

BUILDING ADDITIONS/SIGNAGE  
(TITLE 30)

LAS VEGAS BLVD S/SPRING MOUNTAIN RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-22-0416-FASHION SHOW MALL, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced parking; **2)** increase the number of animated message/video unit signs; and **3)** allow additional roof signs.

**DESIGN REVIEWS** for the following: **1)** building additions to an existing restaurant; **2)** increased animated sign area; and **3)** modifications to an approved comprehensive sign package in conjunction with an existing shopping center (Fashion Show Mall) on 42.8 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the northwest corner of Las Vegas Boulevard South and Spring Mountain Road within Paradise. TS/gc/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-16-112-011 through 162-16-112-017; 162-17-510-003; 162-17-510-004

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce parking to 4,263 spaces where a minimum of 9,697 spaces are required (a 56% reduction) and 4,263 spaces were previously approved where 9,650 spaces were previously required per Table 30.60-1 (a 55.8% reduction).
2. Increase the number of animated message/video unit signs to 19 where 11 were previously approved and 1 message/video unit sign is permitted per commercial complex per Table 30.72-1.
3. Allow additional roof signs where not permitted per Section 30.72.

**DESIGN REVIEWS:**

1. Building additions to an existing restaurant.
2. Increase animated sign area to 123,828 square feet where 117,583 square feet exists and a maximum of 150 square feet is permitted per Table 30.72-1.
3. Modifications to an approved comprehensive sign package in conjunction with an existing shopping center (Fashion Show Mall).

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: 3200 Las Vegas Boulevard South
- Site Acreage: 42.8
- Project Type: Building additions/signage
- Number of Stories: 2
- Building Height: 55 feet, 4 inches
- Square Feet: 23,201 (restaurant)
- Parking Required/Provided: 9,697/4,263

#### Site Plans

The plans show an 11,630 square foot addition to an existing 11,571 square foot restaurant within an existing shopping center (Fashion Show Mall), for an overall 23,201 square foot restaurant (Emmitt's). The addition consists of an additional 9,614 square feet on the second floor and an additional 2,016 square feet on the first floor. The first floor addition requires the removal of a planter area in order to accommodate an expansion to the patio area and a vestibule. The first floor addition will not expand beyond the footprint of the existing planter perimeter and; therefore, will not intrude into the 21 foot wide clear pedestrian walkway (15 foot pedestrian access easement with 3 foot "shy" zones on each side). With the additions, the required parking for the mall increases by 47 parking spaces which necessitates a new waiver of development standards to further reduce parking as a percentage, whereas the existing provided parking will remain unchanged.

#### Landscaping

The only change to the existing landscaping is the removal of the existing planter area to accommodate the expansion of the patio area and vestibule. Some small loose planter boxes will be placed on the sides of the patio area.

#### Elevations

The plans depict a 2 story, 55 foot 4 inch high restaurant. Building materials consist of a porcelain tile cladding system, plaster screening, storefront glazing, a metal canopy, decorative sconces, faux wood aluminum slats within an aluminum frame clad in wood and copper mesh panels.

#### Floor Plan

The first floor overall consists of a dining area, kitchen, bar, stage, restrooms, patio area, and vestibules. The second floor overall consists of a lounge, private rooms, bars, kitchen, restrooms, back of house area, storage, outdoor deck, stage, and green room. Live entertainment was approved per action of UC-0259-14 for the Fashion Show Mall.

#### Signage

A total of 9 new signs are proposed in conjunction with the restaurant (Emmitt's) that is located on the first and second levels that face the outdoor plaza area on the east side of the mall along Las Vegas Boulevard South. The 9 new signs consist of 5 wall signs, 3 roof signs, and 1 hanging sign.

The 5 wall signs are animated LED video screens that range in size from 214 square feet to 752 square feet in size. The 3 roof signs are animated LED video sign bands along the building's fascia that range in size from 163 square feet to 1,628 square feet. The 13 square foot, hanging sign is located over the entrance to the restaurant, and is constructed of metal face plate letters with illuminated white acrylic between the face plates.

The following table is a summary for signage:

Type of sign	Existing (sq. ft.)	Existing (sq. ft.) removed (demo)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	Percent Increase	# of Existing Signs	# of Proposed Signs	Total # of Signs
Project Identification	328	0	0	328	70	369	2	0	2
Wall/Awning*	37,167	575	2,947	39,539	327,240	N/A	69	5	74
Freestanding* (incl. cloud canopy)	107,331	600	0	106,731	9,565	1,016	10	0	10
Projecting	46	0	0	46	32 per tenant	44	9	0	9
Roof*	7,024	47	3,298	10,275	0	N/A	43	3	46
Directional	942	0	0	942	32	2,843	22	0	22
Monument	0	0	0	0	70	N/A	0	0	0
Hanging	240	0	13	253	32 per tenant	691	1	1	2
Temporary	13	13	0	0	0	N/A	0	0	0
Overall Total	153,091	1,235	6,258	158,114	337,041	N/A	156	9	165

\*The freestanding, wall, and roof signs also contain animation. The details for animated signs are listed below:

Type of sign	Existing (sq. ft.)	Existing (sq. ft.) removed (demo)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	Percent Increase	# of Existing Signs	# of Proposed Signs	Total # of Signs
Animated (incl. cloud canopy)	106,151	0	0	106,151	N/A	N/A	7**	0	7**
Animated (video units)	11,432	0	6,245	17,677	150	11,685	11**	8	19**

\*\*Six of the existing freestanding signs have both animated (non-video) and animated (video) elements.

