



# Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

October 29, 2024

7:00pm

**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: Susan Philipp-Chair  
 John Williams  
 Kimberly Swartzlander  
 Angelo Carvalho

Secretary: Maureen Helm, 702-606-0747, [mhelmtab@gmail.com](mailto: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](mailto: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 24, 2024 and October 8, 2024 (For possible action)
- IV. Approval of the Agenda for October 29, 2024 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items (for discussion only)
 

**Applications are available until November 14<sup>th</sup> at 5:30pm for appointments by the Clark County Board of County Commissioners to serve on the Paradise town board for a two-year (2- year) term beginning January 2025.**

VI. Planning and Zoning

1. **ET-24-400108 (WS-23-0319)-BURGER CUSHINERY FAMILY TRUST ETAL & CUSHINERY CHARLES TRS:**  
**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for the following: 1) reduce setback for an existing addition; 2) reduce setback for existing accessory buildings; and 3) reduce the building separation in conjunction with an existing single-family residence on 0.31 acres in an RS5.2 (Residential Single-Family 5.2) Zone. Generally located on the northeast corner of Rosecrest South Circle and Woodcrest Road within Paradise. TS/mh/kh (For possible action) **PC 11/19/24**
  
2. **ET-24-400109 (UC-23-0514)-CAMMARERI, ADRIENNE:**  
**USE PERMIT FIRST EXTENSION OF TIME** to allow a service bay door to face a street.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate screening for mechanical equipment; 2) parking reduction; 3) eliminate gate setback; and 4) reduce the trash enclosure setback.  
**DESIGN REVIEW** for the expansion of an existing vehicle repair facility on 0.5 acres in an IL (Industrial Light) Zone. Generally located on the southwest corner of Wynn Road and Cannoli Circle within Paradise. MN/tpd/kh (For possible action) **PC 11/19/24**
  
3. **UC-24-0540-MD PROPERTIES, LLC & DP DRIFTWOOD, LLC:**  
**USE PERMIT** to allow an office within an existing commercial/industrial complex on 9.39 acres in an IL (Industrial Light) Zone. Generally located on the west side of Dean Martin Drive and the north side of Ali Baba Lane within Paradise. MN/rp/kh (For possible action) **PC 11/19/24**
  
4. **SDR-24-0334-MGM RESORTS LAND HOLDINGS II, LLC**  
**HOLDOVER SIGN DESIGN REVIEW** for modifications to an approved comprehensive sign plan for a resort hotel (Bellagio) on 76.63 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action) **BCC 11/20/24**



5. **DR-24-0335-BCORE PARADISE, LLC:**  
**HOLDOVER DESIGN REVIEW** for an expansion and modification to an existing resort hotel (Bellagio) on 85.77 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action) **BCC 11/20/24**
6. **ET-24-400110 (UC-20-0493)-5051 SLV, LLC:**  
**USE PERMITS SECOND EXTENSION OF TIME** for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.  
**DEVIATIONS** for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures; and 2) finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/jm/kh (For possible action) **BCC 11/20/24**
7. **UC-24-0319-VAN DIEPEN, RICHARD & KATHRYN:**  
**USE PERMIT** for accessory living quarters.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced setbacks; and 2) reduced building separation.  
**DESIGN REVIEW** for existing accessory structures in conjunction with an existing single-family residence on 0.23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Design Overlay. Generally located on the east side of Cochise Lane, 110 feet north of Geronimo Way within Paradise. TS/jm/syp (For possible action) **BCC 11/20/24**
8. **WS-24-0525-SEMMATERIALS ENERGY PTNRS, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase fence height; 2) allow non-decorative fencing; 3) reduce access gate setbacks; 4) off-site improvements (streetlights); 5) allow attached sidewalks; 6) eliminate throat depth; and 7) eliminate driveway back-of-curb radius.  
**DESIGN REVIEW** for site modifications/additions in conjunction with an existing asphalt batch plant on 6.76 acres in an IL Zone within the Airport Environs (AE-65) Overlay. Generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise. MN/dd/kh (For possible action) **BCC 11/20/24**

- VII. General Business (For possible action)
- 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 discussion, action, or vote may be taken on this agenda item. 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: November 5, 2024.
- 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 24, 2024

## MINUTES

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Board Members: Susan Philipp-Chair-**PRESENT**  
John Williams – **PRESENT**  
Kimberly Swartzlander-**PRESENT**  
Angelo Carvalho- **PRESENT**

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

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

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

Steve DeMerritt; Planning, Blanca Vazquez; Community Liaison

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

II. Public Comment:  
**None**

III. Approval of August 13, 2024 Minutes

**Moved by: Swartzlander**  
**Action: Approve as submitted**  
**Vote: 4-0 Unanimous**

Approval of Agenda for September 24, 2024

**Moved by: Williams**  
**Action: Approve with changes**  
**Vote: 4-0 Unanimous**

V. Informational Items (For Discussion only)

**Applications are available until November 14<sup>th</sup> at 5:30pm for appointments by the Clark County Board of County Commissioners to serve on the Paradise town board for a two-year (2-year) term beginning January 2025.**

Commissioner Michael Naft partnering with Pawtastic Friends for the Foster Resource fair. October 13, 2024 9:00 a.m.-11:00 a.m. at Pebble Park 8975 Topaz St.

Received a presentation from Accretive Consulting and the Regional Transportation Commission on the Maryland Parkway Project

VI. Planning & Zoning

1. WS-24-0467-SUNRISE 96C, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks.

DESIGN REVIEW for carport additions in conjunction with an approved multi-family residential development on 5.21 acres in an RM32 (Residential Multi-Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise. TS/mh/kh (For possible action) **PC 10/15/24**

**Withdrawn per applicant**

2. WS-24-0470-PSEN HOLDINGS, INC.:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; and 2) full off-site improvements for a proposed single-family residential subdivision on 1.27 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Annie Oakley Drive, 440 feet north of Russell Road within Paradise. JG/mh/kh (For possible action) **BCC 10/16/24**

**MOVED BY-Philipp**

**APPROVE- Subject to IF approved staff conditions**

**VOTE: 4-0 Unanimous**

VI. General Business (for possible action)

**Reviewed previous fiscal year budget requests and take public input regarding requests for the next fiscal year budget. The following budget requests were noted.**

- Update Street lights on Flamingo between Eastern and 95 (current streetlights are very dim)
- Update Street lights on Edison, between Sandhill and Pecos (current streetlights are very dim)
- Update Street lights on Twain, between Sandhill and Pecos (current streetlights are very dim)
- New paving on Sandhill, between Harmon and DI
- Traffic light at Twain and Sandhill
- Paving, curb & gutter along Annie Oakley from Sunset to Hacienda
- More code enforcement Officers

VII. Public Comment  
**2 neighbors express concern regarding cars racing and doing donuts along Lamb and Hacienda. Board had them meet with Blanca to exchange information.**

VIII. Next Meeting Date  
**The next regular meeting will be October 8, 2024**

IX. Adjournment

**The meeting was adjourned at 7:50 p.m.**





# Paradise Town Advisory Board

October 8, 2024

## MINUTES

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Board Members: Susan Philipp-Chair-**PRESENT**  
John Williams – **EXCUSED**  
Kimberly Swartzlander- **PRESENT**  
Angelo Carvalho- **PRESENT**

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

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

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

Roxy Pais; Planning, Blanca Vazquez; Community Liaison

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

II. Public Comment:  
**None**

III. Approval of September 24, 2024 Minutes

**Approval of minutes was held**

Approval of Agenda for October 8, 2024

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

V. Informational Items (For Discussion only)

**Applications are available until November 14<sup>th</sup> at 5:30pm for appointments by the Clark County Board of County Commissioners to serve on the Paradise town board for a two-year (2-year) term beginning January 2025.**

**Trunk-or-Treat October 19, 2024 6:00p.m.-8:00p.m. Paradise Recreation Center  
4775 McLeod Dr.**

**Howl-O-Ween Celebration October 26, 2024 2:00p.m.-4:00p.m. Desert Bloom Park  
8405 S. Maryland Pkwy.**

VI. Planning & Zoning

1. **AR-24-400103 (UC-23-0005)-WOW BUILD CO ONE, LLC:**  
**USE PERMIT FIRST APPLICATION FOR REVIEW** for a vehicle wash (automobile).  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the setback of a vehicle wash (automobile) from a residential use; **2)** allow alternative landscaping and screening adjacent to a less intensive use; **3)** reduce street landscape width; and **4)** reduce throat depth.  
**DESIGN REVIEW** for a vehicle wash facility (automobile) on 1.5 acres in a CG (Commercial General) Zone. Generally located on the north side of Warm Springs Road, 800 feet west of Eastern Avenue within Paradise. MN/nai/kh (For possible action) **PC 11/5/24**

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

2. **DR-24-0508-TROPREN, LLC:**  
**DESIGN REVIEW** for a vehicle wash in conjunction with an existing shopping center on a 1.37 acre portion of a 24.89 acre site in a CG (Commercial General) Zone. Generally located on the north side of Tropicana Avenue and the west side of Eastern Avenue within Paradise. JG/lm/kh (For possible action) **PC 11/5/24**

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

3. **UC-24-0490-SDE, LLC:**  
**USE PERMIT** for a massage establishment in conjunction with an existing office complex on a portion of 4.6 acres in a CG (Commercial General) Zone within Airport Environs (AE-60) and the Maryland Parkway Overlays. Generally located on the south side of Flamingo Road, 350 feet west of Spencer Street within Paradise. TS/lm/kh (For possible action) **PC 11/5/24**

**MOVED BY-Philipp**  
**APPROVE- Subject to staff conditions**  
**ADDED Condition**  
• **1 year review as a public hearing**  
**VOTE: 3-0 Unanimous**

4. **UC-24-0496-WASATCH HOLDINGS, LLC:**  
**USE PERMIT** for a banquet facility on a portion of 1.91 acres in a CG (Commercial General) Zone. Generally located on the northeast corner of Flamingo Road and Pearl Street within Paradise. TS/bb/kh (For possible action) **PC 11/5/24**

**MOVED BY-Swartzlander**  
**APPROVE- Subject to staff conditions**  
**ADDED Condition**

- 1 year review as a public hearing

**VOTE: 3-0 Unanimous**

5. **WS-24-0507-PIPPA, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to eliminate electric vehicle charging requirements.

**DESIGN REVIEW** for a proposed office/warehouse building in conjunction with an existing industrial complex on a portion of 7.7 acres within an 8.23 acre site in an IL (Industrial Light) Zone within the Airport Environs (AE-60 and AE-65) Overlay. Generally located on the south side of Oquendo Road, 828 feet west of Wynn Road alignment within Paradise. MN/jor/kh (For possible action)  
**PC 11/5/24**

**MOVED BY-Philipp**

**APPROVE- Subject to staff conditions**

**VOTE: 3-0 Unanimous**

6. **UC-24-0436-MANNA INVESTMENT GROUP, LLC:**

**USE PERMIT** for a vehicle wash.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) residential adjacency standards; 2) buffering and screening; and 3) sidewalks.

