UC-0176-13 – TM II SOUTH TECH, LLC, ET AL:

USE PERMIT for a major training facility (dance studio) within an existing commercial and industrial development on 8.2 acres in an H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

Generally located on the west side of Dean Martin Drive, 875 feet north of Harmon Avenue within Paradise. SS/al/ml (For possible action)

RELATED INFORMATION:

APN:
162-20-204-002

LAND USE PLAN:
WINCHESTER/PARADISE - COMMERCIAL TOURIST

BACKGROUND:
Project Description
General Summary
- Site Acreage: 8.2
- Project Type: Major training facility (dance studio for lap and pole dancing)
- Number of Stories: 1
- Building Height: 22 feet
- Square Feet: 2,617 (lease area)
- Parking Required/Provided: 407/417

Site History
County records indicate the development was constructed in 1986 as a commercial development in an H-1 zone that was later reclassified to an M-1 zone in 1987. In 2007 the site was reclassified to an H-1 zone with the intent to redevelop the property as a resort hotel.

Request
The applicant is proposing to establish a major training facility at this location which is an existing non-conforming commercial and industrial development. The facility will offer classes in pole dancing, lap dancing, pole exercise/fitness, and stiletto fitness. Class size will range from 1 student for individual instruction to 40 students with an average class size of 15 students. The training facility will share a leasable space with an existing business that sells and rents stripper poles and stages.
Site Plan
The complex consists of 6 building with access provided by Dean Martin Drive and Aldebaran Avenue. The training facility will be located in the third suite from the south end of the building located on the northeast corner of the complex. The front of the training facility will face Dean Martin Drive.

Landscaping
Additional landscaping is not required or proposed with this application. There are existing landscape areas along portions of Dean Martin Drive and Aldebaran Avenue. Other landscape areas are located adjacent to the buildings.

Elevations
The building is 1 story with a flat roof behind a parapet wall. The building is 22 feet in height and the exterior walls have a combination of stucco and tile finish in earth tone colors.

Floor Plans
The training facility will occupy a 2,617 square foot lease area. The interior of the lease space is divided into open areas for class instruction. The plan depicts 15 stripper poles located in the center portion of the lease space.

Signage
Signage is not a part of this request.

Applicant’s Justification
The applicant indicates that the training facility has been in operation since 2011 in conjunction with an existing business and did not know a use permit or business license was necessary for the training facility. The classes have been very popular for women who want to try something different. There will be no stripping/nudity in the classes. Clients have attended classes to celebrate events like marriage or birthdays. Other clients have attended the classes to try a different type of weight loss, health, and fitness program. The majority of the clients have been tourists and this location in close proximity to “The Strip” is an ideal location for the training facility. There are no complaints on file with the Clark County Public Response Office for this facility. The training facility has been operating for over a year without incidents or negative impacts to the community and the use permit was submitted to bring the business into compliance with Code.

Prior Land Use Requests

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<th>Application Number</th>
<th>Request</th>
<th>Action</th>
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<tr>
<td>UC-0286-10</td>
<td>Personal services (day spa) within a portion of the development</td>
<td>Approved by PC</td>
<td>August 2010</td>
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<tr>
<td>ZC-1291-07</td>
<td>Reclassified the site to an H-1 zone for a resort hotel</td>
<td>Approved by BCC</td>
<td>January 2008</td>
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<tr>
<td>ZC-070-87</td>
<td>Reclassified the site to an M-1 zone for a commercial development consisting of offices, retail shops, stores, and office warehouse facilities</td>
<td>Approved by BCC</td>
<td>April 1987</td>
</tr>
<tr>
<td>UC-161-86</td>
<td>A commercial development consisting of offices, retail shops, and stores in an H-1 zone</td>
<td>Approved by PC</td>
<td>June 1986</td>
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Surrounding Land Use

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<th>Planned Land Use Category</th>
<th>Zoning District</th>
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<td>North Commercial Tourist</td>
<td>H-1 &amp; M-1</td>
<td>Commercial and industrial uses</td>
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<tr>
<td>South Commercial Tourist</td>
<td>H-1, M-1, &amp; U-V</td>
<td>Commercial and industrial uses and Panorama Towers mixed use development</td>
</tr>
<tr>
<td>East Commercial Tourist</td>
<td>H-1</td>
<td>I-15 and the Bellagio Resort Hotel</td>
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<tr>
<td>West Commercial Tourist</td>
<td>H-1</td>
<td>Commercial and industrial uses</td>
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STANDARDS FOR APPROVAL:
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis
Current Planning
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 Plan. One of several criteria the applicant must establish is 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. The property was originally developed and continues to be used as a commercial and industrial development consisting of offices, retail shops, and stores. The major training facility is compatible with the existing uses within this development. The proposed business will comply with Policy EC 1-1.0 of the Clark County Comprehensive Plan which encourages development of a diversified economic base.

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 Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; approval of this application does not constitute or imply approval of an adult use or any other County issued permit, license, or approval; and that this application must commence within 2 years of approval date or it will expire.

Public Works – Development Review
- No comment.
Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified or added in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: May 14, 2013 Paradise Town Board – approved - subject to staff conditions. /bv
APPROVALS:
PROTESTS:

APPLICANT: Las Vegas Stripper Poles, LLC
CONTACT: Las Vegas Stripper Poles, LLC, 4305 Dean Martin Drive, Suite 110 Las Vegas, NV 89103