



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

October 11, 2022

7:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Maureen Helm at 702-606-0747.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/ParadiseTAB>

Board/Council Members: John Williams, Chairperson
 Susan Philipp, Vice Chairperson
 Jon Wardlaw
 Katlyn Cunningham
 Roger Haywood

Secretary: Maureen Helm, 702-606-0747, mhelmtab@gmail.com
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Blanca Vazquez, 702-455-8531, BVA@ClarkCountyNV.gov
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

I. Call to Order, Pledge of Allegiance, Roll Call, and County Staff Introductions

II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of

the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- III. Approval of Minutes for September 27, 2022. (For possible action)
- IV. Approval of the Agenda for October 11, 2022 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - Applications are available until November 15, 2022 for appointments by the Clark County Board of County Commissioners to serve on the (Paradise TAB) for a two-year (2-year) term beginning January 2023.
- VI. Planning and Zoning
 1. **UC-22-0521-COUNTY OF CLARK (LV CONV AUTH):**
USE PERMITS for the following: 1) recreational facility; 2) fairground; and 3) live entertainment.
DESIGN REVIEWS for the following: 1) recreational facility; 2) fairground; and 3) live entertainment in conjunction with a convention facility on 51.8 acres in a P-F (Public Facility) Zone. Generally located on the north side of Sierra Vista Drive, and the east and west sides of University Center Drive within Paradise. TS/lm/syp (For possible action) **BCC 10/19/22**
 2. **VS-22-0519-POLV, LLC**
VACATE AND ABANDON a portion of a right-of-way being Harmon Avenue located between Las Vegas Boulevard South and Audrie Street (alignment) within Paradise (description on file). JG/md/syp (For possible action) **BCC 10/19/22**
 3. **UC-22-0518-POLV, LLC:**
USE PERMITS for the following: 1) high impact project; 2) resort hotel; 3) public areas including the casino, showrooms, theater, live entertainment, retail, indoor and outdoor dining and drinking, offices, conventions, and parking structure; 4) associated accessory and incidental commercial uses, buildings, and structures including retail areas, dining, theater, spa and fitness center, wedding chapel, vehicle (automobile) sales, and convention facilities; 5) kitchens within guest rooms; and 6) deviations as depicted per plans on file.
DEVIATIONS for the following: 1) increased building height; 2) reduce height/setback ratio; 3) encroachment into airspace; 4) reduced parking; 5) reduced loading spaces; 6) alternative landscaping and pedestrian realm; 7) permit tandem parking spaces; and 8) all other deviations as depicted per plans on file.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setback; and 2) allow non-standard improvements within the right-of-way.
DESIGN REVIEWS for the following: 1) high impact project; and 2) resort hotel with all associated and accessory uses, structures, and incidental buildings and structures on 6.3 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Harmon Avenue within Paradise. JG/md/syp (For possible action) **BCC 10/19/22**

4. **UC-22-0512-EHH VENTURE:**
USE PERMIT for a pawn shop.
DESIGN REVIEW for a pawn shop in conjunction with an existing shopping center on 4.7 acres in a C-2 (General Commercial) (AE-70) Zone. Generally located on the south side of Sunset Road, 630 feet west of Spencer Street within Paradise. JG/bb/syp (For possible action)
PC 11/1/22

5. **VS-22-0516-SIERRA GROUP HOLDINGS, LLC:**
VACATE AND ABANDON easements of interest to Clark County located between Windmill Lane and Horizon Sunset Drive, and between Spencer Street and Wishing Well Road (alignment) within Paradise (description on file). MN/jgh/syp (For possible action)
PC 11/1/22

6. **WS-22-0517-SIERRA GROUP HOLDINGS, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) architectural compatibility; 2) reduced setbacks; 3) reduced trash enclosure setback; 4) reduced throat depth; 5) reduced setback adjacent to single family residential; and 6) parking lot landscaping.
DESIGN REVIEW for 2 proposed office buildings on 1.1 acres in a CRT (Commercial Residential Transitional) Zone. Generally located on the south side of Windmill Lane, 660 feet east of Spencer Street within Paradise. MN/jgh/syp (For possible action)
PC 11/1/22

7. **UC-22-0526-TGI VEGAS HOLDINGS, LLC:**
USE PERMIT for temporary construction activities on 2.5 acres in an H-1 (Limited Resort and Apartment) (AE-65) Zone. Generally located on the south side of Russell Road (alignment) and the east side of Las Vegas Boulevard South within Paradise. JG/bb/syp (For possible action)
BCC 11/2/22

8. **WC-22-400106 (WS-21-0683)-GREYSTONE NEVADA, LLC:**
WAIVER OF CONDITION of a design review requiring stair step with a planter 3 feet in width between the retaining wall and the screening wall for a previously approved single family residential development on 6.4 acres in an R-1 (Single Family Residential) Zone. Generally located on the north side of Rochelle Avenue, 390 feet east of Pecos Road within Paradise. TS/sr/syp (For possible action)
BCC 11/2/22

9. **ZC-22-0503-PHILLIPS R DEAN NON-GST MARITAL TRUST, ET AL:**
ZONE CHANGE to reclassify 3.7 acres from an M-1 (Light Manufacturing) Zone to an H-1 (Limited Resort and Apartment) Zone.
USE PERMIT for a multiple family residential development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased building height; and 2) reduced parking.
DESIGN REVIEWS for the following: 1) multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the east side of Valley View Boulevard, 300 feet south of Flamingo Road within Paradise (description on file). MN/gc/syp (For possible action)
BCC 11/2/22

VII. General Business (For possible action)

Review previous fiscal year budget request(s) and take public input regarding suggestions for the next budget year (FY 2023/2024)

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: October 25, 2022.

X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Paradise Community Center- 4775 McLeod Dr.
<https://notice.nv.gov>



Paradise Town Advisory Board

September 27, 2022

MINUTES

Board Members : John Williams –Chair-**PRESENT**
 Susan Philipp - Vice Chair- **PRESENT**
 Jon Wardlaw- **PRESENT**
 Katlyn Cunningham – **EXCUSED**
 Roger Haywood- **EXCUSED**

Secretary: Maureen Helm 702-606-0747 mhelmtab@gmail.com

Town Liaison: Blanca Vazquez 702-455-8531 bva@clarkcountynv.gov

I. Call to Order, Pledge of Allegiance, Roll Call(see above), County Staff Introductions

Jazmine Harris, Planning; Blanca Vazquez, Community Liaison; Vivian Kilarski, Planning Commissioner; Beatriz Martinez, Community Liaison

Meeting was called to order by Chair Williams, at 7:00 p.m.

II. Public Comment:
None

III. Approval of September 13, 2022 Minutes

Moved by: Wardlaw
Action: Approve as submitted
Vote: 3-0 Unanimous

Approval of Agenda for September 27, 2022

Moved by: Philipp
Action: Approve with changes
Vote: 3 -0 Unanimous

IV. Informational Items (For Discussion only)

Applications are available until November 15, 2022 for appointments by the Clark County Board of County Commissioners to serve on the (Paradise TAB) for a two-year (2-year) term beginning January 2023.

V. Planning & Zoning

1. **UC-22-0405-REBEL LAND & DEVELOPMENT, LLC:**
HOLDOVER USE PERMITS for the following: 1) gasoline station; 2) convenience store; 3) alcohol sales, beer and wine packaged; 4) restaurant; and 5) office uses.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce throat depth; 2) reduced departure distance; 3) reduce landscaping; 4) reduce parking; 5) eliminate cross access; and 6) eliminate loading zones.
DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; 2) gasoline station (fuel canopy); 3) commercial building (restaurant with drive-thru; convenience store; office); and 4) lighting on 1.1 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the south side of Flamingo Road and the west side of Paradise Road within Paradise. JG/bb/jo (For possible action) **PC 10/4/22**

MOVED BY- Philipp
APPROVE-Use Permits #1-5 Subject to IF approved staff conditions
APPROVE- Waivers #2, #3b, #3c #4 Subject to IF approved staff conditions
APPROVE-Design Review #1-4 Subject to IF approved staff conditions
DENY- Waivers #3a, #5, #6
VOTE: 3-0 Unanimous
2. **UC-22-0446-4251 OQUENDO RD LLC:**
USE PERMITS for the following: 1) outdoor banquet facility; and 2) live entertainment.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) alternative landscaping; and 3) modified driveways.
DESIGN REVIEWS for the following: 1) live entertainment; 2) outdoor banquet facility; and 3) lighting on 0.5 acres in an M-1 (Light Manufacturing) Zone. Generally located on the south side of Oquendo Road, 300 feet west of Wynn Road within Paradise. MN/bb/syp (For possible action) **BCC 10/5/22**

MOVED BY- Wardlaw
APPROVE-Subject to IF approved staff conditions
ADDED Conditions
 - Hours Monday – Friday after 5:00pm-4:00am
 - Noise should not exceed County noise standards**VOTE: 3-0 Unanimous**
3. **DR-22-0490-EHH VENTURE:**
DESIGN REVIEW for a wedding chapel in conjunction with a banquet facility within an existing shopping center on 4.7 acres in a C-2 (General Commercial) (AE-65) Zone. Generally located on the south side of Sunset Road, 630 feet west of Spencer Street within Paradise. JG/hw/syp (For possible action) **PC 10/18/22**

MOVED BY- Philipp
APPROVE-Subject to staff conditions
VOTE: 3-0 Unanimous

4. **ET-22-400104 (UC-21-0636)-APEX LAS VEGAS, LLC:**
USE PERMIT FIRST EXTENSION OF TIME for a multiple family residential development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) non-standard landscaping; and 3) alternative standards for perimeter fence.
DESIGN REVIEW for the conversion of a motel to a multiple family residential development on 5.2 acres in an H-1 (Limited Resort and Hotel) (AE-60) Zone within the Midtown Maryland Parkway District. Generally located on the south side of Twain Avenue and the west side of Cambridge Street within Paradise. TS/sr/syp (For possible action) **PC 10/18/22**

MOVED BY- Wardlaw
APPROVE-Subject to staff conditions
VOTE: 3-0 Unanimous

5. **NZC-22-0499-SHOUGHRO FAMILY IRREVOCABLE SUB-TRUST ETAL & SMITH, RON TRS:**
ZONE CHANGE to reclassify 2.1 acres from an R-E (Rural Estates Residential) Zone to an R-5 (Apartment Residential) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; 2) reduce parking; 3) allow alternative street landscaping; 4) modified driveway design standards; and 5) modified street standards.
DESIGN REVIEWS for the following: 1) multiple family residential development; 2) alternative parking lot landscaping; and 3) finished grade. Generally located on the north side of Hacienda Avenue and the west side of Caliente Street within Paradise (description on file). JG/md/syp (For possible action) **PC 10/18/22**

MOVED BY- Williams
APPROVE-Subject to IF approved staff conditions
VOTE: 3-0 Unanimous

6. **WS-22-0489-ANNIE OAKLEY INVESTORS, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce throat depth.
DESIGN REVIEW for building and site modifications to an existing distribution center on 12.5 acres in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the southwest corner of Annie Oakley Drive and Silvestri Lane within Paradise. JG/gc/syp (For possible action) **PC 10/18/22**

MOVED BY- Philipp
APPROVE-Subject to staff conditions
VOTE: 3-0 Unanimous

7. **WS-22-0491-INRAM, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks of a proposed patio cover in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) Zone. Generally located on the west side of Tomiyasu Lane and the north side of Maule Avenue within Paradise. JG/lm/syp (For possible action) **PC 10/18/22**

MOVED BY- Williams
APPROVE-Subject to staff conditions
VOTE: 3-0 Unanimous

8. **WS-22-0492-FLAMINGO PARTNERS, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce parking.
DESIGN REVIEW for a place of worship on 4.4 acres in a C-2 (General Commercial) Zone. Generally located on the south side of Flamingo Road and the west side of Hildebrand Lane within Paradise. TS/lm/syp (For possible action) **PC 10/18/22**

MOVED BY- Williams
APPROVE-Subject to staff conditions
VOTE: 3-0 Unanimous

9. **ET-22-400100 (WS-20-0294)-HERBST FAMILY LIMITED PARTNERSHIP II:**
DESIGN REVIEW FIRST EXTENSION OF TIME for a parking garage in conjunction with an existing convenience store with gasoline station and warehouse on 4.0 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the west side of Polaris Avenue and the north side of Russell Road within Paradise. MN/sr/syp (For possible action) **BCC 10/19/22**

MOVED BY- Philipp
APPROVE-Subject to staff conditions
VOTE: 3-0 Unanimous

- VI. General Business (for possible action)
Motion was made by Williams to place the following items to the 2023/2024 Budget, vote was 3-0 unanimous
- **Convert Street lights to LED lights**
 - **Have Public Education Programs regarding garage/yard sale signs, Where to place Grand opening signs/flags, General home building Codes**
 - **Hire more Plan checkers, Inspectors and Code Enforcement Officers**
 - **Repair the following streets: Patrick to Sunset and Eastern to Annie Oakley**

- VII. Public Comment
None

- VIII. Next Meeting Date
The next regular meeting will be October 11, 2022

- IX. Adjournment
The meeting was adjourned at 8:50 p.m.

RECREATIONAL FACILITY/ SIERRA VISTA DR/UNIVERSITY CENTER DR
FAIRGROUND/LIVE ENTERTAINMENT
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0521-COUNTY OF CLARK (LV CONV AUTH):

USE PERMITS for the following: 1) recreational facility; 2) fairground; and 3) live entertainment.

DESIGN REVIEWS for the following: 1) recreational facility; 2) fairground; and 3) live entertainment in conjunction with a convention facility on 51.8 acres in a P-F (Public Facility) Zone.

Generally located on the north side of Sierra Vista Drive, and the east and west sides of University Center Drive within Paradise. TS/lm/syp (For possible action)

RELATED INFORMATION:

APN:

162-15-101-014; 162-15-101-015; 162-15-101-037; 162-15-501-030

USE PERMITS:

1. Allow a recreational facility in a P-F zone in conjunction with a convention facility, including outdoor temporary events per Table 30.44-1.
2. Allow a fairground in a P-F zone in conjunction with a convention facility per Table 30.44-1.
3.
 - a. Allow Live Entertainment in a P-F zone in conjunction with a convention facility.
 - b. Reduce minimum separation from live entertainment to a residential use to zero feet where 500 feet is required per Table 30.44-1 (a 100% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

WINCHESTER/PARADISE - PUBLIC USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3380 & 3381 University Center Drive
- Site Acreage: 51.8
- Project Type: Recreational facility, fairground, and live entertainment in conjunction with a convention center

Site Plans

The plans depict 2 existing parking areas that are a part of the Las Vegas Convention and Visitor Authority (LVCVA) campus located to the east and west sides of University Center Drive and the North side of Sierra Vista Drive (Platinum Lot and Bronze Lot) that will be used for outdoor special events in conjunction with convention center activities. The existing off-sites, driveways, and gate locations are to remain unchanged. The special event areas will include stages and booths for food and beverage (non-alcoholic and alcoholic), retail sales, along with entry/exit locations and ticket sales, which will be set-up on the site in a potentially unique configuration for each event. All aspects of the events will be set back a minimum of 10 feet from property lines. Parking during events will be provided at other LVCVA satellite parking areas.