**DESIGN REVIEW** for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)  
**BCC 11/6/24**

**MOVED BY-Philipp**

**APPROVE- Subject to staff conditions**

**VOTE: 3-0 Unanimous**

VI. General Business (for possible action)

**None**

VII. Public Comment

**None**

VIII. Next Meeting Date

**The next regular meeting will be October 29, 2024**

IX. Adjournment

**The meeting was adjourned at 7:40 p.m.**

11/19/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-24-400108 (WS-23-0319)-BURGER CUSHINERY FAMILY TRUST ETAL & CUSHINERY CHARLES TRS:

**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for the following: 1) reduce setback for an existing addition; 2) reduce setback for existing accessory buildings; and 3) reduce the building separation in conjunction with an existing single-family residence on 0.31 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located on the northeast corner of Rosecrest South Circle and Woodcrest Road within Paradise. TS/mh/kh (For possible action)

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RELATED INFORMATION:

**APN:**

161-19-111-086

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the setback for an addition to an existing single-family residence to 1 foot where 5 feet is required per Table 30.40-2 (an 80% reduction).
2.
  - a. Reduce the side setback for a shed to 0.5 feet where 5 feet is required per Table 30.40-2 (a 90% reduction).
  - b. Reduce the rear setback for an accessory building to 1 foot where 5 feet is required Table 30.40-2 (an 80% reduction).
  - c. Reduce the side setback for an accessory building to 1 foot where 5 feet is required Table 30.40-2 (an 80% reduction).
3. Reduce the building separation between a residence and accessory building to 4.5 feet where 6 feet is required per Table 30.40-2 (a 25% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3654 Rosecrest South Circle
- Site Acreage: 0.31
- Project Type: Accessory buildings & addition
- Building Height (feet): 14 (addition)/8 (shed west side)/8 feet, 6 inches (accessory building northeast corner)
- Square Feet: 472 with a 124 square foot mezzanine (addition)/60 (shed west side)/96 (accessory building northeast corner)

### Site Plan

The approved plans depict an existing single-family residence located on the north side of Rosecrest South Circle. Access to the subdivision is from Pearl Street and the lot is accessed from Rosecrest South Circle. The request is to allow for 2 existing accessory buildings and for an addition to the existing residential structure along the eastern portion of the house. The Title 30 definition of shed limits the area to 200 square feet. The accessory building on the west side of the site meets the definition of shed, but the accessory building in the northeast corner of the site is 8 feet 6 inches. The buildings are in the rear yard, and the shed is located adjacent to the pool. The shed is located 0.5 feet from the western property line. The accessory building is set back 1 foot from both the rear and side property lines. The garage addition is recessed approximately 8 feet behind the front of the residence and is also shown as being 1 foot to the side property line. The separation between the shed and the main residence is 4.5 feet. County records show the existing addition onto the single-family residence was built without permitting and this application is a result of those violations.

### Landscaping

Landscaping is not a part of this application.

### Elevations

The approved plans depict an addition to an existing single-family residence constructed with a stucco exterior finish with a pitched roofline and is compatible with the main residence. The garage door is facing the south and is screened by a gate. The existing accessory buildings as shown on the plans are constructed with wood panels, pitched roofline, and is painted white to match the existing residence. The shed is 8 feet high and the accessory building is 8 feet 6 inches high.

### Floor Plans

The approved plans depict the main residence with bedrooms, bathrooms, kitchen, family room, closets, and utility rooms. The addition is for a garage and storage with a mezzanine. The accessory building has an open floor plan for storage of items.

### Signage

Signage is not a part of this request.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-23-0319:

#### Comprehensive Planning

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing.
- Applicant is advised that approval of this application does not constitute or imply approval of a Building Permit or any other County issued permit, license or approval; 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; and that the



extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Applicant's Justification**

The applicant states the extension of time is necessary due to a misunderstanding of the building permit and inspection process. A building permit (BD22-37066) has been in process, with a slab analysis, concrete crush analysis, and pull test performed. However, the final Building Department inspections were not completed by the expiration date of August 1, 2024, so an extension of time is needed.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-23-0319	Waiver for setbacks and building separations	Approved by PC	August 2023

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS5.2	Single-family residential

**Clark County Public Response Office (CCPRO)**

CE22-16591 is an active Code Enforcement case for building without a permit.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that the applicant has demonstrated progress toward finishing the inspection for a building permit (BD22-37066), completing several revisions requested by the Building Department. Staff believes that the applicant has made a good faith effort to complete the building permit and inspection process in a timely manner. Therefore, staff can support this request.

**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:**

**Comprehensive Planning**

- Until August 1, 2025 to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**  
**APPROVALS:**  
**PROTEST:**

**APPLICANT:** CHARLES CUSHINERY  
**CONTACT:** CHARLES CUSHINERY, 3654 ROSECREST SOUTH CIRCLE, LAS VEGAS,  
NV 89121

ET-24-400108



# Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 161-19-111-08/6

PROPERTY ADDRESS/ CROSS STREETS: 3654 S. Rosecrest Circle, Las Vegas 89121 Flamingo & Sandhill

DETAILED SUMMARY PROJECT DESCRIPTION

Cushinery-Burger Garage Addition Extension of Waiver of Setback

PROPERTY OWNER INFORMATION

NAME: Charles Cushinery/Shelly Burger

ADDRESS: 3654 S, Rosecrest Circle

CITY: Las Vegas

STATE: NV

ZIP CODE: 89121

TELEPHONE: \_\_\_\_\_ CELL 702-493-6428 EMAIL: chukcush@hotmail.com

APPLICANT INFORMATION (must match online record)

NAME: Charles Cushinery

ADDRESS: 3654 S. Rosecrest Circle

CITY: Las Vegas

STATE: NV

ZIP CODE: 89121

REF CONTACT ID # \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ CELL 702-493-6428 EMAIL: chukcush@hotmail.com

CORRESPONDENT INFORMATION (must match online record)

NAME: Charles Cushinery

ADDRESS: 3654 S. Rosecrest Circle

CITY: Las Vegas

STATE: NV

ZIP CODE: 89121

REF CONTACT ID # \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ CELL 702-493-6428 EMAIL: chukcush@hotmail.com

\*Correspondent will receive all communication on submitted application(s).

(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.

Charles Cushinery  
Property Owner (Signature)\*

Charles Cushinery  
Property Owner (Print)

9/9/2024  
Date

DEPARTMENT USE ONLY:

- |                              |                             |  |                               |                             |                             |                             |
|------------------------------|-----------------------------|--|-------------------------------|-----------------------------|-----------------------------|-----------------------------|
| <input type="checkbox"/> AC  | <input type="checkbox"/> AR | <input checked="" type="checkbox"/> ET | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA            | <input type="checkbox"/> SC   | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG  | <input type="checkbox"/> DR | <input type="checkbox"/> PUD           | <input type="checkbox"/> SDR  | <input type="checkbox"/> TM | <input type="checkbox"/> WC | OTHER _____                 |

APPLICATION # (s) ET-24-400108

PC MEETING DATE 11-19-24

BCC MEETING DATE \_\_\_\_\_

TAB/CAC LOCATION Paradise

ACCEPTED BY MH

DATE 9-12-24

FEES \$800

DATE 10-29-24

ET-24-400109

## Extension on Zoning Waiver

Chuck Cushinery <chukcush@hotmail.com>

Tue 8/20/2024 11:22 AM

To: czh@ClarkCountyNV.gov <czh@ClarkCountyNV.gov>

7 attachments (14 MB)

Angle Engineering Pull Test.pdf; Angle Engineering Slab and Crush Test.pdf; APPROVED-BD22-37066-R001 Work Plan.pdf; BLD-Pmt-InspHistory.pdf; Building Permit Renewal Final.pdf; Correction Notice 1720 Parker.pdf; Electrical Permit Renewal Agatha.pdf;

Dear Ms. Real,

I am asking permission to renew my variance waiver for setback, APR #23-0319. I have attached support documents to support my request. The delay in finishing the required inspections was caused by my misunderstanding of a conversation I had with "Agatha" on October 11, 2023 at 4:16 p.m. (See attached document "Electrical Renewal Agatha") During that conversation I asked Agatha what my next step in the process was. She told me there was no next step that I was done. I repeatedly asked if I needed any inspections and she assured me I was done. I said something to the effect of " So I am in compliance with everything the County wants me to do, I go about my business and not worry about anything else in regards to this matter, no inspections, no more fees??" Her reply, "Yes."

Imagine my surprise when Lorie called me on March 11, 2024 at 3:12 p.m. and inquired about my lack of inspections. What?? Agatha told me I was done in October. Oh no, you still need to get everything inspected. OK. I called for inspections and on 3/21/2024 Inspector Randy Parker issued his correction notice #1720 (Attached). I then had supplemental inspections with Mr. Chirs Bullock. My check marks on this copy of the correction notice were made during the onsite inspections as either Mr. Bullock or Mr. Dale Winans approved each item. If you consult my building permit history (BD22-37066) you will see that I needed to make several plan changes to obtain the services of QAA for items on the list. Most notably items 1-4. I secured Angle Engineering and was approved by the county, to have Angle Engineering perform slab analysis, concrete crush analysis and a pull test. Those tests were performed on 7/22/24 and ironically, on 8/9/2024. Items 1-4 on the correction report successfully passed the requirements. I am awaiting the formal report to be submitted to the County so I may schedule my final inspection.

I also, mistakenly, thought that when I renewed my permits in March of 2024 that the set-back waiver was included. I understand that all of these complications are my own doing and I take responsibility for them. As I have told all the inspectors, clerks, engineers, etc., I just want to make this right.

Please feel free to contact me for any reason concerning this matter. I sincerely appreciate your considerations.

Thank you.

Charles Cushinery  
702-493-6428

1

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**ET-24-400109 (UC-23-0514)-CAMMARERI, ADRIENNE:**

**USE PERMIT FIRST EXTENSION OF TIME** to allow a service bay door to face a street.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) eliminate screening for mechanical equipment; 2) parking reduction; 3) eliminate gate setback; and 4) reduce the trash enclosure setback.

**DESIGN REVIEW** for the expansion of an existing vehicle repair facility on 0.5 acres in an IL (Industrial Light) Zone.

Generally located on the southwest corner of Wynn Road and Cannoli Circle within Paradise. MN/tpd/kh (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-19-810-008

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate screening for mechanical equipment where required per Table 30.56-2.
2. Allow a parking reduction to 13 spaces where 28 spaces are required per Table 30.60-2 (a 54% reduction).
3. Eliminate setback from gate to the street where 50 feet is required per Section 30.64.020 (a 100% reduction).
4. Reduce the trash enclosure setback to the street to 8 feet where 10 feet is required per Section 30.56.120 (a 20% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4795 Wynn Road
- Site Acreage: 0.5
- Project Type: Vehicle repair
- Number of Stories: 1
- Building Height (feet): 19
- Square Feet: 2,567 (addition)/2,432 (existing)
- Parking Required/Provided: 28/13



### Site Plans

The plans depict an existing vehicle repair facility within a 2,432 square foot building built in 1983. The existing building is located along the west side of the site. The proposed addition to the subject site is 2,567 square feet and the maximum height is 19 feet. The proposed metal building addition is located along the south side of the site and will be internally connected with the existing building. Access to the site is via a private cul-de-sac, Cannoli Circle. Thirteen parking spaces are provided for this facility where 28 parking spaces are required. The trash enclosure is located on the northeast corner of the site, intruding into the right-of-way setback along Cannoli Circle by 1 foot 2 inches; therefore, waivers of development standards were included in the original application. Additionally, a design review for the addition, as well as a use permit to allow service bay doors facing a street (Cannoli Circle) are a part of the original request. The hours of operation are Monday to Friday from 7:00 a.m. to 6:00 p.m. The vehicles being repaired are automobiles and light trucks and will not include any watercraft or recreational vehicles.

