static image. This request is to waive that condition and remove the restriction.

Previous Conditions of Approval

Listed below are the approved conditions for DR-19-0906:

Current Planning:

- Applicant is advised that 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

- Full animation allowed only when Mandalay Bay Road is closed to vehicle traffic, with animation at other times to consist of static images that are displayed for a minimum of 1 hour before transitioning to the next static image;
- The static image display interval is to be reviewed in 1 year;
- Signs shall be as high up on the building as possible to ensure that the signs do not present a background to the sightlines of vehicles in relation to traffic signals and signage, to be approved by Public Works;
- Provide photometric drawings showing the impact of the signage on the drivers with brightness, to be approved by Public Works;
- Install back plates on all east facing traffic signals on westbound Mandalay Bay Road and on all west facing traffic signals on eastbound Mandalay Bay Road, to be approved by Public Works.

Applicant’s Justification

The applicant indicates all conditions of approval from the original application have been satisfied and the signs have not resulted in any detrimental occurrences. The applicant adds that electronic displays are similar to other electronic displays along the Resort Corridor that do not have static image restrictions.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
AR-23-400106 (UC-20-0104)	Second application for review for a use permit to waive conditions for temporary outdoor events (tailgating)	Approved by BCC	September 2023
AR-21-400040 (UC-20-0104)	First application for review for a use permit to waive conditions for temporary outdoor events (tailgating)	Approved by BCC	May 2021

### Prior Land Use Requests

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-20-0546	Monorail with waiver to not provide a franchise agreement concurrent with a special use permit for a monorail	Approved by BCC	April 2021
DR-20-0448	Amended a comprehensive sign plan for Mandalay Bay Resort Hotel with increased wall sign area	Approved by BCC	December 2020
DR-20-0272	Amended a comprehensive sign plan for Mandalay Bay Resort Hotel with increased wall sign area	Approved by BCC	August 2020
WC-20-400020 (VS-0387-11)	Waived condition requiring advertising visible from the public right-of-way and not be permitted within the vacated area	Approved by BCC	May 2020
DR-19-0906	Amended a comprehensive sign plan for the Mandalay Bay Resort Hotel with increased sign area and increased animated sign area	Approved by BCC	May 2020
UC-20-0104	Waived conditions for temporary outdoor events (tailgating)	Approved by ZA	April 2020
DR-20-0061	Amended a comprehensive sign plan for the Mandalay Bay Resort Hotel with increased overall animated sign area	Approved by BCC	April 2020
DR-18-0081	Extension of private monorail system consisting of fixed guideway structures and columns, a station/terminal, and associated accessory structures	Approved by BCC	March 2018
UC-0617-16	Extension of private monorail system consisting of fixed guideway structures, a station/terminal, and associated accessory structures	Approved by BCC	November 2017
UC-0273-16	Temporary outdoor events longer than 10 days with deviations to development standards	Approved by BCC	June 2016
UC-0041-16	Proposed parking garage in conjunction with a resort hotel, with increased height, reduced height setback, and deviations to development standards	Approved by BCC	April 2016
UC-0574-14 (WC-0023-16)	Waived a condition requiring landscaping for approved expansion to existing convention facilities for the Mandalay Bay Resort Hotel	Approved by BCC	April 2016
DR-0765-15	Amended comprehensive sign plan for the Mandalay Bay Resort Hotel	Approved by BCC	January 2016
UC-0574-14	Expansion to existing convention facilities for the Mandalay Bay Resort Hotel	Approved by BCC	August 2014
DR-0209-13	Comprehensive sign plan for the Mandalay Bay Resort Hotel	Approved by BCC	June 2013

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0691-12	Secondhand sales (Four Seasons Hotel)	Approved by PC	January 2013
UC-0544-12	Pool area remodeled with exterior access point (Mandalay Bay)	Approved by PC	November 2012
VS-0387-11	Vacated airspace above Mandalay Bay Road	Approved by PC	October 2011
UC-0740-02	1,126 guestroom hotel tower with incidental hotel uses (The Hotel)	Approved by BCC	August 2002
WS-1301-01	Revisions to a retail center (Mandalay Place)	Approved by PC	November 2001
UC-2067-98	Freestanding signs (Mandalay Bay)	Approved by PC	January 1999
UC-1322-98	Timeshare hotel tower with accessory uses in conjunction with a resort hotel (Mandalay Bay)	Approved by PC	September 1998
UC-0697-98	Modification to an approved resort hotel (Mandalay Bay)	Approved by BCC	June 1998
Agenda Item #68 June 16, 1998 BCC	Amended the dedication of Mandalay Bay Road (formerly Hacienda Avenue)	Approved by BCC	June 1998
Agenda Item #39 March 3, 1998 BCC	Dedication of Mandalay Bay Road (formerly Hacienda Avenue)	Approved by BCC	March 1998
UC-1546-97	Modification to an approved resort hotel (Mandalay Bay)	Approved by BCC	October 1997
UC-0244-97	Resort hotel with accessory uses (Project Z)	Approved by BCC	April 1997
UC-1543-96	Resort hotel with accessory uses (Project Y)	Approved by PC	October 1996

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	CR	Luxor & Excalibur Resort Hotels
South	Business Employment & Public Use	PF	Undeveloped, Bali Hai Golf Club, Las Vegas Metro Police Substation, & Clark County Fire Station
East	Entertainment Mixed-Use	CR & PF	Motel, convenience store, retail uses, & undeveloped
West	Entertainment Mixed-Use	CR	I-15 & Allegiant Stadium

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

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

The intent of the condition is to ensure that public health, safety, and welfare are not jeopardized by the distraction of the sign changing, and allowing the sign change once per hour limits the distractions. Changing the image interval from once per hour to every 30 seconds will significantly increase the images per hour, increasing distractions that may cause the potential for collisions. Therefore, staff cannot support this request.

### **Staff Recommendation**

Denial.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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:**

#### **Clark County Water Reclamation District (CCWRD)**

If approved:

- No comment.

**TAB/CAC:**

**APPROVALS: 1 card**

**PROTEST:**

**COUNTY COMMISSION ACTION:** November 8, 2023 – HELD – No Date – per the applicant.

**COUNTY COMMISSION ACTION:** June 5, 2024 – HELD – To 07/03/24 – per the applicant.

**APPLICANT:** MANDALAY PLACE

**CONTACT:** GEORGE ROGERS, GMRA, 6325 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118