



Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

February 28, 2023

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
 Katlyn Cunningham-Vice Chair
 John Williams
 Kimberly Swartzlander
 Angelo Carvalho

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

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

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

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

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

- III. Approval of Minutes for February 14, 2023. (For possible action)
- IV. Approval of the Agenda for February 28, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items (for discussion only)
- VI. Planning and Zoning
 1. **UC-22-0668-MEJIAS DAISY OLAZABAL:**
HOLDOVER USE PERMIT for a daycare.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate landscaping; 2) reduce drive aisle width; and 3) reduce trash enclosure setback.
DESIGN REVIEW for a daycare on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Flamingo Road, 140 feet west of Sheppard Drive within Paradise. TS/sd/ja (For possible action)
 2. **ET-22-400136 (UC-19-0668)-3900 PARADISE RESI OWNER SPE, LLC:**
USE PERMITS SECOND EXTENSION OF TIME for the following: 1) multiple family residential development; and 2) increase density.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; and 2) reduce parking lot landscaping.
DESIGN REVIEW for a multiple family residential development on 5.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located 250 feet east of Paradise Road, 625 feet south of Twain Avenue within Paradise. TS/dd/syp (For possible action)
 3. **WS-22-0685-PROLOGIS LP:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) attached sidewalks; 2) street landscaping; and 3) throat depth.
DESIGN REVIEWS for the following: 1) distribution center; and 2) finished grade on 80.0 acres in an M-1 (Light manufacturing) Zone in the Asian Design Overlay District. Generally located on the south side of Desert Inn Road, 280 feet west of Valley View Boulevard within Paradise. JJ/sd/ja (For possible action)

4. **UC-23-0031-MGP LESSOR, LLC:**
USE PERMITS for the following: 1) high impact project; 2) resort hotel; 3) public areas including but not limited to: casino, showrooms, theater, retail, restaurants, offices, pharmacy, personal services, art gallery, live entertainment, night clubs, indoor and outdoor dining and drinking, and alcohol sales (package liquor, beer and wine); 4) associated accessory and incidental commercial uses, buildings, and structures including retail areas, dining, theater, spa, fitness center and daycare; and 5) deviations as depicted per plans on file.
DEVIATIONS for the following: 1) increase building height; 2) reduce height/setback ratio; 3) encroachment into airspace; 4) reduced loading spaces; 5) allow primary access into portions of the building from the exterior of the resort hotel; 6) alternative landscaping and pedestrian realm; and 7) all other deviations as depicted per plans on file.
WAIVER OF DEVELOPMENT STANDARDS for modified driveway geometrics.
DESIGN REVIEWS for the following: 1) high impact project; 2) resort hotel with all associated and accessory uses, structures, and incidental buildings and structures; and 3) finished grade on 69.8 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Las Vegas Boulevard South, 1,300 feet south of Spring Mountain Road within Paradise. TS/rk/syp (For possible action) **BCC 3/22/23**
5. **WC-23-400013 (ZC-0118-02)-GSN FLAMINGO LP:**
WAIVER OF CONDITIONS of a zone change requiring single story on all buildings, a maximum height of 30 feet with a previously approved freestanding pharmacy and future shopping center with a previously approved zone change to reclassify 4.9 acres from an R-1 (Single Family Residential) Zone to a C-1 (Local Business) Zone for a mini-warehouse facility. Generally located on the south side of Flamingo Road and the west side of Mountain Vista Street within Paradise. TS/lm/syp (For possible action) **BCC 3/22/23**
6. **UC-23-0034-GSN FLAMINGO LP:**
USE PERMIT for a mini-warehouse facility.
WAIVER OF DEVELOPMENT STANDARDS for modified commercial driveway standards.
DESIGN REVIEW for a proposed mini-warehouse facility on 3.5 acres in a C-1 (Local Business) Zone. Generally located on the south side of Flamingo Road and the west side of Mountain Vista Street within Paradise. TS/lm/syp (For possible action) **BCC 3/22/23**
7. **WS-23-0013-MORALLY JOHN P REVOCABLE TRUST & MORALLY JOHN P TRS:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; and 2) alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) an additional office warehouse building; and 2) finished grade in conjunction with an existing office warehouse building on 1.9 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Polaris Avenue, 260 feet north of Cavaretta Court within Paradise. MN/al/syp (For possible action) **BCC 3/22/23**

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 vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

IX. Next Meeting Date: March 14, 2023.

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

February 14, 2023

MINUTES

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

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

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

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

Blanca Vazquez, Community Liaison

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

II. Public Comment:
None

III. Approval of January 31, 2022 Minutes

Moved by: Williams

Action: Approve as submitted

Vote: 4-0 Unanimous

Approval of Agenda for February 14, 2023

Moved by: Cunningham

Action: Approved with item #2 and #4 being held

Vote: 4-0 Unanimous

IV. Informational Items (For Discussion only)

V. Planning & Zoning

1. **DR-22-0582-CAPSTONE CHRISTIAN ACADEMY:**
HOLDOVER DESIGN REVIEW for an addition to an existing school on 2.0 acres in an R-E (Rural Estates Residential) Zone. Generally located on the west side of Paradise Road and the south side of Serene Avenue within Paradise. MN/hw/syp (For possible action) **PC 2/7/23**

MOVED BY- Philipp
APPROVE-Subject to IF approved staff conditions
VOTE: 4-0 Unanimous

2. **UC-22-0668-MEJIAS DAISY OLAZABAL:**
USE PERMIT for a daycare.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate landscaping; 2) reduce drive aisle width; and 3) reduce trash enclosure setback.
DESIGN REVIEW for a daycare on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Flamingo Road, 140 feet west of Sheppard Drive within Paradise. TS/sd/ja (For possible action) **PC 2/7/23**

HELD per applicant return to the February 28, 2023 Paradise TAB meeting

3. **UC-22-0669-FT SOUTH DECATUR, LLC:**
USE PERMIT for off-highway vehicle, recreational vehicle, and watercraft storage.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative street landscaping; 2) approach departure distance; and 3) driveway geometrics.
DESIGN REVIEW for a mini-warehouse on a portion of 2.0 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Decatur Boulevard, 1,000 feet north of Tropicana Avenue within Paradise. MN/sd/syp (For possible action) **PC 2/21/23**

MOVED BY- Williams
APPROVE-Subject to IF approved staff conditions
ADDED conditions

- **Removal planting of trees along Decatur Blvd.**
- **Remove 3 parking slots or the island along Decatur Blvd.**

VOTE: 4-0 Unanimous

4. **ET-22-400136 (UC-19-0668)-3900 PARADISE RESI OWNER SPE, LLC:**
USE PERMITS SECOND EXTENSION OF TIME for the following: 1) multiple family residential development; and 2) increase density.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; and 2) reduce parking lot landscaping.
DESIGN REVIEW for a multiple family residential development on 5.4 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located 250 feet east of Paradise Road, 625 feet south of Twain Avenue within Paradise. TS/dd/syp (For possible action) **BCC 2/22/23**

HELD per applicant return to the February 28, 2023 Paradise TAB meeting

5. **WS-22-0685-PROLOGIS LP:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) attached sidewalks; 2) street landscaping; and 3) throat depth.
DESIGN REVIEWS for the following: 1) distribution center; and 2) increase finished grade on 80.0 acres in an M-1 (Light manufacturing) Zone in the Asian Design Overlay District. Generally located on the south side of Desert Inn Road, 280 feet west of Valley View Boulevard within Paradise. JJ/sd/ja (For possible action) **BCC 2/22/23**

NO SHOW return to the February 28, 2023 Paradise TAB meeting

6. **UC-23-0005-WOW BUILD CO ONE, LLC:**
USE PERMIT for vehicle wash (automobile).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the setback of a vehicle wash facility (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 C-1 (Local Business) Zone. Generally located on the north side of Warm Springs Road, 800 feet west of Eastern Avenue within Paradise. MN/gc/syp (For possible action) **PC 3/7/23**

MOVED BY- Williams

APPROVE-Subject to IF approved staff conditions

ADDED conditions

- **Back wall to be 6 feet high**
- **Hours of operation 7:00 am- 7:00 pm**
- **1 year review as a public hearing**

VOTE: 4-0 Unanimous

- VI. General Business (for possible action)
- VII. Public Comment
Neighbor suggested the TAB members should take more interest in the Fix it web site, Follow up on any results in the Paradise area. Semi-trucks are continuing to park along residential streets with no help from 311 calls.
- VIII. Next Meeting Date
The next regular meeting will be February 28, 2023
- IX. Adjournment
The meeting was adjourned at 7:50 p.m.

DAYCARE
(TITLE 30)

UPDATE
FLAMINGO RD/SHEPPARD DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-22-0668-MEJIAS DAISY OLAZABAL:

HOLDOVER USE PERMIT for a daycare.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate landscaping; **2)** reduce drive aisle width; and **3)** reduce trash enclosure setback.
DESIGN REVIEW for a daycare on 0.2 acres in an R-1 (Single Family Residential) Zone.

Generally located on the south side of Flamingo Road, 140 feet west of Sheppard Drive within Paradise. TS/sd/ja (For possible action)

RELATED INFORMATION:

APN:
161-20-510-063

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Eliminate landscaping adjacent to a less intensive use where landscaping is required per Figure 30.64-11 (a 100% reduction).
 - b. Eliminate street landscaping along Flamingo Road where 15 feet of landscaping is required per Section 30.64.030 (a 100% reduction).
 - c. Eliminate parking lot landscaping where landscaping is required per Figure 30.64-14 (100% reduction).
2. Reduce drive aisle width to 20 feet where 24 feet is the minimum per Table 30.60-4 (a 17% reduction).
3. Reduce the setback for a trash enclosure to 6 feet where 50 feet is required from any residential development per Section 30.56.120 (88% reduction).

LAND USE PLAN:
WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4787 E. Flamingo Road
- Site Acreage: 0.2
- Project Type: Daycare
- Number of Stories: 1
- Building Height (feet): 13

- Square Feet: 1,273
- Parking Required/Provided: 5/5

Site Plans

The plans depict a single story single family residential building that will be rehabilitated from its current condition and serve as a daycare facility. Parking spaces are in front of the residence, which is in the center of the parcel. A trash enclosure is located on the east exterior and is adjacent to an existing single family residence. A total of 5 parking spaces are required and provided.

Landscaping

The plans depict little to no landscaping on this parcel. No landscaping is provided along Flamingo Road, within the parking lot or adjacent to a less intensive use. The lack of landscaping is the subject of the waiver of development standards above. In addition, no landscaping is proposed for the front area which is completely hardscaped.

Elevations

The plans depict an existing building originally built as a single family residence. The maximum height is 13 feet. The exterior is constructed with a stucco finish and is painted white in color.