### Landscaping

The approved plans show existing 6 foot wide street landscaping (palm trees) along Wynn Road. According to the applicant, the landscaping has been there for at least 20 years. No parking lot landscaping is proposed on site.

### Elevations

The approved plan shows an existing 1 story plaster over CMU 2,432 square foot building. The proposed 1 story addition is a 2,567 square foot metal building, which will be internally connected to the existing building. The proposed metal building will be painted to match the existing CMU building. Existing roof mounted A/C equipment will remain exposed. The overall height of the vehicle repair facility is 19 feet.

### Floor Plans

The approved plans depict a 4,999 square foot building, consisting of a 582 square foot office, restrooms, a 1,850 square foot service bay (existing), and 2,567 new service bays (proposed).

### Signage

Signage was not a part of the original request.

### Previous Conditions of Approval

Listed below are the approved conditions for UC-23-0514:

#### Comprehensive Planning

- 1 year to review as a public hearing.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 and application for review; 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.

**Southern Nevada Health District (SNHD) - Engineering**

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto:septics@snhd.org) or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that the property appears to have an existing septic system; and to please contact the Southern Nevada Health District when modifying existing plumbing fixtures.

**Applicant's Justification**

The applicant states the property owner decided to hire a new consulting firm which caused a delay in submitting the application for review. The applicant understands the importance of completing the project in a timely manner and intends to resume construction of the approved project.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-23-0514	Use permit, waivers of development standards, and a design review for a vehicle repair facility	Approved by PC	October 2023
ZC-0144-83	Reclassified 5.3 acres from R-E to M-1 zoning	Approved by BCC	September 1983

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, East & West	Business Employment	IL	Industrial uses
South	Entertainment Mixed-Use	IL	Industrial uses

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that the approved addition has not been constructed and there are no active building permits for it. Staff can support this request as this is the first extension request. However, staff may not be able to support future extension requests if no action is taken towards commencement of the project. Since the project was approved, Title 30 has been updated and the projects are expected to comply with the new regulations. Staff supports this first extension of time request with a condition for a review.

**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:**

**Comprehensive Planning**

- Until October 3, 2025 to commence and review.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Southern Nevada Health District (SNHD) - Engineering**

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto:septics@snhd.org) or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: BEN TORRELLA**

**CONTACT: BEN TORRELLA, 712 MAXLEY COURT, LAS VEGAS, NV 89145**



# Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 162-19-810-008

PROPERTY ADDRESS/ CROSS STREETS: 4795 WYNN RD LAS VEGAS NV 89103

**DETAILED SUMMARY PROJECT DESCRIPTION**

Application Review for UC-23-0514

**PROPERTY OWNER INFORMATION**

NAME: ADRIENNE CAMMARERI

ADDRESS: 1517 CUTLER DR

CITY: LAS VEGAS

STATE: NV ZIP CODE: 89117

TELEPHONE: \_\_\_\_\_ CELL 702 506 3730 EMAIL: camcotransmission@gmail.com

**APPLICANT INFORMATION (must match online record)**

NAME: BEN TORRELLA

ADDRESS: 712 MAXLEY CT

CITY: LAS VEGAS

STATE: NV ZIP CODE: 89145 REF CONTACT ID # \_\_\_\_\_

TELEPHONE: 702 516 7570 CELL 702 665 1794 EMAIL: ben.designland@gmail.com

**CORRESPONDENT INFORMATION (must match online record)**

NAME: SAME AS THE APPLICANT

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_ REF CONTACT ID # \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ CELL \_\_\_\_\_ EMAIL: \_\_\_\_\_

\*Correspondent will receive all communication on submitted application(s).

(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.

*Adrienne Cammareri*

Property Owner (Signature)\*

Property Owner (Print)

Date

**DEPARTMENT USE ONLY:**

- |                              |  |                              |                               |                             |                             |                             |
|------------------------------|--|------------------------------|-------------------------------|-----------------------------|-----------------------------|-----------------------------|
| <input type="checkbox"/> AC  | <input checked="" type="checkbox"/> AR | <input type="checkbox"/> ET  | <input type="checkbox"/> PUDD | <input type="checkbox"/> SN | <input type="checkbox"/> UC | <input type="checkbox"/> WS |
| <input type="checkbox"/> ADR | <input type="checkbox"/> AV            | <input type="checkbox"/> PA  | <input type="checkbox"/> SC   | <input type="checkbox"/> TC | <input type="checkbox"/> VS | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG  | <input type="checkbox"/> DR            | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR  | <input type="checkbox"/> TM | <input type="checkbox"/> WC | OTHER _____                 |

APPLICATION # (s) AR-24-400109

ACCEPTED BY NAT

PC MEETING DATE 11/19/2024

DATE 9/17/2024

BCC MEETING DATE \_\_\_\_\_

FEES \$1,400.00

TAB/CAC LOCATION Paradise

DATE 10/29/2024

*2*



D E S I G N L A N D

September 9, 2024

Clark County Comprehensive Planning  
500 S Grand Central Parkway  
Las Vegas NV 89155

To whom it may concern,

I am applying for an Application Review for UC-23-0514. This application was approved by the Planning Commission on October 3, 2023. There was a condition listed on the Notice of Final Action to "review as a public hearing in 1 year".

The primary reason for this delay is the decision by the project owner to discontinue their engagement with the previous consulting firm. This change in direction necessitated a comprehensive review of the project's plans, specifications, and timelines.

As a result of this transition, we have been working diligently to re-evaluate the project's scope, identify potential challenges, and develop a revised construction schedule. This process has taken time to ensure that the project aligns with the owner's current goals and expectations.

We understand the importance of timely project completion and are committed to minimizing any further delays. We are currently working closely with the owner and our team to expedite the necessary approvals and finalize the construction plans.

We will continue to provide regular updates on the project's progress and are confident that we will be able to resume construction activities in a timely manner.

Thank you for your understanding and cooperation.

Sincerely,

Ben Torrella

DESIGNLAND FLLC  
7121 Nancy Ct Las Vegas NV 891 5  
(702) 516 75 0

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AR-24-400109



11/19/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-24-0540-MD PROPERTIES, LLC & DP DRIFTWOOD, LLC:**

**USE PERMIT** to allow an office within an existing commercial/industrial complex on 9.39 acres in an IL (Industrial Light) Zone.

Generally located on the west side of Dean Martin Drive and the north side of Ali Baba Lane within Paradise. MN/rp/kh (For possible action)

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RELATED INFORMATION:

**APN:**

162-29-202-009

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 5115 Dean Martin Drive
- Site Acreage: 9.39
- Project Type: Office
- Square Feet: 800

**Site Plan**

The plan depicts an 800 square foot suite within an existing office/warehouse complex on 9.4 acres. The property is zoned IL (Industrial Light) and has access from Ali Baba Lane to the south and Dean Martin Drive to the east. The complex includes 9 buildings, and the proposed use is located within building 7, along the north property line. The uses within the property are mostly industrial; however, there are previously approved office uses within the property (ADR-23-900033, ADR-19-900619, ADR-17-900917, and ADR-15-900362).

**Landscaping**

No changes are proposed to the existing landscaping.

**Elevations**

The photos show an existing 1 story building with a mansard roof. No changes are proposed to the exterior of the building.

Floor Plans

The plan shows 800 square feet to be used as an office/storage area, with a front entrance facing south and a roll-up door on the rear side of the building.

Signage

Signage is not a part of this application.

Applicant's Justification

The applicant is requesting to use this space as an office. The applicant states that the use of the office would be solely for administrative purposes to support the party service company, which books and dispatches models and entertainment for private events such as bachelor and birthday parties. The applicant indicated that there is no foot traffic or customer interaction at this location.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-23-900033	Outcall entertainment referral service	Approved by ZA	February 2023
UC-21-0682	Personal services (barber shop) within an industrial complex on 9.4 acres	Approved by PC	January 2022
ADR-19-900619	Outcall entertainment referral service	Approved by ZA	September 2019
ADR-0917-17	Outcall entertainment referral service	Approved by ZA	September 2017
ADR-0362-15	Outcall entertainment referral service	Approved by ZA	May 2015
UC-0097-13	Minor training facility (baseball instruction) within an industrial complex on 9.4 acres	Approved by PC	May 2013
ET-0264-08	Extension of time to reclassify 7.2 acres from M-1 to U-V zoning, and use permit and design review for residential condominiums with increased height - expired	Approved by BCC	November 2008
ZC-1202-05	Reclassified 7.2 acres from M-1 to U-V zoning, and use permit and design review for residential condominiums with increased height - expired	Approved by BCC	October 2005
UC-1932-95	Permit an auction facility and reduce the parking	Approved by PC	December 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	PF	Las Vegas Valley Water District
South	Entertainment Mixed-Use	IL (AE-60)	Warehouse
East	Entertainment Mixed-Use	CR & IL (AE-60)	Motel & Warehouse

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
West	Entertainment Mixed-Use	IL & PF	Warehouse & Las Vegas Valley Water District

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff's primary concerns with these types of requests are use compatibility and parking. There are existing offices (entertainment referral service businesses) which were previously approved within the property; therefore, the proposed use is harmonious and compatible with the surrounding uses. Also, previously there was an approved land use for this complex to reduce the parking. The applicant is proposing to convert a small portion of the suite to an office; therefore, the request will not impact the parking requirements. With these factors in mind, staff can support this request.

**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:**

**Comprehensive Planning**

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

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

**TAB/CAC:**

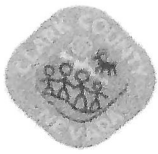
**APPROVALS:**

**PROTESTS:**

**APPLICANT:** VS ENTERTAINMENT, LLC

**CONTACT:** VS ENTERTAINMENT, LLC, 5115 DEAN MARTIN DRIVE #703, LAS VEGAS, NV 89118

DRAFT



# Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 162-29-207-009  
5115 Dean Martin DR #703  
 PROPERTY ADDRESS/ CROSS STREETS: Las Vegas Nevada 89118

**DETAILED SUMMARY PROJECT DESCRIPTION**

**PROPERTY OWNER INFORMATION**

NAME: MD Properties LLC  
 ADDRESS: 89 Fifth Ave  
 CITY: New York STATE: NY ZIP CODE: 10003  
 TELEPHONE: \_\_\_\_\_ CELL 213-500-8619 EMAIL: \_\_\_\_\_

**APPLICANT INFORMATION (must match online record)**

NAME: VS Entertainment LLC  
 ADDRESS: 5115 Dean Martin Dr #703  
 CITY: Las Vegas STATE: NV ZIP CODE: 89118 REF CONTACT ID # \_\_\_\_\_  
 TELEPHONE: \_\_\_\_\_ CELL 702-578-0414 EMAIL: vegasstrippers2you@gmail

**CORRESPONDENT INFORMATION (must match online record)**

NAME: Jennifer Egbert  
 ADDRESS: 6237 Fallsview Ct  
 CITY: Las Vegas STATE: NV ZIP CODE: 89113 REF CONTACT ID # \_\_\_\_\_  
 TELEPHONE: \_\_\_\_\_ CELL 702-578-0414 EMAIL: vegasstrippers2you@gmail

\*Correspondent will receive all communication on submitted application(s).

