USE PERMITS for the following: 1) grocery store; 2) pharmacy; 3) offices; 4) retail sales and services; 5) restaurants; 6) alcohol sales, beer and wine packaged only; 7) alcohol sales, liquor packaged only; 8) alcohol, on-premises consumption (service bar, supper club, tavern); 9) arcade; 10) art gallery/studio; 11) personal services; 12) caterer; 13) child care facility; 14) health club; 15) jewelry sales; 16) photo studio; 17) sporting goods; and 18) museums for an expansion to an existing shopping center (Showcase Mall).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the height setback ratio adjacent to an arterial street; 2) reduce parking; 3) waive landscaping; and 4) permit non-standard improvements within a right-of-way (landscaping and fence).

DESIGN REVIEW expansion of an existing shopping center (Showcase Mall) on 6.1 acres in an H-1 (Limited Resort and Apartment) Zone and an H-1 (Limited Resort and Apartment) (AE-60) Zone in an MUD-1 Overlay District.

Generally located on the east side of Las Vegas Boulevard South, 500 feet north of Tropicana Avenue within Paradise. JG/al/ml (For possible action)

RELATED INFORMATION:

APN:
162-21-301-014; 162-21-401-005, 007, 023, 028 & 029

WAIVERS OF DEVELOPMENT STANDARDS:
1. Reduce the 1:3 height setback ratio for a proposed building to Las Vegas Boulevard South to 14 feet where a minimum of 25.5 feet is required per Figure 30.56-4 (a 45.1% reduction).
2. Reduce parking in conjunction with the expansion of an existing shopping center (Showcase Mall) to 1,498 spaces where 1,927 spaces are required per Table 30.60-1 (a 22.3% reduction).
3. a. Waive landscaping within parking areas where landscaping per Figure 30.64-14 is required.
   b. Waive landscaping adjacent to an arterial street (Las Vegas Boulevard South) where landscaping per Figure 30.64-17 is required.
4. Permit non-standard improvements (landscaping and a fence) within a public right-of-way (Las Vegas Boulevard South) where off-site improvements per Title 30.52.040 and Figure 30.64-17 are the standard.
DESIGN REVIEW:
A proposed 144,975 square foot expansion to an existing 336,429 square foot shopping center (a 56.9% increase).

LAND USE PLAN:
WINCHESTER/PARADISE – COMMERCIAL TOURIST

BACKGROUND:

Project Description
General Summary
- Site Address: 3767, 3769, 3771, 3785 & 3791 Las Vegas Boulevard South
- Site Acreage: 4.3 existing shopping center/1.8 expansion area/6.1 total
- Project Type: Expansion of a shopping center (Showcase Mall)
- Number of Stories: 4
- Building Height: 98 feet
- Square Feet: 336,429 existing shopping center/144,975 expansion area/481,404 total
- Parking Required/Provided: 1,927/1,498

Site Plans
The plans depict a proposed expansion of the existing shopping center (Showcase Mall). The expansion consists of adding the parcel along the north side of the existing shopping center to the facility. This existing parcel has an area of 1.8 acres and is currently developed as a smaller, independent shopping center that includes the Smith & Wollensky restaurant. The existing shopping center will be demolished for the proposed expansion. The expansion will consist of a proposed building located on the southwest corner of the site that is attached to the existing northernmost building of the Showcase Mall. Access to this parcel is provided by a driveway from Las Vegas Boulevard South located on the northwest corner of the parcel. The eastern portion of the expansion area will consist of 71 surface parking spaces and 3 loading spaces for the proposed building. Additional parking for the building is provided in the existing parking garage for the Showcase Mall. A minimum 24 foot wide driveway along the north side of the proposed building will provide access to the parking and loading spaces at the rear (east) of the building. The building is set back approximately 36 feet from the back of curb of Las Vegas Boulevard South, and 17 feet from the west (front) property line. The building is set back 29 feet from the north property line and 300 feet from the east (rear) property line. Las Vegas Boulevard South is an arterial street and Code requires an additional height setback ratio from the property line for buildings over 35 feet in height that are adjacent to arterial streets (Figure 30.56-4). The upper floors of the building cantilever out approximately 3 feet from the first floor, which gives the upper floors an approximate 14 foot setback from the front property line where the 1:3 height setback ratio requires a 25.5 foot setback.

