

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0112-STASIS FOUNDATION:

AMENDED HOLDOVER USE PERMITS for the following: **1)** banquet facility; and **2)** caretaker unit.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce street landscaping; **2)** reduce buffering and screening; **3)** increase wall and fence height; **4)** allow nonresidential vehicular access to a residential local street (no longer needed); **5)** reduce parking; **6)** reduce access gate setback; **7)** reduce throat depth; and **8)** permit existing residential pan driveways where commercial curb return driveways are required.

DESIGN REVIEWS for the following: **1)** banquet facility; **2)** recreational and entertainment facility; **3)** museum; **4)** caretaker unit; and **5)** alternative landscape plan on 1.05 acres in a CG (Commercial General) Zone.

Generally located on the east side of Spencer Street, 500 feet south of Viking Road within Paradise. TS/md/kh (For possible action)

RELATED INFORMATION:**APN:**

162-14-802-001

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce street landscaping along Spencer Street to zero feet where a detached sidewalk is required and when an attached sidewalk is proposed or is allowed to remain, a 10 foot wide minimum landscape strip shall be provided per Section 30.04.01D7 (a 100% reduction).
 - b. Reduce street landscaping along Kamden Way to zero feet where a detached sidewalk is required and when an attached sidewalk is proposed or is allowed to remain, a 10 foot wide minimum landscape strip shall be provided per Section 30.04.01D7 (a 100% reduction).
2.
 - a. Reduce buffering and screening along the north property line to 5 feet where buffering and screening shall consist of a 15 foot landscape buffer with an 8 foot decorative screen wall per Section 30.04.02C1 (a 66.7% reduction).
 - b. Allow a single row of evergreen trees along the north property line where the landscape buffer requires a double row of evergreen trees each row planted offset from one another per Section 30.04.02C2.
 - c. Reduce buffering and screening along the east property line to 5 feet where buffering and screening shall consist of a 15 foot landscape buffer with an 8 foot decorative screen wall per Section 30.04.02C1 (a 66.7% reduction).

- d. Allow a single row of evergreen trees along the east property line where the landscape buffer requires a double row of evergreen trees each row planted offset from one another per Section 30.04.02C2.
3.
 - a. Allow an existing 6.5 foot high decorative fence/wall where fences and walls within the front setback (Spencer Street) of commercial districts shall not exceed 3 feet in height per Section 30.04.03B1 (a 116.7% increase).
 - b. Allow an existing 9 foot high non-decorative block wall where fences and walls within the rear setback (Kamden Way) of commercial districts shall not exceed 8 feet in height per Section 30.04.03B1 (a 12.5% increase).
4. Allow nonresidential vehicular access to a residential local street (Kamden Way) where multi-family or nonresidential development access is not permissible from residential local streets, unless the street is the sole means of access per Section 30.04.06D (**no longer needed**).
5. Reduce parking to 7 parking spaces where 68 parking spaces are required per Section 30.04.04D and Table 30.04-2 (an 89.7% reduction).
6.
 - a. Reduce access gate setback for the existing gate located at the northwest corner of the site adjacent to Spencer Street to 25 feet where access gates shall be set back no less than 50 feet from the property line per Section 30.04.04F3 (a 50% reduction).
 - b. **Eliminate** access gate setback for the existing gate located at the southwest corner of the site adjacent to Spencer Street to zero feet where access gates shall be set back no less than 50 feet from the property line per Section 30.04.04F3 (a 100% reduction).
 - c. Eliminate the access gate setback for the existing gate located at the northeast corner of the site adjacent to Kamden Way where access gates shall be set back no less than 50 feet from the property line per Section 30.04.04F3 (a 100% reduction).
7. Reduce throat depth to 25 feet for a driveway along Spencer Street where a minimum of 75 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 66.7% reduction).
8. Permit existing residential pan driveways where commercial curb return driveways are required per Section 30.04.08 and Uniform Standard Drawing 222.1.

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 3970 Spencer Street
- Site Acreage: 1.05
- Project Type: Banquet facility; recreational and entertainment facility; museum; and caretaker unit
- Number of Stories: 2 (recreational and entertainment facility)/1 (existing detached garage)/1 (existing detached ingress/egress structure)

- Building Height (feet): 25 (recreational and entertainment facility)/10.5 (existing detached garage)/10 (existing detached ingress/egress structure)
- Square Feet: 14,620 (basement)/823 (first floor)/1,493 (second floor)/16,936 (overall); 779 (existing detached garage)
- Parking Required/Provided: 68/7
- Sustainability Required/Provided: 8/7

History & Request

The existing 2 story single-family residence was constructed in 1978 with a basement level, commonly referred to as the “underground mansion”. The applicant is now requesting to convert the single-family residence to a commercial building that includes a banquet facility, museum, recreational and entertainment facility with a caretaker’s unit. No modifications will be made to the exterior of the residence; however, site improvements which include vehicle drive aisles, parking spaces, and landscaping are part of this request and described within the sections below.