Floor Plans

The plans depict a floor plan with 4 classrooms and an office (the classrooms and the office are 795 square feet and 75 square feet, respectively). The applicant has stated that they will provide the requisite playground equipment (mandated by the state for all daycare facilities that provide daycare to children) in the rear yard.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states as owners of the daycare, they will comply with the State of Nevada's requirements as permitted by the size of the property with the appropriate child to student ratio and toys and equipment. The proposed daycare will have 15 to 17 children and 4 to 5 adults. The hours of operation are 6:00 a.m. to 6:00 p.m. Drop-off hours are from 6:00 a.m. to 8:00 a.m. Pick-up hours are 5:00 p.m. to 6:00 p.m. Monday through Friday. Front parking spaces closest to the residence will be used for pick-up and drop-off. In addition, existing exterior downlighting exists and the site complies with parking requirements per Chapter 30.60. However, there is no room for landscaping per Table 30.64-2.

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------------|---|------------------------|---------------------------|
| North | Corridor Mixed-Use | C-2 | Commercial retail |
| South | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-1 | Single family residential |
| East & West | Neighborhood Commercial | R-1 | Single family residential |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff finds that the proposed daycare facility within this existing single family residence is not an appropriate location for this use. A daycare facility located on this parcel can have a significant impact to the immediate area. Staff has concerns about on-site traffic flow with drop-off/pick-up. While the existing facility has access to Flamingo Road, which is an arterial street, staff feels this location has the potential for traffic hazards to both customers, staff, and the public. The existing drive aisle is less than the required 24 feet in width, thus vehicular traffic has little room to maneuver safely for ingress/egress traffic flow. A commercial business at this site can impact the existing single family residences in the area. Staff believes this proposed daycare facility will have significant impacts to the immediate area, as it relates to screening and buffering and on-site traffic circulation and does not anticipate the parcel being able to accommodate the number of students in an efficient manner; therefore, staff recommends denial of the use permit.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

Residential conversions to commercial use typically require several waivers of development standards to accommodate a different use on a former residential property. With this request several waivers for landscaping and screening are being proposed by the applicant to mitigate impacts of a commercial business adjacent to existing residential uses. No landscaping is being proposed along Flamingo Road, within the parking areas, and along the side and rear property lines as required by Code. Staff finds the lack of screening and buffering of the parking lot area will adversely impact the surrounding residential area and these waivers are excessive, especially adjacent to the existing residential uses. The request does not comply with Urban Specific Policy 32 of the Master Plan which encourages specific buffering between existing residential areas and more intense land use designations.

Waiver of Development Standards #2

The request to reduce the drive aisle width from 24 feet to 20 feet will limit the mobility of the vehicles within the parking and drop-off/pick-up locations. While the reduced width will allow the applicants to provide requisite on-site parking, staff has concerns with reduced mobility and circulation along Flamingo Road and the impact to both pedestrian safety and traffic flow. Per the submitted plans, the applicant can redesign the interior of the parking lot to accommodate the standard width of a drive aisle per Title 30. Staff cannot support this request due to potential safety concerns.

Waiver of Development Standards #3

Title 30 requires all developments, except for single family residential developments, to provide interior or exterior enclosures for all refuse containers, compactors, and refuse collection areas per the standard of the local trash service provider. A commercial business usually produces larger amounts of trash; thus, setbacks are a necessity to prevent nuisances with odor and infestation. The existing trash enclosure sits up against the eastern property line, where per Code, must be set back a minimum of 50 feet. Staff cannot support this request.

Design Review

Staff finds the number and types of waivers of development standards requested are excessive and the applicant has not provided sufficient justification or mitigation for these waivers. Therefore, staff cannot support the requested waivers of development standards. In addition, staff finds that the proposed site plan does not present an effective layout, sufficient landscaping, and adequate on-site circulation. Since staff cannot support the waivers of development standards requests, staff cannot support the design review as submitted.

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:

Current Planning

If approved:

- 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

- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC:

APPROVALS:

PROTESTS: 2 cards

PLANNING COMMISSION ACTION: February 7, 2023 – HELD – To 02/21/23 – per the applicant.

APPLICANT: ADRIAN PLATA

CONTACT: ADRIAN PLATA, 7180 TOPEKA DRIVE, LAS VEGAS, NV 89147

DRAFT

MULTIPLE FAMILY DEVELOPMENT
(TITLE 30)

PARADISE RD/TWAIN AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-22-400136 (UC-19-0668)-3900 PARADISE RESI OWNER SPE, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) multiple family residential development; and 2) increase density.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; and 2) reduce parking lot landscaping.

DESIGN REVIEW for a multiple family residential development on 5.4 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located 250 feet east of Paradise Road, 625 feet south of Twain Avenue within Paradise. TS/dd/syp (For possible action)

RELATED INFORMATION:

APN:

162-15-401-037

USE PERMITS:

1. Multiple family residential development.
2. Increase density to 75 units per acre where 50 units per acre is the maximum and up to 100 units per acre is allowed with a use permit per Table 30.40-7 (a 50% increase).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 86 feet where 50 feet is the maximum per Table 30.40-3 (a 72% increase).
2. Reduce parking lot landscaping where landscaping per Figure 30.64-14 is required.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3900 Paradise Road
- Site Acreage: 5.4
- Number of Units: 388 (previously 400)
- Density (du/ac): 72 (previously 75)
- Project Type: Multiple family residential development
- Number of Stories: 7 (parking garage)/5 (residential)

- Building Height (feet): 86
- Square Feet: 402,169 (previously 410,380)
- Open Space Required/Provided (square feet): 38,800/52,765 (previously 40,000/51,269)
- Parking Required/Provided: Multiple Family Residential 617/740 (previously 643/747)/Existing Shopping Center 276/181 (previously 259/171)/Total 893/921 (previously 902/918)

Site Plan

The approved site plan depicts a proposed multiple family development located on the east side of an existing shopping center, set back approximately 45 feet from the north and east property lines, and 50 feet from the south property line. An office building was previously located on this site; however, that building is currently being demolished. The proposed multiple family building maintains the existing cross access with the shopping center to the west, and no new curb cuts are proposed for Paradise Road. Overall parking for the multiple family development and the shopping center includes 921 parking spaces where 893 parking spaces are required. A trash room and adjacent parallel loading space are located on the northeast side of the building.

Drive aisles and parking spaces encircle the proposed multiple family development, and access to the parking garage is provided on the east side of the development. The parking garage is completely surrounded by residential units, so the parking garage is not visible from the right-of-way or adjacent parcels. Three open courtyards are located around the base of the building, and a pool and amenity space are located on the north side of the building.

In September 2022, ADR-22-900574 was approved for the following changes:

- The number of units were reduced from 400 to 388.
- The location and programming of courtyard areas were modified.
- The programming of common space and other open areas were changed.
- On the west side of the building, a new entry/exit to/from the parking garage was added with a call box on the entry side of the drive aisle into the garage.
- Maintained the existing 4 foot to 6 foot tall CMU wall and just removed/replaced 2 feet of wrought iron on top of the wall instead of installing the previously approved 10 foot max CMU wall and 6 foot wrought iron fence.
- Parallel parking spaces were added to the north of the building.
- Intense landscape buffer areas were added along the east property line per the conditions of UC-19-0668.

A condition of approval required no less than 95 parking spaces to be provided on the subject site for the shopping center to the west.

Landscaping

Previously approved plans depict amenities including 3 courtyards, a pool at ground level, and a rooftop deck and pool. One courtyard is depicted as a dog park on the landscape plan. A total of 52,765 square feet of open space is provided where 38,000 square feet is required. In addition, the project includes some landscaping around the base of the building and some perimeter

landscaping along the north, south, and east property lines. However, some surface parking spaces around the base of the building do not have the required 1 large tree per 6 parking spaces. As a result, a waiver of development standards is necessary to reduce parking lot landscaping.

A 10 foot high decorative CMU screen wall is depicted along the east property line and a portion of the north and south property lines. The remainder of the north and south property lines will include a 6 foot high wrought iron fence with CMU pilasters.

Elevations

The approved plans show that the 86 foot tall multiple family complex consists of a variety of parapet walls along the roofline at different heights to provide visual interest. In addition, a variety of elevation planes are off-set on the exterior to reduce the apparent mass. The majority of the building is approximately 66 feet tall; however, certain architectural features extend up to a maximum height of 86 feet. Exterior materials include stucco painted white, gray, medium gray, and black. Other materials include metal picket railing and metal coping.

Floor Plans

The previously approved plans show each floor provides a variety of residential units surrounding the internal parking garage, and the top floor includes parking spaces as well as a pool and a rooftop deck. Unit breakdown for the building consists of 109 studio units, 176 one bedroom units, 96 two bedroom units, and 19 three bedroom units for a total unit count of 400.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for ADET-21-900835 (UC-19-0668):

Current Planning

- Until January 06, 2023 to complete
- 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 the 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-19-0668:

Current Planning

- Convert some of the parallel parking spaces along the east property line to an intense landscape buffer within the 9-foot-wide strip, as approved per staff;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

- 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

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

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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 #0502-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant states that since the original approval of application UC-19-0668, progress has been made towards the future development of the site. This progress includes the issuance of permits for early grading, grading, civil improvement plans, and more. Since the original approval, official changes to the development plans have slowed the overall progress. The applicant is requesting an extension of time be granted until September 1, 2024 to coincide with the expiration of ADR-22-900574.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|-----------------------------|--|-----------------|----------------|
| ADR-22-900574 | Modifications to a previously approved multiple family residential development | Approved by ZA | September 2022 |
| ADET-21-900835 (UC-19-0668) | First extension of time for a multiple family residential development | Approved by ZA | January 2022 |
| WS-20-0336 | Modifications to an existing shopping center and signage with a temporary reduction to parking - expired | Approved by PC | September 2020 |
| UC-19-0668 | Multiple family residential development | Approved by BCC | November 2019 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|----------------|-------------|
| UC-19-0228 | Mixed-use development with 311 units | Withdrawn | August 2019 |
| UC-18-0079 | Major training facility within an existing retail and office complex on a portion of this site | Approved by PC | March 2018 |
| UC-0132-04 | Major school | Approved by PC | March 2004 |
| UC-130-85 | Retail and office complex | Approved by PC | August 1985 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|---------------|---------------------------|-----------------|-----------------------------|
| North & South | Entertainment Mixed-Use | H-1 | Hotel |
| East | Entertainment Mixed-Use | H-1 | Multiple family residential |
| West | Entertainment Mixed-Use | H-1 | Retail & office complex |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Since the original approval of UC-19-0668, multiple permits have been issued to the site from various departments. Furthermore, plans have been updated and improved through land use applications. With this progress and improvement taken into consideration, staff can support this application for an extension of time to coincide with the expiration of ADR-22-900574.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until September 1, 2024 to commence.
- 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; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: 3900 PARADISE RESI OWNER SPE, LLC

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

DISTRIBUTION CENTER
(TITLE 30)

DESERT INN RD/VALLEY VIEW BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-22-0685-PROLOGIS LP:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) attached sidewalks; 2) street landscaping; and 3) throat depth.