(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] Steve Levesque 9-13-24  
 Property Owner (Signature)\* Property Owner (Print) Date

**DEPARTMENT USE ONLY:**

- |                              |                             |                              |                               |                             |  |                             |
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| <input type="checkbox"/> ADR | <input type="checkbox"/> AV | <input type="checkbox"/> PA  | <input type="checkbox"/> SC   | <input type="checkbox"/> TC | <input type="checkbox"/> VS            | <input type="checkbox"/> ZC |
| <input type="checkbox"/> AG  | <input type="checkbox"/> DR | <input type="checkbox"/> PUD | <input type="checkbox"/> SDR  | <input type="checkbox"/> TM | <input type="checkbox"/> WC            | OTHER _____                 |

APPLICATION # (s) UC-24-0540  
 PC MEETING DATE 11/19/24  
 BCC MEETING DATE \_\_\_\_\_  
 TAB/CAC LOCATION Paradise

ACCEPTED BY RP  
 DATE 9/25/24  
 FEES \$1000.00

DATE 10/29/24

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Jennifer Egbert  
VS Entertainment  
5115 Dean Martin Dr #703  
Las Vegas, NV 89118  
vegasstrippers2you@gmail.com  
702-578-0414

09/17/2024

To Whom It May Concern,

I, Jennifer Egbert, owner of VS Entertainment, am seeking approval for a special use permit for my office space located in an industrial area at 5115 Dean Martin Dr #703

Las Vegas, NV 89118. The office is used solely for administrative purposes to support my party service company, which books and dispatches models and entertainers for private events such as bachelor and birthday parties.

The office is occupied by a phone dispatcher who handles all client communications, schedules entertainers, and manages online advertising. There is no foot traffic or customer interaction at this location—only the phone girl/dispatcher works from this office.

This business operation has minimal impact on the surrounding area, generates no noise or waste, and is compliant with the zoning for industrial use. Since it is strictly administrative, the space is low-traffic and unobtrusive.

Approval of this permit will allow us to continue operating efficiently without any disruption to the neighborhood or local infrastructure.

UC-24-0540  
3

Thank you for your consideration. Please feel free to contact me at 702-578-0414 if you require further details.

Sincerely,  
Jennifer Egbert  
Owner, VS Entertainment

UC-24-0540

3



**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**SDR-24-0334-MGM RESORTS LAND HOLDINGS II, LLC**

**HOLDOVER SIGN DESIGN REVIEW** for modifications to an approved comprehensive sign plan for a resort hotel (Bellagio) on 76.63 acres in a CR (Commercial Resort) Zone.

Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-20-510-002; 162-20-601-001; 162-20-602-001

**SIGN DESIGN REVIEW:**

1. Modifications to an approved comprehensive sign plan in conjunction with an existing resort hotel (Bellagio) including the following:
  - a. Replace an existing 4,534 square foot freestanding sign along Las Vegas Boulevard South with a new 3 sided 5,905 square foot freestanding sign.
  - b. Increase the area of an electronic sign (electronic message unit, video) to 5,055 square feet where 2,304 square feet was previously approved.
  - c. Increase the area of wall signs to 4,049 square feet where 677 square feet was previously approved.
  - d. Reduce the front setback for a freestanding sign to 2 feet 3 inches where 10 feet is required per Section 30.05.02L (a 77.5% decrease).

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3600 and 3680 Las Vegas Boulevard South
- Site Acreage: 76.63
- Project Type: Modifications to an approved comprehensive sign plan
- Sign Height (feet): 141 (new freestanding sign)
- Square Feet: 5,905 (new freestanding sign)/3,372 (new wall signs)

**History & Request**

This is a request for a previously approved comprehensive sign plan for the Bellagio. The most recent comprehensive sign application was approved via UC-0288-05 by the Planning Commission in April 2005. This application proposes to remove the existing freestanding sign

along Las Vegas Boulevard South currently located on APN 162-20-601-001 and construct a new, larger freestanding sign on APN 162-20-602-001 to the south. The new freestanding sign is also proposed to have a larger electronic message unit (video) compared to the current sign. These changes are proposed to allow for an expansion of the retail, restaurant, and entertainment areas of the Bellagio, which is the subject of a companion design review, DR-24-0335. The expanded areas of the building will also feature additional wall signs.

Site Plans

The plans submitted indicate the proposed freestanding sign will be located at the southeast corner of APN 162-20-602-002 on the west side of Las Vegas Boulevard South, approximately 80 feet south of the existing freestanding sign which will be removed. The sign will also be set back 2 feet 3 inches from the east property line adjacent to Las Vegas Boulevard South where the minimum setback for signs is 10 feet.

Sign Plans

The plans depict a proposed freestanding sign on the west side of Las Vegas Boulevard South with a maximum height of 141 feet. The sign does not exceed the overall height of the existing resort towers, including the Spa Tower which is 374 feet and the Main Tower which is 493 feet in height. The freestanding sign is proposed to be 3 sided totaling 5,905 square feet in size when measured as the sum of 50% of each sign face. The freestanding sign includes electronic messaging units (video) totaling 5,055 square feet. The plans also depict 21 proposed wall signs which will be distributed at various locations on the north and east façades of the new buildings. The wall signs total 3,372 square feet and range in size from 110 square feet to 220 square feet.

**Proposed Sign Changes**

Type of Sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	# of existing signs	# of proposed signs	Total # of signs
Existing "Bellagio" F/S Sign**	4,534	-4,534	0	1	-1	0
EMU (part of F/S)	2,304	-2,304				
Proposed "Bellagio" F/S Sign		5,905***	5,905***		1	1
EMU (part of F/S)		5,055	5,055	0	1	1
Wall	677	3,372	4,049	-----	-----	-----

\*\*One existing freestanding sign is proposed to be removed in its entirety and replaced.

\*\*\*More than two-sided sign: 50% of the sum of the proposed area of all sign faces.

**Summary of the existing and proposed signage:**

Type of Sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	# of existing signs	# of proposed signs	Total # of signs
Freestanding*	17,106	1,371 net	18,477	3**	1	3
Wall	677	3,372	4,049	-----	-----	-----
Monument	4	0	18,481	4	0	4
Directional	177	0	177	17	0	17
EMU - video	2,304	2,751 net	5,055	1	0 net	1

\*The freestanding sign also contains an Electronic Message Unit (video).

\*\*One existing freestanding sign is proposed to be removed in its entirety and replaced.

Applicant's Justification

The applicant states the requested signage is an integral part of Las Vegas Boulevard South and the Bellagio. The signage design is coordinated with the existing signage at the resort to project a cohesive design. The applicant states the signage does not interfere with the sight visibility zones or pedestrian sidewalk areas.

**Prior Land Use Requests APNs 162-20-510-002; 162-20-601-001**

Application Number	Request	Action	Date
ADR-22-900807	Pedestrian walkway bridge enclosure (Bellagio)	Approved by ZA	January 2023
UC-20-0546	Monorail (underground people mover system)	Approved by BCC	October 2021
AR-19-400088 (WC-18-400191 (UC-0284-17))	First application for review of a waiver of conditions for an outdoor sales booth	Approved by BCC	August 2019
AR-19-400089 (UC-0284-17)	First application for review for deviations of a use permit for an outdoor sales booth	Approved by BCC	August 2019
DR-18-0646	Façade changes to an existing outdoor sales structure/booth	Approved by BCC	October 2018
WC-18-400191 (UC-0284-17)	Waived conditions for an outdoor sales booth	Approved by BCC	October 2018
ADR-1132-17	Building addition and façade change for a restaurant (Spago)	Approved by ZA	November 2017
UC-0284-17	Allowed an outdoor sales structure/booth and signage subject to 2 years to commence and review	Approved by BCC	June 2017
ADR-0302-11	Building addition and redesign of an existing nightclub	Approved by ZA	April 2011
UC-0288-05	Allowed an employee parking garage and increased height for the parking garage	Approved by PC	April 2005
DR-1625-03	Allowed gates, a guard house, and fences	Approved by PC	November 2003
DR-0283-03	An expansion to a resort hotel (Bellagio)	Approved by BCC	March 2003

**Prior Land Use Requests APN 162-20-602-001**

Application Number	Request	Action	Date
ADR-0787-11	Pavilion and guard shack for the Cosmopolitan Resort Hotel	Approved by ZA	September 2011

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	CR	Caesars Palace Resort Hotel
South	Entertainment Mixed-Use	CR	Jockey Club & Cosmopolitan Resort Hotel
East	Entertainment Mixed-Use	CR	Horseshoe, Paris & Planet Hollywood Resort Hotels
West	Entertainment Mixed-Use	CR, IL, & CC	I-15, offices, industrial uses, & The Martin

**Related Applications**

<b>Application Number</b>	<b>Request</b>
DR-24-0335	A design review for the expansion of an existing resort hotel (Bellagio) is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

The proposed signage on the subject property is reviewed to determine 1) compatibility, in terms of scale and architectural features, with the site and surrounding area; 2) harmony with the character of the neighborhood; 3) impact on the surrounding land uses; and 4) the health, safety, and welfare of the inhabitants of the area. Additionally, comprehensive sign plans shall demonstrate the proposal will improve the aesthetics of the development and will not have an adverse impact on the use, enjoyment, or value of property.

The Code allows alternative sign standards for resort hotels if the alternative results in the development having a visual character compatible with adjacent developments. The proposed freestanding sign along with the proposed wall signs on the new buildings are consistent in style, design, and scale with the previously approved resort hotel and with other resort hotels within the immediate area along Las Vegas Boulevard South. Staff finds the proposed freestanding sign, electronic message units (video) and wall signs will be harmonious with the approved comprehensive sign plan and the location of the freestanding sign will not impede pedestrian or vehicular traffic. In total, the signs should not have an adverse or negative impact on the surrounding land use or properties. Therefore, staff recommends 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 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

**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:**

**Comprehensive Planning**

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Applicant is advised that signs are not permitted within the right-of-way.

**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 30.02.26B 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.



**Fire Prevention Bureau**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS: 3 cards**

**PROTESTS: 1 card**

**COUNTY COMMISSION ACTION:** August 21, 2024 – ~~HELD~~ – To 11/20/24 – per the applicant.

**APPLICANT: MGM RESORTS**

**CONTACT: GMRA, 6325 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118**

**DRAFT**

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-24-0335-BCORE PARADISE, LLC:**

**HOLDOVER DESIGN REVIEW** for an expansion and modification to an existing resort hotel (Bellagio) on 85.77 acres in a CR (Commercial Resort) Zone.

Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-20-501-006; 162-20-510-002; 162-20-601-001; 162-20-602-001; 162-20-616-064

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3600, 3680, and 3708 Las Vegas Boulevard South
- Site Acreage: 85.77
- Project Type: Resort hotel
- Number of Stories: 3 (proposed addition)
- Building Height (feet): 493 (existing hotel)/138 (proposed addition)
- Square Feet: 1,138,645 (existing hotel)/397,180 (proposed addition)/1,513,071 (total)
- Parking Required/Provided: 4,572/6,276
- Sustainability Required/Provided: 7/9.5

Site Plans

The plans depict a new 397,180 square foot addition to the existing Bellagio. The addition will be located on the south side of a private drive, Bellagio Drive, on the west side of Las Vegas Boulevard South. The addition has a minimum front setback along Las Vegas Boulevard South of 19.3 feet and will be located 15 feet from the south property line. The existing covered walkway which begins at the existing freestanding Bellagio sign and leads to the parking garage is proposed to be removed along with this sign. The plan indicates a new freestanding sign will be located on APN 162-20-602-001 to the south which is the subject of a separate sign design review, SDR-24-0334. A new pedestrian bridge to The Cosmopolitan is proposed. All interior modifications to The Cosmopolitan that are necessary to accommodate the bridge are not a part of this application. A future Clark County Public Works pedestrian bridge across Las Vegas Boulevard South is also indicated, but it is not a part of this application. The plans indicate that some interior remodeling will be done to the existing entrance lobby as well as to the bus/ride-



share drop-off on the ground level of the existing Bellagio parking garage. No changes to the existing driveways and vehicle circulation areas are proposed. Access will be maintained to the existing porte-cochere, existing drop-off and taxi queues, as well as the existing parking garage. A portion of the building addition will displace 73 parking spaces in the south parking garage. However, the parking analysis indicates that the required parking for the existing hotel/casino is 3,357, and the addition will require 1,215 parking spaces for a total of 4,572 parking spaces. The total parking provided is 6,276 parking spaces including 74 accessible parking and 16 van accessible parking spaces. The plan indicates 13 existing EV installed parking spaces are provided for the resort. The ground level of the addition will include a 1,513 square foot area for loading docks and trash enclosures that will be screened from the street by the building. Access to these areas will be from Frank Sinatra Drive to the west. A Parking Demand Study has been submitted regarding the loading requirements for the property. Eight off-street loading spaces are currently provided. Three additional loading spaces are proposed with the addition for a total of 11 parking spaces. The study indicates that the additional loading spaces will provide more spaces per gross floor area than currently exists. No other changes to the site are proposed.

#### Landscaping

The street landscape plans are provided for the 196 feet of linear street frontage along Las Vegas Boulevard South where the building addition fronts. The plans indicate no large trees will be provided due to the proposed overhead bridge. All trees will be small or medium species listed in the SNRPC Plant List which include Indian Hawthorn, Fruitless Olive, and African Sumac which all feature low to medium water usage. Shrubs and flowers are also proposed along the street frontage including Japanese Boxwood, Pink Muhly Grass, and Gazania, among others. The landscaping provided exceeds the minimum requirements. The existing landscape areas north of Bellagio Drive will remain in place. Landscaping will also be provided within various outdoor terraces on the building addition.

#### Elevations

The elevations indicate the building addition will include 3 levels and will be up to 138 feet in height at the tip of the highest roof spire or finial. The proposed addition is in an Italian architectural style with details similar to the finishes, materials, and colors found on the existing buildings. This includes painted plaster finishes (EIFS), precast decorative molding, and a stone wall finish. The building features multiple skylights, glass and metal framed windows of varying sizes and shapes, a metal framed and clad atrium façade, and a metal and glass curtain wall system at the front atrium. A series of balconies with precast balusters and a railing assembly, metal framed terraces, and precast wall hung planters are provided along with landscape areas including trees. An infinity edge outdoor pool is visible on Level 3. An enclosed glass clad pedestrian bridge to The Cosmopolitan is proposed and is visible from the east elevation. The south elevation west of the pedestrian bridge, which will not be easily visible from the street, will have a series of columns and decorative molding to break-up the wall plane. The roof areas feature a series of domed roof construction which will be finished with acrylic paint over a waterproof membrane and feature precast pilasters or painted EIFS ribs. Other roof areas will feature clay tile, and a series of cupolas with an EIFS finish, a decorative metal roof surface and railings.

Floor Plans

The plans indicate the 397,280 square foot addition will include 3 levels above the ground floor which is Level zero. The 2 main entry points are at Level zero adjacent to Las Vegas Boulevard South approximately where the escalators to the covered walkway through the Bellagio sign are now located. Overall, the plans indicate 160,442 square feet of retail space on Levels 1, 2, and 3. 51,278 square feet for food and beverage (bar/restaurant) uses are proposed on Levels zero, 2, and 3. 22,754 square feet of outside dining and drinking areas are located on multiple terraces on Levels 2 and 3. A 6,200 square foot outdoor water feature is proposed on Level 3, which will be reviewed by the water purveyor and if required, the applicant will enter into a water abatement agreement. There are 112,022 square feet of back of house areas located on all levels, but primarily on Levels zero and 1. Level 1 also includes a new hotel registration area. General circulation and restrooms account for 47,739 square feet of floor area. A new 1,433 square foot enclosed pedestrian bridge to The Cosmopolitan to the south will be accessed from Level 2.

Applicant's Justification

The applicant states the project is in keeping with the same design, materials, and colors as the existing resort hotel, and the uses complement the existing resort. The applicant states the traffic flows will not change as a result of the addition. The applicant states the height of the proposed project is less than the hotel towers to the south and west, and that the landscaping is compliant and generous. Lastly, the applicant states the loading area is completely screened from street views, will operate in conjunction with the existing Bellagio loading area, and the public will not be exposed to the dock.

**Prior Land Use Requests APNs 162-20-501-006; 162-20-510-002; 162-20-601-001**

Application Number	Request	Action	Date
ADR-22-900807	Pedestrian walkway bridge enclosure (Bellagio)	Approved by ZA	January 2023
UC-20-0546	Monorail (underground people mover system)	Approved by BCC	October 2021
AR-19-400088 (WC-18-400191 (UC-0284-17))	First application for review of a waiver of conditions for an outdoor sales booth	Approved by BCC	August 2019
AR-19-400089 (UC-0284-17)	First application for review for deviations of a use permit for an outdoor sales booth	Approved by BCC	August 2019
DR-18-0646	Facade changes to an existing outdoor sales structure/booth	Approved by BCC	October 2018
WC-18-400191 (UC-0284-17)	Waived conditions for an outdoor sales booth	Approved by BCC	October 2018
ADR-1132-17	Building addition and facade change for a restaurant (Spago)	Approved by ZA	November 2017
UC-0284-17	Allowed an outdoor sales structure/booth and signage subject to 2 years to commence and review	Approved by BCC	June 2017
ADR-0302-11	Building addition and redesign of an existing nightclub	Approved by ZA	April 2011

**Prior Land Use Requests APNs 162-20-501-006; 162-20-510-002; 162-20-601-001**

Application Number	Request	Action	Date
UC-0288-05	Allowed an employee parking garage and increased height for the parking garage	Approved by PC	April 2003
DR-1625-03	Allowed gates, a guard house, and fences	Approved by PC	November 2003
DR-0283-03	An expansion to a resort hotel (Bellagio)	Approved by BCC	March 2003

**Prior Land Use Requests APN 162-20-602-001**

Application Number	Request	Action	Date
ADR-0787-11	Pavilion and guard shack for the Cosmopolitan Resort Hotel	Approved by ZA	September 2011

**Prior Land Use Requests APN 162-20-616-064**

Application Number	Request	Action	Date
WS-0359-16	Reduction in parking and addition to guestrooms and gaming area for the Cosmopolitan Resort Hotel	Approved by BCC	July 2016
ADR-0283-15	Exterior remodel consisting of the enclosure of an outside dining area and restaurant remodel	Approved by ZA	September 2015
UC-0826-13	Ice skating rink and a temporary membrane structure	Approved by BCC	February 2014
UC-0140-10	Amendment to the approved comprehensive sign plan for the Cosmopolitan Resort Hotel	Approved by BCC	May 2010
UC-0480-09	Comprehensive sign plan for the Cosmopolitan Resort Hotel	Approved by BCC	September 2009
UC-1268-07	Freestanding and roof signs - expunged by UC-0480-09	Approved by BCC	December 2007
WS-1556-06	Allowed a 32% reduction in on-site parking and modifications to parking standards	Approved by PC	December 2006
WS-0372-05	Permanently permitted 358 off-site parking spaces for the Jockey Club and Cosmopolitan Resort Hotel site	Approved by BCC	July 2005
UC-0136-05	Modifications to the Cosmopolitan Resort Hotel	Approved by BCC	March 2005
UC-1575-04	Original use permit for the Cosmopolitan Resort Hotel	Approved by BCC	November 2004

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	CR	Caesars Palace Resort Hotel
South	Entertainment Mixed-Use	CR	Jockey Club & Cosmopolitan Resort Hotel
East	Entertainment Mixed-Use	CR	Horseshoe, Paris & Planet Hollywood Resort Hotels
West	Entertainment Mixed-Use	CR, IL, & CC	I-15, offices, industrial uses, & The Martin

**Related Applications**

<b>Application Number</b>	<b>Request</b>
SDR-24-0334	A sign design review to modify a comprehensive sign plan for an existing resort hotel (Bellagio) is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The design of the proposed addition closely matches the architectural design of the Bellagio. The modifications proposed will be harmonious with the development in the area. No changes to site access or circulation are proposed and therefore, traffic conditions on Las Vegas Boulevard South should not be negatively affected. Loading areas will be hidden from view of the street and the public with access provided from the west. Pedestrian connectivity to adjacent resort properties will be enhanced by the addition of the pedestrian bridge. Additional landscaping will be provided which will exceed the minimum requirements. Staff finds the proposed addition to be appropriate for the area, is compatible with the surrounding land uses, and complies with the goals and policies of the Master Plan; therefore, staff recommends 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 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.



**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:**

**Comprehensive Planning**

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance.

**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 30.02.26B 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

**Fire Prevention Bureau**

- Fire Chief Horvat is requesting a meeting, concerning the location of the fire access lane; please contact Blair Coon to schedule a meeting at [blair.coon@clarkcountynv.gov](mailto:blair.coon@clarkcountynv.gov).

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0306-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS: 4 cards**

**PROTESTS: 1 card**

**COUNTY COMMISSION ACTION:** August 21, 2024 – HELD – To 11/20/24 – per the applicant.

**APPLICANT: MGM RESORTS**

**CONTACT: GMRA, 6325 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118**

**DRAFT**

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**ET-24-400110 (UC-20-0493)-5051 SLV, LLC:**

**USE PERMITS SECOND EXTENSION OF TIME** for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.

**DEVIATIONS** for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics.

**DESIGN REVIEWS** for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures, and 2) finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay.

Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/jm/kh (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-33-101-019

**DEVIATIONS:**

1. Increase building height for a resort hotel to 237 feet where 100 feet is the standard per Table 30.40-7 (a 137% increase).
2. Permit encroachment into airspace.
3. Reduce the setback for an arterial street (Las Vegas Boulevard South) to 41 feet where a minimum of 78 feet is required per Figure 30.56-4 (a 47.4% reduction).
4. Permit alternative landscaping along Las Vegas Boulevard South where landscaping per Figure 30.64-17 is required.
5. Permit all other deviations as shown per plans on file.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Permit non-standard improvements (landscaping) within the right-of-way of Las Vegas Boulevard South where not permitted per Section 30.52.050.
2. Reduce driveway throat depth to a minimum of 37 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 75.3% reduction).



**DESIGN REVIEWS:**

1. A resort hotel with all associated and accessory uses, structures and incidental buildings and structures.
2. Increased finished grade by 108 inches (9 feet) where a maximum increase of 18 inches (1.5 feet) is permitted per Section 30.32.040 (a 500% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 5051 Las Vegas Boulevard South
- Site Acreage: 4.68
- Project Type: Resort hotel
- Number of Stories: 20
- Building Height (feet): 237
- Parking Required/Provided: 749/750

Gaming Enterprise District Expansion

This site is located along the east side of and within 1,500 feet of the centerline of Las Vegas Boulevard South, which places the site within the Las Vegas Boulevard Gaming Corridor. However, the site is not currently within the Gaming Enterprise District (GED) for Las Vegas Boulevard South. Per Section 30.48.250, any property which is located within the Las Vegas Boulevard Gaming Corridor and was zoned H-1 as of July 16, 1997 is within the GED. In July 1997 this site was owned by Clark County (Department of Aviation) and was zoned P-F. The site was not reclassified to an H-1 zone until December 2000 by ZC-1732-00, which is why the use permit to expand the GED is required to allow a resort hotel at this location.