Landscaping

There are no proposed changes to the existing landscaping, fencing, or screening along Sierra Vista Drive and University Center Drive.

Applicant's Justification

The applicant indicates that the requested uses are for special events to be conducted outdoors throughout the year. In addition to parking available at other LVCVA satellite lots, there are several other mass transit access options including RTC bus routes, monorail, the Loop, and private transportation services. The applicant also indicates that the reduction in separation for the uses are buffered by existing screen walls and in most locations by Sierra Vista Drive or University Center Drive. Additionally, the proposed uses will comply with Section 30.68.020 (Noise) and the events will be generally held once a month, Thursdays through Mondays. The existing site and off-site improvements are to remain with gates closed during the entirety of the special events as well as during assemblage or breakdown of the special events.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--|--|-----------------|---------------|
| West of University Center Drive | | | |
| VS-21-0485 | Vacated and abandoned access easement | Approved by PC | November 2021 |
| ZC-0188-15 | Reclassified 14.4 acres to P-F zoning for a parking lot and outside storage area expansion for the Las Vegas Convention Center | Approved by BCC | May 2015 |
| ZC-0696-07 (ET-0160-09) | Second extension of time to review progress on an expansion to the Las Vegas Convention Center | Approved by BCC | July 2009 |
| ZC-0696-07 (ET-0158-08) | First extension of time to review progress on an expansion to the Las Vegas Convention Center | Approved by BCC | July 2008 |
| ZC-0696-07 | Reclassified 5.4 acres to P-F zoning for expansion to the Las Vegas Convention Center | Approved by BCC | July 2007 |
| East of University Center Drive | | | |
| ADR-21-900412 | Carports in conjunction with the Las Vegas Convention Center | Approved by ZA | August 2021 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|-----------------|-----------|
| DR-19-0429 | Entrance structure for an underground people mover | Approved by BCC | July 2019 |
| ZC-0142-13 | Reclassified a portion of the site to P-F zoning for a parking lot and staging area in conjunction with the convention center | Approved by BCC | May 2013 |
| ZC-0141-13 | Reclassified a portion of the site to P-F zoning for a parking lot and staging area in conjunction with the convention center | Approved by BCC | May 2013 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|---------------------------|--|
| North | Public Use, Entertainment Mixed-Use, & Urban Neighborhood (greater than 18 du/ac) | P-F, R-1, C-1, R-5, & C-2 | Las Vegas Convention Center, retail, utility facility, & multiple family residential |
| South | Entertainment Mixed-Use | H-1, R-5, & C-1 | Multiple family residential & retail center |
| East | Entertainment Mixed-Use & Urban Neighborhood (greater than 18 du/ac) | P-F | Las Vegas Metropolitan Police Department substation & multiple family residential |
| West | Entertainment Mixed-Use | H-1 | Hotel (Renaissance) & Wynn Golf Course |

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 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.

Use Permits & Design Reviews

This request is to establish a recreational facility and fairground to permit various outdoor special events with live entertainment hosted by the LVCVA, typically in conjunction with an ongoing convention. This request will alleviate the need for a Temporary Outdoor Commercial Event filing for each convention contracted with the Las Vegas Convention Center. The proposed uses are located in the parking areas on the southerly boundary of the Las Vegas Convention Center campus and are in the Entertainment Mixed-Use and Public Use land use categories of the Master Plan. There are no proposed changes to the existing gates and access driveways which

are to remain closed during events, and there are no known impacts during existing site operations. Temporary outdoor commercial events are common to the Las Vegas Convention Center and the nearby resort corridor with adequate protections to any nearby residential properties. The primary uses of the surrounding area are oriented to a mix of retail, restaurants, entertainment, and other tourist-oriented services which the proposed uses will provide an additional amenity for attendees of typical convention events at the Las Vegas Convention Center. Staff has no objection to the location of the event facilities and the existing residential uses to the south, with adequate protections from intrusive sound. With the above considerations and recommendation, staff can support these requests.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- All speakers for amplified sound and live entertainment to be oriented to minimize impacts to abutting residential uses.
- Applicant is advised that events are subject to the noise and lighting regulations per Section 30.68.020 and Section 30.68.030; 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

- Traffic study and compliance if required by Public Works.

Fire Prevention Bureau

- Applicant is advised to Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features; and that fire/emergency access must comply with the Fire Code as amended.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LAS VEGAS CONVENTION AND VISITOR'S AUTHORITY
CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA
DRIVE, SUITE 650, LAS VEGAS, NV 89135

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | |
|--|--|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>UC-22-0521</u> DATE FILED: <u>9/8/2022</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>10/11/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>10/19/2022</u> FEE: <u>w waived</u> |
| | PROPERTY OWNER NAME: <u>County of Clark (LV Convention Authority)</u> ADDRESS: <u>3150 Paradise Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: _____ CELL: _____ E-MAIL: <u>CBateman@lvcva.com</u> |
| | APPLICANT NAME: <u>Las Vegas Convention and Visitors Authority</u> ADDRESS: <u>3150 Paradise Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>702-892-0711</u> CELL: _____ E-MAIL: <u>CBateman@lvcva.com</u> REF CONTACT ID #: _____ |
| | CORRESPONDENT NAME: <u>Tony Celeste- Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: _____ E-MAIL: <u>AJC@kcnvlaw.com</u> REF CONTACT ID #: _____ |

ASSESSOR'S PARCEL NUMBER(S): 162-15-101-037 and 162-15-101-014; 162-15-101-015 and a portion of 162-15-501-030

PROPERTY ADDRESS and/or CROSS STREETS: Paradise Road and Sierra Vista Drive

PROJECT DESCRIPTION: Special Use Permit

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Steven D Hill
 Property Owner (Signature)*
 STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON May 26, 2022 (DATE)
 By Lisa Garcia
 NOTARY PUBLIC: [Signature]

STEVEN D HILL
 Property Owner (Print)

DULCE UBALDO
 NOTARY PUBLIC
 STATE OF NEVADA
 My Commission Expires: 10-06-25
 Certificate No: 21-7416-01

*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE

aceleste@kcnvlaw.com
702.693.4215

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Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

September 7, 2022

VIA UPLOAD

CLARK COUNTY COMPREHENSIVE PLANNING
500 S. Grand Central Parkway
First Floor
Las Vegas, NV 89155

**Re: *Justification Letter – Las Vegas Convention and Visitors Authority
Special Use Permits to allow a Recreational Facility, Fairground, and Live Entertainment with a Special Use Permit to Reduce the Separation Between Live Entertainment and Residential and Waiver of Development Standards to (1) to allow temporary commercial uses in conjunction with a recreational facility within 200 feet from a residential development, per Table 30.44-1., (2) Reduce Distance to Access Gate (30.64.020(7)), and (3) Deviate from Standard Drawing 222.1
APNs: 162-15-101-037; 162-15-101-014; 162-15-101-015 & Portion of 162-15-501-030***

To Whom It May Concern:

Please be advised this firm represents the Las Vegas Convention and Visitors Authority (the "LVCVA"). In conjunction with operating special events and conventions within the various convention halls on the LVCVA campus, the LVCVA also host several temporary commercial outdoor events on their Bronze and Platinum lots which are located on the north side of Sierra Vista Drive and bisected to the west and east by University Center Drive (formerly Swenson Street) and more particularly described as APNs: 162-15-101-037; 162-15-101-014; 162-15-101-015; & portion of 162-15-501-030 (collectively the "Site").

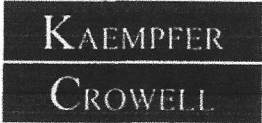
Generally, for every outdoor event the LVCVA holds on the Site, a special use permit is required allowing for temporary commercial uses. Because the LVCVA plans on hosting several temporary commercial uses on the Site this year commencing in November and running through next year and the coming years, the LVCVA is requesting a "blanket" or permanent use permit to allow for the temporary commercial events. Enclosed with this letter, for example, are the planned temporary commercial events commencing the beginning of November of 2022. As identified on the submitted plan, the Applicant is requesting certain areas within the Bronze and Platinum lots, respectively, to have flexibility to host the Special Events in these areas. Since each special event is unique, the set up for each event will vary, however, it will be located within the designated area shown on the site plan and will be no closer than 10 feet to the

property lines. With respect to parking, no parking will be allowed in the designated Special Event areas during Special Events. Parking is and will be available on LVCVA's satellite lots during Special Events.

In order to best achieve the planned temporary commercial uses, the LVCVA is requesting the following special use permits: (1) Recreational Facility, (2) Fairgrounds, and (3) Live Entertainment (sometimes collectively referred to as the "Special Events"). Additionally, the LVCVA is requesting accessory uses to the Special Events that will include food, beverages (non-alcoholic and alcoholic), retail sales (souvenirs), and admission fees/ticket sales. With special use permit approval, the Special Events are allowed uses in the P-F zoned district. Here, the Site is zoned P-F and, importantly, the Site is master planned Entertainment Mixed-Use ("EM") and adjacent to the Resort Corridor. In addition to the zoning and master plan of the Site, the special use permits for the Special Events are appropriate for the following reasons: (1) the Site is part of the overall LVCVA campus, (2) the Site is surrounded by other properties zoned H-1 or R-5 – the most intense commercial and residential zoned districts, respectively, (3) the Site is near many options for mass transit (i.e. RTC bus, monorail, the loop, taxi, etc.), and (4) the Site is near 150,000 hotel rooms where the majority of the conventioners stay. Therefore, the Special Events are harmonious with the other uses in the area.

In addition to the special use permits for the Special Events, the LVCVA is requesting an additional special use permit to reduce the separation distance requirement between Live Entertainment and the residential zoned properties (R-5) to the east and south to less than 500-feet and, similarly, a waiver of development standards to reduce the separation distance requirement between a Recreational Facility (temporary commercial use) and the residential uses to the east and south to less than 200-feet. With respect to the Bronze Lot, the Special Events will be approximately 65-feet from the zoned R-5 residential properties. With respect to the Platinum Lot, the Special Events will be zero-feet from the zoned R-5 residential properties. As described above, the Site along with the residential uses (many of which are zoned H-1) and planned Entertainment Mixed-Use (EM) are located in the most intense urban area in the entire Las Vegas Valley. The Site and the residential use are buffered by an existing wall and are separated by Sierra Vista Drive to the south and Cambridge Street to the east. The existing wall and street separation also contribute to mitigating noise pollution. The Applicant will comply with the County Noise Ordinance in Title 30.68.020. The Special Events will be generally one per month and generally on Thursdays thru Mondays. Therefore, the special use permit and waiver to reduce the distance separation is appropriate.

The final two waivers of development standards are with respect to existing access gates located at Sierra Vista Drive to the Site. The location of the gates do not meet the setback requirements set forth in Title 30.64.020(7) or in Standard Drawing 222.1 regarding the throat depth. The Applicant is requesting a zero-foot setback to the existing gates. However, the access gates will remain closed during the entirety of the special events. Further, the gates will remain closed and not accessible during assemblage or breakdown of the Special Events.



We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

AJC

ENCLOSURE

10/19/22 BCC AGENDA SHEET

RIGHT-OF-WAY
(TITLE 30)

LAS VEGAS BLVD S/HARMON AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0519-POLV, LLC

VACATE AND ABANDON a portion of a right-of-way being Harmon Avenue located between Las Vegas Boulevard South and Audrie Street (alignment) within Paradise (description on file). JG/md/syp (For possible action)

RELATED INFORMATION:

APN:
162-21-301-001; 162-21-301-003; 162-21-301-020

LAND USE PLAN:
WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a portion of right-of-way being Harmon Avenue located at the northeast corner of the project site, measuring 1,942 square feet in area. The right-of-way spandrel being vacated was recorded via document 20020103:01412 and the vacation and abandonment is necessary to develop the project site.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|---------------|
| UC-0095-14 | Amusement theme park with restaurants, on-premises consumption of alcohol, outdoor live entertainment with increased building height, reduced parking, non-standard improvements within the right-of-way, and encroachment into airspace | Denied by BCC | November 2014 |
| WS-0313-13 | Allowed a roof sign in conjunction with an existing restaurant (Fatburger) | Approved by BCC | August 2013 |
| WS-0044-13 | Outside retail sales structures in conjunction with an existing shopping center | Approved by BCC | March 2013 |
| UC-0641-12 | Freestanding outside bar in conjunction with an existing restaurant (Fatburger) | Approved by BCC | January 2013 |
| WS-0554-12 | New freestanding sign for Captor Plaza | Approved by PC | November 2012 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|-------------------------|--|-------------------|----------------|
| UC-0179-12 | Theater with on-premises consumption of alcohol | Approved by PC | June 2012 |
| UC-0322-11 | Allow on-premises consumption of alcohol and outside drinking/dining for a restaurant (Fatburger) | Approved by PC | September 2011 |
| RS-0025-08 | Record of Survey | Reviewed by Staff | February 2008 |
| UC-1985-04 (ET-0381-06) | First extension of time for the nightclub - expired | Approved by PC | February 2007 |
| UC-1985-04 | Building remodel for a nightclub (Empire Ballroom) with outdoor dining and live entertainment | Approved by PC | December 2004 |
| UC-1226-02 | A timeshare project (The Chateau) with waivers to allow combined parking with the Polo Towers and Hawaiian Market Place | Approved by PC | October 2002 |
| WS-0914-02 | Parking reduction for Polo Towers in conjunction with the Grand Chateau | Approved by PC | August 2002 |
| UC-0445-98 | Expansion to the shopping center, a pharmacy to the south of the development (Walgreens), allow 28 tandem spaces, and a 33 percent parking reduction (parking reduction was subject to a review period, which was never filed and has expired) | Approved by BCC | July 1998 |
| VC-691-90 | Second extension of time for the parking reduction and outside dining (Title 29) | Approved by PC | October 1993 |
| VC-691-90 | Approved a 6 percent parking reduction in conjunction with an existing shopping center, and allowed outside dining (Title 29) | Approved by PC | November 1990 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---------------------------|-----------------|--|
| North | Entertainment Mixed-Use | H-1 | Harmon Corner, Planet Hollywood Resort Hotel & Miracle Mile Shopping Center (portions) |
| South | Entertainment Mixed-Use | H-1 | MGM Grand Resort Hotel and the Showcase Mall |
| East | Entertainment Mixed-Use | H-1 | Polo Towers & MGM Grand Resort Hotel |
| West | Entertainment Mixed-Use | H-1 | City Center and, Park MGM Resort Hotels, & CVS Pharmacy |

