USE PERMIT FIRST APPLICATION FOR REVIEW for live entertainment.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the interior side setback for an accessory structure (stage); and 2) reduce the minimum separation from a residential use for live entertainment conducted outdoors.

DESIGN REVIEW for an outdoor stage in conjunction with an alcohol, on-premises consumption (tavern) establishment on 2.8 acres in an R-U (Rural Open Land) Zone in the Spring Mountain Overlay District.

Generally located on the northeast corner of Williams Ranch Road and SR 160 within Mountain Springs. JJ/jvm/ja (For possible action)

APN:
174-19-000-010

WAIVERS OF DEVELOPMENT STANDARDS:
1. Reduce the interior side setback for an accessory structure (stage) to zero feet where 5 feet is the minimum per Table 30.40-1 (a 100% reduction).
2. Reduce the minimum separation for live entertainment conducted outdoors to zero feet from a residential use where 500 feet is the minimum per Table 30.44-1 (a 100% reduction).

LAND USE PLAN:
NORTHWEST COUNTY (MOUNTAIN SPRINGS) - RESIDENTIAL RURAL (UP TO 0.5 DU/AC)

BACKGROUND:
Project Description
General Summary
• Site Address: 19050 SR 160
• Site Acreage: 2.8
• Project Type: Live entertainment
• Stage Height (feet): 2.5 (stage)/16 (canopy cover)
Site Plan
The approved site plan depicts a proposed outdoor stage located on the north side of the subject site. An existing rockery wall on the property line creates the back of the proposed stage area. A 15 foot by 15 foot stage will be placed in front of the rockery wall, facing towards the tavern and SR 160.

The entrance to the site is located on the west side of the property from Williams Ranch Road, and parking is located on the west side of the tavern. Various other structures and outdoor areas are located throughout the site.

Landscaping
Landscaping consists of a variety of mature trees and native plants in this alpine environment. No changes to the landscaping are required or proposed with this application.

Elevations
The stage consists of a 2.5 foot high platform with metal scaffolding and a metal roof extending up to 16 feet high. A fabric membrane will enclose the base platform, the back of the stage, and the roof.

Previous Conditions of Approval
Listed below are the approved conditions for UC-18-0863:

Current Planning
- Review by the Mountain Springs CAC at their first meeting in June and a review by the Board of County Commissioners as a public hearing on June 19, 2019;
- From March to October indoor amplified music permitted on the 2nd Friday of each month from 4:00 p.m. to 8:00 p.m., and Saturdays, Sundays and holidays from 12:00 p.m. to 8:00 p.m.;
- From March to October outdoor amplified music permitted on the 2nd Friday of each month from 4:00 p.m. to 8:00 p.m., and Sundays from 1:00 p.m. to 5:00 p.m.
- 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 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.

Building Department - Fire Prevention
- Applicant is advised that operational permits may be required for this facility; and to contact Fire Prevention for further information at (702) 455-7316.

Applicant’s Justification
The applicant indicates that the use commenced in the second week of April per the conditions of approval and the applicant has complied with all conditions. In addition, the applicant states that there has been no complaints or violations and they are seeking the continued ability to conduct the live entertainment events.
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-18-0863</td>
<td>Live Entertainment</td>
<td>Approved by BCC</td>
<td>January 2019</td>
</tr>
<tr>
<td>UC-1556-93 &amp; VC-1557-93 (CC-0288-08)</td>
<td>Clarification of Conditions for a use permit and variance, which specified that live music to be allowed until 1:00 a.m. on Friday, Saturday, and holiday Sundays, and 11:00 p.m. on non-holiday Sundays through Thursday; and applicant and residents to work together on monitoring of noise (amplification) – expired</td>
<td>Approved by BCC</td>
<td>February 2009</td>
</tr>
<tr>
<td>DR-0676-08</td>
<td>New outdoor stage</td>
<td>Withdrawn by applicant</td>
<td>September 2008</td>
</tr>
<tr>
<td>UC-1556-93 &amp; VC-1557-93</td>
<td>Modified live indoor and outdoor entertainment provisions previously approved with UC-196-82</td>
<td>Approved by PC</td>
<td>October 1993</td>
</tr>
<tr>
<td>UC-196-82</td>
<td>Allowed outdoor entertainment</td>
<td>Approved by PC</td>
<td>October 1982</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>Residential Rural (up to 0.5 du/ac)</td>
<td>R-U (Rural Open Land) Zone</td>
<td>Single family residences &amp; undeveloped</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
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.

Staff finds that the applicant has now conducted live entertainment events at the subject site with no known complaints or citations; therefore, staff recommends approval of this review. However, staff recommends an additional review as a public hearing in order to verify that the applicant remains in compliance with all conditions of 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
- Until December 19, 2019 to 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.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: AUGUSTINE BUSTOS
CONTACT: LEBENE OHENE, 520 SOUTH FOURTH STREET, LAS VEGAS, NV 89101