Site Plan

The previously approved site plan (UC-20-0493) depicts a resort hotel with access from Las Vegas Boulevard South. The building is located on the northern and eastern portion of the parcel. There are 2 driveways depicted on the plan that are located on the southwest and northwest corners of the property. A minimum 18 foot wide access drive is located along the south, east, and north sides of the site. The plans indicate that the narrowest portion of this access drive is located along the southern boundary of the site and will be a one-way drive traveling from west to east. The parking will be provided by a parking garage that is incorporated into the design of the building and will occupy the eastern portion of the facility. Along the west side of the building, between the building and an existing attached sidewalk along Las Vegas Boulevard South is a pedestrian plaza. The pedestrian plaza will connect to the existing attached sidewalk, providing a pedestrian connection between the resort hotel and the existing public sidewalk. The plans indicate that additional right-of-way will be taken for Las Vegas Boulevard South and that portions of the pedestrian plaza with landscape areas will be located within areas of the site that will be dedicated for right-of-way. The entrance to the hotel is located on the southwestern portion of the building facing Las Vegas Boulevard South.

In 2023, revised plans (UC-23-0128) were approved. There were no changes to the previously approved parking garage that is incorporated into the design of the building. Along the west side of the building, between the building and an existing attached sidewalk along Las Vegas Boulevard South, is a pedestrian plaza. The pedestrian plaza provides a pedestrian connection between the resort hotel and the existing public sidewalk. The approved changes to the pedestrian plaza included a sports court with a removable artificial turf covering and landscaping located within the right-of-way of Las Vegas Boulevard South. There were no changes to the entrance of the hotel, which is located on the southwestern portion of the building facing Las Vegas Boulevard South. An elevator to the day club/pool was approved on the west face of the southern portion of the building, providing direct access to the day club.

#### Landscaping

The approved plans (UC-20-0493) indicate that approximately 45 feet of the western portion of the site will be dedicated as additional right-of-way for Las Vegas Boulevard South. There is an existing attached sidewalk located along Las Vegas Boulevard South which will remain and be the primary pedestrian route adjacent to the site. The Code requires a landscape area per Figure 30.64-17 on the site. Figure 30.64-17 requires a 15 foot landscape area which includes a 5 foot wide detached sidewalk. The plans indicate that the area within the additional right-of-way dedication will consist of a pedestrian plaza with meandering sidewalks and landscape areas. This pedestrian plaza will extend onto the property and will be between 10 feet to approximately 33 feet in width. The plans depict some additional landscaping at the northern and southern property lines; however, the majority of the proposed landscape areas are within the right-of-way dedication area.

In 2023, revised plans (UC-23-0128) were approved. The plans depict that the area within the Las Vegas Boulevard South right-of-way consists of a pedestrian plaza with meandering sidewalks and landscape areas, previously approved by UC-20-0493. This pedestrian plaza extends onto the property and is between 10 feet to approximately 33 feet in width. The plans show landscape areas within the right-of-way for Las Vegas Boulevard South. An 80 foot by 50 foot sport court covered with artificial turf is proposed to be located within the additional right-of-way area for Las Vegas Boulevard South and will remain open to the adjacent landscaping. The sports court will be constructed with concrete and no permanent fencing. Anticipated special events could include, but are not limited to, ice skating, basketball, roller skating, and various yard games.

#### Elevations

The approved plans show the building will be 20 stories with a maximum height of 237 feet. The highest portion of the building is on the west side of the site. The building is designed to increase in height from the east to the west. The lowest portion of the building is the parking garage on the east side of the facility, which is approximately 51 feet in height and is set back approximately 37 feet from the east property line. At approximately 200 feet from the east property line the building reaches the maximum height of 237 feet. The highest point of the building will be set back approximately 41 feet from the property line of Las Vegas Boulevard South. This portion of the building is required to be set back 78 feet from the right-of-way. The building has flat roofs behind parapet walls and the exterior of the structure consists of glazed

aluminum curtain wall systems, metal wall panels, and colored plaster. On the eastern portion of the building on level 3 is a pool area with an outdoor patio.

#### Floor Plans

The approved building has an area of 458,962 square feet which consists of 527 guest rooms; 42,500 square feet of public areas (lobbies, retail areas, gaming); 34,800 square feet of food, beverage and entertainment areas; 15,000 square feet for the pool deck; 12,500 square feet of meeting space; 5,500 square feet of administration office and related areas; and 35,000 square of back of house/support areas.

#### Signage

Signage was not a part of the original application. In 2023, signage was approved with UC-23-0128, but that is not a part of this request.

#### Previous Conditions of Approval

Listed below are the approved conditions for ADET-23-900528 (UC-20-0493):

##### Current Planning

- Until October 06, 2024 to commence.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for UC-20-0493:

##### Current Planning

- Prior to the issuance of building and grading permits, or subdivision mapping, 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;
- 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 County, shall be provided with the Performance Agreement as security of the full and complete fulfillment of the decommissioning actions identified in the Decommissioning Plan;
- 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 2 years of approval date or it 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;
- Right-of-way dedication for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Grant easements, if required;
- Applicant to execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Owner acknowledges that the proposed non-standard improvements (buildings, structures, and improvements) are within a portion of the area planned for a 200 foot wide right-of-way per Title 30 and the Clark County Transportation Element;
- Owners or its successors shall remove any non-standard improvements (buildings, structures, and improvements) related to this application at the direction of Public Works;
- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes;
- Coordinate with Public Works - Traffic Management for the Las Vegas Boulevard improvement project;
- Dedicate any right-of-way and easements necessary for the Las Vegas Boulevard improvement project.
- Applicant is advised that off-site permits may be required, and 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.

#### 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 and comply with all requirements of any and all determinations;
- 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. A Permit from the Director of Aviation or a Variance from the AHABA is dependent on;

- Construction Operations and Security Plan – Develop a Construction Operations and Security Plan covering the entire construction phase of the project, with McCarran Airport, TSA, FBI, Las Vegas Metro, and other federal agencies, this needs to be completed prior to any construction activities, and provide monthly construction activity plans and schedules and provide a full-time contact available 24/7 to coordinate construction activities with airport security and/or airport operations personnel;
- 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 (which was issued on July 15, 2021 and became final on August 24, 2021) and a Permit from the Director of Aviation or a Variance from the AHABA has been issued;
- Determination of No Hazards and a finding of no significant impact on aircraft activity at McCarran Airport for all construction cranes (as recommended by the FAA in Paragraph 4.a in Aeronautical Study Number: 2021-AWP-5396-OE dated 07/15/2021 on page 7);
- A reflectivity (glare) analysis, reviewed by the Department of Aviation, concluding no significant impact on aircraft activity will occur at McCarran Airport, exterior lighting will be dimmable so adjustments can be made if requested by McCarran Airport and/or the airlines;
- 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 (which is January 15, 2023 for the determination issued July 15, 2021) and that separate airspace determinations will be needed for construction cranes or other temporary equipment;
- As documented within the 7460-1 (Aeronautical Study Number: 2021-AWP-5396-OE dated 07/15/2021), paragraph 4.g on page 9, the FAA acknowledged that the concerns regarding noise complaints are valid, therefore:
  - Due to adjacency to McCarran Airport, at a minimum, incorporate an exterior to interior noise level reduction sufficient to achieve a maximum of 40 decibels;
  - Due to adjacency to McCarran Airport, record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Clark County Department of Aviation;
  - Due to adjacency to McCarran Airport, the Applicant to work with McCarran Airport on noise disclosure language to be included in the hotel operator's reservation system and webpage.
- Comply with all deed restrictions recorded against the property, including a prohibition of any overnight stay of 30 days or more;

- Applicant is advised that the FAA will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998, and funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed;
- Implement the measures identified in the September 27, 2021, Comprehensive Security and Planning Response report (the ARUP), which will be included in the Development Agreement with Clark County, including but not limited to:
  - Comprehensive Security Plan - Develop a comprehensive Security Management Plan with McCarran Airport, TSA, FBI, Las Vegas Metro, and other federal agencies – starting 60 days after receipt of the full entitlement approval by Clark County, update the security management plan annually with all agencies, and record a deed against the property ensuring that any future hotel buyer will be required to abide by the latest approved Security Management Plan;
  - As part of the development of the Security Management Plan, work with McCarran Airport and TSA to develop, review and approve the Dream CCTV Technology program as it pertains to Airport Security to include: camera placement, camera type, camera fields of view, procedures for airport access to video footage, and video preservation, storage and retention protocols;
  - East Property Line Wall - Build a 9 foot high structural wall along its back east property line adjacent to the airport, along the same back wall include a vehicle crash mitigation rail designed to withstand a truck traveling at high speed;
  - Enclosed Parking Garage - Enclose the entire rear parking structure located on the east side of the site, this will require solid exterior facades, fire protection and full garage ventilation, in addition, provide a live video feed at the back of the property for detection of any suspicious activity;
  - Security Check Point – Require all incoming commercial vehicles to the property to stop at a security checkpoint;
  - Solid Wall at Pool - The 3rd floor pool will have solid walls installed on the east and south sides of the deck, eliminating any physical view of the airport, pool access points to be staffed by security and guests will be checked for items such as lasers and drones;
  - New Deed Recording: Record a new deed against the property ensuring that any future owner will be required to abide by the latest approved Comprehensive Security Management Plan;
  - Glass Break Detectors - Install glass break detectors to each guest room that integrates into the Dream's access control and alarm monitoring system, which is continuously monitored by the security control room, the security system will report, in real-time, the activation of a glass break detector and which room associated with the activated sensor, in addition, the date, time and room location will be recorded by the security system to provide a history of event for future investigations, if needed;
- No guestroom tower balconies are allowed (this does not include the third level for the outdoor dining terrace);



- No operable windows in the guestroom tower;
- No permits shall be issued until the Comprehensive Security Management Plan is completed and accepted by the Department of Aviation;
- Design review as a public hearing for signage and lighting plan will be required, which may require additional Determinations of No Hazards, Permits from the Director of Aviation or Variances from the AHABA, and/or reflectivity (or glint and glare) analysis.

**Building Department - Fire Prevention**

- 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 to show on-site fire lane, turning radius, and turnarounds.

