

TEMPORARY COMMERCIAL EVENT  
(TITLE 30)

TROPICANA AVE/DECKOW LN

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0132-UNIVERSITY BOARD OF REGENTS:**

**USE PERMITS** for the following: **1)** allow a temporary commercial event (Boring Competition) on a property with no licensed business; and **2)** extend the time limit for set-up and operational removal for a temporary commercial event.

**DESIGN REVIEW** for a temporary commercial event on a portion of 36.8 acres in an H-1 (Limited Resort and Apartment) (AE-65 & AE-70) Zone.

Generally located on the north side of Tropicana Avenue and the east side of Deckow Lane within Paradise. JG/lm/jo (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-21-802-002 through 162-21-802-005 ptn

**USE PERMITS:**

1. Allow a temporary outdoor commercial event (Boring Competition) not licensed through, or on the same property as, an existing licensed business as required per Table 30.44-1.
2. Extend the time limit for set-up and operational removal to 2 weeks for set-up and 2 weeks for operational removal where a maximum of 1 week for set-up and 1 week for operational removal is allowed per Table 30.44-1.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 300 E. Tropicana Avenue
- Site Acreage: 36.8 (portion)
- Project Type: Temporary commercial event on a property with no licensed business

**Site Plan**

This request is to allow a 1 time temporary outdoor commercial event on a portion of an undeveloped 36.8 acre project site. The event will be relegated to the southeasterly portion of the properties with access from Tropicana Avenue. The area being used for the event is located approximately 400 feet from the residential property to the north, and 600 feet from the property

to the west. Amplified sound will be used for announcements and will be located over 500 feet from the residential properties to the north and west. Parking will be provided in the paved parking lot located at APN 162-21-810-004 with emergency vehicles and VIP drop-off area located in the existing paved area along Tropicana Avenue on APN 162-21-802-002. The competition site includes designated lanes for emergency vehicle access, with a full-time staffed first aid tent for the duration of the competition. To the west of the competition site will be a stage and bleachers, set-up within a fenced area. The event will take 2 weeks to set-up and 2 weeks for removal due to the nature of the use on the site.

#### Applicant's Justification

The project site is currently vacant and the applicant is requesting to utilize the property for a 1 time event for the "Not-a-Boring Competition" for 12 teams of students and engineers from around the world to dig tunnels that will be 98 feet long, at least 5 feet deep, and 20 inches in diameter. The event is scheduled for September 12, 2021 and safety protocols will begin at 7:30 a.m. with the start of boring at approximately 9:30 a.m. All tunneling activity will be completed within 5 hours, with a brief awards ceremony to take place afterward and concluding the event at 5:00 p.m. No tickets will be sold for the event and all recommended COVID-19 safety guidelines will be enforced for the approximate 400 attendees. The boring shall not cause noticeable changes to the surface and teams will control dust and remove soils from their respective tunnels. The 12 tunnels will be backfilled, and tunnel segments will be left in-situ.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-1406-07 (ET-0013-12)	Second extension of time for resort hotel and resort condominium - expired	Approved by BCC	March 2012
UC-1406-07 (ET-0026-10)	First extension of time for resort hotel and resort condominium - expired	Approved by BCC	March 2010
UC-1406-07	Resort hotel and resort condominium - expired	Approved by BCC	February 2008
ZC-1742-05	Reclassified the subject site to H-1 zoning	Approved by BCC	December 2005

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	R-4 & H-1	Residential
South	Public Facilities	P-F	McCarran International Airport
East	Commercial Tourist	H-1	Timeshare hotel
West	Commercial Tourist	R-T, R-4, R-5, & C-2	Commercial & residential

#### **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.

#### Use Permits & Design Review

Staff can support the request to allow temporary outdoor commercial events on a property with no licensed business, as well as extend the set-up and operational removal timeframe requested. The proposed requests will not have an adverse or negative impact on the surrounding land uses and properties; therefore, staff recommends approval.

### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for McCarran 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.

The property lies within the AE-70 (70 - 75 DNL) and AE-65 (65 - 70 DNL) noise contours for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand.

### **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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- 2 weeks for set-up and 2 weeks for operational removal;
- Limited to a 1 time event only.
- 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; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

## **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, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then 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;
- 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 or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

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

- No comment.

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

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** GEORGE LIDDELL

**CONTACT:** GEORGE LIDDELL, THE BORING COMPANY, 3395 CAMBRIDGE STREET, LAS VEGAS, NV 89169