

05/16/23 PC AGENDA SHEET

SHOPPING CENTER MODIFICATIONS  
(TITLE 30)

PARADISE RD/TWAIN AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-23-400033 (WS-20-0336)-3900 PARADISE RETAIL OWNER SPE, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS FIRST APPLICATION FOR REVIEW** for a reduction of parking in an existing shopping center on 4.0 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Paradise Road, 640 feet south of Twain Avenue within Paradise. TS/dd/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-15-401-038

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the number of parking spaces to 181 spaces where 276 spaces are required per Table 30.60-1 (a 34% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3900 Paradise Road
- Site Acreage: 4
- Project Type: Modifications to an existing shopping center
- Number of Stories: 2
- Building Height (feet): 36
- Square Feet: 68,880
- Parking Required/Provided: 276/181

Site Plan & History

Application WS-20-0336, which included 4 waivers of development standards and 3 design reviews, were originally approved for modifications to an existing shopping center with access from Paradise Road to the west. The modifications included changes to the parking lot layout, site landscaping, replacing an existing freestanding sign, changes to wall signs, and the allowance of roof signs. An approved multiple family residential development, which shares

parking and cross access with the subject shopping center, is currently under construction on the adjacent parcel to the east. Until the adjacent multiple family residential development is complete, the subject shopping center is deficient in the required number of parking spaces. As a result, the applicant reduced existing landscaping and modified the layout of the parking lot to add 6 additional parking spaces. The current application is only to review the waiver of development standards to reduce parking; all the other waivers of development standards and design reviews were approved with the original application.

If the adjacent multiple family residential development is constructed, 928 parking spaces are to be provided where 919 parking spaces would be required for the entire site (the multiple family residential development was designed to provide over 95 parking spaces to make-up the commercial deficiency). Therefore, the waiver of development standards to reduce parking for the subject shopping center is necessary in the interim until the approved multiple family residential development is constructed.

#### Landscaping

Existing and approved landscaping along Paradise Road will range in width from 15 feet wide on the northern portion of the site down to approximately 5 inches of landscaping (essentially eliminating landscaping) near the southern portion of the site. Other landscaping areas include new 6 foot by 6 foot diamond shaped parking lot planters (7 foot by 7 foot is the minimum planter size) and additional areas of landscaping around portions of the base of the buildings.

#### Elevations

The existing buildings range from single story up to 2 stories with a maximum height of 36 feet. The color scheme includes white, gray, dark gray, beige, and off-orange with various architectural elements. No changes are proposed to the exterior of the buildings.

#### Signage

Changes to signage included replacing an existing freestanding sign with an animated freestanding sign, adding wall signs and roof signs on the buildings, and adding non-illuminated signage that will face the approved multiple family residential development to the east.

#### Previous Conditions of Approval

Listed below are the approved conditions for WS-20-0336:

##### Current Planning

- 2 years to review waiver of development standards #3;
- Final zoning inspection required.
- Applicant is advised that 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; and that this application must commence within 2 years of approval date or it will expire.

##### Public Works - Development Review

- Coordinate with Public Works - Design Division for the Paradise Road improvement project;

- Dedicate any right-of-way and easements necessary for the Paradise Road improvement project.

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.

Applicant’s Justification

The applicant states that the previous land use approval (WS-20-0336) granted a waiver to allow for a reduction in parking on-site with the reasoning that once site renovations are complete there will be extra parking spaces provided. The applicant states that the renovations for the site are nearly complete as of now, and that the parking lot has been resurfaced and laid out in a more efficient manner to allow for the most parking possible. Additionally, the applicant has stated that the owner of the property has provided an additional 100 off-site parking spaces while the renovations are underway.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-20-0336	Waivers and design reviews for parking requirements, alternative sign standards, and parking and street landscaping	Approved by PC	September 2020
UC-0132-04	Real estate school including business related training and certification	Approved by PC	March 2004
UC-1841-03	Expanded on-premises consumption of alcohol and design review to allow standing seam metal roofs and partially enclosed an existing outside dining/drinking patio with a proposed restaurant	Approved by PC	January 2004
UC-1454-01	On-premises consumption of alcohol within a restaurant	Approved by PC	December 2001
UC-0130-85	Retail and office complex	Approved by PC	August 1985

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & South	Entertainment Mixed-Use	H-1	Hotel
East	Entertainment Mixed-Use	H-1	Multiple family residential with cross access to the subject shopping center
West	Entertainment Mixed-Use	H-1	Restaurant & offices

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Comprehensive Planning**

Title 30 standards of approval for an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred since the original approval.

The applicant submitted this application in order to review the effects of the required parking shortage allowed by WS-20-0336. Upon researching the subject parcel and the multiple family development currently under construction directly to the east, staff has found that there have been no Code Enforcement violations related to parking shortages. Additionally, satellite images of the site captured since the parking waiver approval do not appear to show any major shortages of parking within the lot. More than likely, the 100 additional off-site parking spaces provided by the owner have helped the on-site parking situation. With these factors taken into consideration, staff can support approval of this review and removal of the time limit.

### **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**

- Remove the time limit.

#### **Public Works - Development Review**

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Paradise Road improvement project;
- Compliance with previous conditions.

#### **Fire Prevention Bureau**

- No comment.

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

- No comment.

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

**APPROVALS:**

**PROTEST:**

**APPLICANT:** ANN PIERCE

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