Landscaping
The plans depict a 5 foot wide landscape area located within the right-of-way of Las Vegas Boulevard South. This landscape area will consist of trees, shrubs, and groundcover. Along the east side of the proposed landscaping is a 4 foot high metal fence to protect pedestrians and enhance the street frontage. The building is set back 32 feet from this fence and landscape area, which the plans indicate will be paved for pedestrian access with a 3 foot wide shy space located along the west (front) side of the proposed building. The plans indicate that there are existing
utilities within the proposed walkway, which appear to be flat access panels within the sidewalk that do not extend above the grade of the sidewalk.

**Elevations**
The plans depict a 4 story building with a maximum height of 98 feet with a 6,000 square foot outdoor covered roof deck on the northwest corner of the building. The roof deck will be covered by a decorative metal trellis and a glass railing located along the north and east sides of the roof deck. The fourth floor of the building located along the south and east sides of the roof deck will have aluminum and glass doors and windows facing onto the deck. The exterior walls will consist of precast concrete panels. The exterior walls will be finished with a combination of stucco finish painted in earth tone colors and a stone veneer. The eastern portion of the first floor of the building will have aluminum and glass store front door and window systems. The second and third floors of the eastern portion of the building consist of a glass curtain wall system.

**Floor Plans**
The building consists of 4 floors and a basement level, with a total building area of 144,975 square feet. The basement level has the largest floor area consisting of 51,675 square feet and the fourth floor has the smallest floor area at 9,558 square feet. The building will be constructed as a shell with the interiors to be completed in the future as interior remodel building permits to meet the requirements of the tenants.

**Signage**
Signage is not a part of this request.

**Applicant’s Justification**
The applicant indicates that the proposed expansion of the Showcase Mall is consistent and compatible with the existing developments in the area. The proposed parking reduction is similar to requests that have been approved for other developments within the resort corridor. The proposed landscape area is also similar to what has been provided for other development along Las Vegas Boulevard South.