Related Applications

| Application Number | Request |
|---------------------------|--|
| UC-22-0518 | A resort hotel with all associated and accessory uses, structures, and incidental buildings and structures is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of right-of-way that is not necessary for site, drainage, or roadway development.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Reserve traffic and pedestrian access easements over the entire area being vacated;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: POLV, LLC

CONTACT: REBECCA MILTENBERGER, BROWNSTEIN HYATT FARBER SCHRECK,
100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106

DRAFT



VACATION APPLICATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT
SUBMITTAL REQUIREMENTS ARE LISTED ON BACK

| | | | |
|---|-------|---|--|
| APPLICATION TYPE | STAFF | DATE FILED: <u>9/7/22</u> | APP. NUMBER: <u>KS-22-0519</u> |
| | | PLANNER ASSIGNED: <u>MNO</u> | TAB/CAC: <u>PARADISE</u> |
| <input type="checkbox"/> VACATION & ABANDONMENT (VS) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____ | STAFF | ACCEPTED BY: <u>MNO</u> | TAB/CAC DATE: <u>10/11</u> TIME: <u>7:00</u> |
| | | FEE: <u>\$875</u> CHECK #: <u>PACD/EMT.</u> | PC MEETING DATE: <u>-</u> |
| | | COMMISSIONER: <u>GISBORN</u> | BCC MTG DATE: <u>11/2/22</u> |
| | | OVERLAY(S)? <u>-</u> | ZONE / AE / RNP: <u>H-1</u> |
| | | TRAILS? <input checked="" type="checkbox"/> PFNA? <input checked="" type="checkbox"/> | PLANNED LAND USE: <u>EM</u> |
| | | | |

| | |
|----------------|---|
| PROPERTY OWNER | NAME: <u>POLV, LLC</u> |
| | ADDRESS: <u>1510 West Loop South</u> |
| | CITY: <u>Houston</u> STATE: <u>TX</u> ZIP: <u>77027</u> |
| | TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> |
| | E-MAIL: <u>N/A</u> |

| | |
|-----------|---|
| APPLICANT | NAME: <u>POLV, LLC</u> |
| | ADDRESS: <u>1510 West Loop South</u> |
| | CITY: <u>Houston</u> STATE: <u>TX</u> ZIP: <u>77027</u> |
| | TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> |
| | E-MAIL: <u>N/A</u> ACA CONTACT ID #: _____ |

| | |
|---------------|---|
| CORRESPONDENT | NAME: <u>Guy Morris, c/o Lochsa Engineering</u> |
| | ADDRESS: <u>6345 S. Jones Blvd. Suite 100</u> |
| | CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> |
| | TELEPHONE: <u>702-365-9312</u> CELL: <u>702-480-7224</u> |
| | E-MAIL: <u>guy@lochsa.com</u> ACA CONTACT ID #: _____ |

ASSESSOR'S PARCEL NUMBER(S): 162-21-399-013

PROPERTY ADDRESS and/or CROSS STREETS: 162-21-399-013

I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code, that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted.

| | |
|---|------------------------|
| | Steven Scheinthal |
| Property Owner (Signature)* | Property Owner (Print) |
| STATE OF NEVADA <u>Clark</u> COUNTY OF <u>Humboldt</u> | |
| SUBSCRIBED AND SWORN BEFORE ME ON <u>JUNE 15, 2022</u> (DATE) | |
| By <u>Steven Scheinthal</u> | |
| NOTARY PUBLIC: | |

*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

2

T 702-365-9312 | F 702-365-9317
6345 S Jones Blvd, Suite 100
Las Vegas, NV 89118



June 10, 2022

Clark County Comprehensive Planning
500 South Grand Central Parkway
Las Vegas, NV 89106

VS-22-0519

Subject: Right of Way Vacation Justification Letter for "Center Strip", SEC of LV Blvd and
Harmon Blvd. AKA 3735 S. Las Vegas Blvd.
Lochsa Engineering Project No. 221064

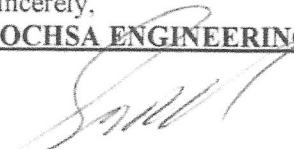
Dear Sir or Madam,

This letter is intended to provide a justification to vacate a portion of the west spandrel at the intersection of Harmon Ave. and the alley at Grand Chateau. The portion we are vacating will follow the back of curb and provide greater setback to the building. Any traffic control devices and pedestrian easements will be retained as required. New driveways will have pedestrian access easements granted per the current CCPW standards. The offsite improvements adjacent to this easement location will be repaired to CCPW standards.

We wish to ask for approval to vacate this portion of public Right of Way.

Please do not hesitate to contact our office at your earliest convenience, if you have any questions.

Sincerely,
LOCHSA ENGINEERING


Guy Morris, P.E., LEED AP
Principal

PLANNER
COPY

2

RESORT HOTEL
(TITLE 30)

LAS VEGAS BLVD S/HARMON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0518-POLV, LLC:

USE PERMITS for the following: 1) high impact project; 2) resort hotel; 3) public areas including the casino, showrooms, theater, live entertainment, retail, indoor and outdoor dining and drinking, offices, conventions, and parking structure; 4) associated accessory and incidental commercial uses, buildings, and structures including retail areas, dining, theater, spa and fitness center, wedding chapel, vehicle (automobile) sales, and convention facilities; 5) kitchens within guest rooms; and 6) deviations as depicted per plans on file.

DEVIATIONS for the following: 1) increased building height; 2) reduce height/setback ratio; 3) encroachment into airspace; 4) reduced parking; 5) reduced loading spaces; 6) alternative landscaping and pedestrian realm; 7) permit tandem parking spaces; and 8) all other deviations as depicted per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setback; and 2) allow non-standard improvements within the right-of-way.

DESIGN REVIEWS for the following: 1) high impact project; and 2) resort hotel with all associated and accessory uses, structures, and incidental buildings and structures on 6.3 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the east side of Las Vegas Boulevard South and the south side of Harmon Avenue within Paradise. JG/md/syp (For possible action)

RELATED INFORMATION:

APN:

162-21-301-001; 162-21-301-003; 162-21-301-020

DEVIATIONS:

1. Increase building height to 572 feet where a maximum height of 100 feet is permitted per Table 30.40-7 (a 472% increase).
2. Reduce height/setback ratio from an arterial street (Las Vegas Boulevard South) to 16 feet where 89 feet is required per Figure 30.56-4 (an 82% reduction).
3. Permit encroachment into airspace.
4. Reduce parking to 1,847 parking spaces where 2,401 parking spaces are required per Table 30.60-1 (a 23.1% reduction).
5. Reduce the number of loading spaces to 3 spaces where 19 spaces are required per Table 30.60-6 (an 84.2% reduction).

6. a. Allow alternative landscaping and a pedestrian realm along the street frontage (Las Vegas Boulevard South) where required per Table 30.56-2, Table 30.64-2, Figure 30.64-17, and Figure 30.64-18.
6. b. Allow alternative landscaping and a pedestrian realm along the street frontage (Harmon Avenue) where required per Table 30.56-2, Table 30.64-2, Figure 30.64-17, and Figure 30.64-18.
7. Allow for up to 3.4% of the required parking or 62 parking spaces to be tandem parking.
8. Allow all other deviations as depicted per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the required special setback for Las Vegas Boulevard South to 16 feet where 25 feet from the future back of curb or 10 feet from the future property line is required per Section 30.56.060 (a 36% reduction).
2. Allow non-standard improvements (landscaping, decorative fence and bollards) within the right-of-way (Las Vegas Boulevard South and Harmon Avenue) where not permitted per Chapter 30.52.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3725 to 3735 Las Vegas Boulevard South
- Site Acreage: 6.3
- Project Type: Resort hotel
- Number of Stories: 43
- Building Height (feet): 572
- Square Feet: 2,267,020 (resort hotel)/123,887 (theater)/877,078 (garage w/central plant)/766,046 (podium level)
- Parking Required/Provided: 2,401/1,847

Site Plans

The plans depict a resort hotel measuring 572 feet in height that features 2,420 hotel rooms, a theater consisting of 2,536 seats, and a multiple-level parking garage on 6.3 acres. The building has been designed as a single tower that is elevated upon a podium level with the following setbacks: 1) 13.5 feet from the north property line, adjacent to Harmon Avenue; 2) 25 feet from the east property line; 3) 13 feet from the south property line; and 4) 26.5 feet from the west property line, adjacent to Las Vegas Boulevard South. The height/setback ratio requires 89 feet from Las Vegas Boulevard South where 16 feet is provided, necessitating a deviation. The hotel porte-cochere is located on the north side of the hotel, adjacent to Harmon Avenue, and includes 4 one-way lanes designated for valet and ride-share service drop-off. The above grade parking garage, located on the east side of the resort hotel, has been incorporated into the building design. Two levels of subterranean parking are featured below the resort hotel and include valet parking areas. A deviation is requested to permit 62 tandem parking spaces within the parking garage. The project requires 2,401 parking spaces where 1,847 parking spaces are provided

within the garage. Nineteen loading spaces are required for the resort hotel, where 3 loading spaces are provided at the southeast corner of the building. Deviations are required to reduce the number of parking and loading spaces within the project site. Access to the project site is granted via 2 proposed commercial driveways and 1 existing commercial driveway adjacent to Harmon Avenue.

Landscaping and Pedestrian Realm

The plans depict a pedestrian realm and landscaping along Las Vegas Boulevard South and Harmon Avenue consisting of 36 inch box small, medium, and large trees. The pedestrian realm adjacent to Las Vegas Boulevard South measures between 31 feet to 42.5 feet in width, with a detached sidewalk measuring 15 feet in width. Portions of the pedestrian realm measuring up to 16 feet in width, which include street landscaping and a part of the detached sidewalk, are located within the Las Vegas Boulevard South right-of-way, necessitating deviations for alternative landscaping and a pedestrian realm. Furthermore, a waiver of development standards for non-standard improvements within the right-of-way, which include a 3 foot high decorative fence, bollards, and landscaping, is also required. The pedestrian realm area adjacent to Harmon Avenue ranges between 5 feet to 40 feet in width, with an attached sidewalk measuring between 5 feet to 10 feet in width to the east of the driveway entrance leading to the porte cochere. A detached sidewalk, with a minimum width of 10 feet, is located to the west of the driveway entrance leading to the porte cochere. Portions of the attached sidewalk are located within the right-of-way, requiring a deviation for alternative landscaping and a pedestrian realm. The portion of the attached sidewalk measuring 5 feet in width and 115 feet in linear length is located at the northeast corner of the site, between Harmon Avenue and the parking garage. Code allows up to 22,973 square feet of outdoor water features, including swimming pools, where 22,973 square feet is proposed with the resort hotel. Landscaping is featured around the perimeter of the swimming pool area, which is located 92 feet above street level.

Elevations

The plans depict a proposed resort hotel with a maximum height of 572 feet. The design of the hotel features an exterior composed of a painted metal parapet wall system, low reflective glazed aluminum curtain wall system, and painted EIFS for the parking garage and podium level. The pool deck area begins at a height of 92 feet and includes a landscape area featuring trees within the amenity area. The parking garage and podium level consist of neutral colors. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls.

Floor Plans

The plans depict a variety of hotel room sizes measuring between 525 square feet to 2,000 square feet in area. Various indoor water features are located within the interior podium level of the resort hotel. The hotel suites range between 1,480 square feet to 5,810 square feet while the villas measure between 1,775 square feet to 5,382 square feet in area. The floor plans of the resort hotel consist of the following: 1) 176,167 square feet of public space; 2) 91,834 square feet of convention facilities; 3) 188,059 square feet of back-of-house areas; 4) 16,090 square feet of fitness area (resort hotel staff only); 5) 37,930 square feet of spa and fitness area (resort hotel guests); and 6) 123,887 square feet of theater space with 2,536 seats. Subterranean parking is featured on 2 levels of the resort hotel, while an above ground parking garage consisting of 14 levels is located along the east side of the hotel tower. A single kitchen area is depicted within

the owner's suite; however, the presence of a range or oven, or utility connections suitable for servicing a range or oven, are not depicted on the floor plans. The kitchen within the owner's suite requires a use permit; however, the Liquor and Gaming Board does not allow kitchens in conjunction with an unrestricted gaming license.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant proposes to park all staff only areas at the property as back of house areas, as determined on the parking analysis. Due to guests' increased utilization of taxis, ride share services, and other transportation services, the parking shown on the plans is sufficient for the Resort's daily operations. Moreover, the Resort has included a large taxi and ride share pick-up/waiting area to accommodate the increased used in such services. The tandem parking for the Resort will only be included in valet portions of the garage, and accounts for approximately 3 percent of the proposed parking spaces for the Resort. A valet attendant will be on duty during business hours. The applicant proposes to construct 3 loading docks with the resort hotel. By utilizing best practices to optimize efficiency and coordinate deliveries, the applicant will be able to sufficiently load in/out all materials for the operations as contemplated at the Resort without impacting neighboring developments or traffic on the public rights-of-way. The deviation request for an alternative pedestrian realm and landscaping is consistent with other resort hotels in the Resort Corridor. The proposed height is compatible with neighboring structures and this deviation is consistent with other properties in the Resort Corridor. The height, design, and materials to be utilized for the Resort are compatible with neighboring structures and will aesthetically enhance the area. The reduced setback along Las Vegas Boulevard South commences at approximately 64 feet above ground level, which permits enhanced sidewalks on ground level and provides sufficient vertical clearance for emergency vehicles. The waiver of setbacks along Las Vegas Boulevard South is consistent with other resort hotels within the Resort Corridor. The non-standard improvements within the right-of-way include enhanced sidewalks and landscaping consistent with the plant materials required by Code. Such waivers are consistent with other resort hotels on Las Vegas Boulevard South.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|--|-----------------|---------------|
| UC-22-0410 | Retail, restaurants, on-premises consumption of alcohol, and live entertainment, with waivers for setbacks, non-standard improvements, and reduced parking | Approved by BCC | August 2022 |
| UC-0095-14 | Amusement theme park with restaurants, on-premises consumption of alcohol, outdoor live entertainment with increased building height, reduced parking, non-standard improvements within the right-of-way, and encroachment into airspace | Denied by BCC | November 2014 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|-------------------------|---|-------------------|----------------|
| WS-0313-13 | Allowed a roof sign in conjunction with an existing restaurant (Fatburger) | Approved by BCC | August 2013 |
| WS-0044-13 | Outside retail sales structures in conjunction with an existing shopping center | Approved by BCC | March 2013 |
| UC-0641-12 | Freestanding outside bar in conjunction with an existing restaurant (Fatburger) | Approved by BCC | January 2013 |
| WS-0554-12 | New freestanding sign for Captor Plaza | Approved by PC | November 2012 |
| UC-0179-12 | Theater with on-premises consumption of alcohol | Approved by PC | June 2012 |
| UC-0322-11 | Allow on-premises consumption of alcohol and outside drinking/dining for a restaurant (Fatburger) | Approved by PC | September 2011 |
| RS-0025-08 | Record of Survey | Reviewed by Staff | February 2008 |
| UC-1985-04 (ET-0381-06) | First extension of time for the nightclub - expired | Approved by PC | February 2007 |
| UC-1985-04 | Building remodel for a nightclub (Empire Ballroom) with outdoor dining and live entertainment | Approved by PC | December 2004 |
| UC-1226-02 | A timeshare project (The Chateau) with waivers to allow combined parking with the Polo Towers and by Hawaiian Market Place | Approved by PC | October 2002 |
| WS-0914-02 | Parking reduction for Polo Towers in conjunction with the Grand Chateau | Approved by PC | August 2002 |
| UC-0445-98 | Expansion to the shopping center, a pharmacy (Walgreens) to the south of the project site, allow 28 tandem spaces, and a 33 percent parking reduction (parking reduction was subject to a review period, which was never filed and has expired) | Approved by BCC | July 1998 |
| VC-691-90 | Second extension of time for the parking reduction Approved October and outside dining (Title 29) | Approved by PC | October 1993 |
| VC-691-90 | Approved a 6 percent parking reduction in conjunction with an existing shopping center, and allowed outside dining (Title 29) | Approved by PC | November 1990 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---------------------------|-----------------|--|
| North | Entertainment Mixed-Use | H-1 | Harmon Corner, Planet Hollywood Resort Hotel & Miracle Mile Shopping Center (portions) |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|----------------------------------|------------------------|--|
| South | Entertainment Mixed-Use | H-1 | Polo Towers and Hawaiian Marketplace* |
| East | Entertainment Mixed-Use | H-1 | Marriot Grand Chateau |
| West | Entertainment Mixed-Use | H-1 | City Center, Monte Carlo Resort Hotels, & CVS Pharmacy |