#### Applicant's Justification

The applicant states that the existing parking provided is adequate since the additional square footage will not increase the overall number of visitors to the mall. Rather, the additional square footage will allow for additional space in the restaurant to provide a high-end experience and

ambiance for guests. Furthermore, the applicant states that the proposed signage is in harmony with the surrounding area.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-19-0769	Recreational facility (Casino Quest)	Approved by PC	November 2019
UC-19-0526	Tattoo shop	Approved by PC	August 2019
UC-19-0221	Recreational facility (escape room)	Approved by BCC	May 2019
UC-0409-17	Museum (outdoor public art display) and design review for a museum - expired	Approved by BCC	July 2017
UC-0792-16	Alcohol sales (packaged beer and wine) within an existing outdoor sales structure/booth (Fabulous Freddy's)	Approved by BCC	January 2017
WS-0740-16	Enclosed existing outdoor sales structures/booths, a shade structure, and reduced parking	Approved by BCC	December 2016
UC-0660-16	Outside dining and drinking areas with on-premises consumption of alcohol to have primary means of access not from the interior of the restaurant and façade changes (Sugar Factory)	Approved by BCC	November 2016
WS-0659-16	Modifications to an approved comprehensive sign package (Sugar Factory)	Approved by BCC	November 2016
DR-0060-15	Modification to a comprehensive sign package and exterior remodel (Dick's Sporting Goods)	Approved by BCC	March 2015
WS-0663-14	Comprehensive sign package	Approved by BCC	September 2014
UC-0259-14	Expansion and remodel of an existing shopping center with outdoor sales structures/booths and use permits for various uses	Approved by BCC	June 2014
WS-0617-11	Allowed a roof sign in conjunction with a shopping center	Approved by PC	February 2012
WS-0494-11	Increased sign area and allowed portions of the signs to be constructed of temporary materials	Approved by PC	December 2011
UC-0129-11	Movie theater including production, live entertainment, and on-premises consumption of alcohol	Approved by BCC	May 2011
UC-0507-10	Live entertainment beyond daytime hours for a temporary outdoor commercial event (New Year's Eve Party)	Approved by PC	December 2010
WS-0704-09	Increased the average letter height and increased the projection for wall signs for the Forever 21 store	Approved by PC	February 2010

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0641-07	Outside bar in conjunction with an existing restaurant	Approved by PC	July 2007
DR-0539-05	Extension of the pedestrian bridge	Approved by BCC	May 2005
DR-1485-00	Modifications to Fashion Show Mall expansion	Approved by BCC	November 2000
DR-0166-00	Parking garage for Fashion Show Mall	Approved by BCC	March 2000
UC-1493-99	Expansion of the Fashion Show Mall and allowed an increase in overall on-premises sign area	Approved by PC	November 1999

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Trump Tower resort condominiums & undeveloped
South	Entertainment Mixed-Use	H-1	Treasure Island Resort Hotel
East	Entertainment Mixed-Use	H-1	Wynn & Encore Resort Hotels
West	Business Employment	M-1	Industrial/commercial buildings & uses

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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.

Waiver of Development Standards #1 & Design Review #1

Staff finds that the increase in square footage of the existing restaurant lease area will not result in any significant increase in demand for parking at the shopping center. The site is located within the Resort Corridor where many visitors walk, utilize mass transit, or other forms of transportation. The existing parking provided for the shopping center is adequate for the site, and there have been no complaints filed with the Clark County Public Response Office related to parking.

Staff finds the building additions are compatible and harmonious with the existing architecture of the Fashion Show Mall and surrounding area. The design of the additions will further enhance the visitor experience. Furthermore, the additions will not encroach into the 15 foot wide pedestrian access easement/sidewalk or the 3 foot “shy” zones on both sides of the pedestrian access easement/sidewalk. Therefore, the overall 21 foot wide pedestrian walkway will remain clear of obstructions.

#### Waivers of Development Standards #2 & #3 & Design Reviews #2 & #3

Code allows alternative sign standards within the Resort Corridor that can be approved if the signs result in the development having a visual character which is compatible with adjacent development. The proposed signs are compatible with other signs in the area and are in harmony with the unique nature of signage along Las Vegas Boulevard South and within the Resort Corridor. Similar waivers have been approved for other developments along Las Vegas Boulevard South within the Resort Corridor. Las Vegas Boulevard South is also designated and recognized as a National Scenic Byway; therefore, the signs further promote this designation and are appropriate and compatible with the surrounding uses and area.

#### **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:**

##### **Current Planning**

- Applicant is advised that the installation and use of new 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**

- No comment.

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

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

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TRILOGY GROUP F&B, LLC

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