**Prior Land Use Requests - Expansion Area**

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>UC-0095-14</td>
<td>Amusement/theme park on 17.9 acres which included this site</td>
<td>Denied by BCC</td>
<td>November 2014</td>
</tr>
<tr>
<td>UC-0643-12</td>
<td>A second floor outside dining/drinking area (terrace) with outside bar in conjunction with an existing restaurant (Smith &amp; Wollensky) – expired</td>
<td>Approved by PC</td>
<td>December 2012</td>
</tr>
<tr>
<td>WS-1538-06</td>
<td>A Second floor terrace addition for dining and drinking including a service bar in conjunction with an existing restaurant (Smith &amp; Wollensky) – expired</td>
<td>Approved by PC</td>
<td>December 2006</td>
</tr>
<tr>
<td>VC-0586-99</td>
<td>Outside dining and reduced setbacks for an outside dining area in existing restaurant (Smith &amp; Wollensky)</td>
<td>Approved by PC</td>
<td>June 1999</td>
</tr>
<tr>
<td>Application Number</td>
<td>Request</td>
<td>Action</td>
<td>Date</td>
</tr>
<tr>
<td>--------------------</td>
<td>-------------------------------------------------------------------------</td>
<td>-------------</td>
<td>------------</td>
</tr>
<tr>
<td>UC-0343-98</td>
<td>A shopping center</td>
<td>Approved by PC</td>
<td>April 1998</td>
</tr>
<tr>
<td></td>
<td><strong>Prior Land Use Requests - Existing Showcase Mall</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Application Number</td>
<td>Request</td>
<td>Action</td>
<td>Date</td>
</tr>
<tr>
<td>WS-0153-17</td>
<td>Building additions, exterior modifications and sidewalk/landscape changes to the Showcase Mall</td>
<td>Approved by BCC</td>
<td>April 2017</td>
</tr>
<tr>
<td>WS-0579-16</td>
<td>Modifications to an approved comprehensive sign plan</td>
<td>Approved by BCC</td>
<td>October 2016</td>
</tr>
<tr>
<td>UC-0125-14 (AR-0068-15)</td>
<td>First application for review for an outdoor ticket sales structure - until September 17, 2018 for review as a public hearing</td>
<td>Approved by BCC</td>
<td>October 2015</td>
</tr>
<tr>
<td>WS-0683-12 (ET-0119-14)</td>
<td>First extension of time to reduce setbacks and eliminate landscaping for new access and entry features - until January 9, 2017 to commence</td>
<td>Approved by BCC</td>
<td>December 2014</td>
</tr>
<tr>
<td>UC-0125-14</td>
<td>Outdoor ticket sales structure</td>
<td>Approved by BCC</td>
<td>September 2014</td>
</tr>
<tr>
<td>WS-0410-13</td>
<td>Modifications to an approved sign package for wall and projecting signs</td>
<td>Approved by BCC</td>
<td>August 2013</td>
</tr>
<tr>
<td>WS-0154-13</td>
<td>Modifications to an approved sign package</td>
<td>Approved by BCC</td>
<td>May 2013</td>
</tr>
<tr>
<td>WS-0683-12</td>
<td>Reduced setbacks and eliminate landscaping for new access and entry features</td>
<td>Approved by BCC</td>
<td>January 2013</td>
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<tr>
<td>WS-0332-12</td>
<td>Modifications to an approved sign package</td>
<td>Approved by BCC</td>
<td>August 2013</td>
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<tr>
<td>WS-0104-11</td>
<td>Modifications to an approved sign package</td>
<td>Approved by BCC</td>
<td>May 2011</td>
</tr>
<tr>
<td>WS-0425-10</td>
<td>Signs for the Hard Rock Café</td>
<td>Approved by BCC</td>
<td>October 2010</td>
</tr>
<tr>
<td>WS-0325-10</td>
<td>Parking garage wall sign</td>
<td>Approved by PC</td>
<td>September 2010</td>
</tr>
<tr>
<td>WS-0649-09</td>
<td>Wall sign with increased projection</td>
<td>Approved by BCC</td>
<td>December 2009</td>
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<tr>
<td>VC-0211-94</td>
<td>Changes to an approved shopping center</td>
<td>Approved by PC</td>
<td>March 1994</td>
</tr>
<tr>
<td>UC-285-92</td>
<td>Original application to approve the shopping center</td>
<td>Approved by BCC</td>
<td>October 1992</td>
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</tbody>
</table>

**Surrounding Land Use**

<table>
<thead>
<tr>
<th>North</th>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Tourist</td>
<td>H-1</td>
<td>Shopping center</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>South &amp; East</th>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Tourist</td>
<td>H-1</td>
<td>MGM Grand Resort Hotel &amp; electrical substation</td>
<td></td>
</tr>
</tbody>
</table>
### Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Commercial Tourist</td>
<td>H-1</td>
<td>The Park, MGM Resort (formally Monte Carlo) &amp; New York New York Resort Hotels</td>
</tr>
</tbody>
</table>

### 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.

This site is located within the Resort Corridor which is a high intensity economic center that is tourist oriented and caters to pedestrians both in circulation and scale of development. The proposed expansion of the Showcase Mall is consistent and compatible with the existing facilities for the shopping center to the south and the commercial facilities to the north. The use is also compatible with the existing resort hotels abutting this site. The request complies with Urban Specific Policy 7 of the Comprehensive Master Plan which encourages land uses that are complementary and of similar scale and intensity to provide appropriate connectivity and not be segregated. The redesign also complies with Urban Specific Policy 10 of the Comprehensive Master Plan to encourage site designs that are compatible with adjacent land uses. Therefore, staff can support the use permits.