*UC-22-0410 was approved by the BCC in August 2022 for a shopping center that includes retail, restaurants, on-premises consumption of alcohol (supper club and service bar) and live entertainment.

Related Applications

| Application Number | Request |
|---------------------------|--|
| VS-22-0519 | A request to vacate and abandon right-of-way along Harmon Avenue is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits #1 through #5

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 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.

The proposed resort hotel, in addition to the various accessory and incidental uses, is defined as a High Impact Project (HIP) as it includes more than 1,200 guest rooms and will generate 8,000 or greater average daily trips, as defined by the Institute of Transportation Engineers. The purpose of the Limited Resort and Apartment District (H-1) is to provide for the development of gaming enterprises, compatible commercial, and mixed commercial and residential uses, and to prohibit the development of incompatible uses that are detrimental to gaming enterprises. Policy 5.1.3 of the Master Plan emphasizes tourism, conventions, trade shows, and gaming as one of the region's economic pillars. Staff finds the request for a new resort hotel with all associated accessory uses complies with the aforementioned policy and is appropriate based on the site's location on Las Vegas Boulevard South, the H-1 zoning designation, and the Las Vegas Boulevard Gaming Corridor. Therefore, staff can support these requests.

Deviations #1 and #2

Policy 6.2.1 of the Master Plan aims to ensure the design and intensity of new development is compatible with the surrounding area and uses in terms of height, scale, and the overall mix of uses. The requested height increase is similar to, and consistent with, other resort hotel requests that have been approved within the immediate area. Varying building height, breaking-up the

mass of the building, and shifting building placement can provide appropriate transitions between differing building scales and intensities. Although the height setback ratio reduction along Las Vegas Boulevard South is significant, the encroachment into the setback begins at a height of 64 feet. Staff finds the encroachment into the setback should not negatively impact the surrounding land uses and adjacent properties. Therefore, staff recommends approval of these requests.

Deviations #4 and #7

The intent of the parking and loading requirements is to establish regulations for the provision of safe and efficient parking and loading facilities in amounts sufficient to meet existing and/or proposed land uses in unincorporated Clark County. A parking analysis was prepared by the applicant demonstrating the reduction to the required number of parking spaces. Staff finds the parking reduction should have minimal to no impact on the resort hotel and surrounding properties. Patrons of the resort hotel, including out-of-town visitors, may utilize alternative modes of transportation such as ride-share programs, taxis, and public transit thereby reducing the demand for parking spaces. Staff finds the request to reduce parking should have minimal to no impact to the resort hotel operations; therefore, recommends approval.

Tandem parking spaces are necessary to ensure the proper function of the valet service area and are commonly utilized within resort hotels. The request to utilize up to 62 parking spaces for tandem spaces should not have a negative impact on the resort hotel; therefore, staff recommends approval.

Deviation #5

Staff finds the reduction to the number of loading spaces should have minimal to no impact on the proposed resort hotel development. Three loading spaces are located within the southeast corner of the building, adjacent to the refrigerated receiving area. The proposed number of loading spaces should adequately serve the resort hotel and the associated uses; therefore, staff recommends approval.

Deviation #6a

Staff does not object to the proposed alternative landscaping and pedestrian realm design along Las Vegas Boulevard South. The pedestrian realm adjacent to Las Vegas Boulevard South measures between 31 feet to 42.5 feet in width, with a detached sidewalk measuring 15 feet in width. The addition of bollards immediately adjacent to Las Vegas Boulevard South will provide an additional buffer and protection between pedestrians and vehicles traveling along the street. The alternative landscaping and pedestrian realm are compatible with other developed properties along Las Vegas Boulevard South; therefore, staff recommends approval.

Deviation #6b

The pedestrian realm and landscape area measure 735 feet in length along Harmon Avenue. A 5 foot wide attached sidewalk, measuring 115 feet in linear length, is located at the northeast corner of the site between Harmon Avenue and the parking garage. Harmon Avenue is designated as a collector street per the Southeast Valley Transportation Map within the Master Plan. The intent of the pedestrian realm is to provide a streetscape that provides a buffer and separates pedestrian thoroughfares from the right-of-way. While staff does not object to the 5

foot wide sidewalk along this portion of Harmon Avenue, staff is concerned the attached sidewalk immediately adjacent to the right-of-way, in conjunction with the existing vehicular traffic, may potentially create safety issues for pedestrians along Harmon Avenue.

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 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

Staff does not object to the encroachment of the building into the required setback along Las Vegas Boulevard South. The encroachment begins at 64 feet above ground level and should not impact the surrounding land uses and properties; therefore, staff recommends approval.

Design Reviews #1 and #2

The proposed design of the resort hotel and accessory uses consist of a contemporary design that is aesthetically pleasing and architecturally diverse, which is appropriate for the surrounding area. The street landscape area along Las Vegas Boulevard, which consists of detached sidewalks, complies with the Master Plan which encourages detached sidewalks and shade to provide a safe and comfortable environment for pedestrians. The majority of Harmon Avenue also includes detached sidewalks, in compliance with the Master Plan. Policy WP-1.1 of the Master Plan encourages a diversity of land uses along major corridors at densities that support pedestrian activity and transit use, especially along Las Vegas Boulevard South. A multitude of accessory commercial uses are provided in conjunction with the resort hotel including, but not limited to, retail uses, restaurants, vehicles sales, theater, and a wedding chapel. Staff finds the proposed resort hotel is appropriate for the area, is compatible with the surrounding land uses, and complies with multiple goals and policies from the Master Plan; therefore, recommends approval.

Public Works - Development Review

Waiver of Development Standards #2

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any (landscaping) placed in the right-of-way. Staff can support Waiver of Development Standards #2 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid 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.

MORE IMPORTANTLY, the development will penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.48.100 of the Clark County Unified Development Code. Therefore, as required by Section 30.16.210(12)(D) of the Clark County Unified Development Code, final action CANNOT occur until the FAA has issued an airspace Determination of No Hazard and the Department of Aviation has reviewed the determination. (Note that Section 30.16.210(12)(D) requires that the FAA Determination of No Hazard shall be submitted two weeks prior to final approval for any proposed structure that intrudes into Airport Airspace Overlay District [see Chapter 30.48 Part B].)

The FAA has issued several different aeronautical study numbers (ASN) for points 1 through 6 - 2022-AWP-3894(through 3899)-OE, which state, "any height exceeding (the height of the specified point) above ground level, will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation." Heights referenced in the ASN's are for the building heights, as specified in the land use plans, and do not include the heights of cranes or other temporary construction equipment.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Prior to the issuance of building permits, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Allow the following permits prior to the adoption of the Development Agreement: all grading, including excavation and underground utilities, construction below grade level, and structural first lift with initial foundation work and structures above grade;
- Prior to the issuance of building and grading permits, enter into a Performance Agreement with Clark County which includes a Decommissioning Plan specifying the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned;
- Bond or other form of financial security, acceptable to Clark shall be provided with the Performance Agreement as security of the full and complete fulfillment of the decommissioning actions identified in the Decommissioning Plan;
- Determination of No Hazards and a finding of no significant impact on aircraft activity at Harry Reid International Airport for all constructions cranes (as recommended by the FAA in paragraph 7 in Aeronautical Study Numbers: 2022-AWP-3894-OE through 2022-AWP-3899-OE dated 9/7/2022 on page 6);

- Applicant is required to have an approved FAA Form 7460-2 prior to the issuance of building permits;
- Applicant is advised the “Determination of No Hazard to Air Navigation (Correction)” for Aeronautical Study Numbers 2022-AWP-3894-OE through 2022-AWP-3899-OE expires on February 19, 2024 unless:
 - the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office;
 - extended, revised, or terminated by the issuing office.
 - the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; water features must comply with Chapter 30.64; the Liquor and Gaming Board does not allow kitchens in conjunction with an unrestricted gaming license; the installation and use of cooling systems that consumptively use water will be prohibited; 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

- Drainage study and compliance;
- Traffic study and compliance;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Construction equipment shall not occupy the right-of-way;
- Grant any necessary easements and right-of-way for Las Vegas Boulevard South;
- Coordinate with Public Works - Construction Management - Johnathan Morales;
- If the pedestrian bridge is being attached directly to the building, an agreement with Public Works is required for said attachment.
- Applicant is advised that off-site improvement permits may be required.

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;
- 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; Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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;
- Due to the FAA's Determination of Hazard for any heights exceeding the points specified within the ASN's, all cranes and temporary equipment will require separate FAA airspace determinations that provide "Determinations of No Hazard to Air Navigation"; a Crane/Temporary Equipment plan that includes the separate FAA airspace determinations must be submitted and approved by the Department of Aviation before any building permits are issued.
- 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; and that the FAA's airspace determinations include expiration dates.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that permits may 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; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0004-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: POLV, LLC

CONTACT: REBECCA MILTENBERGER, BROWNSTEIN HYATT FARBER SCHRECK,
100 N. CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | |
|--|---|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <i>USP</i> <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>CC-22-0518</u> DATE FILED: <u>9/7/22</u> PLANNER ASSIGNED: <u>MND</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>10/11/22</u> PC MEETING DATE: <u>-</u> @ <u>7:00 P.M.</u> BCC MEETING DATE: <u>11/2/22 @ 9:00 AM.</u> FEE: <u>\$3,275</u> |
| | PROPERTY OWNER NAME: <u>POLV, LLC</u> ADDRESS: <u>1510 West Loop South</u> CITY: <u>Houston</u> STATE: <u>TX</u> ZIP: <u>77027</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u> |
| | APPLICANT NAME: <u>POLV, LLC</u> ADDRESS: <u>1510 West Loop South</u> CITY: <u>Houston</u> STATE: <u>TX</u> ZIP: <u>77027</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u> REF CONTACT ID #: <u>N/A</u> |
| | CORRESPONDENT NAME: <u>Rebecca Miltenberger</u> ADDRESS: <u>100 N. City Parkway, Suite 1600</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-464-7052</u> CELL: <u>N/A</u> E-MAIL: <u>rmiltenberger@bhfs.com</u> REF CONTACT ID #: <u>176001</u> |

ASSESSOR'S PARCEL NUMBER(S): 162-21-301-001; 162-21-301-003 and 162-21-301-020

PROPERTY ADDRESS and/or CROSS STREETS: E. Harmon Ave & S. Las Vegas Blvd.

PROJECT DESCRIPTION: Center Strip Resort Hotel

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

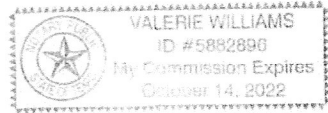
Steven Scheinthal, VP & Secretary
Property Owner (Print)

Property Owner (Signature)*
STATE OF Texas
COUNTY OF Harris

SUBSCRIBED AND SWORN BEFORE ME ON 5/27/22 (DATE)

By Steven L. Scheinthal

NOTARY PUBLIC:



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

Brownstein

Brownstein Hyatt Farber Schreck, LLP

702.382.2101 main
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106

UC-22-0518

Rebecca L. Miltenberger
Attorney at Law
702.464.7052 direct
rmiltenberger@bhfs.com

September 2, 2022

VIA ELECTRONIC DELIVERY

Clark County Comprehensive Planning Department
500 S. Grand Central Parkway, First Floor
Las Vegas, NV 89155
Attn: Mark Donohue

PLANNER
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RE: Justification Letter – High Impact Project – Resort Hotel Located on Clark County Assessor Parcel Numbers 162-21-301-001; 162-21-301-003 and 162-21-301-020

To Whom It May Concern:

We represent POLV, LLC, a Delaware limited liability company ("Applicant"), in connection with the land use application attached hereto related to the development of a new resort hotel to be located on the southeast corner of Las Vegas Boulevard South and Harmon Avenue, bearing Clark County Assessor Parcel Numbers 162-21-301-001; 162-21-301-003 and 162-21-301-020, and containing approximately 6.24 acres (collectively, the "Property").

The Applicant is seeking approval of the following at the Property:

Use Permits for the following: (a) a high impact project; (b) a resort hotel; (c) accessory uses to a resort hotel including a theater, retail, dining, spa and fitness center, wedding chapel, vehicle (automotive) sales, and convention facilities; (d) permit kitchens in guest rooms as shown on the plans attached hereto; and (e) all deviations shown on the plans attached hereto.

Design Review for the following: (a) a high impact project; (b) a resort hotel; and (c) accessory structures in conjunction with a resort hotel.