DESIGN REVIEWS for the following: 1) distribution center; and 2) finished grade on 80.0 acres in an M-1 (Light manufacturing) Zone in the Asian Design Overlay District.

Generally located on the south side of Desert Inn Road, 280 feet west of Valley View Boulevard within Paradise. JJ/sd/ja (For possible action)

RELATED INFORMATION:

APN:

162-18-503-011; 162-18-503-012; 162-18-503-020 through 162-18-503-021

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Allow an existing attached sidewalk along Desert Inn Road where a detached sidewalk is required per Figure 30.64-17.
- b. Allow an existing attached sidewalk along Pioneer Avenue where a detached sidewalk is required per Figure 30.64-17.
2. Reduce the street landscaping area to 10 feet where a 15 foot landscape area is required per Section 30.64.030.
3. Reduce the throat depth to 3 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (an 88% reduction).

DESIGN REVIEWS:

1. Distribution center.
2. Increase finished grade to 48 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 33% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3985, 3984, & 3940 W. Desert Inn Road
- Site Acreage: 8

- Project Type: Distribution center
- Building Height (feet): 47
- Square Feet: 152,843
- Parking Required/Provided: 139/145

Site Plans

The plans depict a single story, 152,843 square foot distribution center located within the center portion of the lot. Along the south side of the building, plans show overhead roll-up doors and truck docks for loading and unloading activities. Access is from Desert Inn Road and Pioneer Avenue. Interior drive aisles are a minimum of 24 feet in width and parking is shown along the perimeters of the proposed building.

Landscaping

The plans depict landscaping along the perimeters of the property and within the parking lot. Landscaping along Pioneer Avenue is shown at 10 feet in width and is the subject of a waiver of development standards request for reduction from the required 15 feet. Landscaping is shown along Desert Inn Road and is greater than 15 feet where required by Code. Interior landscaping shows landscape islands every 6 spaces with landscape areas located along the ingress/egress driveways.

Elevations

The plan depicts a distribution center building that is single story and constructed with metal siding or CMU tilt-up concrete panels. The maximum height is up to 47 feet and includes a flat roofline and parapet walls. Parts of the exterior materials include aluminum storefront framing and windows and roll-up doors.

Floor Plans

The plans depict a distribution center with an open floor plan and offices, utility rooms, loading and unloading areas with the roll-up doors, and loading area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states all the surrounding existing development has attached sidewalks and the sidewalk along Desert Inn Road is existing and attached. The applicant is requesting a waiver to allow the existing sidewalk to be attached. The current site plan provides for more than 15 feet of landscaping behind the attached sidewalk along Desert Inn Road. In addition, per a recently adopted Planning Ordinance regarding detached sidewalks required for all new private developments, regardless of street width, the applicant is requesting that the existing attached sidewalk along Pioneer Avenue remain and the portion of new sidewalk that will be required also be allowed to be attached to stay consistent with the existing surrounding development. This entitlement process started prior to the recently adopted ordinance and the site layout to provide the depth needed for the truck turning movements puts the landscape adjacent to Pioneer at 10 feet. The landscape width does increase around the driveway entrances to be greater than the 10 feet and the applicant feels the average width fronting Pioneer is greater than 10 feet. This area is

an older developed area, and this redevelopment project will bring new improvements and aesthetics to the area where currently there is minimal landscaping and the landscaping this project will provide along Pioneer Avenue will be an improvement. The throat depth request provided at the ingress side of the northeast driveway is 3 feet.

Development of this project will provide additional employment opportunities for citizens of the Paradise Town Board area. In addition, this project is a redevelopment of the area, and the proposed development is compatible to the other uses in the area.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|-------------------------|--|-----------------|---------------|
| NZC-0319-11 | Reclassified from H-1 zone to M-1 zone, with a waiver for off-site improvements, landscaping, and reduced setbacks | Approved by BCC | October 2011 |
| UC-1439-06 (ET-0258-08) | First extension of time to expand the Gaming Overlay District | Approved by BCC | November 2008 |
| VS-1038-06 (ET-0257-08) | First extension of time to vacate and abandon portions of Pioneer Avenue | Approved by BCC | November 2008 |
| UC-1439-06 | Expand the Gaming Overlay District | Approved by BCC | December 2006 |
| VS-1038-06 | Vacate and abandon portions of Pioneer Avenue | Approved by PC | November 2006 |
| ZC-1276-06 | Reclassify all parcels included in this project to H-1 zoning | Approved by BCC | November 2006 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|----------------------------|---------------------------|-----------------|-----------------------------|
| North, South, East, & West | Entertainment Mixed-Use | M-1 & C-2 | Warehouse/commercial retail |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1a and #1b

Along both Desert Inn Road and Pioneer Avenue there are existing attached sidewalks on both sides of the street. Staff typically does not support requests to reduce street landscaping requirements. However, the applicant is providing landscaping along Desert Inn Road and although it does not meet any exemptions for attached sidewalks, it does meet the provision of having 15 feet of landscaping behind the sidewalk along Pioneer Avenue and the applicant is providing a landscape area of 10 feet where no landscaping currently exists. In order to provide for a seamless and cohesive streetscape, staff can support these requests for an attached sidewalk and finds these requests will not adversely impact adjacent or nearby properties.

Waiver of Development Standards #2

Staff typically does not support requests to reduce street landscaping requirements. However, since the proposed 10 foot wide landscape area is consistent with the existing landscaping along Pioneer Avenue, staff finds that the waiver request will not adversely affect the immediate area since the landscape material provided along the public roads has an adequate amount of plant material to meet the intent of Code.

Design Review #1

Varying rooflines and contrasting colors have been utilized to break-up the mass on portions of the distribution center. The proposed building consists of a contemporary design featuring architectural enhancements, detailing, roofline elements, and is compatible with the surrounding commercial development. Therefore, staff can support this request.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the reduced throat depth for the driveways on Desert Inn Road. The proposed distribution center is designed for trucks to access the site from Pioneer Avenue and for automobile traffic to use either Desert Inn Road or Pioneer Avenue. Although the advertised throat depth is as low as 3 feet along Desert Inn Road, the driveways were designed with additional landscape buffers to provide additional distance before drivers encounter immediate conflicts.

Design Review #2

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- 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;
- Full off-site improvements;
- Remove the western driveway on Pioneer Avenue or move the driveway to line up with, and prevent turn conflicts from, the proposed driveway on the south side of Pioneer Avenue on APN 162-18-506-001;
- Coordinate driveway locations with the owner/developer of the proposed project on the south side of Pioneer Avenue on APNs 162-18-506-001, 162-18-506-008, and 162-18-506-011.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0013-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: TREASEA WOLF

CONTACT: TREASEA WOLF, KIMLEY-HORN, 6671 S. LAS VEGAS BOULEVARD
#320, LAS VEGAS, NV 89119

DRAFT

Kimley»»Horn

October 25, 2022
Project No. 192054013

Via Email

Clark County
Current Planning
500 South Grand Central Pkwy.
Las Vegas, Nevada 89155

WS-22-0685

RE: JUSTIFICATION FOR DESIGN REVIEW & WAIVER OF DEVELOPMENT STANDARDS

To Whom It May Concern:

This letter is to provide justification, for the request by Prologis LP for Design Review and Waiver of Development Standards for an industrial distribution project on APN's 162-18-503-020 & 021, 162-18-503-001 & 012.

DESIGN REVIEW

Approval of a design review to allow for the construction of a single 152,843+/- sq. ft. distribution center and increase of finished grade over 36 inches as per Section 30.32.040 Grading Permits a.9b.

A single story 152,843 sq. ft. distribution center building is proposed with a maximum building height of 48.5 feet high constructed of concrete tilt-up panels. The north building corners and southeast building corner will have aluminum storefront framing with tinted glass to provide a visually appealing appearance from public streets. The south side of the building will contain overhead roll-up doors and truck docks for loading and unloading activities. The building has a sloped roof with parapet walls at a level height. Finally, varying colors are planned to further break up the building mass and Asian influenced architectural elements are also provided to meet the intent of the Asian Overlay District. The Building Perspective shows that mechanical screening requirements contained in Table 30.56-2 Design Standards, from the Clark County Development Code are met through the use of parapets and landscape screening. Because of the use parapets to shield views of mechanical equipment, exterior gutters and downspouts will not be used. The architectural articulation meets or exceeds that of the existing commercial/industrial buildings to the west and north of the property.

Please note that there is an 8' grade elevation difference west-east across the site and the new building will have loading docks that are 4' below the finished floor elevation. Due to the site surface draining and the loading docks draining away from the building, the building will require at a minimum, 4' of fill for the finished floor elevation. Due to the existing site grading

elevation change, the maximum amount of fill for the site from existing grade is 4.8' and this is called out on the cross sections provided.

WAIVERS OF DEVELOPMENT STANDARDS

With the Design Review, we are requesting the following Waiver of Development Standards:

- Attached sidewalk along Desert Inn where detached is required per Figure 30.64-17.
- Attached sidewalk along Pioneer Avenue where detached is required per new Planning Ordinance
- 10' of Landscaping adjacent to Pioneer Avenue where 15' is required for the attached sidewalk
- Throat depth less than minimum per CCAUSD 222.1

Per Figure 30.64-17, detached sidewalk is required adjacent to streets with Right-of-Way greater than 80'. However, all the surrounding existing development has attached sidewalk and the sidewalk along Desert Inn is existing and attached. We are requesting a waiver to allow the existing sidewalk to be attached. The current site plan provides for more than 15' of landscaping behind the attached sidewalk along Desert Inn.

Per the recently adopted Planning Ordinance regarding detached sidewalk required for all new private development, regardless of street width, we are requesting that the existing attached sidewalk along Pioneer Avenue remain and the portion of new sidewalk that will be required also be allowed to be attached to stay consistent with the existing surrounding development.

Previously for 60' R/W, the landscape requirement was 10'. With the new ordinance, with detached sidewalks, when attached sidewalk is requested, the landscape buffer requirement becomes 15' behind the attached sidewalk. This entitlement process started prior to the recently adopted ordinance and the site layout to provide the depth needed for the truck turning movements puts the landscape adjacent to Pioneer at 10'. The landscape width does increase around the driveway entrances to be greater than the 10' and we feel the average width fronting Pioneer is greater than 10'. This area is an older developed area, and this redevelopment project will bring new improvements, with Asian elements, that will improve the aesthetics of the area and currently there is minimal landscaping in this area and the landscaping this project will provide along Pioneer will be an improvement.