Site Plans

The **revised** plans depict an existing 2 story single-family residence that will be converted to a commercial building for a variety of uses. The residence is located on the northern half of the project site and features the following setbacks: 1) 70 feet from the west property line along Spencer Street; 2) 37 feet from the north property line adjacent to the existing single-family residences; 3) 110 feet from the east property line adjacent to Kamden Way; and 4) 86 feet to the south property line adjacent to an existing office development. An existing single-story detached garage is located immediately to the east of the residence and was designed with the following setbacks: 1) 118 feet from the west property line; 2) 25 feet from the north property line; 3) 67 feet from the east property line; and 4) 125 feet from the south property line. The required refuse and recycling containers will be located within the garage. **Solar panels are proposed for the existing garage to assist in energy efficiency for the structure.** Access to the project site **for employees and visitors** is granted via an existing **2-way egress/ingress** gate located at the northwest corner of the site, adjacent to Spencer Street. A waiver of development standards is necessary to reduce the throat depth to 25 feet for this driveway, in addition to a request to reduce the access gate setback. A waiver of development standards was previously requested to allow access to Kamden Way, a residential local street. **However, the existing access gate located at the northeast corner of the property will now only be utilized for emergency vehicle access with a waiver no longer being required.** The **emergency** access gate adjacent to Kamden Way is set back zero feet from the northeast property line, necessitating a waiver to reduce the setback. A proposed 24 foot to 25 foot wide, east/west vehicle drive aisle is located immediately north of the residence that connects the ingress and egress gates. The existing residential pan driveways will remain necessitating a waiver of development standards request. Access to the basement level of the residence is granted via an existing detached ingress/egress structure, located at the southeast corner of the site. The ingress/egress structure features the following setbacks: 1) 33 feet from the west property line; 2) 172 feet from the north property line adjacent to the existing single-family residences; 3) 194 feet from the east property line adjacent to Kamden Way; and 4) 8 feet to the south property line. The required loading space is located immediately to the west of this structure and is secured by an existing access gate located along the southwest property line. A waiver of development standards is also required to reduce

the setback for this access gate. Existing 5 foot wide attached sidewalks are located along Spencer Street and Kamden Way.

The project site requires 68 parking spaces where 7 parking spaces are provided, requiring a waiver to reduce parking. However, the applicant has entered into a parking agreement with the office development immediately to the west of the project site, across Spencer Street, securing additional parking spaces to mitigate the waiver request. The office development consists of the following 3 parcels, APNs 162-14-403-008, 162-14-801-003, 162-14-403-010, and includes an on-site parking garage and an adjunct parking lot on the northern parcel. The office development requires 360 parking spaces where 554 parking spaces are provided, resulting in a surplus of 194 parking spaces. The applicant states the parking agreement permits up to 80 of the 194 surplus parking spaces to be utilized by patrons of the recreational and entertainment facility.

Landscaping

The plans depict an existing 5 foot wide attached sidewalk located adjacent to Spencer Street. An existing 6.5 foot high decorative fence/wall (3.5 feet wrought iron/3 feet block wall) is located immediately behind the attached sidewalk requiring a waiver to encroach into the front setback. A street landscape area measuring a minimum of 18 feet in width is located immediately behind the decorative fence/wall along Spencer Street. The street landscape area consists of proposed large trees planted 20 feet on center, in combination with existing mature palm trees. The required shrubs and groundcover are also provided within this area. A waiver of development standards is required to reduce the street landscape area to zero feet as this area is located immediately behind the decorative fence/wall. Shrubs and groundcover will also be provided within the landscape area. A single row of large evergreen trees, located within a 5 foot wide landscape area, is proposed along the north and east property lines adjacent to existing single-family residential development. A waiver of development standards is required to reduce these landscape areas. Existing 8 foot high and 9 foot high CMU block walls are located along the north and east property lines, respectively. A street landscape area measuring a minimum of 20 feet in width is located along Kamden Way behind a proposed 2 foot high block. The applicant is requesting an alternative landscape plan for site, more specifically for parking lot landscaping. A total of 4 trees are required for the parking lot landscaping where a total of 7 trees are provided (3 existing and 4 proposed). Furthermore, a combination of existing and proposed trees are dispersed throughout the project site.

