USE PERMITS for the following: 1) banquet facility; 2) nightclub; 3) recreational facility; and 4) live entertainment within an existing office/warehouse building.

WAIVER OF DEVELOPMENT STANDARDS for reduced parking on 0.5 acres in an M-1 (Light Manufacturing) Zone in the MUD-1 Overlay District.

Generally located on the north side of Cavaretta Court and the west side of Polaris Avenue within Paradise. SS/md/ja (For possible action)

RELATED INFORMATION:

APN:
162-20-202-014

WAIVER OF DEVELOPMENT STANDARDS:
Reduce parking to 19 spaces where 36 spaces are required per Table 30.60-1 (a 47.3% reduction).

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:
Project Description
General Summary
- Site Address: 3460 Cavaretta Court
- Site Acreage: 0.5
- Project Type: Banquet facility/reduced parking
- Building Height: 20 feet
- Square Feet: 8,909
- Parking Required/Provided: 36/19

Site Plan
This is a request for a banquet facility, nightclub, recreational facility, and live entertainment within an existing office/warehouse building. Access to the subject property is granted from an existing driveway along Cavaretta Court, a private street. The banquet facility will occupy the entire floor area of the building, consisting of 8,909 square feet. Nineteen spaces are provided
for the banquet facility where 36 spaces are required. The applicant has provided copies of three 
off-site parking agreements to staff. No changes are proposed to the site design.

Landscaping
All street and site landscaping exists and no additional landscaping is proposed or required.

Elevations
The plans depict an existing 20 foot high building with a flat roof behind a parapet wall. The 
exterior of the building consists of concrete paneling painted in contrasting gray colors. No 
changes are proposed to the exterior of the building with this request.

Floor Plans
The plans depict an overall area measuring 8,909 consisting of a main hall, back stage area, 
dressing rooms, restroom facilities, offices, box office, lobby area, and miscellaneous rooms.

Applicant’s Justification
The activities are mostly in the evenings and parking rights will be secured from the other 
properties within the encompassed commercial subdivision to pick-up the additional 17 spaces. 
The waiver request is appropriate since the multiple parking agreements with the surrounding 
neighbors provide an abundance of parking spaces for the facility. In total, over 130 parking 
spaces are available for use with the agreements. As a back-up plan, a contract for valet parking 
has been secured with Las Vegas Parking. The facility has been in operation for over 18 months 
and has not had any issues in regards to parking.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>UC-0673-16</td>
<td>Banquet facility, nightclub, recreational facility, and live entertainment within an existing office/warehouse building; and waiver of development standards to reduce parking – expired</td>
<td>Approved by PC</td>
<td>December 2016</td>
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<tr>
<td>DR-1276-96</td>
<td>3 office/warehouse buildings</td>
<td>Approved by PC</td>
<td>September 1996</td>
</tr>
<tr>
<td>ZC-106-81</td>
<td>R-E to M-1 zoning district for an office/warehouse complex</td>
<td>Approved by BCC</td>
<td>July 1981</td>
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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>North</td>
<td>Commercial Tourist</td>
<td>M-1</td>
</tr>
<tr>
<td>South</td>
<td>Commercial Tourist</td>
<td>M-1</td>
</tr>
<tr>
<td>East</td>
<td>Commercial Tourist</td>
<td>H-1</td>
</tr>
<tr>
<td>West</td>
<td>Commercial Tourist</td>
<td>M-1</td>
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</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.

Staff’s primary concerns with these types of uses are to ensure compatibility with existing and planned surrounding uses and that there is adequate on-site parking to serve the uses. The purpose of the M-1 zoning district is to provide an area that is suitable for the development of light manufacturing establishments and to prohibit the development of incompatible uses. Staff finds that the request to allow a banquet facility, nightclub, recreational facility, and live entertainment at this location is inappropriate as the existing building and on-site parking were originally designed to accommodate a warehouse building with incidental office uses. Additionally, the proposed uses are incompatible with the surrounding area that includes a mix of office and warehouse uses. Therefore, staff cannot support this request.

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.

Staff finds that a 47.3% reduction in parking is excessive, especially for the requested uses. Although the applicant indicates additional parking spaces for the use will be secured off-site, staff is concerned that the need for parking is greater than anticipated by the applicant due to the intensity of the uses requested. Therefore, staff cannot support this request. If the application is approved, staff recommends a condition of 1 year to review the uses and parking as a public hearing.

Staff Recommendation

Denial.

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:
- 1 year to complete and review as a public hearing.
- 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; 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.

Building Department - Fire Prevention
- Applicant is advised to provide minimum 24 foot drive aisles; and to submit for approval prior to installing any gates in fire access lanes.

TAB/CAC: Paradise - approval (remove the time limit).
APPROVALS:
PROTESTS:

APPLICANT: MARK SHUNOCK
CONTACT: MARK SHUNOCK, MONDAYS DARK, 5130 S. FORT APACHE ROAD, LAS VEGAS, NV 89148