#### 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 and value 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

This request is to reduce the 1:3 height setback ratio from the right-of-way and the building is set back approximately 18 feet from the back of curb of Las Vegas Boulevard South. The upper floors of the proposed building are set back approximately 33 feet front the back of curb of Las Vegas Boulevard South. Therefore, the proposed building will have the appearance of meeting the setback from the street. Additionally this site is located within the Resort Corridor. There are many developments within the Resort Corridor that have had the 1:3 height setback ratio reduced. This has allowed for a more diverse streetscape within the Resort Corridor. The reduction in the 1:3 height setback ratio is consistent and compatible with other developments in this area and staff can support this waiver.
Waiver of Development Standards #2
This site is located within the Resort Corridor and several projects within the Resort Corridor, including several of the Resort Hotels, have approvals for up to 30% reductions in parking. These reductions have been approved in the Resort Corridor because of the justification that the majority of visitors to the Resort Corridor arrive by plane, bus or other alternative mode of transportation. This has led to a change in Title 30 to reduce parking requirements for resort hotels by 30%. This use is not in conjunction with a resort hotel; however, it is located within the resort corridor and many of the customers that shop at this facility will be tourists staying within the Resort Corridor and will use other modes of transportation than their personal automobile. The project complies in part with Urban Specific Policy 1 of the Comprehensive Master Plan to encourage urban growth patterns that promote employment opportunities/development and reduce automobile dependence. Therefore, based on the past practice of allowing parking reductions within the Resort Corridor, staff can support this request.

Waiver of Development Standards #3a
The parcel for the proposed expansion is a narrow strip of land that is approximately 130 feet wide. The proposed parking area and loading spaces for the expansion are located at the rear of the building on the eastern portion of the parcel. This area is not visible from a right-of-way and screened from the majority of the adjacent developments by existing buildings and structures. Due to the narrowness of the parcel there is little space available to allow for parking and maneuvering space for delivery trucks. Providing landscape areas with trees as required by Code in this parking area would further restrict the ability to maneuver trucks into the loading spaces. Additionally, it is anticipated that the majority of people using the parking at the rear of the proposed building will be employees of the businesses within the proposed building. The surface parking at the rear of the building in conjunction with the loading spaces will function more as a service area for the building than a customer parking lot, which typically are screened from adjacent properties and do not provide landscape material within the service area. Since this area is not visible from a right-of-way and is screened from adjacent properties, staff can support this waiver.

Waiver of Development Standards #3b
This site is located along Las Vegas Boulevard South within the Resort Corridor, which is a unique area where existing conditions have had impacts on landscaping and pedestrian circulation. There have been several developments within the Resort Corridor that have been approved to provide combinations of landscape areas within the right-of-way and to provide alternate landscape areas on-site along Las Vegas Boulevard South. The applicant is proposing to waive landscaping on-site along Las Vegas Boulevard South. The plans depict a 5 foot wide landscape area within the right-of-way of Las Vegas Boulevard South and a 3 foot wide shy space along the west side of the building that faces Las Vegas Boulevard South. There is a 28 foot wide area located between the proposed landscape area within the right-of-way and the shy space along the building. The typical requirement that has been placed on developments along Las Vegas Boulevard South within the Resort Corridor for pedestrian access/sidewalk easements is a 15 foot wide unimpeded walkway with a 3 foot wide shy space on at least 1 side of the walkway. In this case a shy space would be provided on both sides of the walkway for a total width of 21 feet for pedestrian access. This would leave a remainder of 6 feet of space that could be used to provide on-site landscape areas that would enhance the site and this portion of the resort corridor. Staff has supported alternative on-site landscape areas within the Resort
Corridor; however, staff cannot support waiving all on-site landscape areas along Las Vegas Boulevard South. Staff finds that there is adequate space to the west of the building to provide alternate landscape areas and therefore, does not support this request.