Deviations for the following: (a) height setback ratio adjacent to Las Vegas Boulevard; (b) reduce on-site parking; (c) partial tandem parking in valet areas; (d) reduce the number of loading docks; (e) reduce the required width of the pedestrian realm/landscape area along Las Vegas Boulevard and the pedestrian realm along Harmon Avenue; (f) encroachment into airspace; (g) increase building height; (h) permit alternative landscaping along Las Vegas Boulevard South and Harmon Ave; and (i) all other deviations shown on the plans attached hereto.

Waiver of Development Standards for the following: (a) reduce setback along Las Vegas Boulevard; and (b) non-standard improvements within a right-of-way.

The Applicant is seeking use permits and design reviews for a new luxury resort hotel with approximately 2,420 guestrooms to be constructed on the Property (the "Resort") as shown on the architectural and landscaping plans attached hereto. The Resort will contain luxurious, well-appointed guest rooms, suites and villas along with related

amenities including an approximately 2,500 seat theater, multiple restaurants and dining outlets, bars, convention facilities, a spa and fitness center, multiple swimming pools, a wedding chapel, automobile showroom, several gaming areas and related amenities.

1. Deviations.

The Applicant requests the following deviations along with all other deviations shown on the plans attached hereto:

a. Height Setback Ratio.

Clark County Code (the "Code") requires buildings which exceed 35 feet in height adjacent to an arterial street to be set back an additional one (1) foot of horizontal distance per 3 feet of vertical height. Commencing on the fourth level of the Resort (approximately 64 feet above ground level), the Applicant requests a reduction of such setback to 16 feet 9 inches as shown on the attached plans where 89 feet is required.

b. Parking.

As set forth in the attached parking analysis, the Code requires the project to provide 2,401 parking spaces. The Applicant requests a deviation to reduce the parking spaces to 1,847 as shown on the attached plans and in the parking analysis. The Applicant proposes to park all staff only areas at the Property as back of house areas, as detailed on the parking analysis. Due to guests' increased utilization of taxis, ride share services and other transportation services, the parking shown on the attached plans is sufficient for the Resort's daily operations. Moreover, the Resort has included a large taxi and ride share pick-up/waiting area to accommodate the increased used in such services.

Additionally, the Applicant seeks a deviation to allow 62 tandem parking spaces in the valet parking areas. Section 30.60.050(c)(6) of the Code provides that in some instances tandem parking may be approved in connection with valet parking at commercial uses. The tandem parking for the Resort will only be included in valet portions of the garage, accounts for approximately 3% of the proposed parking spaces for the Resort and a valet attendant will be on duty during business hours.

c. Reduction in Loading Docks.

Table 30.60-6 of the Code requires a resort hotel to have one (1) loading dock per 200,000 square feet of gross floor area. Accordingly, the Resort would be required to have 19 loading docks. As shown on the attached plans, the Resort proposes to construct three (3) loading docks, or a reduction of 84%. By utilizing best practices to optimize efficiency and coordinating deliveries, the Applicant will be able to sufficiently load in/out all materials for the operations as contemplated at the Resort without impacting neighboring developments or traffic on the public rights-of-way.

d. Reduction in Pedestrian Realm.

The Applicant seeks a deviation to reduce (i) the pedestrian realm to 18 feet along Las Vegas Boulevard South (width varies as shown on the attached plans); and (ii) a portion of the pedestrian realm along Harmon Avenue (width varies as shown on the attached plans). This deviation is consistent with other resort-hotels within the Resort Corridor.

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e. Encroachment into Airspace.

The Applicant seeks a deviation for an encroachment into the Airport Airspace Overlay District Boundary as the Resort is proposed to be more than 200 feet in height. The maximum height of the Resort as shown on the attached plans is 572 feet. FAA approval of such height is included with this application. The proposed height is compatible with neighboring structures and this deviation is consistent with other properties in the Resort Corridor.

f. Increase Building Height.

The Code allows a maximum height of 100 feet for buildings within the H-1 zoning district. Applicant is requesting a waiver for the height of the hotel tower at the Resort up to 572 feet. Included with this application is evidence of the Determination of No Hazard to Air Navigation received from the FAA. The height, design and materials to be utilized for the Resort are compatible with neighboring structures and will aesthetically enhance the area.

g. Alternative Landscaping.

The Applicant seeks a deviation to permit alternative landscaping along Las Vegas Boulevard South as shown on the attached landscaping plans. The alternative landscaping areas are consistent with other properties in the Resort Corridor and continue to utilize desert friendly landscaping as required by Code.

2. Waiver of Development Standards.

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The Applicant requests the following waivers of development standards:

a. Reduce Setback.

The Applicant is requesting a waiver of development standards to reduce the setback of a structure to 16 feet 9 inches (commencing on the fourth level of the Resort) where the Code requires structures along Las Vegas Boulevard South to be set back a minimum of 25 feet from the back of curb or 10 feet from the back of the property line, whichever is greater. The reduced setback commences at approximately 64 feet above ground level, which permits enhanced sidewalks on ground level and provides sufficient vertical clearance for emergency vehicles. The waiver of setbacks along Las Vegas Boulevard is consistent with other resort hotels within the Resort Corridor.

b. Non-Standard Improvements Within a Right-of-Way.

The Applicant is requesting a waiver of development standards to construct non-standard improvements within a right-of-way to allow for harmonious landscaping and pedestrian access along Las Vegas Boulevard and Harmon Avenue, as shown on the attached landscape plans. These improvements include enhanced sidewalks and landscaping consistent with the plant materials required by the Code. Such waiver is consistent with other resort hotels on Las Vegas Boulevard.

Concurrently with this application, the Applicant is filing an application for the vacation of certain public right-of-way located adjacent to the northeast corner of the Property, as more particularly shown and described in such vacation application. The plans attached hereto contemplate the inclusion of such vacated area in the Property.

The Property is located in the Resort Corridor, which is a high intensity economic area intended for tourist oriented developments. The Resort is consistent with this intent as set forth in the Comprehensive Master Plan and with

other uses in the Resort Corridor. The Resort will bring a new high-end, luxury development to Las Vegas Boulevard, enhance the surrounding area and provide for the highest and best use of the Property. Moreover, this project will bring further economic viability to the area as well as job creation through construction jobs and permanent employment opportunities upon opening of the Resort. The Applicant looks forward to working with you on this exciting new development.

Thank you in advance for your consideration of this application. Please contact me should you have any questions or require additional information.

Sincerely,



Rebecca L. Miltenberger
Enclosures

**PLANNER
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11/01/22 PC AGENDA SHEET

PAWN SHOP
(TITLE 30)

SUNSET RD/SPENCER ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-22-0512-EHH VENTURE:

USE PERMIT for a pawn shop.

DESIGN REVIEW for a pawn shop in conjunction with an existing shopping center on 4.7 acres in a C-2 (General Commercial) (AE-70) Zone.

Generally located on the south side of Sunset Road, 630 feet west of Spencer Street within Paradise. JG/bb/syp (For possible action)

RELATED INFORMATION:

APN:
177-02-102-007

LAND USE PLAN:
WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 1621 E. Sunset Road
- Site Acreage: 4.7
- Project Type: Pawn shop
- Number of Stories: 1
- Building Height (feet): 17
- Square Feet: 4,940
- Parking Required/Provided: 288/306

Site Plan

The plan depicts an existing shopping center, most recently approved by WS-0430-03, located on approximately 4.7 acres. The shopping center consists of 3 main in-line retail buildings and 2 outparcel buildings. The 3 in-line buildings are all approximately 14,400 square feet and divided into several suites for retail purposes. The eastern outparcel building serves as a 6,000 square foot tavern and the western outparcel is the subject 4,940 square foot office/retail space. The location of the pawn shop is in the northern portion of the western outparcel building.

Parking is found throughout the site with parking located along the perimeter of the site, in rows in front of the in-line and outparcel buildings, in double and single rows between the outparcel buildings and the in-line buildings, and in a large double row through the middle of the site. Access to the site is provided by 2 driveways that connect with Sunset Road.

The applicant is requesting this use permit to operate a pawn shop with an existing shopping center. Title 30 requires that plans for pawn shops be reviewed and approved as a use permit with 1,500 foot of separation from any Gaming Enterprise District. This site is over 1,500 feet from any Gaming Enterprise District.

Landscaping

Existing landscaping will remain unchanged and is not a subject of this request. Existing landscaping consists of trees and shrubs scattered throughout parking lot finger islands in the central parking row and planters along the perimeter of the site. Street landscaping consists of a 15 foot strip of shrubs and rockscape between the sidewalk and outparcel buildings and an island between the 2 driveways. Landscaping was previously reduced by WS-0430-03.

Elevations

The elevations of the subject site depict single story in-line buildings with painted stucco walls with stone flourishes near the base on the building. Foam cornice treatments are provided along the top of parapet walls along the roofline. The overall height of the building is shown as 17 feet tall. A typical retail/office window and door system is provided along the east face of the building.

Floor Plan

The plan depicts a 4,940 square foot pawn shop facility split into 2 separate spaces. The eastern one-third of the floor space is a customer area with retail display spaces. The western two-thirds of the building is a non-customer product holding area. Other support rooms are shown with a safe room, breakroom, firearm room, and a bathroom.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is seeking a use permit to operate a pawn shop at 1621 East Sunset Road. The hours of operation will be Saturday and Sunday from 10:00 a.m. to 6:00 p.m. and Monday through Friday from 9:00 a.m. to 7:00 p.m. The site has adequate parking with easy access and no residential uses nearby.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---------------------------------------|----------------|------------------|
| DR-22-0490 | Banquet facility | Pending PC | October 18, 2022 |
| ADR-0359-06 | Stealth monopalm communications tower | Approved by ZA | May 2006 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|----------------|
| WS-0430-03 | Shopping center remodeled and addition with waivers for alternative street and parking lot landscaping | Approved by PC | April 2003 |
| UC-1445-01 | Outside storage that is not screened from the right-of-way and in the front yard - expired | Approved by PC | December 2001 |
| ZC-1082-00 | Reclassified the site from C-3 to C-2 zoning to implement Title 30 | Approved by BCC | September 2000 |
| UC-1341-98 | Print shop in conjunction with a shopping center - expired | Approved by PC | September 1998 |
| UC-1072-98 | Live entertainment in conjunction with a tavern and night club | Approved by PC | August 1998 |
| UC-1283-95 | Piano school within an existing shopping center - expired | Approved by PC | September 1995 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---------------------------|-----------------|---|
| North | Public Use | P-F | Harry Reid International Airport |
| South | Business Employment | M-D | Office/warehouse facility |
| East | Business Employment | C-2 & R-E | Undeveloped |
| West | Business Employment | M-D | Office/warehouse facility & undeveloped |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

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 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.

The use of the building as a pawn shop is in harmony with the shopping center, the surrounding uses, and Policy 5.1.3 of the Master Plan which encourages the continuing emphasis on tourism with regard to Clark County's economy. In addition, Policy 5.1.5 encourages reinvestments in commercial centers with vacant suites. Staff finds that the pawn shop as it has been proposed is in conformance with these policies. Staff can support the proposed use permit.

Design Review

The impact of the pawn shop on the shopping center and surrounding uses will not generate a significant amount of additional traffic. The shopping center has more parking than required and can handle any increase in traffic. The pawn shop hours of operation will be generally between

9:00 a.m. and 7:00 p.m. daily and are consistent with surrounding uses. Staff can support the approval of this design review.

Department of Aviation

The property lies within the AE-70 (70-75 DNL) noise contour for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International facilities to meet future air traffic demand.

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 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

- No comment.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- 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 in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

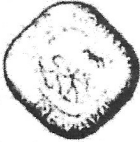
APPROVALS:

PROTESTS:

APPLICANT: EZPAWN NEVADA, INC.

CONTACT: JIM DIFIORE, DIFIORE CONSULTING, 8550 W. CHARLESTON
BOULEVARD #102 PMB-348, LAS VEGAS, NV 89117

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | |
|--|---|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>UC/DR-22-0512</u> DATE FILED: <u>9/6/2022</u> PLANNER ASSIGNED: <u>BBB</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10-11-2022</u> PC MEETING DATE: <u>11-1-2022</u> BCC MEETING DATE: _____ FEE: <u>\$ 1,350</u> |
| | PROPERTY OWNER NAME: <u>THE EHH VENTURE LLC</u> ADDRESS: <u>6149 S. RAINBOW BLVD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702) 373-2589</u> CELL: _____ E-MAIL: _____ |
| | APPLICANT NAME: <u>ERPAWN NEVADA INC</u> ADDRESS: <u>2500 BEE CAVE RD, BLDG 1, SUITE 200</u> CITY: <u>ROLLINGWOODS</u> STATE: <u>TX</u> ZIP: <u>78746</u> TELEPHONE: <u>(512) 314-3325</u> CELL: <u>(737) 228-4170</u> E-MAIL: <u>legal@ezcorp.com</u> REF CONTACT ID #: _____ |
| | CORRESPONDENT NAME: <u>Jim DiFioro - DiFioro CONSULTING & BUSINESS SERVICES</u> ADDRESS: <u>8550 W. CHARLESTON BLVD, SUITE 102, PMA 348</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89117</u> TELEPHONE: <u>(702) 275-6429</u> CELL: <u>(702) 275-6429</u> E-MAIL: <u>Jim@DiFioroCONSULTING.COM</u> REF CONTACT ID #: _____ |

ASSESSOR'S PARCEL NUMBER(S): 177-02-102-007

PROPERTY ADDRESS and/or CROSS STREETS: 1621 E. SUNSET RD

PROJECT DESCRIPTION: Partnership and secondhand dealer

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application or (am, are) otherwise qualified to initiate this application under Clark County Code, that the information on the attached legal description, all plans and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

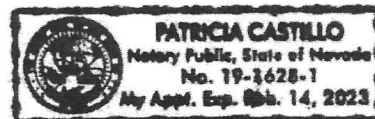
EC
Property Owner (Signature)*

Eric Chou
Property Owner (Print)

STATE OF Nevada
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON May 5th 2022 (DATE)

By Eric Chou
NOTARY PUBLIC [Signature]



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

4

EZPAWN NEVADA, INC.

PLANNER
COPY

July 26, 2022

Clark County Department of Planning
500 Grand Central Parkway
Las Vegas, NV 89155

UC - 22 - 0512

**Re: Amended Justification Letter – special use permit for a pawnshop and
secondhand dealer
Site: 1621 E Sunset Rd (APN 177-02-102-007)
Applicant: EZPAWN Nevada, Inc.**

To Whom It May Concern:

Please be advised that EZPAWN Nevada, Inc. ("EZPAWN") is seeking a special use permit for a pawnshop and secondhand dealer at 1621 E Sunset Rd., Las Vegas, NV 89119 ("Site"). Enclosed please find the application.