Per CCAUSD 222.1, the throat depth requirement for driveways is the total parking provided divided by the number of driveways, which results in the requirement for 25' throat depth at each driveway access. The driveways off Desert Inn do not meet the 25' throat depth based on the way the throat depth is measured from the driveway return. The current throat depth

provided at the egress side of the NW driveway is 13'-11" and the throat depth provided at the ingress side of the NE driveway is 3'-2". The NE driveway is the worst-case condition and is an 85% reduction. However, once you enter the NE driveway, the first parking stall is another 46'-11" in from the driveway so when you take that into account, the intent of the throat depth is actually 50' of queuing. We feel that the queuing length provided is adequate for the anticipated traffic volume that would be generated by the use and exceed the minimum throat depth per CCAUSD 222.1 and that this reduction will not have a negative impact on the traffic in the area or cause vehicles to back up into the Public Right-of-Way.

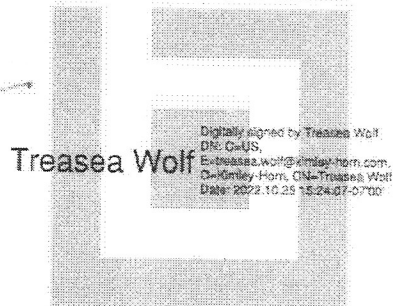
Development of this project will provide additional employment opportunities for citizens of the Paradise Town Board area. In addition, this project is a redevelopment of the area and the proposed development is compatible to the other uses in the area. We look forward to working with Current Planning for a favorable recommendation for this Design Review and Waivers of Development Standards.

Please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,
Kimley-Horn



Treasea Wolf, P.E.



RESORT HOTEL
(TITLE 30)

LAS VEGAS BLVD S/SPRING MOUNTAIN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0031-MGP LESSOR, LLC:

USE PERMITS for the following: 1) high impact project; 2) resort hotel; 3) public areas including but not limited to: casino, showrooms, theater, retail, restaurants, offices, pharmacy, personal services, art gallery, live entertainment, night clubs, indoor and outdoor dining and drinking, and alcohol sales (package liquor, beer and wine); 4) associated accessory and incidental commercial uses, buildings, and structures including retail areas, dining, theater, spa, fitness center and daycare; and 5) deviations as depicted per plans on file.

DEVIATIONS for the following: 1) increase building height; 2) reduce height/setback ratio; 3) encroachment into airspace; 4) reduced loading spaces; 5) allow primary access into portions of the building from the exterior of the resort hotel; 6) alternative landscaping and pedestrian realm; and 7) all other deviations as depicted per plans on file.

WAIVER OF DEVELOPMENT STANDARDS for modified driveway geometrics.

DESIGN REVIEWS for the following: 1) high impact project; 2) resort hotel with all associated and accessory uses, structures, and incidental buildings and structures; and 3) finished grade on 69.8 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Las Vegas Boulevard South, 1,300 feet south of Spring Mountain Road within Paradise. TS/rk/syp (For possible action)

RELATED INFORMATION:

APN:

162-16-214-002; 162-17-711-002

DEVIATIONS:

1. Increase building height to 660 feet where a maximum height of 100 feet is permitted per Table 30.40-7 (a 557% increase).
2. Reduce height/setback ratio from an arterial street (Las Vegas Boulevard South) to 59 feet where 218 feet is required per Figure 30.56-4 (a 73% reduction).
3. Permit encroachment into airspace.
4. Reduce the number of loading spaces to 12 where 24 spaces are required per Table 30.60-6 (a 50% reduction).
5. Allow primary access into portions of the building from the exterior of the resort hotel.
6. Allow alternative landscaping and a pedestrian realm along the street frontage (Las Vegas Boulevard South) where required per Table 30.56-2, Table 30.64-2, Figure 30.64-17, and Figure 30.64-18.
7. Allow all other deviations as depicted per plans on file.

WAIVER OF DEVELOPMENT STANDARDS:

Allow existing driveways to remain where compliance with Uniform Standard Drawing 222.1 is required.

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3400 Las Vegas Boulevard S.
- Site Acreage: 69.8
- Project Type: Resort hotel
- Number of Stories: 50 (including podium)
- Building Height (feet): 562 (top of guitar)/660 (additional architectural features)
- Square Feet: 1,438,956 (total)
- Parking Required/Provided: 4,360/6,166

Site Plans

This request is for a new hotel tower to be built on the site currently branded as The Mirage where the volcano attraction currently sits adjacent to Las Vegas Boulevard. The new hotel tower and buildings will consist of 1,438,956 square feet of total area including casino, retail, restaurants (indoor and outdoor dining), night club, day club, offices, live entertainment, entertainment areas, recreation areas, public and back of house areas, and other accessory uses.

The square footage breakdown is more fully described below:

- 40,940 square feet of casino.
- 89,644 square feet at street level to include restaurants and retail.
- 166,266 square feet for check in/pool level.
- 74,206 square foot spa, fitness center and salon.
- 1,067,900 square feet of floor area associated with the hotel rooms.

The new Hard Rock hotel tower will be in the shape of a guitar and will contain 600 hotel rooms. There will be approximately 37 occupied room levels within the tower which will be built on top of a 105 foot tall podium. The total height of the project will be 562 feet to the top of the guitar and a maximum height of 657 feet for additional architectural features to mimic the neck of the guitar. The height/setback ratio requires 218 feet from Las Vegas Boulevard South where 59 feet is provided, necessitating a deviation. The porte-cochere for the project is accessed via existing driveways off Las Vegas Boulevard South. A valet drop-off area is provided at the porte-cochere for use by patrons of the resort hotel. All parking will be provided through existing adjacent parking garages (total of 3). Based upon the parking totals submitted with this request, a total of 6,166 parking spaces are provided between the Mirage Property and Treasure Island. With the addition of the new hotel tower and uses as well as the other existing uses, a total of 4,360 parking spaces are required. The plans also depict the location of multiple "potential" pedestrian bridges. Two of the proposed bridges are located on the west side of Las Vegas Boulevard South and would span across the existing vehicular driveways off Las Vegas

Boulevard South. Also, as a point of information, the applicant has been working with The Boring Company for a proposed Vegas Loop station. Access to the project site is granted via 2 existing commercial driveways adjacent to Las Vegas Boulevard South. The existing driveways along Las Vegas Boulevard are not being modified with this project, though it is noted that these driveways do not meet current uniform standard drawing dimensions for entry/exit driveway radii, driveway widths, and throat depths. The intent of this project is to maintain the existing driveways.

Landscaping

The plans depict a pedestrian realm and landscaping along Las Vegas Boulevard South consisting of 36 inch box trees, shrubs, and groundcover. The pedestrian realm adjacent to Las Vegas Boulevard South measuring approximately 43 feet in width, with a detached sidewalk measuring 18 feet with no landscaping, necessitating deviations for alternative landscaping and a pedestrian realm. Additional landscaping is featured around the perimeter of the buildings and entry driveways throughout the project site.

Elevations

The plans depict a proposed resort hotel with a total height of 562 feet to the top of the guitar and a maximum height of 660 feet for additional architectural features to mimic the neck of the guitar. The design of the hotel features an exterior composed of a glazed aluminum window wall system, EIFS applications, and aluminum composite panels. The lower-level podium areas involve the use of pre-cast concrete panels, and aluminum composite. The necessary forms have been filed with the Federal Aviation Administration (FAA). However, final action cannot occur until the FAA has issued a valid Determination of No Hazard, and the Department Of Aviation (DOA) has reviewed the determination.

Floor Plans

The plans depict a variety of hotel room sizes measuring between 460 square feet to 4,340 square feet in area. The floor plans of the resort hotel consist of the following: 1) 40,940 square feet of casino; 2) 89,644 square feet at street level to include restaurants and retail; 3) 166,266 square feet for check in/pool level; 4) 74,206 square foot spa, fitness center and salon; and 5) 804,282 square feet consisting of 600 hotel suites.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the Hard Rock Guitar Tower will bring 600 luxury guestrooms and suites to the Las Vegas strip. The proposed new hotel tower and additional amenities are compatible and consistent with all the other resort hotels along Las Vegas Boulevard South. Designed to resemble back to back guitars, complete with guitar faces and lit strings, this tower will be an engineering masterpiece at a height of 657 feet with floor to ceiling glass panes. The guitar tower will forever change the skyline of the Strip.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|--|-----------------|---------------|
| DR-21-0443 | Comprehensive sign package | Approved by BCC | October 2021 |
| ADR-21-900297 | Outdoor patio | Approved by ZA | July 2021 |
| UC-19-0859 | Temporary commercial outdoor events | Approved by BCC | December 2019 |
| DR-18-0647 | Façade changes to existing outdoor sales structure/booth | Approved by BCC | October 2018 |
| AR-18-400147 (UC-0283-17) | First application for review of an outdoor sales structure/booth subject to removing the time limit | Approved by BCC | July 2018 |
| UC-0283-17 | Allowed an outdoor sales structure/booth for Mirage and signage subject to a 1 year review after ticket sales begin | Approved by BCC | June 2017 |
| UC-0200-17 | Allowed an outdoor sales structure/booth for Treasure Island and a use permit for deviations to development standards for a Resort Hotel | Approved by BCC | May 2017 |
| DR-0596-12 | Comprehensive sign package | Approved by BCC | November 2012 |
| TM-0221-08 | 1 lot commercial subdivision | Approved by PC | February 2009 |
| UC-2055-04 | Remodel and expansion of the existing Mirage Resort Hotel including signage | Approved by PC | January 2005 |
| DR-1047-03 | 67 foot high pedestrian bridge connection to a proposed public pedestrian bridge on the north side of the Treasure Island Resort Hotel | Approved by BCC | August 2003 |
| VC-2030-98 | Pedestrian bridge to connect the Treasure Island and The Mirage Resort Hotel properties to the Venetian Resort Hotel | Approved by BCC | August 1998 |
| VC-894-92 | 37,000 square feet of signs | Approved by PC | December 1992 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---------------------------|-----------------|---|
| North | Entertainment Mixed-Use | H-1 | Treasure Island Resort Hotel |
| South | Entertainment Mixed-Use | H-1 | Caesars Palace Resort Hotel & Forum Shops |
| East | Entertainment Mixed-Use | H-1 | Venetian/Palazzo Resort Hotel Complex, Casino Royale, & Harrah's Resort Hotel |
| West | Business Employment | M-1 | Office/warehouse buildings & I-15 |

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

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

Deviations #1 and #2

Policy 6.2.1 of the Master Plan aims to ensure the design and intensity of new development is compatible with the surrounding area and uses in terms of height, scale, and the overall mix of uses. The requested height increase is similar to, and consistent with, other resort hotel requests that have been approved within the immediate area. Varying building height, breaking-up the mass of the building, and shifting building placement can provide appropriate transitions between differing building scales and intensities. Although the height setback ratio reduction along Las Vegas Boulevard South is significant, the encroachment into the setback begins at a height of 53 feet. Staff finds the encroachment into the setback should not negatively impact the surrounding land uses and adjacent properties; therefore, staff recommends approval of these requests.

