

RESORT HOTEL
(TITLE 30)

FLAMINGO RD/LAS VEGAS BLVD S

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0057-PARBALL NEWCO LLC:

USE PERMIT for deviations as shown per plans on file in conjunction with a resort hotel (Horseshoe).

DEVIATIONS for the following: **1)** increase building height; **2)** encroachment into airspace; and **3)** all other deviations as depicted per plans on file.

DESIGN REVIEWS for the following: **1)** pedestrian bridge; and **2)** modifications to an existing resort hotel (Horseshoe) including back of house area, exterior, and site improvements on a portion of 54.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Flamingo Road and the east side of Las Vegas Boulevard South within Paradise. JG/md/syp (For possible action)

RELATED INFORMATION:

APN:

162-21-102-003 through 162-21-102-005; 162-21-102-009 ptn

DEVIATIONS:

1. Increase building height to 290 feet where 272 feet (a 6.7% increase) was previously approved for the existing resort hotel (Horseshoe – formerly Bally’s) and where a maximum height of 100 feet is permitted per Table 30.40-7 (a 190% overall increase).
2. Encroachment into airspace.
3. Allow all other deviations as depicted per plans on file.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3645 to 3655 Las Vegas Boulevard South
- Site Acreage: 54
- Project Type: Modifications to an existing resort hotel (Horseshoe)
- Building Height (feet): 290
- Square Feet: 342 (back of house space)
- Parking Required/Provided: 5,308/7,262

Site Plan & Request

This is a request for revisions and additions to an existing resort hotel, the Horseshoe (formerly Bally's). The application addresses the changes and modifications to the existing resort hotel site. The proposed changes and modifications are necessary to enhance the quality and safety of the resort hotel and the surrounding resort properties.

The first modification consists of increasing the height of an existing tower from the current height of 272 feet to a maximum height of 290 feet, in addition to exterior modifications that include a new parapet rooftop to the tower, and new balconies with exterior access to the existing guestrooms; 2) a new pedestrian bridge spanning a private drive aisle located between the Paris and Horseshoe Resort Hotels; and 3) modifications to the existing east/west fire lane that services both resort hotels.

The first modification consists of increasing the height of the existing guestroom (Jubilee) tower, located at the southwest portion of the Horseshoe Resort Hotel site, APN 162-21-102-009. The existing tower is set back as follows: 1) 170 feet from the west property line adjacent to Las Vegas Boulevard South; 2) 365 feet from the north property line along Flamingo Road; 3) 1,460 feet from the east property line; and 4) 76 feet from the south property line, adjacent to the existing vehicle drive aisle/fire lane. The footprint of the tower will remain the same with only a negligible increase in the total building area.

The second site modification includes the addition of a new pedestrian bridge spanning an existing vehicle drive aisle/fire lane located between the Horseshoe and Paris Resort Hotels. The pedestrian bridge, located at the west portion of the site, connects the Paris with the Jubilee tower located on the site of the Horseshoe Resort Hotel. The pedestrian bridge is set back 242 feet from the west property line, along Las Vegas Boulevard South.

The third modification includes the addition of a median island measuring 9 feet in width and 183 feet in length with 2 vehicle drive aisle lanes located on each side of the island. The median island is located on the west side of the project site within the vehicle drive aisle/fire lane located between Paris and the Horseshoe Resort Hotels. The existing fire access lane will be maintained at 24.5 feet in width, with a vertical height clearance under the pedestrian bridge of a minimum 15 feet, 9 inches (in excess of the required 13.5 feet as required by the International Fire Code (2018)). To accommodate the pedestrian bridge and related improvements, a total of 26 parking spaces will be permanently removed, consisting of 23 parking spaces located on the Paris site and 3 spaces located on the Horseshoe property. During construction, 19 parking spaces will be temporarily closed at the Horseshoe site. A total of 5,308 parking spaces are required for the subject properties where 7,262 parking spaces are provided.

Landscaping

All street landscaping exists along Las Vegas Boulevard South and Flamingo Road and no street landscaping is proposed or required. Landscaping is proposed within median island consisting of trees, shrubs, and groundcover. No additional landscaping is proposed or required within the interior of the project site.

Elevations

The plans depict an existing guestroom tower (Jubilee) measuring up to 272 feet in height to the top of the building. A deviation is requested to increase the height of the existing tower to a maximum height of 290 feet with modifications to the exterior of the building consisting of the following: 1) a standing seam metal panel parapet wall; 2) painted EIFS façade and molding; and 3) balconies that will provide access to the exterior of the building with exterior sliding doors and metal railings 3.5 feet in width and 11.4 feet in width. Balconies are located on portions of the north and south elevations and are included for all rooms on the west elevation.

An enclosed pedestrian bridge, measuring up to a maximum height of 37.5 feet, will provide a connection between the Paris and Horseshoe Resort Hotels. A minimum vehicular clearance of 15.9 feet is provided where a minimum clearance of 13.5 feet is required per the International Fire Code. The exterior of the pedestrian bridge consists of EIFS painted with neutral, earth tone colors matching the resort hotels. Tempered glazing (windows) will also be included on both sides of the pedestrian bridge.

