

11/08/23 BCC AGENDA SHEET

RESORT HOTEL
(TITLE 30)

LAS VEGAS BLVD S/SPRING MOUNTAIN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0593-MGP LESSOR, LLC:

WAIVER OF DEVELOPMENT STANDARDS for reduced driveway throat depth.

DEVIATION for existing sidewalk and landscaping.

DESIGN REVIEW for an update to a previously approved resort hotel (Hard Rock Hotel Casino) with all associated and accessory uses, structures, and incidental buildings and structures on 69.8 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Las Vegas Boulevard South, 1,300 feet south of Spring Mountain Road within Paradise. TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

162-16-214-002; 162-17-711-002

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the existing driveway throat depth along Sammy Davis Jr. Drive to 27 feet where 150 feet is required per Uniform Standard Drawing 222.1 (an 82% reduction).

DEVIATION:

Allow an existing attached sidewalk and landscaping to remain along Sammy Davis Jr. Drive where Figure 30.64-17 is required.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3400 Las Vegas Boulevard South
- Site Acreage: 69.8
- Project Type: Resort hotel
- Number of Stories: 43 (including podium)
- Building Height (feet): 542 (top of guitar)/660 (additional architectural features)
- Square Feet: 1,208,301 (approved with UC-23-0031)/45,261 (pool surface area)/70,000 (addition live theater)/60,000 (ballroom addition)/110,000 (low rise expansion)/6,500 (retail addition)/6,300 (north valet remodel)/1,794,654 (total with this application)

- Parking Required/Provided: 5,592/6,166
- Guest Rooms: 3,645

History, Site Plan, & Request

UC-23-0031 was previously approved for the new Hard Rock Hotel Casino Las Vegas on the same site as The Mirage which included a new hotel tower and buildings for a new casino area, retail spaces, restaurants with outside dining, a night club, day club, offices, live entertainment, recreation areas, entertainment areas, back of house areas, and other related accessory uses. The new hotel tower and buildings will consist of 1,208,301 square feet of total area.

Today, the proposed plans focus on areas associated with The Mirage along the south property line, and the valet drop-off area within a private drive located within the northern porte-cochere (in between the self-parking garage and the valet garage). Per the applicant, the proposal is to remove and add structures on the site, and to remodel some existing structures.

The following structures will be removed: the existing animal exhibit and habitat, some existing pool structures which include 16 cabanas, a pool bar, and lanais, existing back of house areas (non-public spaces). The total building square footage to be removed is expected to be 172,938 square feet.

The existing guard station is part of the VIP entrance adjacent to Sammy Davis Jr. Drive, this guard station will be relocated while maintaining the existing driveway. In addition, 6,166 parking spaces are provided, where 5,592 parking spaces are required.

Furthermore, the applicant is requesting to reduce driveway throat depth to 27 feet where 150 feet is required per Uniform Standard Drawing 222.1. This driveway geometric is existing and is adjacent to Sammy Davis Jr. Drive. The existing attached sidewalk and landscaping along Sammy Davis Jr. Drive will remain, hence the deviation request. A design review for the submitted plans depicting an update and new additions to the previously approved resort hotel with all associated and accessory uses, structures, and incidental buildings and structures is also a part of this application.

Landscaping

The submitted landscape plan focuses on the southwest corner of the site. Plant types listed on the plans comply with the Southern Nevada Water Authority Plant List. Proposed landscaping primarily face interior to the site adjacent to the pool areas, also within the private drive aisle adjacent to the existing villas (north side). The northeastern valet area and porte-cochere will be remodeled with new landscaping which will still face internally to the site and is not within view of Las Vegas Boulevard South.

Elevations

The proposed elevations are consistent in architectural design with the previously approved application UC-23-0031. South facing elevations for the existing central plant remodel, theater remodel, and low rise expansion have a maximum height of 98 feet. The northern porte-cochere has a maximum height of 25 feet. The ballroom expansion design includes an overall maximum height of 40 feet. Existing hotel tower elevations have an overall height of 429 feet.