Deviations #4 & #7

The intent of the loading requirements is to establish regulations for the provision of safe and efficient loading facilities in amounts sufficient to meet existing and/or proposed land uses. Staff finds the reduction to the number of loading spaces should have minimal to no impact on the proposed resort hotel development. The proposed number of loading spaces should adequately serve the resort hotel and the associated uses. The Applicant is requesting to allow direct access to the pool area and other accessory incidental areas that are not accessed through the interior type of entry to the resort hotel. The exterior entrances are popular and operated in many resort hotels. This allows for better queuing and less congestion in the hotel and gaming areas; therefore, staff recommends approval. Finally, staff does not object to the proposed alternative

landscaping and pedestrian realm design along Las Vegas Boulevard South. The pedestrian realm adjacent to Las Vegas Boulevard South measures between 34 feet to 43 feet in width, with a detached sidewalk measuring 15 feet in width. The alternative landscaping and pedestrian realm are compatible with other developed properties along Las Vegas Boulevard South; therefore, staff recommends approval.

Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Design Reviews #1 & #2

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

Public Works - Development Review

Waiver of Development Standards

Staff can support the request to allow the existing driveways on Las Vegas Boulevard South to remain since both driveways are signalized to reduce potential conflicts.

Design Review #3

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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

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

- Prior to the issuance of building permits, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Allow the following permits prior to the adoption of the Development Agreement: all grading, including excavation and underground utilities, construction below grade level, and structural first lift with initial foundation work and structures above grade;
- Prior to the issuance of building and grading permits, enter into a Performance Agreement with Clark County which includes a Decommissioning Plan specifying the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned;
- Bond or other form of financial security, acceptable to Clark 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 approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; water features must comply with Chapter 30.64; the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion

within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- 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 per RS-22-500123;
- Sight zones adjacent to all driveways to be restored to be code compliant within 90 days of approval;
- The guard booth at the Sammy Davis Jr. driveway shall be relocated to the center of the drive aisle to prevent vehicles from travelling in opposing lanes;
- 30 days to coordinate with Public Works - Design Division & Construction Management Division and to dedicate any necessary right-of-way and easements for the Las Vegas Boulevard South improvement project;
- Grant necessary easements including, but not limited to, pedestrian access for sidewalks and bridges.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77;
- Applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA.
- 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

- Applicant is advised that fire protection may be required for this facility; that operational permits may be required for this facility; to contact Fire Prevention for further information at (702) 455-7316; and to please contact this office for pre-construction meetings.

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 #0246-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HR NV, LLC

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

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | | |
|---|--|--|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>UC-23-0031</u> DATE FILED: <u>1-24-23</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>2-28-23</u> PC MEETING DATE: _____ H-1 BCC MEETING DATE: <u>3-22-23</u> Entertainment Mixed Use FEE: <u>33,275.00</u> TS | |
| | | PROPERTY OWNER NAME: <u>MGP Lessor, LLC</u> ADDRESS: <u>535 Madison Avenue, 20th Floor</u> CITY: <u>New York</u> STATE: <u>NY</u> ZIP: <u>10022</u> TELEPHONE: <u>646 949 4631</u> CELL: _____ E-MAIL: <u>ekeil@viciproperties.com</u> |
| | APPLICANT NAME: <u>HR NV, LLC</u> ADDRESS: <u>One Seminole Way, 2nd Floor</u> CITY: <u>Hollywood</u> STATE: <u>FL</u> ZIP: <u>33314</u> TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____ | CORRESPONDENT NAME: <u>Jennifer Lazovich - Kaempfer Crowell</u> ADDRESS: <u>1980 Festival Plaza Drive, Suite 650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: _____ E-MAIL: <u>jlazovich@kcnvlaw.com</u> REF CONTACT ID #: _____ |

ASSESSOR'S PARCEL NUMBER(S): 162-17-711-002 and 162-16-214-002

PROPERTY ADDRESS and/or CROSS STREETS: 3400 S. Las Vegas Boulevard

PROJECT DESCRIPTION: High Impact Project

(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.

David A. Kieske David A. Kieske, Treasurer
 Property Owner (Signature)* Property Owner (Print)

STATE OF New York
 COUNTY OF New York

SUBSCRIBED AND SWORN BEFORE ME ON June 23, 2022 (DATE)
 By David A. Kieske, Treasurer

NOTARY PUBLIC: [Signature]

Notary Public, State of New York
 ELENA OTERO KHIL
 NO. 02KE6359428
 Qualified in New York County
 Commission Expires May 30, 2025

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

KAEMPFER

CROWELL

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH

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Carson City, NV 89703
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Fax: 775.882.0257

December 15, 2022

VIA UPLOAD

CLARK COUNTY
DEPARTMENT OF PLANNING
500 S. Grand Central Parkway
Las Vegas, NV 89155

UC-23-0031

*Re: Second Revised Justification Letter – Hard Rock Hotel Casino –
Las Vegas
APN: 162-17-711-002 & 162-16-214-002*

To Whom It May Concern:

Please be advised, this firm represents Hard Rock Hotel Casino – Las Vegas (“HRH LV”). HRH LV is submitting this application for a new hotel tower to be built on the site currently branded as The Mirage where the volcano attraction currently sits adjacent to Las Vegas Boulevard. With this new hotel tower, HRH LV will be submitting the following applications:

* **Design Review** for the following: 1) A high impact project, 2) a resort hotel; 3) increased grade fill; and 4) accessory uses to a resort hotel including but not limited to restaurants, alcohol (on premise, off premise and packaged sales, outside dining and drinking, retail sales and service, live entertainment, nightclubs, day clubs art gallery/studio, personal services (salon and spa), billiard hall, caterer, day care, pharmacy, allow unlimited temporary outdoor commercial events where 12 per calendar are allowed and tents;

* **Special Use Permits** for the following: 1) A high impact project, 2) a resort hotel, and 3) accessory used to a resort hotel including but not limited to restaurants, alcohol (on premise, off premise and packaged sales, outside dining and drinking, retail sales and service, live entertainment, nightclubs, day clubs, art gallery/studio, personal services (salon and spa), billiard hall, caterer, day care, pharmacy, allow unlimited temporary outdoor commercial events where 12 per calendar are allowed and tents;

* **Waiver of Development Standards** for existing driveway geometries.

* **Deviations** for the following: 1) Height setback ratio adjacent to Las Vegas Boulevard; 2) increased building height; 3) allow primary access into portions of the building from the exterior of the resort hotel; 4) reduce the number of loading spaces; 5) all other deviations as shown per plans.

The property is located at 3400 S. Las Vegas Boulevard (APN Nos.: 162-17-711-002 & 162-16-214-002) and sits on approximately 65 acres (the "Site"). The Site is zoned H-1 and is master planned for Entertainment Mixed Use. To the south of the Site is the existing Forum Shops at Caesars Palace; to the north of the Site is the Treasure Island; to the east of the Site is the Venetian/Palazzo and Harrahs resort hotels and to the west of the Site are multiple existing properties zoned as M-1.

Design Review & Special Use Permit for a Resort-Hotel

The new hotel tower and buildings will consist of 1,438,956 square feet of new total area including casino, retail, restaurants (indoor and outdoor dining), night club, day club, offices, live entertainment, entertainment areas, recreation areas, public and back of house areas and other accessory uses. The square footage breakdown is more fully described below:

- * 40,940 square feet of casino;
- * 89,644 square feet at street level to include restaurants and retail;
- * 166,266 square feet for check in/pool level;
- * 74,206 square foot spa, fitness center and salon; and
- * 1,067,900 square feet of floor area associated with the hotel rooms.

The new hotel tower will be in the shape of a guitar and will contain 600 hotel rooms. There will be approximately 37 occupied room levels within the tower which will be built on top of a 105 foot tall podium. The exterior elevations for the high-rise tower involve the use of a glazed aluminum window wall system, EIFS applications, and aluminum composite panels. The lower-level podium areas involve the use of pre-cast concrete panels, and aluminum composite. The use of white metal panels, blue/green tinted glass and travertine accents on the building façade speak to a contemporary design. The total height of the project will be 562 feet to the top of the guitar and a maximum height of 657 feet for additional architectural features to mimic the neck of the guitar. The necessary forms have been filed with the FAA.

A pedestrian access easement will be provided along Las Vegas Boulevard. The pedestrian access easement will include a 15 foot wide sidewalk with a 1½ foot shy zone on either side of the 15 foot pedestrian access easement for a total area of 18 feet. No landscaping will be provided adjacent to the pedestrian access easement. The building(s) will comply with the special setback along Las Vegas Boulevard by being set back 25 feet from back of curb. The porte-cochere for the project is accessed via existing driveways off Las Vegas Boulevard. A valet drop-off area is provided at the porte-cochere for use by patrons of the resort hotel. Bus turnouts are accommodated along Las Vegas Boulevard South.

The new hotel tower will not provide any additional parking. All parking will be

provided through existing adjacent parking garages. Based upon the parking totals submitted with UC-0200-17, a total of 6,166 parking spaces are provided between the Site and The Treasure Island. With the addition of the new hotel tower and uses as well as the other existing uses on the Site, a total of 4,360 parking spaces are required.

Design Review for Increased Grade Fill

The Applicant also requests a design review for an increased grade fill up to 17 feet, where 36 inches is allowed by the Code. This increase in grade fill is requested due to the partial filling of the existing water feature on the Site, as well as maintaining the relationship with the current building's finished floor elevation.

Deviation to Reduce Number of Loading Spaces

The Site is required to provide a total of 24 spaces between the existing uses and the new uses. The Site is providing 12 loading spaces so therefore a waiver to reduce the number of loading spaces is required. Based on the Applicant's prior knowledge in developing similar projects, the provided number of loading spaces is anticipated to be adequate for the project.

Special Use Permit for High Impact Project

Based on the number of new hotel rooms to be added to the Site, the project qualifies as a High Impact Project. The addition of the new guitar shaped hotel will be the first phase of improvements to the overall property. Subsequent to construction of the new hotel tower, the remainder of the existing resort hotel will be refreshed and re branded as the iconic Hard Rock Hotel. The Site will also generate in excess of 8,000 daily trips. HRH LV has submitted RISE Reports in compliance with this requested application.

Possible Pedestrian Bridges and Boring Station

The plans also depict the location of multiple potential pedestrian bridges. Two of the proposed bridges are located on the west side of Las Vegas Boulevard and would span across the existing vehicular driveways off Las Vegas Boulevard. Construction of the pedestrian bridges will assist with vehicular flow to and from the Site by removing the conflict of pedestrians and vehicles at street level. HRH LV understands that a development agreement would be required to memorialize the additional pedestrian bridges. HRH LV also understands that they will need consent of other property owners in order to construct the proposed pedestrian bridges. HRH LV is also contemplating pedestrian bridges to cross Las Vegas Boulevard.

Also as a point of information, HRH LV has been working with the Boring Companies for a proposed station. We understand that the Boring Companies will seek the required entitlements if an agreement is reached between the parties.