**Design Review**
The design for the building addition/expansion of the existing shopping center will result in improvements to the property that is functionally and visually integrated both internally as well as with adjacent developments. However, the western portion of the building has more architectural enhancements than the eastern half of the building. The western half of the building is adjacent to Las Vegas Boulevard South and has the most visibility; however there are high-rise buildings in this area and portions of the proposed building will be visible from these high-rise buildings. The proposed building does comply with Urban Specific Policy 10 of the Comprehensive Master Plan, which encourages site designs to be compatible with adjacent land uses. However, additional architectural elements to the eastern half of the building should be provided to further enhance the site. The plans also depict a basement level for the proposed building. Staff is concerned that if the site is excavated and construction is halted or the project is abandoned this would create a safety hazard and have an adverse impact on this portion of the Resort Corridor. Therefore, staff would recommend that a decommission agreement plan be required for this project.

**Public Works – Development Review**

**Waiver of Development Standards #4**
The applicant is requesting a waiver of development standards to allow non-standard improvements (fences and landscaping) within the Las Vegas Boulevard South right-of-way. Staff can support this waiver but the developer must sign a License and Maintenance Agreement for the non-standard improvements within the right-of-way.

**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.

**Staff Recommendation**
Approval of the use permits, waivers of development standards #1, #2, #3a, and #4, and the design review; denial of waiver of development standard #3b.

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**
If approved:
- Submit a performance bond for the shopping center expansion area acceptable to the County in an amount sufficient to provide a screen wall and/or restore the site including
removal of construction materials, site stabilization and revegetation as necessary should
construction of the project be discontinued;
• Provide a Decommissioning Agreement Plan for the shopping center expansion area prior
to permits for unfinished construction, including the removal of building materials should
construction of the project be discontinued with said plan to be submitted and approved
prior to building permits for the shopping center expansion area;
• Provide additional architectural elements and enhancements such as but not limited to
variations in color and textures, a stone veneer, cornices, and projections to the eastern
half of the building that are consistent with the western half of the building to be
reviewed by staff;
• Maintain a minimum 15 foot wide pedestrian access easement/sidewalk along Las Vegas
Boulevard South;
• Maintain a minimum 3 foot wide separation (shy space) along of the entire street frontage
between the minimum 15 foot wide pedestrian access easement/sidewalk and any
structures, such as, but not limited to benches, water features, trash enclosures, and
buildings, with review and agreement by staff;
• Pedestrian access easement/sidewalk to be paved in a distinctive color or pattern that is
different from the surrounding hardscape;
• Any existing utilities, structures, or access panels located within the pedestrian access
easement/sidewalk or adjacent shy space that would impede pedestrian traffic flow
through this area to be relocated out of the pedestrian access easement/sidewalk and shy
space;
• Certificate of Occupancy and/or business license shall not be issued without final zoning
inspection.
• Applicant is advised that 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
• Drainage study and compliance;
• Traffic study and compliance;
• Applicant to execute a pedestrian access easement through the separate document process
that together with the public sidewalk is no less than 15 feet in width at this site along the
Las Vegas Boulevard South frontage;
• Applicant to execute and sign a License and Maintenance Agreement for any non-
standard improvements within the right-of-way;
• Maintain the required width of all public access walkway segments so that a minimum
Level of Service "C" is achieved under peak pedestrian volumes.

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.

• 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; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Building/Fire Prevention
• Applicant is advised that the drawing submitted did not show a fire lane with the minimum width of 24 feet and must be revised, that fire/emergency access must comply with the Fire Code as amended; to show on-site fire lane, turning radius, and turnarounds; to show fire hydrant locations both on-site and within 750 feet; that fire protection may be required for this facility and to contact Fire Prevention for further information; and that automatic fire sprinkler will be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)
• Applicant is advised that a Point of Connection (POC) request has been completed for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0431-2017 to obtain your POC exhibit.

TAB/CAC: Paradise – approval.
APPROVALS:
PROTESTS:

APPLICANT: GC Vegas Retail Management, LLC
CONTACT: Greg Borgel, 300 S. 4th Street, Suite 1400, Las Vegas, NV 89101