Floor Plans

The following areas and structures on the southwest corner of APN 162-17-711-002 will be remodeled and/or added to the site:

- 6,300 square feet of north valet (remodel)
- 45,261 square feet of pool surface area (remodel) - the maximum allowable surface area is 45,261 square feet
- 70,000 square feet of live theater (addition)
- 6,500 square feet of retail (addition)
- 110,000 square feet of low rise (expansion)
- 60,000 square feet of ballroom (addition), which includes a VIP entrance
- Central Plant

Signage

Signage is not a part of this request.

Applicant's Justification

Per the submitted justification letter, the applicant was recently approved for related special use permits, deviations, waivers, and design reviews via UC-23-0031. This application represents the second entitlement application for the existing hotel. The applicant proposes to remodel the existing north valet and resort pool, expand the current low-rise area, and the addition of theater, retail, and ballroom spaces.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-23-0031	High Impact Project, resort hotel (Hard Rock), with associated uses, deviations, waivers, and design reviews	Approved by BCC	March 2023
DR-21-0443	Comprehensive sign package	Approved by BCC	October 2021
ADR-21-900297	Outdoor patio	Approved by ZA	July 2021
UC-19-0859	Temporary commercial outdoor events	Approved by BCC	December 2019
DR-18-0647	Façade changes to existing outdoor sales structure/booth	Approved by BCC	October 2018
AR-18-400147 (UC-0283-17)	First application for review of an outdoor sales structure/booth subject to removing the time limit	Approved by BCC	July 2018
UC-0283-17	Allowed an outdoor sales structure/booth for Mirage and signage subject to a 1 year review after ticket sales begin	Approved by BCC	June 2017
UC-0200-17	Allowed an outdoor sales structure/booth for Treasure Island and a use permit for deviations to development standards for a resort hotel	Approved by BCC	May 2017

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0596-12	Comprehensive sign package	Approved by BCC	November 2012
TM-0221-08	1 lot commercial subdivision	Approved by PC	February 2009
UC-2055-04	Remodel and expansion of the existing Mirage Resort Hotel including signage	Approved by PC	January 2005
DR-1047-03	67 foot high pedestrian bridge connection to a proposed public pedestrian bridge on the north side of the Treasure Island Resort Hotel	Approved by BCC	August 2003
VC-2030-98	Pedestrian bridge to connect the Treasure Island and The Mirage Resort Hotel properties to the Venetian Resort Hotel	Approved by BCC	August 1998
VC-894-92	37,000 square feet of signs	Approved by PC	December 1992

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Treasure Island Resort Hotel
South	Entertainment Mixed-Use	H-1	Caesars Palace Resort Hotel & Forum Shops
East	Entertainment Mixed-Use	H-1	Venetian/Palazzo Resort Hotel, Casino Royale, & Harrah's Resort Hotel
West	Business Employment	M-1	Office/warehouse buildings & I-15

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**Waiver 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.

Deviation

Staff does not oppose the applicant's request to allow the existing attached sidewalk and existing landscaping adjacent to Sammy Davis Jr. Drive to remain. Portions of the resort hotel which face

Sammy Davis Jr, adjacent to existing driveways, sidewalks, and mature landscaping are integral to the way non-public areas and VIP entrances are utilized. Staff finds that this request does not pose a negative impact to the site or the proposed remodeled areas of the resort hotel. Staff supports this request.

Design Review

Staff finds that the proposed update to the site is compatible with the previously approved application (UC-23-0031) and existing improvements on-site. The plans depict a schematic design that is in-line with the site design that is unique and architecturally diverse, which is appropriate for the surrounding area. Staff finds the proposed revisions to the resort hotel is fitting for the area, is well-suited with the surrounding land uses, and complies with multiple goals and policies from the Master Plan; therefore, staff recommends approval.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection to reducing the throat depth for the existing driveway on Sammy Davis Jr. Drive. The driveway should see significantly less traffic, as it is used for VIP access and not the general public. The minimal traffic will help reduce the potential for vehicle conflicts caused by throat depth. Additionally, the applicant has worked with staff to relocate the gate shack, helping to reduce conflicts.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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; water features must comply with Chapter 30.64; the installation and use of cooling systems that consumptively use water will be prohibited; 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; 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

- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Department of Aviation

- 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 a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- 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 30.48 Part B 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.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- 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; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

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 #0246-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HR NV, LLC

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