Elevations

The plans depict an existing 2 story single-family residence, measuring 25 feet in height, that will be converted to a recreational and entertainment facility. The residence consists of a pitched concrete tile roof. A single story detached garage, measuring 10.5 feet in height, is also depicted on the plans. The existing, detached ingress/egress structure measures 10 feet in height with an angled, concrete tile roof. The single-family residence, detached garage, and detached ingress/egress structure all consists of stucco exteriors and are painted with neutral, earth tone colors.

Floor Plans

The plans depict an existing residence that will be converted to a recreational and entertainment facility. The first floor plan measures 823 square feet in area consisting of a foyer, lobby,

kitchen, staff lounge, and restroom areas. An attached 2 car garage, measuring 634 square feet, connects to the interior of the building. The second floor measures 1,493 square feet and features the caretaker unit consisting of a living room, dining room, kitchen, bathroom, and laundry room. The basement level, also known as the “underground mansion”, measures 14,620 square feet in area. The basement level consists of the recreational and entertainment facility, banquet facility, and museum and features a serving area, bistro area, putting green, an existing pool and grotto area, billiards room, fountain area, changing room, library, grand suite, bar, office, green room, gallery, and restroom facilities. The existing, detached 2 car garage measures 779 square feet in area.

Applicant’s Justification

The applicant states the banquet facility will be host to a list of different events to include, but not limited to, receptions, fundraisers, small business and corporate meetings/parties, photoshoots, historical tours, charitable and philanthropic events. Additionally, a caretaker of the property employed by the Stasis Foundation lives on site to ensure the property is secure amongst other duties. The applicant indicates that a parking agreement with the office development immediately to the west, across Spencer Street, has been secured which authorizes the use of 80 parking spaces. **The gates for the loading zone located at the southwest corner of the property will only be open during delivery times.** The applicant states the waivers of development standards requests associated with this application will not will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0333-00 (ET-0056-03)	First extension of time to review a use permit to operate a private recreational facility to include group functions, tours, receptions, and meetings; and variances for reduced parking and to permit a guest house with a kitchen subject until April 5, 2006 for review - expired	Approved by PC	April 2003
UC-0333-00	Use permit to operate a private recreational facility to include group functions, tours, receptions, and meetings; and variances for reduced parking and to permit a guest house with a kitchen - expired	Approved by PC	April 2000
UC-1022-95	Use permit for a privately operated party facility with a variance to reduce parking - expired	Approved by BCC	September 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential
South	Corridor Mixed-Use	CG	Office complex
West	Neighborhood Commercial	CG (MPO)	Parking lot

Related Applications

Application Number	Request
PA-25-700009	A plan amendment to redesignate the site from Mid-Intensity Suburban Neighborhood (MN) to Neighborhood Commercial (NC) is a companion item on this agenda.
ZC-25-0111	A zone change to reclassify the site from RS5.2 to CG is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permits

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff finds the proposed banquet facility should have minimal impact on the surrounding residential uses, although the facility is approximately 37 feet away from the nearest single-family residence to the north. Immediately to the south and west of the project site are existing office developments, with direct access onto Spencer Street. The banquet facility will be directly accessed from Spencer Street, a designated collector street. No modifications are proposed to the exterior of the existing buildings, and the project site will continue to maintain a residential appearance. Furthermore, staff finds the proposed caretaker unit should not have an impact on the surrounding residential uses and properties. Therefore, staff recommends approval of the use permits.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

Staff typically does not support requests to reduce street landscaping along the right-of-way. The street landscaping along the right-of-way is reduced due to pre-existing site conditions,

consisting of a 6.5 foot high decorative fence/wall and a 9 foot high CMU block wall along the west (Spencer Street) and east (Kamden Way) property lines, respectively. The applicant is providing the required number of street trees behind the existing walls; therefore, staff does not object to this request. However, since staff is not supporting the remaining waivers of development standards and design reviews associated with this application; staff recommends denial.

Waiver of Development Standards #2a & #2b

Staff finds the request to reduce the buffering and screening along the north property line should not impact the adjacent single-family residences. The applicant is proposing a single row of large evergreen trees, planted 20 feet on center within a landscape area measuring 5 feet in width located between the vehicle drive aisle and the north property line. Furthermore, an existing 8 foot high CMU block wall is located along the north property line further enhancing the proposed landscape buffer. However, since staff is not supporting the remaining waivers of development standards and design reviews associated with this application; staff recommends denial.

Waiver of Development Standards #2c & #2d

A single row of large evergreen trees, planted 20 feet on center within a landscape area measuring 5 feet in width, is located adjacent to existing single-family residences along the east property line. Furthermore, an existing 9 foot high CMU block wall is located along the east property line. However, staff cannot support the request to reduce the buffering and screening within this area as there is adequate room within the project site to provide the required landscaping.

