

LANDSCAPING
(TITLE 30)

WILBUR CLARK DI EAST RD/LAS VEGAS BLVD S

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0465-TISHMAR, LLC:

WAIVER OF DEVELOPMENT STANDARDS to allow non-standard improvements within the right-of-way.

DESIGN REVIEWS for the following: 1) landscape improvements; and 2) finished grade on a portion of 16.2 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Las Vegas Boulevard South and the south side of Wilbur Clark DI East Road within Winchester. TS/md/jd (For possible action)

RELATED INFORMATION:

APN:

162-09-403-004 ptn

WAIVER OF DEVELOPMENT STANDARDS:

Allow non-standard improvements (landscaping, synthetic turf, pipe rail, ground mounted lighting, and concrete flatwork) within the right-of-way (Wilbur Clark DI East Road) where not permitted per Chapter 30.52.

DESIGN REVIEWS:

1. Landscape improvements consisting of trees, shrubs, and groundcover.
2. Increase finished grade to 72 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 300% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 16.2 (portion)
- Project Type: Landscape improvements

Site & Landscape Plans

The plans depict proposed landscape improvements at the northeast corner of the project site, immediately adjacent to Wilbur Clark DI East Road and Las Vegas Boulevard South consisting

of trees, shrubs, and groundcover. A portion of an existing 8 foot high wooden construction wall along Las Vegas Boulevard South will be removed with the proposed improvements. Synthetic turf and concrete flatwork are also proposed within the landscape improvement area. A portion of the improvements to the project site, consisting of landscaping, synthetic turf, pipe rail, ground mounted lighting, and concrete flatwork are proposed within Wilbur Clark DI East Road, necessitating a waiver of development for non-standard improvements within the public right-of-way. A 36 inch high pipe rail will be constructed between the concrete flatwork (sidewalk) and landscape area at the northeast portion of the site to ensure pedestrians do not enter the improvement area. A portion of the 36 inch high pipe rail will also be located behind the existing 10 foot wide attached sidewalk along Las Vegas Boulevard South. A landscape berm will be formed as a decorative element in the landscape area, as well as to screen the undeveloped portion of the site. A 6 foot high temporary chain-link fence will be constructed between the trees located on top of the landscape berm and the remaining portion of the landscape area. A 6 foot high landscape hedge screen will be planted on the backside of the berm to screen the chain-link fence from public view. The temporary chain-link fence will prohibit pedestrians from free access to the fenced off portion of the project site beyond the existing wooden construction wall. The increase to finished grade is required due to the construction of a landscape berm that gradually rises from 12 inches to 72 inches above grade. Date Palms and Afghan Pine trees will be placed at the top of the berm. Ground mounted lighting will be featured along the perimeter and within the interior of the landscape improvement area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the scope of this project will eliminate the unsightly view at the corner of Wilbur Clark DI East Road and Las Vegas Boulevard South. The proposed landscape improvements will enhance a highly visible portion of the tourism corridor at the street intersection. The landscaping will be a visual enhancement to the surrounding business and tourism community.

Prior Land Use Requests

Application Number	Request	Action	Date
AR-19-400154 (UC-18-0784)	First application to review a temporary parking lot - expired	Approved by BCC	January 2020
UC-18-0784	Temporary parking lot and waived landscaping along right-of-way, including Fashion Show Drive - expired	Approved by BCC	November 2018
UC-18-0592	Temporary parking lot on an adjacent parcel to the west - expired	Approved by BCC	September 2018
ET-18-400113 (UC-0045-16)	First extension of time to commence the expansion of the Gaming Enterprise District	Approved by BCC	June 2018
ET-18-400092 (UC-0492-15)	First extension of time to commence a high impact project/resort hotel (Alon)	Approved by BCC	June 2018

Prior Land Use Requests

Application Number	Request	Action	Date
AG-0744-16	Performance Agreement and Decommissioning Plan	Accepted by BCC	October 2016
UC-0045-16	Expansion of the Gaming Enterprise District	Approved by BCC	April 2016
UC-0492-15	High impact project/resort hotel (Alon)	Approved by BCC	October 2015
UC-0491-15	Offices within an existing modular building	Approved by BCC	September 2015
UC-0013-12	Temporary offices within an existing modular building - expired	Approved by BCC	March 2012
UC-0471-11	Art gallery with retail sales and an outdoor display area - expired	Approved by PC	November 2011
WS-0301-10	Reduced setbacks for a temporary fence and increased fence height in conjunction with an approved resort hotel - expired	Approved by BCC	August 2010
UC-1378-07	A resort hotel (The Plaza) - expired	Approved by BCC	March 2008
DR-0944-06	A modular building for a temporary sales center in conjunction with Trump Tower	Approved by PC	August 2006
UC-1476-04	A temporary sales center in conjunction with Trump Tower - expired	Approved by BCC	September 2004
WS-1084-04	Application for a temporary off-site parking lot for the Venetian Resort Hotel - expired	Approved by BCC	July 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Resorts World Resort Hotel
South	Commercial Tourist	H-1	Undeveloped
East	Commercial Tourist	H-1	Wynn & Encore Resort Hotels
West	Commercial General & Commercial Tourist	H-1 & M-1	Commercial developments, Trump Hotel, & parking lot

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**Waiver 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.

Design Review #1

Staff finds the proposed landscape improvements will have minimal to no impact on the surrounding land uses and properties. The landscape improvements, located at the corner of 2 arterial streets, will improve the aesthetics of the streetscape and the resort corridor. Therefore, staff recommends approval.

Public Works - Development Review

Waiver of Development Standards

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping or structures placed in the right-of-way. Staff can support the waiver of development standards but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Design Review #2

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

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

- 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; 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

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Coordinate with Public Works - Traffic Management for the Las Vegas Boulevard improvement project;

- Dedicate any right-of-way and easements necessary for the Las Vegas Boulevard improvement project.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Winchester - approval.

APPROVALS:

PROTESTS:

APPLICANT: WYNN DESIGN AND DEVELOPMENT

CONTACT: WYNN DESIGN AND DEVELOPMENT, 734 PILOT ROAD, LAS VEGAS, NV 89119