Waiver of Development Standards for Driveway Geometrics

The existing driveways along Las Vegas Boulevard are not being modified with this Project, though it is noted that these driveways do not meet current CCA USD No. 222.1 dimensions for entry/exit driveway radii, driveway widths, and throat depths. The intent of this project is to maintain the existing driveways. These driveways are currently, and will continue to be, one-way in nature entering in from the northern driveway and exiting the southern driveway. Because these driveways are one-way, the minimum and maximum radii shown in Standard Drawing 222.1 are not necessarily met, as 222.1 contemplates both in-bound and out-bound traffic.

Additional Special Use Permits, Waivers of Development Standards and Deviations

** (1) Increase height up to 657-feet where 100-feet is the maximum and (2) Permit Encroachment into Airspace*

In an H-1 zoned district, the allowable height is 100-feet. However, with a special use permit approval, the allowable height may be increased. Here, the proposed increased in height to 657-feet is appropriate and reasonable for the area as follows: (1) the height is consistent with the approved and developed heights along Las Vegas Boulevard, (2) not only is the project in the H-1 zoned district, but this area is the most intense and dense portion of the Las Vegas Valley, and (3) the project is located between Las Vegas Boulevard and the I-15 corridors.

** Permit all associated accessory and incidental commercial uses, buildings and structures such as but not limited to restaurants, alcohol (on premise, off premise and packaged sales, outside dining and drinking, retail sales and service, live entertainment, nightclubs, day clubs, art gallery/studio, personal services (salon and spa), billiard hall, caterer, day care, pharmacy, allow unlimited temporary outdoor commercial events where 12 per calendar are allowed and tents*

All the above-mentioned uses are typical with any resort-hotel along Las Vegas Boulevard. The Applicant is seeking to provide the same dining, beverage, entertainment, and day/night life amenities as all the other resort-hotels. Therefore, the requested special use permits are appropriate and compatible with the area.

** Reduce height setback ratio off Las Vegas Boulevard to allow portions of the guitar tower to encroach into the 1:3 ratio (Figure 30.56-4)*

The guitar hotel structure will encroach into the height setback ratio. While the Applicant is requesting to reduce the setback, it is important to note it is only for the guitar tower. As shown on Setback Exhibit B – Enlarged within the Application, at a height of 657 feet, the guitar tower does not meet the 1:3 setback ratio. However, the rest of the project adheres to the 1:3 setback requirements. Additionally and importantly, the reduced setback does not interfere with the pedestrian realm.

4

**Allow primary access into portions of the building such as the pool area or other accessory and incidental uses from the exterior of the resort hotel where primary access is required through the inside of the hotel (Table 30.44-1)*

The Applicant is requesting to allow direct access to the pool area and other accessory incidental areas that is not accessed through the interior type of entry to the Resort-Hotel. The exterior entrances are popular and operated in many resort-hotels. This allows for better queuing and less congestion in the hotel and gaming areas.

**Permit all other deviations on file and from development standards*

Signage

Signage is not part of this application and will be submitted at a later date.

Summary

The Hard Rock Guitar Tower will bring 600 luxury guestrooms and suites to the Las Vegas strip. The proposed new hotel tower and additional amenities are compatible and consistent with all the other resort-hotels along Las Vegas Boulevard. Designed to resemble back to back guitars, complete with guitar faces and brightly lit strings, this tower will be an engineering masterpiece at a height of 657 feet with floor to ceiling glass panes. The Guitar Tower will forever change the skyline of the Strip.

Thank you for your consideration of this request.

Very truly yours,

KAEMPFER CROWELL



Jennifer Lazovich

JLL/amp

Cc: Brian Fink

MINI-WAREHOUSE
(TITLE 30)

FLAMINGO RD/MOUNTAIN VISTA ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WC-23-400013 (ZC-0118-02)-GSN FLAMINGO LP:

WAIVER OF CONDITIONS of a zone change requiring single story on all buildings, a maximum height of 30 feet with a previously approved freestanding pharmacy and future shopping center with a previously approved zone change to reclassify 4.9 acres from an R-1 (Single Family Residential) Zone to a C-1 (Local Business) Zone for a mini-warehouse facility.

Generally located on the south side of Flamingo Road and the west side of Mountain Vista Street within Paradise. TS/lm/syp (For possible action)

RELATED INFORMATION:

APN:
161-20-119-002

LAND USE PLAN:
WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.5
- Project Type: Mini-warehouse facility

History & Request

The subject parcel and the parcel to the northeast (APN 161-20-119-001) were originally reclassified to C-1 zoning (ZC-0118-02) for a freestanding pharmacy and future shopping center. The pharmacy was constructed, and the subject parcel has remained undeveloped. A mini-warehouse facility is proposed with 4 single story buildings along the west and south property lines and two, 2 story buildings centrally located on the site. This application and its companion item are to establish the use and necessary site design standards to meet current Code.

Site Plans

The plans depict mini-warehouse Buildings A and B centrally located on the site. Four additional buildings are located along the south, west, and north perimeters of the site. Building C is located on the southern portion of the site; Building D is located on the southern portion of the west property line; Building E is located on the northern portion of the west property line;

and Building F is located on the northerly portion of the site. A gated 1 way entrance is centrally located on the site between Buildings A and B. There are 2 gated exits for the facility, 1 at the southeast corner of Building B with access to Mountain Vista Street and 1 at the north end of the site between Buildings A and F to Flamingo Road. Visitor parking is provided on the north side of Building B between the proposed building and the existing CVS Pharmacy to the north.

Landscaping

Landscape areas are provided along Mountain Vista Street at 15 feet to 25 feet wide, with a 15 foot wide landscape area provided along Flamingo Road. Parking lot landscaping is provided on the north side of Building B. A 10 foot to 14 foot wide intense landscape area is provided along the west and south property lines. Landscaping materials include Desert willow and Holly Oak trees with shrubs consisting of Red Yucca and Green Texas Ranger.

Elevations

Buildings A & B are 2 story and have an overall height of 28 feet at the top of the architectural details, with the bulk of the buildings having a height of 21 feet 8 inches. Buildings C, D, E, and F are single story and have an overall height of 12 feet 8 inches. The same building materials and color scheme are used throughout. Roll-up doors are located interior to the complex. The trash enclosure is located near the south driveway along Mountain Vista Street.

Floor Plans

Building A consists of 22,680 square feet, Building B consists of 31,542 square feet with the perimeter buildings consisting of 6,622, 6,986, 6,971, and 3,503 square feet for Buildings C, D, E, and F, respectively. The office is located at the northeast corner of Building B.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-0118-02:

- Subject to single story on all buildings, maximum height of 30 feet;
- design review as a public hearing on any substantial changes to the plans presented and for future plans for the site;
- "intense" landscape buffer adjacent to the west and south property lines;
- recording a reciprocal, perpetual cross access, ingress/egress, and parking agreements if the parcels are individually owned;
- sign setbacks per code;
- right-of-way dedication a minimum of 40 feet in width for Mountain Vista Street with necessary transitions as required;
- drainage and traffic studies and compliance;
- traffic study to also address dedication and construction of bus turn-out including passenger loading/shelter area in accordance with Regional Transportation Commission Standards;
- construct full off-sites;
- Nevada Department of Transportation approval;
- and all applicable standard conditions for this application type.

- Applicant is advised that additional land use applications will be required for additional freestanding signs if the allowable freestanding signs are all used by the pharmacy (CVS); and that any change in circumstances or regulations is justification for denial of an extension of time.

Applicant's Justification

The applicant indicates that there are 2 interior buildings that are 28 feet in height and have multiple stories. The site is lower in grade than the adjacent residential parcels, between 2 feet to 5 feet. The site has been designed to locate the single story 14 foot high buildings adjacent to the residential parcels and the 2 story buildings meet the 3:1 height setback ratio with additional intense landscape buffer between the residential parcels and the mini-warehouse buildings.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|------------|
| ZC-0118-02 | Reclassify from R-1 to C-1 zoning for a freestanding pharmacy building with a future shopping center | Approved by BCC | March 2002 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|----------------------|--|----------------------|--|
| North, South, & West | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-1 | Single family residential |
| East | Neighborhood Commercial, Corridor Mixed-Use & Public Use | C-1, C-2, R-1, & P-F | Retail (CVS Pharmacy), retail center, single family residential, & elementary school |

Related Applications

| Application Number | Request |
|--------------------|--|
| UC-23-0034 | A use permit for a mini-warehouse facility is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Staff can support the request to waive the condition for single story buildings and maximum height of 28 feet. The site is situated at a grade lower than the residential properties and the intense landscape buffer will provide visual relief from any bulk or mass of the proposed interior multi-story buildings. The request complies with Policy 6.2.1 of the Master Plan which promotes ensuring that the design and intensity of new development is compatible with established neighborhoods and uses; therefore, staff supports this request.

Staff Recommendation

Approval.

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

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

PRELIMINARY STAFF CONDITIONS:

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: SHURLEY DESIGN STUDIO, LLC

CONTACT: SHURLEY DESIGN STUDIO, LLC, 9270 ONESTO AVE, LAS VEGAS, NV 89148



January 13, 2023

Clark County Comprehensive Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

Re: **Justification Letter:** APN: 161-20-119-002
DESIGN REVIEW, SPECIAL USE PERMIT, WAIVER OF DEVELOPMENT STANDARDS, WAIVER OF
DEVELOPMENT STANDARDS #ZC-0118-02.

To Whom it may concern:

Our architecture firm represents Guardian Storage Centers, LLC. We are proposing a new mini-warehouse facility on the property located near the southwest corner of East Flamingo Road & Mountain Vista Street, Assessor's Parcel Number: 161-20-119-002. The site is approximately 3.57 acres. The current property Land Use is Neighborhood Commercial (NC). The current Zoning for the parcel is Local Business District (C-1) The parcel shares three driveways with the adjacent parcel that includes an existing one-story CVS Pharmacy building with existing parking located on Assessor's Parcel Number: 161-20-119-001.

Design Review:

We are proposing the new mini-warehouse facility to include six separate stand-alone buildings. Four buildings will be single story not exceeding 14'-0" in height and the other two buildings will not exceed the maximum 3:1 building height setback ratio required per Title 30 figure 30.56-10. The total building area for all the new buildings will not exceed 132,526 square feet in area. We are providing 7 new parking spaces in the vicinity of the leasing office where 5 parking spaces are required per Title 30 Table 30.60-1. These new 7 parking spaces will be in addition to the existing 75 parking spaces provided by the existing CVS Pharmacy building located on the adjacent Assessor's Parcel Number: 161-20-119-001 and approved under the previously approved application: **#ZC-0118-02** for a total of 82 parking spaces. The site will be lighted by exterior wall-mounted light fixtures provided on the exterior of the buildings. Exterior light fixtures will have full cut-off shields and will not spread beyond the parcel property lines.

Special Use Permit:

We are submitting for a Special Use Permit. The mini-warehouse facility requires a Special Use Permit for the existing Local Business District (C-1) zoning. The mini-warehouse facility is a permitted use in C-1 zoning with a special use permit.