Waiver of Development Standards #3

Staff typically does not support allowing fences or walls exceeding 3 feet in height within the front setback of commercial districts. However, the existing 6.5 foot high decorative fence/wall, located along Spencer Street, is a pre-existing site condition that should not have a negative impact on the surrounding land uses and properties. Furthermore, the 9 foot high non-decorative CMU block wall adjacent to Kamden Way is also an existing site condition. Therefore, staff has no objection to these requests. However, since staff is not supporting the remaining waivers of development standards and design reviews associated with this application; staff recommends denial.

Waiver of Development Standards #4

No longer needed.

Waiver of Development Standards #5

Staff typically does not support waiver requests to substantially reduce the amount of on-site parking in conjunction with recreational and entertainment facilities. However, the applicant has entered into a parking agreement with the office development immediately to the west of the project site, across Spencer Street. The parking agreement stipulates that up to 80 on-site parking spaces can be utilized to accommodate parking for the proposed use. Staff has no objection to this waiver request contingent upon 1 year to review the parking reduction to ensure the adjacent residential properties are not impacted. However, since staff is not supporting the

remaining waivers of development standards and design reviews associated with this application; staff recommends denial.

Waiver of Development Standards #6

Staff cannot support the request to reduce the access gate setback for the existing gate located at the northwest corner of the site. Although the gate is set back 25 feet from the property line adjacent to Spencer Street, staff is concerned with the potential queuing of vehicles into the right-of-way. Therefore, staff cannot support this request.

Staff cannot support the request to reduce the access gate setback for the existing gate located at the southwest corner of the site, that services the loading zone immediately adjacent to the ingress/egress structure. The gate is set back zero feet from the southwest property line along Spencer Street, and staff is concerned with the potential queuing of vehicles into the right-of-way. Therefore, staff recommends denial of this request.

The existing access gate located at the northeast corner of the site, adjacent to Kamden Way, is for egress only onto the residential local street. There should not be an issue with vehicles queuing into the right-of-way at this location; however, since staff is not supporting waiver of development standards #4, staff cannot support this request.

Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Design Reviews # 1 through #4

Policy WP-3.1 of the Master Plan encourages the repurposing and reinvention of vacant or functionally obsolete buildings through adaptive reuse—where practical and consistent with development—to promote reinvestment in Winchester/Paradise and support sustainability initiatives. Staff finds the proposed conversion of the existing single-family residence into the recreational and entertainment facility complies with the aforementioned policy. Furthermore, no modifications are proposed to the exterior of the existing buildings, and the project site will continue to maintain a residential appearance. However, staff is concerned with the location of the proposed loading zone, located at the southwest corner of the property adjacent to Spencer Street. The configuration of the loading zone restricts the ability of vehicles to turn around on-site and will force vehicles to back out onto Spencer Street, creating a potentially unsafe situation. Additionally, staff finds the site can be redesigned to eliminate vehicular access onto Kamden Way. Therefore, since staff is not supporting waivers of development standards associated with this application, staff cannot support the design reviews.

Design Review #5

Staff has no objection to the proposed alternative landscape plan as the proposed and existing trees are equitably distributed throughout the site. Furthermore, existing mature evergreen and

palm trees will be preserved with the modifications to the site. However, since staff is not supporting design reviews #1 through #4, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #7

Staff cannot support the request to reduce the throat depth for the driveway on Spencer Street. The site was originally developed for residential use, but it will now be used for commercial purposes; therefore, increasing the amount of traffic and the potential for stacking in the right-of-way.

Waiver of Development Standards #8

Staff cannot support the request to not install commercial curb return driveways on Spencer Street and Kamden Way. Commercial curb return driveways help mitigate traffic by allowing a smooth transition from the road into the commercial site, whereas pan driveways require vehicles to nearly come to a stop to negotiate a turn into a site. As such, pan driveways are not an acceptable standard for any driveways other than emergency access driveways only. It is imperative that traffic can flow without the interruption of vehicles attempting to access the site. Additionally, with the site converting to a commercial development it is important to help get the increase of traffic out of the right-of-way.

Staff Recommendation

Approval of the use permits; denial of the waivers of development standards and design reviews. This item will be forwarded to the Board of County Commissioners' meeting for final action on **May 21, 2025** at 9:00 a.m., unless otherwise announced.

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

If approved:

- 1 year to review waiver of development standards to reduce parking;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Traffic study and compliance;
- No signs, structures, and landscaping shall encroach into public right-of-way, easements, or sight-visibility zones.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Paradise - denial.

APPROVALS: 2 cards

PROTESTS: 6 cards, 2 letters

PLANNING COMMISSION ACTION: March 18, 2025 – HELD – To 04/15/25 – per the applicant.

APPLICANT: STASIS FOUNDATION

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