**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 #0319-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**Applicant's Justification**

The applicant states since the approval of ADET-23-900528 (UC-20-0493), numerous building permits have been issued and remain active. They state substantial work has been done on-site including site grading, basement excavation, concrete pile and foundations, plumbing and electrical, foundation walls, and perimeter walls. They estimate 19.4% of the construction is complete. The applicant is requesting a further extension of time due to instability in the financial markets the financing for construction stalled which caused a temporary work stoppage. Work on the site has resumed and the applicant would like an extension to allow the project to continue towards completion. They estimate that discussions with financial partners will allow them to restart construction. In addition to the on-site work that has occurred they obtained a performance agreement, development agreement, and FAA approvals as required by a prior Notice of Final Action.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ADET-23-900528 (UC-20-0493)	First extension of time for UC-20-0493	Approved by ZA	October 2023
UC-23-0126	Use permit and design review for monorail	Approved by BCC	May 2023
UC-23-0128	Access to day club/pool from hotel exterior, waiver to reduce sign setback, non-standard improvements in right-of-way, and design review for previously approved resort hotel, sign package, and site lighting	Approved by BCC	May 2023

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-20-0493	Expanded gaming enterprise district, resort hotel, public areas, accessory and incidental uses, buildings, and structures, deviations from standards, deviations for height of towers, encroachment into airspace, reduced setbacks, and alternative landscaping, waivers for non-standard improvements in the right-of-way, and design review for a resort hotel and all associated uses, structures, and incidental buildings	Approved by BCC	October 2021
VS-1262-06 (ET-0307-08)	First extension of time for vacation and abandonment - expired	Approved by PC	December 2008
VS-1262-06	Vacated and abandoned a portion of right-of-way - expired	Approved by PC	November 2006
UC-0385-06	Resort hotel - expired	Approved by BCC	October 2006
ZC-0362-05	Reclassified from H-1 to H-1 (AE-70) and H-1 (AE-65) zoning	Approved by BCC	April 2005
ZC-1732-00	Reclassified to H-1 zoning	Approved by BCC	December 2000
ZC-0852-95 (ET-0062-97)	First extension of time for ZC-0852-95	Approved by BCC	August 1997
ZC-0852-95	Reclassified to P-F (AE-65) zoning with use permit for airport related uses and infrastructure and variances for setbacks and wall height	Approved by BCC	September 1995

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	CR (AE-65)	Commercial
South	Entertainment Mixed-Use	CR (AR-65 & AE-70)	Commercial
East	Public Use	PF (AE-65 & AE-70)	Harry Reid Airport
West	Public Use	PF (AE-65)	Police station, golf club, & Fire station

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

## **Analysis**

### **Comprehensive Planning**

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that the applicant has met the definition of commencement for this project. Despite a temporary work stoppage they have completed approximately 20% of the project and expect to restart after securing financing in the last quarter of 2024. They have several active building permits including but not limited to BD21-62253, BD22-20691, BD22-24537, BD22-22988, BD22-49813, BD22-27389, and BD22-57312. They have also completed a drainage study (PW21-10283) and a traffic study (PW20-12232). Progress has been made which demonstrates the applicant's good faith effort to commence the project in a timely manner. Therefore, staff can support this request of an extension of time.

### **Public Works - Development Review**

There have been no significant changes in this area. Staff has no objection to this extension of time.

### **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:**

#### **Comprehensive Planning**

- Until October 6, 2026 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### **Public Works - Development Review**

- Compliance with previous conditions.

#### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**  
**APPROVALS:**  
**PROTEST:**

**APPLICANT:** 5051 SLV, LLC

**CONTACT:** KAEMPFER CROWELL - ANTHONY CELESTE, 1980 FESTIVAL PLAZA  
DRIVE, SUITE 650, LAS VEGAS, NV 89135

**DRAFT**

LAS VEGAS OFFICE  
1980 Festival Plaza Drive, Suite 650  
Las Vegas, NV 89135  
T: 702.792.7000  
F: 702.796.7181



ANTHONY J. CELESTE  
aceleste@kcnvlaw.com  
D: 702.693.4215

September 13, 2024

**VIA UPLOAD**

CLARK COUNTY COMPREHENSIVE PLANNING  
500 S. Grand Central Parkway, 1<sup>st</sup> Floor  
Las Vegas, NV 89106

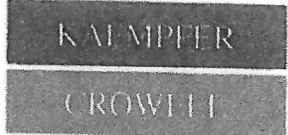
**Re: Justification Letter – Second Extension of Time – ADET-23-900528 (UC-20-0493)  
DREAM Resort Hotel (5051 SLV, LLC)  
APN: 162-33-101-019**

To Whom It May Concern:

Please be advised our office represents 5051 SLV, LLC (the "Applicant") in the above-referenced matter. By way of background, the Applicant is the owner of property located at 5051 Las Vegas Boulevard. The property is more particularly described as APN: 162-33-101-019 (the "Site"). On October 6, 2021, the Board of County Commissioners ("BCC") approved UC-20-0493 allowing for the expansion of the Gaming Enterprise District and the development of a resort-hotel on the Site. The Notice of Final Action ("NOFA") approval letter, among many other conditions, required the project to commence within 2 years of the approval date. Pursuant to the Clark County Development Code, Table 30.16-17(b)(1), the Applicant submitted an administrative first extension of time requesting an additional year to commence the project. On October 25, 2023, the Clark County Department of Comprehensive Planning approved ADET-23-900528 (UC-20-0493) extending the approval to October 6, 2024. The Applicant is now requesting a second extension of time to allow the project to commence on or before October 6, 2026.

Since the October 6, 2021 approval and subsequent first extension of time, numerous building permits have been issued and remain active including but not limited to the following:

Drawing Package/Area	Permit Number	Description
DP1: Grading	BD22-18831	Commercial Grading
DP1: Grading (Early Grading)	BD22-32501	Commercial Grading
DP2: Site Walls	BD22-24537	Commercial Fence
DP3: Foundations	BD22-20691	Commercial Building



DP3: Foundations - Electrical	BD22-20691-E	Commercial Electric
DP3: Foundations - Plumbing	BD22-20691-P	Commercial Plumbing
DP3: Foundation - Low Voltage	BD22-47088	Commercial Low Voltage
DP4: Garage Structure	BD22-22988	Commercial Building
DP4: Garage Structure - Electrical	BD22-22988-E	Commercial Electric
DP4: Garage Structure - Plumbing	BD22-22988-P	Commercial Plumbing
DP4: Garage Structure - Low Voltage	BD22-47085	Commercial Low Voltage
DP5: Podium/ Tower Structure	BD22-27389	Commercial Building
DP5: Podium/Tower Structure - Low Voltage	BD22-47093	Commercial Low Voltage
DP6: On-site Water/ Sewer	BD22-46325	Commercial Plumbing
DP7: On-site Electrical	BD22-46333	Commercial Electric
DP7: On-Site Low Voltage	BD22-49883	Commercial Low Voltage
DP8: Garage Buildout	BD22-49813	Commercial Building
DP8: Garage Buildout - Plumbing	BD22-49813-P	Commercial Plumbing
DP8: Garage Buildout - Elec	BD22-49813-E	Commercial Electric
DP8: Garage Buildout - Mech	BD22-49813-M	Commercial Mechanical
DP8: Garage Buildout - Low Voltage	BD22-49882	Commercial Low Voltage
DP9: Podium/ Tower Buildout	BD22-57312	Permit Submission
DP9: Podium/Tower Buildout - Low Voltage	BD23-03654	Commercial Low Voltage
DP10: Generator		Forthcoming
DP11: Site Lighting		Forthcoming
DP12: EV Chargers		Forthcoming
Grease Interceptor	BD22-60401	Commercial Plumbing



To date, the Applicant has paid to Clark County \$412,788.97 in Building Permit Fees.

There has been substantial on-site work. The work includes site grading, basement excavation, concrete pile and foundations, underground plumbing and electrical, foundation walls to grade, and perimeter walls. The Applicant has completed 19.4% of the construction of the project with a total developer investment of \$123,111,338.

Due to the destabilization of the financial markets over the last year, the construction loan financing was stalled which has caused the temporary work stoppage on the Site. Even though the work has clearly commenced on the Site, the Applicant is requesting this second extension of time to continue on-site work and full completion of the project. The Applicant is in discussion with multiple capital partners and anticipates a new construction loan in Q4 2024 with construction starting shortly thereafter.

In addition to the on-site work, the Applicant has diligently obtained additional approvals as required by the NOFA including the following:

- Performance Agreement approved by the BCC on April 11, 2022
- Development Agreement approved by the BCC on May 2, 2022
- Design Review for Signage and Lighting Plan (UC-23-0128) approved by the BCC on May 3, 2023
- FAA approvals:
  - Hotel Building and Pylon Sign - Valid until December 31, 2026 (which may be extended with the FAA)
  - Tower Crane – Valid until June 15, 2025 (which may be extended with the FAA)

Therefore, for the reasons mentioned-above, we respectfully request a second extension of time for additional two-years or until October 6, 2026. 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/jmd

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**UC-24-0319-VAN DIEPEN, RICHARD & KATHRYN:**

**USE PERMIT** for accessory living quarters.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced setbacks; and 2) reduced building separation.

**DESIGN REVIEW** for existing accessory structures in conjunction with an existing single-family residence on 0.23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Design Overlay.

Generally located on the east side of Cochise Lane, 110 feet north of Geronimo Way, within Paradise. TS/jm/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-14-612-046

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the front setback for an accessory structure (carport) to 10 feet where 20 feet is required per Section 30.02.06B (a 50% reduction).
2.
  - a. Reduce the separation between the gazebo and the residence to 3 feet 1 inch where a minimum of 6 feet is required per Section 30.02.06 (a 49% reduction).
  - b. Reduce the separation between the accessory living quarters building and the residence to 2 feet 6 inches where a minimum of 6 feet is required per Section 30.02.06 (a 59% reduction).
  - c. Reduce the separation between a carport and the residence to 3 feet where a minimum of 6 feet is required per Section 30.02.06 (a 50% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3586 Cochise Lane
- Site Acreage: 0.23
- Project Type: Accessory structures
- Number of Stories: 1
- Building Height (feet): 13 (existing accessory living quarters)/11.5 (existing carport)/10.75 (existing gazebo)/13.3 (existing residence)

- Square Feet: 480 (existing accessory living quarters)/562 (existing carport)/160 (existing gazebo)/2,196 (existing residence)

#### Site Plans

The plans depict an existing 2,196 square foot single-family residence that is accessed via Cochise Lane to the west. There is an existing 562 square foot carport located in the driveway in the northwest corner of the property, set back 5 feet from the side property line and 10 feet from the front property line. To the east of the carport, in the northeast corner of the property, is an existing 480 square foot accessory living quarters building, set back 5 feet from the side property line, 7 feet, 6 inches from the rear property line, and 2 feet, 6 inches from the primary residence when measured from the roof eaves. The rear yard features an existing 160 square foot gazebo that is set back 7 feet, 10 inches from the rear property line and is 3 feet, 1 inch from the primary residence.

#### Landscaping

There are existing trees and shrubs located in the front, side, and rear yards of the property. There are no proposed changes to landscaping associated with this application.

#### Elevations

The photos provided depict a 13 foot high accessory living quarters building with a variable roofline constructed of metal and painted gray. The structure is painted 2 shades of blue, which resemble the colors of the primary residence. The roofline of the accessory living quarters has a flat portion in the rear and a sloped portion on the front that only partially matches the existing home. The roofing materials for the accessory living quarters do not match the traditional shingles of the main home. The plans depict an 11.5 foot high carport that is supported by 4 metal posts and features solar panels on top of a sloped roof. There is also an 8 sided gazebo with a blue/gray fabric roof that is 10 feet 8 inches tall.

#### Floor Plans

The plans depict a 480 square foot accessory living quarters building featuring a bedroom, bathroom, living room, laundry room, and pantry. The structure is accessed via a door on the south side that opens to a porch and walkway area.