Waiver of Development Standards:

We are submitting for two Waivers of Development Standards.

Waiver 1: Existing Driveway Geometrics: Throat Depth, radii, and Driveway Width

We are requesting a reduction in entrance driveway geometrics throat depths, radii, and driveway width. All the entrance driveways are existing and to remain. No new additional driveways are being proposed. The new design located on Assessor's Parcel Number: 161-20-119-002 and the existing built conditions provided on Assessor's Parcel Number: 161-20-119-001 provides a total of 82 parking spaces that requires 75'-0" total parking throat depth. The site provides 3 existing entrance driveways noted on the provided Site Plan as "Existing Driveway #1, Existing Driveway #2, and Existing Driveway #3." Each driveway throat depth is required to be 25'-0".

We are requesting a waiver for throat depth and ingress radius at existing Driveway #1. The existing minimum throat depth to remain is 0'-0" at the ingress radius. We are requesting a waiver to add a new 19'-0" long sidewalk to provide a new 19'-0" throat depth at the ingress radius where 25'-0" is required per

Uniform Standard Drawing 222.1 (a 24% decrease.) The existing ingress radius is 23'-5" where 25'-0" is required.

We are requesting a waiver for throat depth and ingress radius at existing Driveway #2. The existing throat depth to remain is 5'-7" where 25'-0" is required per Uniform Standard Drawing 222.1 (a 77% decrease.) The existing ingress radius is 24'-3" where 25'-0" is required.

We are requesting a waiver for throat depth, egress radius, and driveway width at existing Driveway #3. The existing throat depth to remain is 6'-10" where 25'-0" is required per Uniform Standard Drawing 222.1. (a 73% decrease.) The existing egress radius is 14'-9" where 15'-0" is required. The existing driveway width is 32'-0" lip to lip where 36'-0" lip to lip is required.

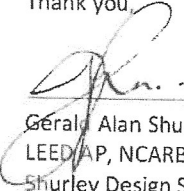
Waiver of Conditions (ZC-0118-02):

At the request of Clark County Comprehensive Planning, we are also requesting a Waiver of Conditions for the previously approved application (ZC-0118-02). We would like to remove the condition that all buildings are to be single-story with a maximum height of 30'-0". We need this condition removed to allow our two-story building design for Buildings "A" and "B." All the buildings will not exceed the previously approved maximum height of 30'-0". The site is lower in grade than the adjacent residential parcels. We have designed the site to locate the 14'-0" high one-story buildings adjacent to the residential parcels and the two-story buildings at the required 3:1 height setback. We are providing the required Intense landscape buffer between the residential parcels and our site to help soften the visual appearance of the mini-warehouse buildings.

We feel that this proposed project would be a great addition to the area and conforms to the other uses currently located in the area. We would greatly appreciate the staff's recommendation for approval.

If you have any questions, please contact us at 702-624-0022.

Thank you,



Gerald Alan Shurley, Jr. | Principal Architect
LEED AP, NCARB (NV #7210)
Shurley Design Studio, LLC, Manager

03/22/23 BCC AGENDA SHEET

MINI-WAREHOUSE
(TITLE 30)

FLAMINGO RD/MOUNTAIN VISTA ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-23-0034-GSN FLAMINGO LP:

USE PERMIT for a mini-warehouse facility.

WAIVER OF DEVELOPMENT STANDARDS for modified commercial driveway standards.

DESIGN REVIEW for a proposed mini-warehouse facility on 3.5 acres in a C-1 (Local Business) Zone.

Generally located on the south side of Flamingo Road and the west side of Mountain Vista Street within Paradise. TS/lm/syp (For possible action)

RELATED INFORMATION:

APN:
161-20-119-002

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the driveway throat depth to 5 feet 7 inches along Mountain Vista Street where 25 feet is required per Uniform Standard Drawing 222.1 (a 77% decrease).
- b. Reduce the driveway radius to 23 feet 5 inches along Flamingo Road and Mountain Vista Street where 25 feet is required per Uniform Standard Drawing 222.1 (a 6% decrease).
- c. Reduce the driveway radius to 14 feet 9 inches along Mountain Vista Street where 15 feet is required per Uniform Standard Drawing 222.1 (a 1.6% decrease).
- d. Reduce the driveway width to 32 feet along Mountain Vista Street where 36 feet is required per Uniform Standard Drawing 222.1 (an 11% decrease).

LAND USE PLAN:
WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: n/a
- Site Acreage: 3.5
- Project Type: Mini-warehouse facility
- Number of Stories: 1 & 2

- Building Height (feet): 28 (Buildings A and B)/12 feet 8 inches (Buildings C, D, E, and F)
- Square Feet: 22,680 (Building A)/31,542 (Building B)/6,622 (Building C)/6,986 (Building D)/6,971 (Building E)/3,503 (Building F)
- Parking Required/Provided: 70/82

Site Plans

The plans depict mini-warehouse Buildings A and B centrally located on the site with shared access from Flamingo Road and Mountain Vista Street. Four additional buildings are located along the south, west, and north perimeters of the site. Building C is located on the southern portion of the site; Building D is located on the southern portion of the west property line; Building E is located on the northern portion of the west property line; and Building F is located on the northerly portion of the site. A gated 1 way entrance is centrally located on the site between Buildings A and B. There are 2 gated exits for the facility, 1 at the southeast corner of Building B with access to Mountain Vista Street, and 1 at the north end of the site between Buildings A and F to Flamingo Road. Visitor parking is provided on the north side of Building B between the proposed building and the existing CVS Pharmacy to the north. The trash enclosure is located near the south driveway along Mountain Vista Street.

Landscaping

Landscape areas are provided along Mountain Vista Street at 15 feet to 25 feet wide, with a 15 foot wide landscape area provided along Flamingo Road. Parking lot landscaping is provided on the north side of Building B. A 10 foot to 14 foot wide intense landscape area is provided along the west and south property lines. Landscaping materials include Desert willow and Holly Oak trees with shrubs consisting of Red Yucca and Green Texas Ranger.

Elevations

Buildings A & B are 2 story and have an overall height of 28 feet at the top of the architectural details, with the bulk of the buildings having a height of 21 feet 8 inches. Buildings C, D, E, and F are single story and have an overall height of 12 feet 8 inches. The same building materials and color scheme are used throughout. Roll-up doors are located interior to the complex.

Floor Plans

Building A consists of 22,680 square feet, Building B consists of 31,542 square feet with the perimeter buildings consisting of 6,622, 6,986, 6,971, and 3,503 square feet for Buildings C, D, E, and F, respectively. The office is located at the northeast corner of Building B.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed use is compatible with the surrounding area. The proposed development provides modern building design, adequate parking, and site lighting is provided by shielded wall-mounted light fixtures. The requested waivers are for existing commercial driveways and the facility entryway is set back away from the rights-of-way

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|------------|
| ZC-0118-02 | Reclassified from R-1 to C-1 zoning for a freestanding pharmacy building with a future shopping center | Approved by BCC | March 2002 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|----------------------|---|----------------------|--|
| North, South, & West | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-1 | Single family residential |
| East | Neighborhood Commercial, Corridor Mixed-Use, & Public Use | C-1, C-2, R-1, & P-F | Retail (CVS Pharmacy), retail center, single family residential, & elementary school |

Related Applications

| Application Number | Request |
|---------------------------|---|
| WC-23-400013 (ZC-0118-02) | A request to waive conditions requiring single story on all buildings is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permit & Design Review

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Mini-warehouse facilities have been known to be quiet neighbors and not generate much traffic. In this case, the mini-warehouse facility is located adjacent to an arterial street (Flamingo Road) and a collector street (Mountain Vista Street), and the site is at a lower grade between 2 and 5 feet than the adjoining residential properties to the west and south. The proposed facility should not impact the surrounding area. The proposed Buildings A and B are located more than 47 feet to the south property lines, and over 73 feet from the west property lines to the existing residential development. A 10 foot wide intense landscape buffer is provided along the west and south property lines. The request complies with Policy 6.2.1 of the Master Plan which promotes ensuring that the design and intensity of new development is compatible with established neighborhoods and uses. Staff supports these requests.

Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection in allowing the existing driveways on Mountain Vista Street to remain with the reduced throat depth, radii, and driveway width. This project is a low intensity project with 3 driveways to help mitigate any conflict caused by the reductions.

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

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

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 #0121-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: SHURLEY DESIGN STUDIO, LLC

CONTACT: SHURLEY DESIGN STUDIO, LLC, 9270 ONESTO AVE, LAS VEGAS, NV 89148

DRAFT

03/22/23 BCC AGENDA SHEET

OFFICE/WAREHOUSE BUILDING
(TITLE 30)

POLARIS AVE/CAVARETTA CT

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0013-MORALLY JOHN P REVOCABLE TRUST & MORALLY JOHN P TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; and 2) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) an additional office warehouse building; and 2) finished grade in conjunction with an existing office warehouse building on 1.9 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the west side of Polaris Avenue, 260 feet north of Cavaretta Court within Paradise. MN/al/syp (For possible action)

RELATED INFORMATION:

APN:

162-20-202-015

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Permit alternative landscaping along a street where Table 30.64-2 requires landscaping per Figure 30.64-13 and Section 30.64.040 requires 15 feet of landscaping adjacent to an existing attached sidewalk.
- b. Permit alternative parking lot landscaping where landscaping is required per Figure 30.64-14.
2. a. Reduce driveway throat depth to a minimum of 24 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 4% reduction).
- b. Reduce driveway width to a minimum of 28 feet where a minimum of 32 feet is required per Uniform Standard Drawing 222.1 (a 12.5% reduction).
- c. Allow existing pan driveways to remain where driveways per Uniform Standard Drawing 222.1 are required.

DESIGN REVIEWS:

1. For a proposed office/warehouse building in conjunction with an existing office/warehouse building.
2. Increase finished grade by 40 inches where a maximum of 36 inches is the standard per Section 30.32.040 (an 11.1% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4305 Polaris Avenue
- Site Acreage: 1.9
- Project Type: Additional office/warehouse building
- Number of Stories: 2
- Building Height (feet): 35
- Square Feet: 17,180 (existing)/14,804 (new building)/31,984 (total)
- Parking Required/Provided: 50/51

Site Plan

The site is developed with an existing office/warehouse building located in the central portion of the northern half of the property. The request is to construct an additional office/warehouse building on the western portion of the southern half of the property. Access to the site is from Polaris Avenue with 2 existing driveways. Parking is located on the eastern portion of the site, east of the buildings and along the western property line in the rear of the site. The parking area to the east of the buildings is being reconfigured to add landscape areas as part of the request. The plan also depicts 2 canopies for covered parking areas, with 1 located at the southeastern corner of the existing building and the other along the southern property line east of the proposed building.

