

RECREATIONAL FACILITY/EXOTIC ANIMALS
(TITLE 30)

UPDATE
PARADISE RD/SAHARA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0645-WORLD BUDDHISM ASSOCIATION HEADQUARTERS:

HOLDOVER USE PERMITS for the following: **1)** permit inherently dangerous exotic animals; and **2)** recreational facility with accessory retail sales, restaurant, and on-premises consumption of alcohol.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow a use (recreational facility and exotic animals) not within a permanently enclosed building; **2)** permit alternative architectural materials; **3)** alternative landscaping; and **4)** alternative standards for proposed temporary signs.

DESIGN REVIEW for a recreational facility with inherently dangerous exotic animals consisting of a fabric structure (tent) and tiger sanctuary on a portion of 11.4 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Paradise Road and the south side of Sahara Avenue within Winchester. TS/md/jo (For possible action)

RELATED INFORMATION:

APN:

162-10-101-010; 162-10-101-011 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow recreational facility with accessory retail sales, restaurant, and on-premises consumption of alcohol to operate in a fabric structure (tent) where required to be within a permanently enclosed building per Table 30.44-1.
2. Allow fabric as a building material where not permitted per Table 30.56-1.
3.
 - a. Waive landscaping adjacent to Sahara Avenue, Paradise Road, and Joe W. Brown Drive where landscaping per Figure 30.64-17 or Figure 30.64-18 is required.
 - b. Waive landscaping adjacent to a less intensive use where required per Figure 30.64-11.
 - c. Waive parking lot landscaping where required per Figure 30.64-14.
 - d. Allow non-decorative fence (chain-link) along streets where a decorative fence in conjunction with required landscaping is permitted per Section 30.64.020.
4.
 - a. Increase the time limit for an existing temporary sign to 12 months where a maximum of 1, ten day event in a calendar month, with no more than 6 total events over 1 calendar year is allowed per Table 30.72-3.
 - b. Increase the sign area for proposed temporary signs to 14,058 square feet where a maximum of 144 square feet is allowed per Table 30.72-3.

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
- Site Acreage: 11.4 (portion)
- Project Type: Recreational facility
- Number of Stories: 1
- Building Height (feet): 52
- Square Feet: 34,246 (fabric structure/tent)/2,352 (backstage fabric structure/tent)/1,800 (tiger sanctuary)
- Parking Required/Provided: 125/146

Site Plan & Request

The applicant is requesting a recreational facility with inherently dangerous exotic animals consisting of a fabric structure (tent) and tiger sanctuary. This request is considered a project of regional significance as the project site is located within 500 feet of another local government's (City of Las Vegas) jurisdictional boundary. The plans depict a recreational facility (magic show with 3 tigers) located at the southeast portion of the project site. Access to the project site is granted via a single and existing driveway located adjacent to Sahara Avenue. The access gate serving the recreational facility is set back 18 feet from the property line adjacent to Sahara Avenue, and will remain open during business hours. The tent is set back 270 feet from the north property line, adjacent to Sahara Avenue, 135 feet from the east property line, along Joe W. Brown Drive, 52 feet from the south property line, and 600 feet from the west property line, adjacent to Paradise Road. The tiger sanctuary is located immediately south of the tent and is not visible from Sahara Avenue. The tiger sanctuary is set back 558 feet from Sahara Avenue, 185 feet from Joe W. Brown Drive, 640 feet from Paradise Road, and 20 feet from the south property line, adjacent to the existing multiple family development. The perimeter of the tiger sanctuary is secured by a 10 foot high wooden fence. The recreational facility requires 125 parking spaces where 146 parking spaces are provided. An existing decorative block wall/chain-link fence measuring 6 feet in height is located along the north property line, adjacent to Sahara Avenue. An existing and proposed chain-link fence measuring 6 feet in height is located around the perimeter of the recreational facility for security purposes. The proposed banner signs advertising the recreational facility will be affixed to the chain-link fence. Portable restroom facilities are located to the northwest of the tent.

Landscaping

Street or interior parking lot landscaping is not proposed with this request.

Elevations

The plans depict a 52 foot high membrane structure (tent). The enclosed tiger sanctuary is 18 feet high and surrounded by a 10 foot high wooden security fence with an additional foot of barbed wired (11 feet total). The tiger sanctuary is surrounded by 9 gage wire with a wire roof enclosure.

Floor Plan

The membrane structure measures 34,246 square feet in area consisting of 500 seats, a stage area, and a backstage area. The tiger sanctuary consists of two, 900 square foot containment areas each with a sleeping cave and a ground pool. The containment areas are enclosed by a 11 foot high wooden security fence with barbed wire. A 5 foot wide perimeter area is located between the security fence and containment area.

