

06/18/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0271-CV FLAMINGO, LLC:

WAIVER OF DEVELOPMENT STANDARDS to allow an attached sidewalk to remain in conjunction with an existing restaurant on a portion of 2.5 acres in a CG (General Commercial) Zone within the Airport Environs (AE-65) and Midtown Maryland Parkway Overlays.

Generally located on the north side of Flamingo Road, 183 feet east of University Center Drive within Paradise. TS/sd/cv (For possible action)

RELATED INFORMATION:

APN:

162-15-803-006 ptn

WAIVER OF DEVELOPMENT STANDARDS:

Allow an attached sidewalk along Flamingo Road where a detached sidewalk is required per Section 30.04.08.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 808 Flamingo Road
- Site Acreage: 2.5 (portion)
- Project Type: Allow an attached sidewalk in lieu of detached sidewalks
- Building Height (feet): 23
- Square Feet: 924
- Parking Required/Provided: 8/8

Site Plans

The plans depict an approved restaurant with drive-thru lanes on a portion of an existing commercial parcel. The plans show the existing restaurant located in the center portion of the parcel. Access to the property is from Flamingo Road with parking shown along the interior and perimeter of the property. Along Flamingo Road is an existing attached sidewalk that is subject to a waiver of development standards request to allow for the existing attached sidewalk to remain. The existing site has off-site improvements that have been installed.

Landscaping

The approved plans depict landscaping throughout the interior of the parking lot and along the perimeter of the property. Although the pedestrian realm standards are not in compliance with the Midtown Maryland Parkway District, a 15 foot landscape area is shown along Flamingo Road adjacent to an existing attached sidewalk. No changes to the approved landscaping are proposed with this application request.

Applicant's Justification

The applicant states the request to allow for existing attached sidewalks as they will match what is existing along Flamingo Road. The applicant's parcel has approximately 139 feet of street frontage. With the existing commercial driveway taking up most of the frontage, there is only about 55 feet of frontage remaining. Additionally, within those 55 feet is a large concrete power pole. With a small portion of street frontage available, there is no room to transition in and out of the detached sidewalk. This small amount of detached sidewalk will look out of place and detract from the uniformity of the area.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0637	Use permit to modify pedestrian realm, waiver of development standards for allowing drive-thru order box to face residential development and reduced landscape buffer, and design review for restaurant with drive-thru	Approved by BCC	January 2023
UC-22-0602	Use permit to modify pedestrian realm, waiver of development standards to allow drive-thru order box to face residential, and design review for restaurant with drive-thru within Midtown Maryland Parkway district	Approved by BCC	December 2022
DR-1065-99	Convenience store with gasoline sales	Approved by PC	September 1999
ZC-1472-97	Reclassified from R-1 to C-2 zoning for a retail center	Approved by BCC	February 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	RM50	Multi-family residential
South	Public Use	P-F	UNLV
East	Public Use	CG	Electric substation
West	Entertainment Mixed-Use	CG	Convenience store

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

Waiver 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.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection to not installing detached sidewalks along Flamingo Road due to the minimum frontage allotted and the site being fully developed. Additionally, the existing concrete utility pole just southwest of the site would not allow for detached sidewalks.

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 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; 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Traffic study and compliance with future development of the site.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: CV FLAMINGO, LLC

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