The building is on the NW corner of the Site and is 4,940 square feet. The Site required to have 25 parking spaces. This requirement is met in that immediately adjacent to the building, 40 parking spaces are available for customer parking (see attached site plan diagram). The entire development is required to have 273 parking spaces. This requirement is met in that the development has 306 parking spaces (see attached Parking Analysis). According to Business License records compared to a site check of the property, the vacant units are 1631 E Sunset Rd., C-111 and C-112 and 1651 E Sunset Rd., A-109 and A-110. Additionally, the Site is located in excess of 9,000 feet from the nearest Gaming Enterprise District.

EZPAWN is a well-established and highly regarded pawnshop operator throughout the Las Vegas valley. EZPAWN has been operating pawnshops in Las Vegas for over 28 years and currently operates 24 pawnshops in Nevada. EZPAWN is a subsidiary of EZCORP, Inc which, through its family of companies, operates over 1,100 in the U.S. and Latin America. EZCORP, Inc. is publicly-traded on the NASDAQ exchange (EZIPW).

We are proposing to locate in an existing, unoccupied building. The Site will be maintained as be a finished pawnshop with a clean modern façade. Internally, we will maintain an attractive retail space. As a local pawnbroker, we will operate a neighborhood-oriented business, providing access to cash to local cash-constrained customers. We provide an essential

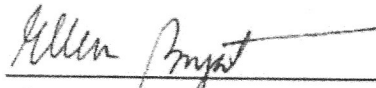
financial resource for customers underserved by traditional financial services. We also provide a retail outlet for the purchase of secondhand goods.

The pawnshop location will be a complement to the area. We respectfully request that our application be approved by the Clark County Planning Commission in accordance with Title 30 of the Clark County Code. If you need additional information, please contact Jim DiFiore with DiFiore Consulting (702-275-6929), as we have engaged him to assist us in this endeavor. Thank you for your consideration.

Sincerely,

PLANNER
COPY

EZPAWN Nevada, Inc.



Ellen Bryant, Vice President & Asst. Sec.

EASEMENTS
(TITLE 30)

WINDMILL LN/SPENCER ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-22-0516-SIERRA GROUP HOLDINGS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Windmill Lane and Horizon Sunset Drive, and between Spencer Street and Wishing Well Road (alignment) within Paradise (description on file). MN/jgh/syp (For possible action)

RELATED INFORMATION:

APN:
177-14-501-001

LAND USE PLAN:
WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

The subject parcel, within Paradise, is located on Windmill Lane, 660 feet east of Spencer Street. The applicant indicates this request will facilitate future development on the site. This application proposes to vacate government patent easements and driveway easements. The 33 foot wide patent easements lie along the southern, western, and eastern property lines of the 1.1 acre parcel. The driveway easement being vacated is on the north side of the parcel along Windmill Lane.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|-----------------|----------------|
| ZC-0901-07 | Reclassified 1.1 acres from R-E to C-P zoning - approved as CRT | Approved by BCC | September 2007 |
| ZC-0258-98 | Reclassified 1.1 acres from R-1 to C-P zoning | Denied by BCC | March 1998 |
| ZC-0588-97 | Reclassified 1.1 acres from R-E to C-P zoning | Denied by BCC | June 1997 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---------------------------|-----------------|---------------------------|
| North | Ranch Estate Neighborhood | R-E | Single family residential |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|---|------------------------|---------------------------|
| South & West | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-1 | Single family residential |
| East | Neighborhood Commercial | CRT | Office |

Related Applications

| Application Number | Request |
|---------------------------|--|
| WS-22-0517 | A waiver of development standards for architectural compatibility, reduced setbacks, throat depth, and parking lot landscaping for an office is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Analysis**Public Works - Development Review**

Staff has no objection to the vacation of patent and driveway easements that are not necessary for site, drainage, or roadway development.

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

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- Satisfy utility companies' requirements.
- 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Grant new easements as required;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: EDGAR MONTALVO

CONTACT: EDGAR MONTALVO, 2209 TOSCA STREET #8-101, LAS VEGAS, NV
89128

DRAFT



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | | | | |
|---|--|-----------------------|---------------------------------------|--------------------------------------|
| APPLICATION TYPE | | DEPARTMENT USE | APP. NUMBER: <u>VS-22-0516</u> | DATE FILED: <u>9/7/22</u> |
| <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____ | | | PLANNER ASSIGNED: <u>JGH</u> | TAB/CAC DATE: <u>10/11/22</u> 7pm |
| | | | TAB/CAC: <u>Winchester / Paradise</u> | |
| | | | PC MEETING DATE: <u>11/11/22</u> | |
| | | | BCC MEETING DATE: _____ | |
| | | | FEE: <u>\$875.00</u> | |

| | |
|-----------------------|---|
| PROPERTY OWNER | NAME: <u>SIERRA GROUP HOLDINGS L L C</u> |
| | ADDRESS: <u>2007 E WINDMILL LN</u> |
| | CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89123</u> |
| | TELEPHONE: <u>702 270 3000</u> CELL: _____ |
| | E-MAIL: <u>info@sierragroplv.com</u> |

| | |
|------------------|---|
| APPLICANT | NAME: <u>JAVIER AVILA</u> |
| | ADDRESS: <u>4665 JUDSON AVE</u> |
| | CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89115</u> |
| | TELEPHONE: <u>702 604 8600</u> CELL: <u>702 604 8600</u> |
| | E-MAIL: <u>javier@sierragrouplv.com</u> REF CONTACT ID #: _____ |

| | |
|----------------------|---|
| CORRESPONDENT | NAME: <u>EDGAR MONTALVO</u> |
| | ADDRESS: <u>2209 TOSCA ST. 8-101</u> |
| | CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89128</u> |
| | TELEPHONE: <u>702 479 8664</u> CELL: <u>702 479 8664</u> |
| | E-MAIL: <u>comments@xpconsult.net</u> REF CONTACT ID #: _____ |

ASSESSOR'S PARCEL NUMBER(S): 177-14-501-001

PROPERTY ADDRESS and/or CROSS STREETS: 2007 E WINDMILL LN

I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted.

[Signature]
Property Owner (Signature)*

Javier Avila
Property Owner (Print)

STATE OF NEVADA
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 4/13/2022 (DATE)
By Javier Avila

NOTARY PUBLIC: [Signature]

5

*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

VS-22-0916

Baughman & Turner, Inc.
Consulting Engineers & Land Surveyors

1210 Hinson Street
Las Vegas, Nevada 89102-1604

Phone (702) 870-8771
Fax (702) 878-2695

April 5, 2022

Clark County Current Planning
500 S Grand Central Parkway
Las Vegas, Nevada 89155

**PLANNER
COPY**

**Re: Vacation of Government Patent and Driveway Easements
APN 177-14-501-001**

To Whom It May Concern,

Please let this letter serve as a request and justification for a Vacation and Abandonment of government patent easements and driveway easements. The 33' Patent Easements lie along the southerly, westerly, & easterly property lines, of the 1.06-acre parcel.

The easements are no longer necessary. Right-of-way has already been dedicated and any new driveway dedications/easements will be granted. Any utility and/or drainage easements required will be retained.

The approval of this request will not have a negative effect on the neighborhood or surrounding areas.

Should you have any questions or concerns, please feel free to contact me at this office.

Sincerely,
Baughman & Turner, Inc.



David Turner
President

DT/jh

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11/01/22 PC AGENDA SHEET

OFFICE
(TITLE 30)

WINDMILL LN/SPENCER ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-22-0517-SIERRA GROUP HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) architectural compatibility; 2) reduced setbacks; 3) reduced trash enclosure setback; 4) reduced throat depth; 5) reduced setback adjacent to single family residential; and 6) parking lot landscaping.

DESIGN REVIEW for 2 proposed office buildings on 1.1 acres in a CRT (Commercial Residential Transitional) Zone.

Generally located on the south side of Windmill Lane, 660 feet east of Spencer Street within Paradise. MN/jgh/syp (For possible action)

RELATED INFORMATION:

APN:
177-14-501-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Waive architectural compatibility standards for an office per Table 30.40-4.
2. a. Reduce the side yard setback for an office building to 7 feet where 10 feet is required per Table 30.40-4 (a 30% decrease).
b. Reduce the rear yard setback for an office building to 18 feet where 20 feet is required per Table 30.40-4 (a 5% decrease).
3. Waive trash enclosure setback to 4 feet where 50 feet is required per Section 30.56.120 (a 92% decrease).
4. Reduce throat depth for a driveway along Windmill Lane to zero feet on the east side and 50 feet on the west side where a minimum of 100 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction on the east side) and (a 50% reduction on the west side).
5. Reduce setback adjacent to single family residential to 7 feet where 33 feet is required per Figure 30.56-10 (a 79% decrease).
6. Waive parking lot landscaping for an office per Figure 30.64-14.

LAND USE PLAN:
WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 2007 E. Windmill Lane
- Site Acreage: 1.1
- Number of buildings: 2
- Project Type: Office building
- Number of Stories: 1
- Building Height (feet): 19
- Square Feet (total): 7,504 (Building 1)/4,832 (Building 2)
- Parking Required/Provided: 49/49

Site Plans

The plans depict 2 proposed office buildings on 1.1 acres. Building 2 is proposed to be located on the northeast portion of the site, near the entrance from Windmill Lane. Building 1 is located on the southwest portion of the site set back 18 feet from a 10 foot high block wall that is abutting single family residences and 7 feet west of residential area. The site has an adequate amount of parking throughout the site. In addition, the trash enclosure is located in the southeast corner of the site, 5 feet from a proposed 10 foot high block wall.

Landscaping

Parking lot landscaping is not provided with this request but there is proposed landscaping around the perimeter of the site. The proposed landscaping includes African Sumac trees, Mexican Palo Verde, Red Yucca, Pink Oleander, and Ovina Glauca all in a 20 foot wide area around the property.

Elevations

The plans depict 2 office buildings both with a maximum height of 19 feet. The proposed buildings are not architecturally consistent with the surrounding neighborhood. They consist of stucco exterior, store front windows, and a flat parapet roof.

Floor Plans

The plans depict 2 office buildings ranging in size from 7,504 square feet to 4,832 square feet. The office buildings are proposed to be split into multi-tenant spaces. Building 1 is proposed to be divided into 3 separate spaces that will be 4,200 square feet and 2 spaces at 1,652 square feet. Building 2 is proposed to be divided into 4 separate tenant spaces at 1,208 square feet each.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates this request is needed to complete the construction of 2 new office buildings. The 2 office buildings will be divided into separate tenant spaces and the site has an adequate amount of parking. The applicant believes this development will be a positive addition to the neighborhood.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|-----------------|----------------|
| ZC-0901-07 | Reclassified 1.1 acres from R-E to CRT zoning | Approved by BCC | September 2007 |
| ZC-0258-98 | Reclassified 1.1 acres from R-1 to C-P zoning | Denied by BCC | March 1998 |
| ZC-0588-97 | Reclassified 1.1 acres from R-E to C-P zoning | Denied by BCC | June 1997 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|---|-----------------|---------------------------|
| North | Ranch Estate Neighborhood | R-E | Single family residential |
| South & West | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-1 | Single family residential |
| East | Neighborhood Commercial | CRT | Office |

Related Applications

| Application Number | Request |
|--------------------|---|
| VS-22-0516 | A request for a vacation of easements is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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 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.

Waivers of Development Standards #1 through #3 & #5

The applicant is proposing to construct 2 office buildings to create a professional center along Windmill Lane. Staff finds that there will not be significant impact to the surrounding area due to the lack of architectural compatibility to the surrounding neighborhood. The trash enclosure setback reduction and reduction of the side and rear yard setbacks also do not appear to be detrimental to the area as there is an 8 foot wall being proposed on the west side and a 10 foot wall to the south near the trash enclosure. In addition, this project is aligned with the area specific goals and policies outlined in Master Plan that encourages a balance of neighborhoods and the revitalization of commercial corridors. Staff has no objections and supports these requests.

Waiver of Development Standard #6

Staff cannot support the waiver to reduce landscaping around parking areas.

Design Review

Staff finds this request to be appropriate as the proposed buildings are consistent with the surrounding area; however, since staff cannot support waiver of development standards #6 staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #4

Staff has no objection to the reduction in throat depth for the Windmill Lane commercial driveway. The site design allows vehicles exiting the parking stalls to the east with plenty of room to safely back out and not block traffic entering the site.

Staff Recommendation

Approval of waivers of development standards #1 through #5; denial of waiver of development standards #6 and design review.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Add a minimum of 2 small trees and groundcover between Building 1 and the southern property line;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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

- Drainage study and compliance;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site improvement permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0370-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: EDGAR MONTALVO

CONTACT: EDGAR MONTALVO, 2209 TOSCA STREET #8-101, LAS VEGAS, NV 89128

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | | |
|---|-----------------------|--|
| <p>APPLICATION TYPE</p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p style="padding-left: 20px;"><input type="checkbox"/> CONFORMING (ZC)</p> <p style="padding-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR)</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p style="padding-left: 20px;">(ORIGINAL APPLICATION #)</p> | STAFF | <p>APP. NUMBER: <u>22-0517</u> DATE FILED: <u>9/7/2022</u></p> <p>PLANNER ASSIGNED: <u>JGH</u></p> <p>TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10/11/22</u></p> <p>PC MEETING DATE: <u>11/1/22</u> <u>7PM</u></p> <p>BCC MEETING DATE: _____</p> <p>FEE: <u>\$975</u></p> |
| | PROPERTY OWNER | <p>NAME: <u>SIERRA GROUP HOLDINGS L L C</u></p> <p>ADDRESS: <u>2007 E WINDMILL LN</u></p> <p>CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89123</u></p> <p>TELEPHONE: <u>702.270.3000</u> CELL: _____</p> <p>E-MAIL: <u>info@sierragrouplv.com</u></p> |
| | APPLICANT | <p>NAME: <u>JAVIER AVILA</u></p> <p>ADDRESS: <u>4665 Judson Ave</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89115</u></p> <p>TELEPHONE: <u>(702) 604-8600</u> CELL: <u>(702) 604-8600</u></p> <p>E-MAIL: <u>javier@sierragrouplv.com</u> REF CONTACT ID #: _____</p> |
| | CORRESPONDENT | <p>NAME: <u>EDGAR D MONTALVO</u></p> <p>ADDRESS: <u>2209 Tosca St. 8-101</u></p> <p>CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89128</u></p> <p>TELEPHONE: <u>702.479.8664</u> CELL: <u>702.479.8664</u></p> <p>E-MAIL: <u>comments@xpconsult.net</u> REF CONTACT ID #: _____</p> |

ASSESSOR'S PARCEL NUMBER(S): 177-14-501-001

PROPERTY ADDRESS and/or CROSS STREETS: 2007 E WINDMILL LN

PROJECT DESCRIPTION: 2 Office Buildings for an approximate square footage of 12,335 s.f.