#### Applicant's Justification

The applicant states that several other properties in the neighborhood have garage additions and carports that encroach into the front setback. The applicant adds that the carport is painted to match the residence, and the scale and design of the carport does not detract from the architectural aesthetic of the neighborhood. The accessory living quarters building features exterior colors that match the residence, with the exception of a gray metal roof with a single slope design that was chosen for durability. The metal roof roughly matches the gray asphalt shingles on the roof of the residence, and the eaves were painted to match those of the residence.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-22-0098	Reclassified 176.4 acres to a Historic Neighborhood Overlay District	Approved by BCC	April 2022

**Surrounding Land Use**

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2 (HDO)	Single-family residential

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff finds that the accessory living quarters building features a roofline and roof materials that are inconsistent with the single-family residence on the property and with other residences in the surrounding area. While staff can understand the desire to deviate from the roofline of the residence with a metal roof for durability purposes, the overall design of the structure does not resemble any other structures in the neighborhood. For these reasons, staff cannot support these requests.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Staff reviews waiver requests to ensure compatibility with existing developments in the area. Setbacks and separations help preserve the appeal and integrity of a neighborhood as well as mitigate impacts and possible safety issues. The proposed reductions in the setbacks and separations for the unpermitted structures (gazebo, carport, and accessory living quarters) are a

self-imposed hardship, and the applicant provided no alternatives to mitigate the negative impacts on the surrounding area. Staff finds that the applicant has not provided justification as to why the waiver of development standards should be approved; therefore, staff does not support this request.

### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The accessory structures materially affect the integrity of the Historic Paradise Palms neighborhood. Therefore, staff cannot support this request.

### **Staff Recommendation**

Denial.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

If approved:

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application, and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### **Public Works - Development Review**

- No comment.

#### **Fire Prevention Bureau**

- No comment.

#### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**  
**APPROVALS:**  
**PROTESTS:**

**APPLICANT:** KATHRYN VAN DIEPEN

**CONTACT:** KAT VAN DIEPEN, 3586 COCHISE LANE, LAS VEGAS, NV 89169

**DRAFT**



**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**WS-24-0525-SEMMATERIALS ENERGY PTNRS, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase fence height; 2) allow non-decorative fencing; 3) reduce access gate setbacks; 4) off-site improvements (streetlights); 5) allow attached sidewalks; 6) eliminate throat depth; and 7) eliminate driveway back-of-curb radius.

**DESIGN REVIEW** for site modifications/additions in conjunction with an existing asphalt batch plant on 6.76 acres in an IL Zone within the Airport Environs (AE-65) Overlay.

Generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise. MN/dd/kh (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-31-605-001; 162-31-605-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow a 10 foot high fence along Ponderosa Way where a maximum 3 foot high fence is allowed per Section 30.04.03B (a 234% increase).
2. Allow a non-decorative fence along Ponderosa Way where if a fence is provided it must be decorative per Section 30.04.03B.
3.
  - a. Reduce access gate setback to 7 feet (west gate) where 18 feet is required per Section 30.04.03E (a 61% reduction).
  - b. Reduce access gate setback to 8 feet (east gate) where 18 feet is required per Section 30.04.03E (a 56% reduction).
4. Waive off-site improvements (streetlights) along Ponderosa Way where full off-site improvements are required per Section 30.04.08C.
5. Allow attached sidewalks where detached sidewalks are required per Section 30.04.08C.
6. Eliminate throat depth where 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
7. Eliminate driveway back of curb radius where 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3855 & 3901 Ponderosa Way

- Site Acreage: 6.76
- Project Type: Accessory structures
- Number of Stories: 1 (shade structure)/1 (hopper cover)
- Building Height (feet): 24 (shade structure)/25 (hopper cover)/5 polymer modified asphalt blending (PMAC) skid/31 (mix tank)/37 (letdown tank)
- Square Feet: 4,800 (shade structure)/304 (hopper cover)/905 (PMAC skid)/208 (mix tanks)/509 (letdown tanks)
- Parking Required/Provided: 12/16

### Site Plan

The site contains an existing asphalt batch plant and its related equipment. The site has 1 point of ingress and 1 point of egress, both on Ponderosa Way located on the western parcel. The designated point of ingress is located at the northwest corner of the parcel, and the point of egress is located at the northeast corner of the parcel. Both parcels have access to the railroad line located to the south of the site. The existing batch plant is made-up of a multitude of tanks of various sizes, above-ground piping internal to the site, and various other industrial machinery and equipment spread among both parcels. Additionally, there are several shipping containers centrally located on the eastern parcel that are visible from Valley View Boulevard.

Several new buildings and structures related to the batch plant are being proposed on the southern half of the eastern parcel. The largest proposed structure is a 4,800 square foot shade structure in the southeast corner of the site. This shade structure will be set back 43 feet from the eastern property line adjacent to Valley View Boulevard and 37 feet from the southern property line adjacent to the railroad. To the northwest of the shade structure there is a proposed 304 square foot hopper cover and a 905 square foot PMAC skid to the west of the hopper cover. Lastly, the plans depict 2 new letdown tanks totaling 509 square feet directly to the west of the PMAC skid, and 2 new mix tanks totaling 208 square feet directly to the north of the PMAC skid. Each pair of tanks is to be placed on a concrete pad.

### Landscaping

Currently there is an existing chain-link fence topped with barbed wire located along the north and east property lines of the entire site. This fence is set behind a small landscape strip that also runs the length of the north and east property lines, and curb and gutter has already been installed along the north property line of the western parcel. The existing landscaping and fencing are set to remain unchanged along the eastern property line of the eastern parcel, and attached sidewalks, curbs, and gutters are already installed there.

Landscape plans for the site depict the installation of an attached sidewalk on the north property lines of both parcels along Ponderosa Way. With the installation of the attached sidewalk, the landscape strip will be reinstalled behind the sidewalk at a minimum width of 5 feet. Additionally, the fence would be relocated behind the landscape strip and would be a maximum of 10 feet tall. The proposed plant material within the landscape strip will consist of a mix of Canary Island Date Palms, Mexican Fan Palms, and Oleander.

### Elevations

The elevations provided depict the new shade structure as being 1 story and up to 24 feet in height with a gently sloped roof and wall-mounted lighting. The southern face of the shade structure will feature a roll-up door that will be visible from Valley View Boulevard when driving north, and the west side of the shade structure is to be left open to the rest of the site. The hopper cover is shown as being 25 feet in height at its highest point and also features wall-mounted lighting.

The PMAC skid is shown at a maximum height of 5 feet but is comprised mostly of piping and machinery; there are no walls or rooflines associated with the structure. Similarly, the letdown tanks are depicted as being 37 feet at their highest point, and the mix tanks are depicted as being 31 feet at their highest point, but neither of the tanks are covered or enclosed by a building. There is some piping and equipment that extends past the tops of both sets of tanks, but all of the piping is still below the maximum allowable height for the zoning district.

### Floor Plans

The plans provided depict the shade structure and hopper cover as having no interior rooms or features. Each of the structures is shown as having only 3 walls, with 1 side open for loading purposes.

### Applicant's Justification

The applicant states that the batch plant has been in operation for over 60 years and frequently partners with numerous municipalities and government agencies throughout California, Nevada, and Arizona. The applicant explains that the new tanks will be used to hold PMAC that is sold to various construction companies to turn into hot-mix paving, the shade structure would be used to shelter polymers that are sensitive to UV light, and the hopper cover is to protect those same polymers as they are mixed with other materials.

Additionally, the applicant states they are working to bring their site into greater conformance overall with the current version of Title 30. The applicant points out that an attached sidewalk, curb, and gutters are being proposed where none currently exist, and that landscaping is shown where none is required due to the specific use. The applicant addresses the shipping containers located on the eastern parcel, stating that they are only used for additional storage and that they will be painted to better match the rest of the site. Finally, the applicant states that the gates were originally installed under an older Code and stay open during business hours.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-0008-12	Installation of overhead transmission lines	Approved by PC	March 2012
ADR-901644-08	Installation and expansion of asphalt batch plant tanks	Approved by ZA	December 2008
ZC-1094-94	Reclassified from R-E to M-1 zoning and asphalt batch plant expansion into the parcel to the east	Approved by BCC	August 1994

### Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0097-89	Reclassified from R-E to M-1 zoning	Approved by BCC	April 1989
UC-0124-89	Maintained an existing asphalt batch plant	Approved by BCC	April 1989
VC-0213-89	Waiver for fence height in conjunction with an asphalt batch plant	Approved by BCC	April 1989

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Business Employment	IL (AE-65)	Warehouse & distribution

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

##### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

##### Waivers of Development Standards #1 & #2

While staff finds that the applicant has made some effort to mitigate the impacts on the surrounding area, staff cannot support an application for increases in fence height and for non-decorative fencing along a street. There are other properties along Ponderosa Way that have provided decorative fencing, and the applicant gave no justification as to why they could not do this as well. For these reasons, staff cannot support these requests.

##### Waiver of Development Standards #3

Much of the traffic in the area is commercial and industrial vehicles, which are larger and more difficult to maneuver than automobiles, resulting in an impendence to traffic on Ponderosa Way. Also, the applicant gave no justification as to why the gates could not be pushed farther back into the site. For these reasons, staff cannot support this request.

### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Staff finds that the addition of the shade structure, hopper cover, PMAC skid, and various tanks to the asphalt batch plant should have a minimal impact on the surrounding area. The site has been in operation since the early 1960's and has grown with the increasing demands placed on it by the development within Clark County and the surrounding area. The site, originally only comprised of the west parcel, expanded onto the east parcel in the early 1990's, and is now looking to develop the remaining lot area in order to grow and keep up with demand. While the installation of new buildings and machinery might normally be cause for concern, much of it will be screened by the various tanks and infrastructure that is already existing. The addition of the rolling door on the south side of the shade structure will not negatively impact the public right-of-way. Also, the shipping containers north of the shade structure are proposed to be painted so as to better match their surroundings, and the addition of landscaping where it is not required will be a welcome addition to the area. The addition of the aforementioned structures will not be out of character with the existing batch plant or with the surrounding properties. Overall, while staff supports some aspects of the proposed project, staff is recommending denial of the waivers of development standards, and therefore, staff cannot support this request.

### **Public Works - Development Review**

#### Waiver of Development Standards #4

Staff cannot support the request to not install streetlights on Ponderosa Way. Streetlights not only provide safety for motorists, but they also assist in improving security. Additionally, staff finds that with new technology, the light pollution from the streetlights can be mitigated so that the light does not impede into the adjacent parcels.

#### Waiver of Development Standards #5

Staff cannot support the request to not install detached sidewalks along Ponderosa Way. Detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

#### Waiver of Development Standards #6

Staff finds the request to eliminate the throat depths for both commercial driveways on Ponderosa Way will result in vehicles stacking in the right-of-way. Therefore, staff cannot support this request.

#### Waiver of Development Standards #7

Staff cannot support the request to eliminate the driveway radius for the westside of the westernmost driveway on Ponderosa Way. No radius, will create a pan driveway requiring vehicles to nearly come to a stop to negotiate a turn into the site, creating stacking with 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 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies within the AE-65 (65-70 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 Airport facilities to meet future air traffic demand.

### **Staff Recommendation**

Denial.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

If approved:

- Paint the shipping containers to match the buildings and infrastructure on-site.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### **Public Works - Development Review**

- Full off-site improvements except streetlights on Ponderosa Way;
- Install conduit and pull boxes on Ponderosa Way.

#### **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 30.02.26B 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;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0185-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

**TAB/CAC:  
APPROVALS:  
PROTESTS:**

**APPLICANT: ERGON ASPHALT PARTNERS, LP**

**CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210,  
HENDERSON, NV 89014**