Floor Plans

The plans depict a total of 342 square feet of back of house space that will be added on levels 54 through 73 of the guestroom tower (Jubilee), or 19 square feet per floor. No additional floor area will be added to the resort hotel. Exterior balconies are featured as part of the floor plans located on portions of the north and south sides of the tower. Balconies are also included for each floor plan immediately adjacent to the west side of the tower. The total area of the enclosed pedestrian bridge measures 3,181 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the proposed increase to the height of the existing guestroom tower is minimal and will remain shorter than the adjacent Paris hotel tower and Eiffel Tower replica measuring 367 feet and 540 feet in height, respectively. The exterior façade improvements to the Jubilee tower will be updated to match the existing exterior façade of the buildings located on the adjacent Paris property. The proposed update and redesign to the Jubilee Tower is consistent with the existing Paris façade design and is compatible with other properties within the Resort Corridor. The proposed modifications to the existing vehicle drive aisle are necessary to accommodate the pedestrian bridge.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|--|-----------------|--------------|
| UC-22-0638 | Modifications to an approved comprehensive sign package with an increase to the number and area of directional signs | Approved by BCC | January 2023 |
| VS-22-0281 | Vacated and abandoned a pedestrian access easement | Approved by BCC | June 2022 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|----------------------------|--|-----------------|---------------|
| UC-22-0280 | 2, four story retail buildings with alternative street landscaping and reduced building setback | Approved by BCC | June 2022 |
| DR-22-0177 | Freestanding sign in conjunction with a resort hotel (Horseshoe Hotel) | Approved by BCC | May 2022 |
| ADR-22-900058 | Remodeled with modifications to the interior and exterior of existing buildings within a shopping center (Grand Bazaar) in conjunction with a resort hotel (Bally's) | Approved by ZA | February 2022 |
| TM-20-500099 | 1 lot commercial subdivision | Approved by PC | August 2020 |
| UC-20-0547 | Monorail with waivers to not provide a franchise agreement and to reduce parking | Approved by BCC | October 2021 |
| UC-20-0546 | Project of regional significance for a monorail with a waiver to not provide a franchise agreement | Approved by BCC | October 2021 |
| UC-18-0263 | Modification to the interior and exterior of an existing building within a shopping center (Bally's Bazaar) | Approved by BCC | January 2018 |
| DR-1035-17 | Exterior and interior remodel of an existing building | Approved by BCC | January 2018 |
| UC-0303-16 | Signage in conjunction with the Grand Bazaar | Approved by BCC | June 2016 |
| DR-0188-16 | Modifications to an approved comprehensive sign package with an increased wall sign area | Approved by BCC | May 2016 |
| UC-0854-14 | Grocery store with a design review for signage | Approved by BCC | December 2014 |
| UC-0847-13 | Modifications to a comprehensive sign package | Approved by BCC | March 2014 |
| UC-0227-12 | Comprehensive sign and lighting plan with modifications to an approved shopping center (Bally's Bazaar) | Approved by BCC | July 2012 |
| UC-0037-12 | Outdoor shopping center (Grand Bazaar Shops) | Approved by PC | March 2012 |
| DR-0077-11 | Modifications to an approved sign package and reduced the separation between monument signs | Approved by BCC | May 2011 |
| UC-0305-10 | Sign package for Bally's and Paris Resort Hotels | Approved by BCC | August 2010 |
| UC-1384-03 (ET-0283-09) | Second extension of time to allow permanent banners | Approved by PC | December 2009 |
| UC-1384-03 | Allowed permanent banners | Approved by PC | October 2003 |
| UC-0855-00 | Three sided on/off-premises freestanding sign with deviations to required setbacks | Approved by PC | July 2000 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|----------------------------------|------------------------|---|
| North | Entertainment Mixed-Use | H-1 | Drai's Beachclub & Nightclub |
| South | Entertainment Mixed-Use | H-1 | Planet Hollywood Resort Hotel |
| East | Entertainment Mixed-Use | H-1 | Motion picture production studio, parking lots, and undeveloped |
| West | Entertainment Mixed-Use | H-1 | Bellagio Resort Hotel |

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permit & Deviation #1

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 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.

Staff finds the proposed height increase to the guestroom tower is consistent and compatible with the existing height of the surrounding resort hotels. The increase in tower height should not have an adverse or negative impact on the surrounding properties; therefore, staff recommends approval.

Deviation #3 & Design Reviews #1 and #2

Staff finds the proposed changes and modifications to the project are consistent and compatible with previous approvals for the project and other developments in the area. The proposed modifications are in response to changes in trends within the resort community, in addition to the current improvements to the project site. The proposed changes also reflect the new goals and direction for the rebranding of the Horseshoe Resort Hotel. Therefore, staff recommends approval of these requests.

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.

More importantly, the development will penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.48.100 of the Clark County Unified Development Code. Therefore, as required by Section 30.16.210(12)(D) of the Clark County Unified Development Code, final action cannot occur until the FAA has issued an airspace Determination of No Hazard and the Department of Aviation has reviewed the determination. (Note that Section 30.16.210(12)(D) requires that the FAA Determination of No Hazard shall be

submitted 2 weeks prior to final approval for any proposed structure that intrudes into Airport Airspace Overlay District [see Chapter 30.48 Part B].)

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

- Applicant is advised that 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

- No comment.

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;
- 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.
- 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: PARBALL NEWCO LLC

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