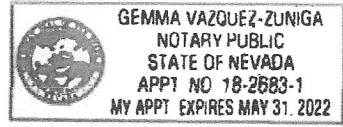
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

[Signature] Javier Avila Pena
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 10/12/2021 (DATE)
 By Javier Avila-Pena

NOTARY PUBLIC [Signature]



6

*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

22-0517

August 18, 2022

TO: Clark County
Comprehensive Planning Department

**PLANNER
COPY**

PROJECT JUSTIFICATION LETTER

RE: WINDMILL PROFESSIONAL CENTER

To whom it may concern.

The reason of this letter is to request the approval of a, Design Review, and a vacation of easement for a Professional Center to be located at the 2007 E. Windmill LN. A.P.N. 177-14-501-001. The project has 2 Buildings where they will be tentative divided in spec suites. The building 1 with 7503.5 s.f. with a 4200 s.f. suite and 2 tentative specs suites of approx. 1651.75 s.f each and the building 2 with 4831.5 square feet to be possibly divided into 4 spec suites of 1207.87 square feet each.

There are a total of 49 parking spaces required for the project and 49 parking spaces including 2 ADA stalls to the project to avoid the need of a parking variance. The property has an existing CMU wall at the West and South side that will not be modified. Landscape has been added in the project in all property lines in compliance to code.

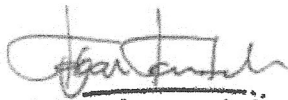
WAIVERS REQUIRED

- We will require a waiver for office development not architecturally compatible with the surrounding neighborhood, as per Figure 30.60-4, where is important to mention that the east development has been previously approved for a similar type of architecture that our development.
- We are requesting a waiver for side and rear setbacks. Building 1 requires a waiver to be located at 7'-0" on the side setback where 10' is required and 18'-7" where 20' is required.
- Waiver required for trash enclosure to be located in setback, this will be provided to be enclosed to reduce the impact in the surrounding residential neighborhood.
- Waiver of development standards for reduced throat depth. The throat depth at the east side of our driveway is 0 feet while the west side of the driveway has been set to 50'-6", to maintain the maximum possible at the site without requesting any parking waivers. The minimum required throat depth, based on the current design, is 25 feet.
- Waiver of Development Standards for reduced height/setback per Figure 30.56-10.

We strongly believe that this project will contribute to improve the zone image and will be a great contribution to the neighborhood.

We have the certainty than you will help us to achieve our goal on making this project reality.

Sincerely



Edgar D. Montalvo

6

TEMPORARY CONSTRUCTION ACTIVITIES
(TITLE 30)

RUSSELL RD/LAS VEGAS BLVD S

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-22-0526-TGI VEGAS HOLDINGS, LLC:

USE PERMIT for temporary construction activities on 2.5 acres in an H-1 (Limited Resort and Apartment) (AE-65) Zone.

Generally located on the south side of Russell Road (alignment) and the east side of Las Vegas Boulevard South within Paradise. JG/bb/syp (For possible action)

RELATED INFORMATION:

APN:
162-33-101-002; 162-33-101-013 through 162-33-101-014

LAND USE PLAN:
WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:
Project Description

General Summary

- Site Address: 4815 Las Vegas Boulevard S.
- Site Acreage: 2.5
- Project Type: Parking lot

Site Plan

The site plan depicts a leased area covering the 3 parcels to be used for temporary laydown and storage of material for construction of the Dream Hotel, as well as employee parking. The Dream Hotel site is approximately 120 feet to the south of the subject parcel. The site of the Pinball Museum is located in between the subject parcel and the Dream Hotel site. Access is from Dewey Drive north of the parcel, through an access drive to the property, which is approximately 330 feet east of Las Vegas Boulevard South. No direct access will be available to Las Vegas Boulevard South. The temporary construction storage and parking will be enclosed by a temporary fence. Employees will walk from the parking area to the jobsite along the public sidewalk on Las Vegas Boulevard South. The temporary fence will keep employees from walking across the Pinball Museum parking lot. Existing Public Works fencing is located along the east side of the parcels. An existing billboard is located on the northwest corner of the property.

Landscaping

The property just north of this site has mature landscaping and large trees. No landscaping is proposed as part of this application.

Floor Plans

No buildings are located on the property, and none are proposed with this application.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to use the property for temporary construction activities, temporary laydown, material storage, and parking for craft and office staff. The applicant has a dust control permit (#55203 v.1) and Department of Aviation approval for the proposed uses. The original Dream Hotel air quality permit has been expanded to include these parcels and the proposed uses. Access to the property will be through security turnstiles located on the southwest portion of the Dream Las Vegas construction site. All personnel parking on these parcels will walk down the public sidewalk on Las Vegas Boulevard South to the security gate. A temporary 8 foot chain-link fence will be put up around the temporary construction activities. Surface materials on these parcels is currently loose gravel. If dust control mitigation isn't adequate, the applicant will put millings down to help control dust.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|-----------------|---------------|
| ZC-0361-05 | Reclassified from H-1 to H-1 (AE-65) zoning | Approved by BCC | April 2005 |
| ZC-1733-00 | Reclassified from PF to H-1 zoning | Approved by BCC | December 2000 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---------------------------|-----------------|-------------------------|
| North | Entertainment Mixed-Use | H-1 | Undeveloped |
| South | Entertainment Mixed-Use | H-1 | Pinball Museum |
| East | Entertainment Mixed-Use | P-F | Undeveloped |
| West | Public Use | P-F | Metro Police Department |

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 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.

The proposed temporary construction activities are allowed as accessory uses in the H-1 zoning district when located on the construction site, and approval of a special use permit is required when located off-site. The use of the lots for temporary parking includes controlled access from Las Vegas Boulevard South and security fencing with controlled pedestrian access to ensure the safe use of the property. The temporary use of this property for construction activities and parking will not create a detrimental situation for the general public, considering the applicant has secured air quality permits and approval from the Department of Aviation. Pedestrian access to and from the property will include the use of existing sidewalk facilities along Las Vegas Boulevard South. Security fencing will not allow pedestrian access to adjacent property that is not included in the lease agreement. For these reasons staff recommends approval of the use permit.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that time limit is per Table 30.44-1; 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

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MCCARTHY BUILDING COMPANIES

**CONTACT: MCCARTHY BUILDING COMPANIES, 2580 ST ROSE PARKWAY, SUITE
200, HENDERSON, NV 89074**

DRAFT

SINGLE FAMILY DEVELOPMENT
(TITLE 30)

ROCHELLE AVE/PECOS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-22-400106 (WS-21-0683)-GREYSTONE NEVADA, LLC:

WAIVER OF CONDITION of a design review requiring stair step with a planter 3 feet in width between the retaining wall and the screening wall for a previously approved single family residential development on 6.4 acres in an R-1 (Single Family Residential) Zone.

Generally located on the north side of Rochelle Avenue, 390 feet east of Pecos Road within Paradise. TS/sr/syp (For possible action)

RELATED INFORMATION:

APN:

161-19-101-005; 161-19-101-009

LAND USE PLAN:

WINCHESTER/PARADISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 6.4
- Number of Lots: 30
- Density (du/ac): 4.7
- Minimum/Maximum Lot Size (square feet): 6,900/9,579
- Project Type: Single family development
- Number of Stories: 1
- Building Height (feet): 15 feet 7 inches to 22 feet 8 inches
- Square Feet: 3,600; to 3,775

History and Site Plans

The original plans depict a 30 lot single family residential development on 6.4 acres for a density of 4.7 units per acre. The minimum net lot size is 6,900 square feet and the maximum is 9,579 square feet. Five lots are accessed from Rochelle Avenue. The remaining lots are accessible on a private street from Rochelle Avenue with 2 streets terminating in hammerhead cul-du-sacs extending west from the private street (one ends with a stub street extending east). The majority of the increased finish grade is located on the northern portion of the site. The increased wall

height (retaining plus screening wall) is located on all sides of the site with an overall height of 12 feet.

On March 16, 2022, the Board of County Commissioners approved WS-21-0683 with added conditions and accepting the applicant's request to withdraw the waivers of development standards for increased wall height and off-site improvements without prejudice. The Current Planning conditions added to the application included limiting the development to 29 lots, restricting the stories of the homes to single story, requiring the southernmost hammerhead to be redesigned to a cul-de-sac, and undergrounding existing powerlines. To date, no revised plans have been provided to staff. As such, the background described in this report is reflective of the project plans on file.

Landscaping

The previously approved plans show a 5 foot wide landscape strip along the lots on the western side of the private street (Lots 25, 26, 16, and 17), a 5 foot wide strip along the north side of Lot 8 (south side of stub street), and a 6 foot wide landscape strip on the south side of Lot 1 which sides on Rochelle Avenue.

Elevations

Three elevation options are offered for 3 single story homes. The heights range from 15.7 feet high to 22.8 feet high. Exterior elements will include stucco exteriors with stone veneer options with tiled roof.

Floor Plan

The proposed homes range from 3,600 square feet to 3,775 square feet and are composed of typical room types within the area of the home. Various models offer 3 to 4 car garages and 1 model has an RV garage.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for WS-21-0683:

Current Planning

- Stair step with a planter 3 feet in width between the retaining wall and the screening wall;
- Limited to 29 lots;
- Single story homes only;
- Southernmost hammerhead to be redesigned to be a cul-de-sac;
- Existing power lines to be relocated underground;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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 4 years of approval date or it will expire.

Public Works - Development Review

- Full off-site improvements except for full width paving;
- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Right-of-way dedication to include 30 for Rochelle Avenue;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there may be unpermitted septic systems on APNs 161-19-101-005 and 161-19-101-009; to connect to municipal sewer and remove the septic systems in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the systems have been properly removed.

Applicant's Justification

The applicant states that at the March 16, 2022 meeting, the waiver of development standards for increased wall height was withdrawn without prejudice because the draining is contemplated to be handled via a private drainage easement north of the property. As a result, the condition for the stair step with planter should have been removed as well. The applicant is now respectfully requesting this condition of approval be waived. The applicant finds removal of this condition will not adversely impact the property or the surrounding area. The applicant further states the wall sections have been shared with the Commissioner's office and impacted neighbors.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|-----------------|---------------|
| VS-21-0684 | Vacated and abandoned patent easements | Approved by BCC | March 2022 |
| WS-21-0683 | Single family residential development with increased grade and hammerhead turnarounds | Approved by BCC | March 2022 |
| TM-21-500192 | 30 lot single family residential development | Approved by BCC | March 2022 |
| DR-0907-16 | 32 lot subdivision with increased finished grade - expired | Approved by BCC | February 2017 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|------------------------|---------------------------|
| North | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-1 | Single family residential |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|--|------------------------|--|
| East & South | Ranch Estate Neighborhood (up to 2 du/ac) | R-1 | Single family residential |
| West | Ranch Estate Neighborhood (up to 2 du/ac) & Corridor Mixed-Use | R-1 & C-1 | Mini-warehouse & single family residential |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 states a condition may be waived (or modified) upon a finding that the condition will no longer fulfill its intended purpose.

Staff originally added the condition to require a stair step with a 3 foot planter between the retaining wall and screen wall to prevent an over height wall on adjacent residential properties since retaining wall heights were being proposed at heights of 4 feet to 6 feet. At the March 16, 2022 Board meeting, the applicant presented an alternate design that was not submitted to staff but that included a private drainage easement to the north that was intended to reduce the required amount of fill necessary to drain the site. As a result, the applicant requested to withdraw the waiver of development standards for increased wall height without prejudice and purposefully retained the design review to increase the finished grade in case the private drainage easement could not be obtained. Since approval of the application, revised plans have not been presented to staff for review and no evidence has been provided that the private drainage easement to the north, as represented at the Board meeting, has been obtained. As such, staff does not support the waiver of the condition and instead recommends amending the condition to require retaining walls over three feet adjacent to residential properties to include a stair step with a 3 foot planter between the retaining wall and screen wall.

Staff Recommendation

Denial.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition(s) will no longer fulfill its intended purpose.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Retaining walls over 3 feet adjacent to residential properties to include a stair step with a 3 foot planter between the retaining wall and screen wall.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0307-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: GREYSTONE NEVADA, LLC

CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV. 89135



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

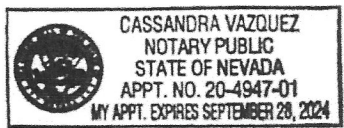
| | |
|---|---|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input checked="" type="checkbox"/> WAIVER OF CONDITIONS (WC) <u>WS-21-0683</u> (OORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (OORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (OORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>WC-22-400106</u> DATE FILED: _____ PLANNER ASSIGNED: <u>SR</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10/11/22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11/2/22</u> FEE: <u>4</u> |
| | PROPERTY OWNER NAME: <u>Greystone Nevada, LLC</u> ADDRESS: <u>5500 Blue Lagoon Drive</u> CITY: <u>Miami</u> STATE: <u>FL</u> ZIP: <u>33126</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____ |
| | APPLICANT NAME: <u>Greystone Nevada, LLC</u> ADDRESS: <u>5500 Blue Lagoon Drive</u> CITY: <u>Miami</u> STATE: <u>FL</u> ZIP: <u>33126</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____ |
| | CORRESPONDENT NAME: <u>Stephanie Allen - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: _____ E-MAIL: <u>sallen@kcnvlaw.com</u> REF CONTACT ID #: _____ |

ASSESSOR'S PARCEL NUMBER(S): 161-19-101-005 and 009
 PROPERTY ADDRESS and/or CROSS STREETS: Rochelle and Pecos
 PROJECT DESCRIPTION: Waiver of conditions

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

DocuSigned by: [Signature]
 Robert Johnson, Authorized Agent
 Property Owner (Signature)* Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON 8/18/2022 (DATE)
 By ROBERT JOHNSON
 NOTARY PUBLIC: [Signature]



[Handwritten mark]

*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

KAEMPFER

CROWELL

ATTORNEYS AT LAW

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CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

June 30, 2022

WC-22-400106

VIA UPLOAD:

CLARK COUNTY COMPREHENSIVE PLANNING
500 S. Grand Central Parkway, 1st Floor
Las Vegas, NV 89155

Re: Justification Letter – Waiver of Condition of Approval on WS-21-0683

To Whom It May Concern:

Please be advised our firm represents Lennar Homes (the “Applicant”) in the above referenced matter. The proposed project is located on the north side of Rochelle Avenue between Pecos Road to the west and Pearl Street to the east. The property is more particularly described as Assessor’s Parcel Numbers 161-19-101-005 and 161-19-101-009.