Signage

The plans depict 5 different banner signs measuring 6 feet in height and ranging in area between 72 square feet to 216 square feet. The banner signs will be affixed to the 6 foot high security chain-link fence that surrounds the recreational facility.

Applicant’s Justification

The applicant requests a recreational facility with exotic animals (tigers) for a period of 12 months. The applicant was previously approved for the requested uses via UC-20-0139; however, the magic show did not move forward. The applicant states they have continued to work with Animal Control on the appropriate information, safety procedures and care that will be required for the animals on site and has submitted all the required applications for their review. Because the site is an existing parking lot, and because the use is temporary in nature, the applicant is requesting not to provide the required parking lot landscaping and around the perimeter where it would otherwise be required. The temporary signs requested with this application consist of a “banner” variety and affixed to the 6 foot high chain-link fence. The applicant states their number 1 priority is the safety of both the tigers and the community.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1677-05	Vehicle demonstration facility - expired	Approved by PC	December 2005
DR-1438-99	Monorail and associated terminal, operation, and maintenance facility	Approved by BCC	November 1999
UC-1170-99	Monorail	Approved by BCC	October 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	C-1	Retail buildings
South & East	Commercial Tourist	H-1	Multiple family residential
West	Commercial Tourist	H-1	Resort hotel (Sahara)

STANDARDS FOR APPROVAL:

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

Analysis

Current 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 Comprehensive 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.

The subject site is located within an area designated for commercial tourist uses. The Resort Corridor is the primary activity center where hotels, casinos, entertainment uses, general business, professional and public offices, commercial uses, and multiple family residential uses are located. Staff typically supports recreational facilities with on-premises consumption of alcohol in this area. However, staff is concerned the proximity of the recreational facility may potentially impact the adjacent multiple family residential development to the south of the project site. Furthermore, Clark County Animal Control states that the applicant is not eligible for an exotic or wild animal permit unless the operation is temporary (less than 20 days). Therefore, if the request is approved staff recommends imposing the conditions of approval recommended by Clark County Animal Control listed below which includes a time limit of 20 days.

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 & Design Review

The Resort Corridor is the primary activity center where hotels, casinos, entertainment uses, general business, professional and public offices, commercial uses, and multiple family residential uses are located. A tent of this size and scale, without on-site development standards is not the expectation for development within the Resort Corridor or the surrounding area that is designated for commercial tourist uses. Urban Specific Policy 91 encourages enhanced landscaping at the perimeter and interior of parking areas within the commercial tourist area. Therefore, staff does not support the design review and waivers of development standards associated with this request.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Event to be limited to 12 months from the start of occupancy and no extensions will be allowed;
- Applicant to submit a series of 20 day temporary commercial permits for each 20 day session, with the understanding that conditions may be added as needed on each permit;
- Provide 24 hour supervision of facility;
- Notify Las Vegas Metropolitan Police Department and Clark County School District Police immediately, if any animal escapes.
- Applicant is advised that 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; approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Building Department - Fire Prevention

- Applicant is advised that operational permits may be required and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Animal Control

- The temporary exhibition of inherently dangerous exotic or wild animals must be 20 days or less CCC 10.18.020 (h);
- Provide Animal Control with the following information and documentation; the species of animal(s), as well as a description of its age, health, and history of aggression, if any; the knowledge and experience of the person to be keeping the animal about the animal in question and similar animals; a statement confirming that direct contact between the public and the animals will not occur unless a detailed plan is approved by the animal control officer; a current color photograph of the animals; a written program of veterinary care and a veterinarian's certificate, certifying that said animals are vaccinated in accordance with law and possesses no health hazard to itself, other animals, or the general public; an updated copy of accreditation documentation for animals that will be exhibited for public or private viewing; and the USDA documentation provided for the Animal Welfare Act expired March 8, 2020;
- Allow inspections of the premises by the animal control officer prior to opening to the public;
- Allow inspections of the premises by the animal control officer at any reasonable time;

- In the event of an escape, the owner shall be liable for all costs related to its recovery or impoundment. Any impoundment thereunder may be performed as a securing or summary abatement in accordance with Chapter 11.08 in coordination with animal control;
- All containment structures and transport cages must be constructed of at least 9 gauge chain-link or wire mesh;
- All enclosures must have transport doors to be utilized with transport cages with moving felids out of enclosures;
- Primary enclosure must have a double door system to prevent felid escape;
- Documentation of chemical capture and euthanasia drugs being obtained;
- Any deviation from the previously submitted site and escape plan must be approved by the animal control officer prior to opening to the public.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Winchester - denial.

APPROVALS: 2 cards

PROTESTS: 27 cards, 2 letters

COUNTY COMMISSION ACTION: December 22, 2021 – HELD – To 01/19/22 – per Commissioner Segerblom.

APPLICANT: THE SHEKINAH PROJECT I, LLC

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