Landscaping

There are 4 existing landscape areas on the site that are located along Polaris Avenue, at the entrance to the office, and at the south side of the building at the west end of a row of parking spaces. The landscape areas along Polaris Avenue are between 7 feet and 18 feet in width consisting of clustered palm trees, shrubs, and groundcover. The landscape area at the entrance to the office consists of shrubs and the landscaping in the parking area consists of palm trees. The plan shows the landscape areas along Polaris Avenue will be modified between 5 feet and 11 feet in width. The palm trees will be removed and replaced with 6 Desert Museum Palo Verde trees, additional scrubs, and ground cover. Additional landscape areas consisting of shrubs and groundcover will be added along the south and east sides of the office portion of the existing building and with the parking areas.

Elevations

The existing building on the property is 2 stories with a flat roof behind parapet walls and is painted in neutral colors. The proposed building is 1 story with a flat roof behind parapet walls. The exterior of the building consists of smooth face concrete block, tile and stone veneer, and an aluminum and glass store front for the office portion of the building. The proposed building will be painted to match the existing building. The 2 canopies for the covered parking spaces will be 13 feet in height and each with an area of 1,026 square feet. The canopies have flat roofs that are supported by 8 posts.

Floor Plans

The existing building has an area of 17,180 square feet consisting of 5,180 square feet of office area and 12,000 square feet of warehouse area. The proposed building has an area of 14,804 square feet consisting of 3,090 square feet of office area and 11,714 square feet of warehouse area. With the proposed building the site will have a total building area of 31,984 square feet.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant indicates that the proposed building is consistent and compatible with the existing building on the property and with other developments in the area.

Surrounding Land Use

| | Planned land Use Category | Zoning District | Existing Land Use |
|-------|----------------------------------|------------------------|---|
| North | Entertainment Mixed-Use | M-1 | Office/warehouse facility |
| South | Entertainment Mixed-Use | M-1 | Warehouse facility |
| East | Entertainment Mixed-Use | H-1 | Warehouse facility |
| West | Entertainment Mixed-Use | M-1 | Union Pacific Railroad & office/warehouse complex |

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

The design of the landscape areas along Polaris Avenue and within the parking areas are not in compliance with the requirements of Section 30.64. The proposed design for the parking areas does not provide the required number of trees for the parking spaces. Plant material within the landscape area along Polaris Avenue is not complying with the types of plants and spacing as required by Figure 30.64-13. This site is developed with an existing office/warehouse building, and as part of the request to add an additional building, the applicant is proposing to retrofit additional landscape areas with the modified parking lot. The proposed landscaping is not in compliance with Code standards; however, it is an improvement to the existing site. This site is located in an area of moderate heat vulnerability. Since the applicant is proposing to provide

additional landscaping to the site, improving the site, and in turn, doing more to improve the heat vulnerability of the area than the current development, staff can support this waiver.

Design Review #1

The proposed building is consistent and compatible with existing development on-site and on the abutting properties. Therefore, staff can support the design review for the building.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to allowing pan driveways with the reduction in driveway widths and throat depth, for both the driveways on Polaris Avenue. Polaris Avenue sees low volumes of traffic as it ends just north of the site.

Design Review #2

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- 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;
- Reconstruct driveways in accordance with Uniform Standard Drawing 224.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code; Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MORALLY JOHN P REVOCABLE TRUST & MORALLY JOHN P TRS
CONTACT: SUZANA RUTAR ARCHITECT LTD., 1950 E. WARM SPRINGS RD., LAS
VEGAS, NV 89119

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

| | |
|--|---|
| APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) 475 <input checked="" type="checkbox"/> DESIGN REVIEW (DR) 675 <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #) | STAFF APP. NUMBER: <u>WS-23-0073</u> DATE FILED: <u>1-17-2023</u> PLANNER ASSIGNED: <u>A1</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>2-28-23</u> PC MEETING DATE: <u> </u> BCC MEETING DATE: <u>3-22-23</u> FEE: <u>\$ 1,150.00</u> |
| | PROPERTY OWNER NAME: <u>JOHN MORALLY TRUST</u> ADDRESS: <u>6965 EL CAMINO REAL STE 105231</u> CITY: <u>CARLSBAD</u> STATE: <u>CA</u> ZIP: <u>92009</u> TELEPHONE: <u>760 419-9603</u> CELL: <u>760-419-9603</u> E-MAIL: <u>JPMORALLY@gmail.com</u> |
| | APPLICANT NAME: <u>John Morally</u> ADDRESS: <u>6965 El Camino Real Ste.105-231</u> CITY: <u>Carlsbad</u> STATE: <u>CA</u> ZIP: <u>92009</u> TELEPHONE: <u>760-419-9603</u> CELL: <u>702-419-9603</u> E-MAIL: <u>JPMorally@gmail.com</u> REF CONTACT ID #: <u> </u> |
| | CORRESPONDENT NAME: <u>Simona Stephens/ SUZANA RUTAR Architect, Ltd.</u> ADDRESS: <u>1950 E. Warm Springs Rd.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u> TELEPHONE: <u>702-263-6176</u> CELL: <u> </u> E-MAIL: <u>Simona@SRutar.com</u> REF CONTACT ID #: <u> </u> |

ASSESSOR'S PARCEL NUMBER(S): 162-20-202-015

PROPERTY ADDRESS and/or CROSS STREETS: 4305 Polaris Ave.

PROJECT DESCRIPTION: Adding office/warehouse to an existing lot

(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 designees, to ~~make any public record in local any required signs on~~ make any public record in local any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature): [Signature] Property Owner (Print): JOHN MORALLY

STATE OF CALIFORNIA
 COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN BEFORE ME ON 3/1/22 (DATE)
 By [Signature]
 NOTARY PUBLIC: [Signature]

certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

JULIE KAY LAMB
 Notary Public - California
 San Diego County
 Commission # 2251717
 My Comm. Expires Aug 6, 2022

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

RUTAR

SUZANA RUTAR, Architect Ltd.,
A Professional Corporation

January 6, 2023

Clark County Comprehensive Planning
Current Planning Division
500 South Grand Central Pkwy.
P.O. Box 551744
Las Vegas, Nevada 89155-1744

WS-23-0013

Re: **Justification Letter for Design Review & Waiver of Development Standards**
4305 Polaris AVE Las Vegas, NV 89103
APN # 162-20-202-015

To Whom It May Concern:

This is a Justification Letter for the above referenced property. It is located at the at 4305 Polaris AVE Las Vegas, NV 89103. The above referenced property is zoned M-1 (light manufacturing) with planned land use as EM (Entertainment Mixed-Use).

The property is currently occupied by an existing 17,180 square foot building, comprised of a 5,180 square foot office and a 12,000 square foot warehouse. The existing building is to remain in conjunction with the proposed building. There is also an existing 3,200 square foot covered shed west of the existing building that is to remain in place.

We are proposing a single warehouse building with a total of 15,804 square feet, consisting of office space and an open warehouse floor. Access to the office faces the parking lot to the east, while delivery access to the warehouse is provided at the north side of the building via roll-up dock doors, as shown on elevations. The elevations have variations in materials and heights, but do not exceed the allowable 50'-0". Heights of walls are 35'-0" with enough parapet height to screen roof top equipment. We are also proposing different material and colors to be incorporated.

The total size of the property is 1.85 acres (80,586 square feet). Combined, both the existing and proposed buildings will occupy 32,984 square feet (40.9%). 3.5% or 2,888 square feet will be allocated for landscaping.

Building elevations have been articulated through elevation height changes, colors, and material textures. Building facades include projects and architectural features while uninterrupted lengths do not exceed 100'-0". Elevations were designed to meet requirements per Title 30.

1950 E. Warm Springs Road · Las Vegas, Nevada 89119
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Parking is provided per Table 30.60-1; 50 spaces are required for the Warehouse (1.5 spaces per 1000 square feet) and provided with three (3) handicap accessible spaces.

With this application we are also requesting for a Design Review for a fill that is over 36", actual fill is 40". The excess fill occurs between office and the warehouse. The excess fill is needed due to about 6'-0" drop that occurs at the location of the new building.

With this application, we are also requesting the approval of the following Waivers of Development Standards:

1. Reduction in required landscaping in the parking lot, per Figure 30.64-14, to accommodate required number of parking spaces. The size of some landscape island fingers have been reduced from the required 6 feet to 5 feet, 9 inches to accommodate required number of parking spots and to accommodate for drive clearances.
2. We are requesting a waiver for landscape standards for the landscaping along Polaris Avenue in order to meet sight visibility zone requirements. The sight visibility zone limits how many trees can be planted along Polaris Avenue. No plants above 2 feet in height are to be in the sight visibility zone, limiting the amount of landscaping in front of the existing building to only 6 large trees and other plants below 2 feet within the sight visibility zone. The majority of the landscaping in front of the proposed building falls within the sight visibility zone, limiting that area to only two large trees. Plants within the sight visibility zone have been selected to provide a variety of vegetation, color, and texture.
3. We are requesting for a waiver to allow 24'-5" throat depth, at the south end of the driveway of the south entrance where 25'-0" is required.
4. We are requesting for a waiver to allow the 28'-0" and 32'-0" existing driveways to remain where 35'-0" driveways are required.
5. We are requesting for a waiver to retain existing driveway design, in order to maintain ease of access to the site and buildings. It is an existing driveway in the existing light industrial area where dust-pan driveway is widely used along Polaris Avenue. It was built using Drawing 224 and is an acceptable driveway. Uniform Standard Drawings 222.1, which applies to new offsite construction only, as noted in standards (Note #6) stipulates for a 35-foot driveway; however, the existing south driveway with a 32-foot driveway and existing north driveway with a 28-foot driveway function as intended and no modifications are needed. Uniform Standard Drawings 222.1 also stipulates for a throat depth of 25' which are normally not requires at industrial type of driveway, however, by providing landscape fingers at parking along Polaris, throat depths are being created; the existing throat depth for the south

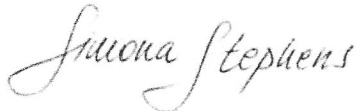
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entrance is 24'-5" to the south. Pushing the throat depth beyond what is already currently existing will result in a reduction of parking spots. Furthermore, using drawing 222.1 geometrics would potentially cause for the relocation of the existing hydrant and streetlight, which is a major cost burden to the owner for an existing driveway that currently works. The driveway in drawing 222.1 is more applicable in high volume commercial, like C-1 where more daily trips to a site occur. It aids in moving cars out-of-the right quicker so the level of service in the collector or arterial is minimally impacted. This site, like most others along the Polaris Avenue corridor, are low volume sites where an industrial type driveway, like the one that exists for this site, can be used. The majority of vehicles that frequent these properties are employees and/or transport vehicles of manufactured goods.

Thank you for your consideration of this request. If you have any questions or if you require additional information, please call me at 702.263.6176 or email at Simona@SRutar.com.

Sincerely,



Simona Stephens
Project Architect

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