The subject parcels are zoned Residential R-1. The above referenced matter was presented before the Clark County Board of County Commissioners on March 16, 2022 and was approved subject to certain conditions. The Applicant proposed an all single-story development in a well-established area, working extensively with neighbors on issues concerning on-site fill and drainage. Eventual changes to the site plans included reducing the number of lots from 30 to 29, and adding a cul-de-sac in the southernmost portion of the property.

A Notice of Final Action was filed by the Department of Comprehensive Planning on March 28, 2022, detailing the necessary conditions of approval. One of those conditions was the inclusion of a stair step with a planter 3 feet in width between the retaining wall and the screening wall. During the March 16th hearing, we withdrew without prejudice the request for an increased wall height because the drainage is contemplated to be handled via a private drainage easement north of the Property. As a result, the condition for the stair step with a planter should have been removed as well. We are now respectfully asking that this condition of approval be waived. The removal of this condition will not adversely impact the Property or the surrounding area. The reduced wall sections have also been shared with the Commissioner’s office and the impacted neighbors.

Thank you in advance for your consideration. Please do not hesitate to contact us with any questions.

Sincerely,

KAEMPFER CROWELL



Stephanie H. Allen

8

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

VALLEY VIEW BLVD/FLAMINGO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0503-PHILLIPS R DEAN NON-GST MARITAL TRUST, ET AL:

ZONE CHANGE to reclassify 3.7 acres from an M-1 (Light Manufacturing) Zone to an H-1 (Limited Resort and Apartment) Zone.

USE PERMIT for a multiple family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased building height; and 2) reduced parking.

DESIGN REVIEWS for the following: 1) multiple family residential development, 2) alternative parking lot landscaping; and 3) finished grade.

Generally located on the east side of Valley View Boulevard, 300 feet south of Flamingo Road within Paradise (description on file). MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:

162-20-110-003 through 162-20-110-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 85 feet where a maximum of 50 feet is permitted per Table 30.40-3 (a 70% increase).
2. Reduce parking to 374 spaces where 424 spaces are required per Table 30.60-1 (an 11.8% reduction).

DESIGN REVIEWS:

1. Multiple family residential development.
2. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. Increase finished grade to 64 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 77.8% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3695 W. Flamingo Road & 4112 S. Valley View Boulevard

- Site Acreage: 3.7
- Number of Units: 258
- Density (du/ac): 69.7
- Project Type: Multiple family residential development
- Number of Stories: 7
- Building Height (feet): 85
- Open Space Required/Provided (square feet): 25,800/49,111
- Parking Required/Provided: 424/374

Site Plans

The plans show a multiple family residential development (apartments) consisting of 160, one bedroom units; and 98, two bedroom units for an overall density of 69.7 dwelling units per acre. The site is allowed up to 100 dwelling units per acre since it is located within the MUD-1 Overlay District. The units are within 1, seven story building with 3 courtyards. The first 2 stories consist of parking with the residential units on floors 3 through 7. The 3 courtyards consist of open space located on the third floor. The courtyards consist of a pool, barbeque stations, seating areas, fire tables, and patio space. A clubhouse and fitness area are located inside the building, and a dog park/amenity space is located to the southwest of the building. A total of 49,111 square feet of open space is provided where a minimum of 25,800 square feet is required. Access to the site is from a 24 foot wide private drive that spans across the site from Valley View Boulevard to Hotel Rio Drive. An existing access easement is maintained on the southwest corner of the site to allow access to the flood channel to the south of the site. A total of 383 parking spaces are provided where 424 spaces are required. However, the applicant is requesting a reduction to 374 spaces to allow for unforeseen issues that may arise in the building permit process. The majority of parking is located within the first 2 levels of the building, but 29 surface parking spaces are provided to the east of the building. The site will have a centralized trash room within the interior of the building, as opposed to the standard outdoor trash enclosure, where a valet trash service will collect and manage the trash.

Landscaping

The existing 6 foot wide attached sidewalk will remain along Valley View Boulevard. Adjacent to the attached sidewalk will be a 10 foot wide walkway and a 7 foot to 15 foot wide landscape area for an overall 17 foot to 25 foot wide pedestrian realm that will include benches. Alternative parking lot landscaping is proposed within the surface lot to the east of the building, where up to 13 parking spaces are located between landscape islands where normally 6 parking spaces are allowed.

Elevations

The plans depict a 7 story, 85 foot high, multiple family residential building. Building materials consist of stucco finish, stone veneer, decorative metal panels, metal rails and balconies, and aluminum storefront systems.

Floor Plans

The plans show parking and a lobby/leasing area on the ground floor, more parking on the second floor, and 258 dwelling units on floors 3 through 7.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the proposed development continues the trend of new apartments opening near the Las Vegas Strip. Furthermore, the applicant states that the request for reduced parking is similar to requests granted for other multiple family residential developments in the area.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|---------------|
| NZC-1779-04 | Reclassified the site from M-1 to U-V zoning for a mixed-use development - expired | Approved by BCC | February 2005 |
| UC-160-92 | Restaurant, tavern, arcade, and billiards - expired | Approved by PC | June 1992 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|--------------------------------------|-----------------|---|
| North | Entertainment Mixed-Use & Public Use | M-1 | NV Energy power substation & undeveloped |
| South | Entertainment Mixed-Use & Public Use | M-1 & H-1 | Flood channel & multiple family residential |
| East | Entertainment Mixed-Use | M-1 | Off-premises sign |
| West | Entertainment Mixed-Use | H-1 | Shopping center & multiple family residential development with short-term/long-term lodging |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The request to H-1 zoning conforms to the Master Plan which designates this site as Entertainment Mixed-Use. Other H-1 zoned properties are located in the area including properties across Valley View Boulevard to the west, properties north of Flamingo Road, and a property to the south across the flood channel. Therefore, staff finds the proposed zoning is consistent and compatible with the existing and approved land uses in the area. Furthermore, the Master Plan states that multiple family residential uses are encouraged as a supporting use in Entertainment Mixed-Use areas to support the expansion of housing options within close proximity of services, amenities, and jobs.

Use Permit

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 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 can support the request to allow a multiple family residential development in the H-1 zone as other multiple family residential developments already exist to the west and south of the site in the H-1 zoning district.

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 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

Staff can support the request for increased building height. Other buildings in the area are much higher including the Rio Resort Hotel to the north and the Palms Resort Hotel to the west. The existing multiple family residential development to the west was approved at a height of 94 feet which is higher than the proposed project on the subject site. Additionally, there are properties in the area that are zoned H-1 which would allow for heights up to 100 feet. A waiver for height is only required on this site because multiple family residential developments in the H-1 zone are required to follow R-5 zoning standards. Thus, staff finds the requested height increase is compatible with the surrounding area.

Waiver of Development Standards #2

The requested parking reduction of 11.8% is less than parking reductions that the Board of County Commissioners (BCC) has granted in the area for similar projects. The BCC approved a 15.6% reduction for the Lotus Apartments (3900 Spring Mountain Road) and a 19.7% reduction for the Jade Apartments (3150 W. Twain Avenue). Both facilities have been operating without any documented parking issues. Furthermore, the site is located within one-fourth mile of public transit being Route 202 Flamingo Road and Route 104 Valley View Boulevard; therefore, staff can support the parking reduction request.

Design Reviews #1 & #2

The request complies with Goal 1.1 and Policy 1.1.1 of the Master Plan which encourages the provision of diverse housing types at varied densities and in numerous locations to meet the needs of residents of all ages, income levels, and abilities. Furthermore, the request complies with Policy 1.4.4 which encourages in-fill developments in established neighborhoods while promoting compatibility with the scale and intensity of the surrounding area. The proposed building incorporates varying surface planes and other architectural enhancements to improve overall visual quality and to reduce the mass of the building. Staff can also support the alternative parking lot landscaping request. The request is only needed for a small surface parking lot (29 spaces) to the east of the building. Additionally, the area is minimally visible

from the public right-of-way since Hotel Rio Drive is at a much higher grade. Furthermore, the increase in number of parking spaces in between landscape islands is mitigated by the increase in the number of trees beyond what is required on the site.

Public Works - Development Review

Design Review #3

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.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid 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.

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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 the use permit, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Hotel Rio Drive improvement project;
- Coordinate with the Manager of the Public Works - Roads Division for a fence, to be installed by the applicant or owner at their own cost, which may include an expanded metal security fence with specifications and areas as required by the Manager;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; that no private improvements are permitted in the drainage easement; and that off-site permits may be required.

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; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- 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; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0371-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: FORE GREEN DEVELOPMENT

CONTACT: ALISON BURK, 1741 VILLAGE CENTER CIRCLE, LAS VEGAS, NV 89134

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | |
|---|---|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>2C-22-0503</u> DATE FILED: <u>8-31-22</u> PLANNER ASSIGNED: <u>GRC</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>10-11-22</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>11-2-22</u> FEE: <u>\$2875</u> |
| | PROPERTY OWNER NAME: <u>R. Dean Phillips</u> ADDRESS: <u>8650 W. Tropicana Ave Ste 208</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89147</u> TELEPHONE: <u>702-367-6904</u> CELL: _____ E-MAIL: <u>wtr9925@aol.com</u> |
| | APPLICANT NAME: <u>Fore Green Development</u> ADDRESS: <u>1741 Village Center Circle</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-851-1644</u> CELL: <u>702-523-5794</u> E-MAIL: <u>aburk@foreproperty.com</u> REF CONTACT ID #: _____ |
| | CORRESPONDENT NAME: <u>Alison Burk</u> ADDRESS: <u>1741 Village Center Circle</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u> TELEPHONE: <u>702-851-1644</u> CELL: <u>702-523-5794</u> E-MAIL: <u>aburk@foreproperty.com</u> REF CONTACT ID #: _____ |

ASSESSOR'S PARCEL NUMBER(S): 16220110005, 16220110004, 16220110003

PROPERTY ADDRESS and/or CROSS STREETS: 3695 W FLAMINGO RD

PROJECT DESCRIPTION: 258 multifamily apartment units with amenity spaces

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Darnell Phillips, Justice See attached List of Owners and Percentages
 Property Owner (Signature) Property Owner (Print)

STATE OF Illinois
 COUNTY OF Adams

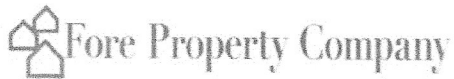
SUBSCRIBED AND SWORN BEFORE ME, ON 01/20/2022 (DATE)
 By Darnell Phillips

NOTARY PUBLIC: Lynn M. Campbell



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

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Fore Property Company
1741 Village Center Circle
Las Vegas, NV 89134
Phone: 702-562-6050 ext. 2261
E-fax: 702-853-2117
ptran@foreproperty.com

ZC-22-0503

August 23, 2022

Clark County Department of Comprehensive Planning
500 S. Grand Central Parkway
Las Vegas, NV 89155-1741
(702) 455-4314

Re: Pre-submittal Filing Package (APN: 16220110003, 16220110004, 16220110005)

Flamingo Apartments (3695 W FLAMINGO RD) Project Description:

It is our intention to develop the 3.7 acres of parcels 16220110003, 16220110004, and 16220110005 at the SE corner of Valley View Blvd & W Flamingo Rd into Flamingo Apartments, a luxury rental multifamily property comprised of a single, four-story building with 258 richly amenitized residences.

Conforming Zone Change Justification:

The Property is master planned Light Manufacturing (M-1) but lies within a designated Entertainment Mixed-Use (EM) planned land use overlay. This request for a zone change to H-1 satisfies the criteria for a conforming zone change as follows:

The Property is located less than a 1/2 from the Strip and is central to all of Las Vegas' communities and employment centers. Multi-family developments are not unusual along Flamingo Rd and throughout the resort corridor. Sister projects Lotus Apartments (3463 Procyon St) and Jade (3150 W Twain Ave) were delivered by Fore Property in 2018 and 2021, sparking a successful introduction of luxury living adjacent to the Las Vegas Strip. Directly south of this property along Valley View Blvd, Elysian at the Palms Apartments also opened in 2021. The Property is also located half a mile away from the 47-story Palms Place condominium tower. Flamingo Apartments will continue this momentum of investment, revitalization, and community development closest to Las Vegas' economic core.

The density or intensity of the uses allowed by the conforming zoning is compatible with the existing and planned land uses in the surrounding area. The Property is surrounded by existing casino resorts (Palms, Rio, and Gold Coast) and multiple strip commercial centers, making the requested density/intensity of the proposed use compatible with the surrounding area. Additionally, Flamingo Rd is a major artery that was designed to handle high counts of traffic and connectivity to the Interstate 15 freeway. The proposed multi-family

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development will produce far less traffic than commercial uses on the Property and will therefore not negatively impact the surrounding communities or infrastructure. In contrast, the master planned Light Manufacturing (M-1) use is now less appropriate and compatible with the resort and entertainment uses found on the iconic Las Vegas Strip.

Requested Design Review:

1. *For a multiple-family residential development*
 - a. *This multiple-family residential development will utilize a centralized internal trash room equipped with automated trash compactor equipment typical of luxury condo and apartment properties. A trash chute will serve each upper building level. A daily trash valet service is planned for this property where service vendors will collect trash directly from each residential unit and dispose within the centralized internal trash room. Recycling bins will also be available for use within this internal trash room.*
 - b. *49,111 square feet of open space is being provided in the form of landscaping, a dog park, 3rd floor exterior courtyards, leasing/amenity spaces, fitness facilities, and lounges.*
 - i. *Street landscaping along Valley View Blvd is not included as part of this open space calculation.*
2. *To increase the grade up to 64 inches where a maximum of 36 inches is allowed. Current cross-sections detail a 58.8'-inch increase in grade, but we are seeking an additional buffer to accommodate unforeseen grading condition.*
3. *For alternative parking lot landscaping for the Eastern surface-parking lot.*

Requested Waivers of Development Standards

1. *To reduce the provided parking from 424 spaces down to 374, a variance of 11.82%. Current calculations project a required waiver of 9.50% but we are requesting a minor additional buffer to accommodate potential site plan adjustments introduced in pursuit of building permits and to account for any changes due to constructability of the project for example the way the columns need to lay out and be supported in the parking areas as construction drawing progress. The limited size constraints of the site poses tremendous challenges in integrating utility and life safety systems. This extra parking buffer will help to accommodate unexpected requirements to locations of fire risers, electrical rooms, backup generators, etc. At JADE on Twain Ave, we received a parking waiver of 19.7% and at Lotus on Procyon Street we received a parking waiver of 9.9% reduction.*
2. *Maximum building height of 85' where existing zoning already allows for up to 50-feet in height.*