



# Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

April 11, 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](mailto:mhelmtab@gmail.com)  
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

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

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

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



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

- III. Approval of Minutes for March 28, 2023. (For possible action)
- IV. Approval of the Agenda for April 11, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items (for discussion only)
- VI. Planning and Zoning

- 1. **UC-23-0120-KULIK RIVER CAPITAL, LLC:**  
**USE PERMIT** for a temporary recreational facility with accessory retail sales.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) recreational facility not within a permanently enclosed building; 2) permit alternative architectural materials; 3) alternative landscaping; 4) alternative standards for proposed temporary signage; 5) waive off-site improvements; 6) allow existing driveways to remain; and 7) allow non-standard improvements in the right-of-way.  
**DESIGN REVIEWS** for the following: 1) a recreational facility (tent); and 2) finished grade within a fabric structure on 8.2 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Mandalay Bay Road within Paradise. JG/lm/syp (For possible action) **BCC 4/19/23**
- 2. **VS-23-0103-VT 1, LLC & SIERRA RIDGE STORAGE, LLC:**  
**VACATE AND ABANDON** a portion of right-of-way being Backstage Boulevard located between Desert Inn Road and Raymert Drive and a portion of right-of-way being Raymert Drive located between Backstage Boulevard and US Highway 95 within Paradise (description on file). TS/rk/syp (For possible action) **PC 5/2/23**
- 3. **UC-23-0102-VT 1, LLC & SIERRA RIDGE STORAGE, LLC:**  
**USE PERMIT** for a mini-warehouse facility.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height 2) allow access to a local street; 3) allow non-standard improvements in the right-of-way; and 4) reduce driveway distances from the intersection.  
**DESIGN REVIEW** for a proposed mini-warehouse facility on 1.5 acres in a C-1 (Local Business) Zone. Generally located on the west side of Backstage Boulevard and the south side of Desert Inn Road within Paradise. TS/rk/syp (For possible action) **PC 5/2/23**
- 4. **VS-23-0100-POLLUX POLARIS FF 399, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Polaris Avenue and Procyon Street, and between Desert Inn Road and Spring Mountain Road within Paradise (description on file). JJ/jgh/ja (For possible action) **PC 5/2/23**

5. **WS-23-0116-COLEN, SHELDON & SOTO, ANGELA:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow proposed single family residential lots to have direct access to an arterial street (Pebble Road); and 2) allow individual single family residential lots to not have circular driveways/on-site turnarounds on 1.1 acres in an R-E (Rural Estates Residential) Zone. Generally located on the north side of Pebble Road, 130 feet west of Spencer Street within Paradise. MN/bb/syp (For possible action)  
**PC 5/2/23**
  
6. **WC-23-400021 (ZC-2144-04)-FUSION GROUP NEVADA, LLC:**  
**WAIVER OF CONDITIONS** of a zone change requiring landscape plans on file on 0.9 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the south side of Helm Drive, 530 feet east of Spencer Street within Paradise. JG/rk/syp (For possible action)  
**BCC 5/3/23**
  
7. **VS-23-0096-FUSION GROUP NEVADA, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Helm Drive and Pama Lane, and between Spencer Street and Surrey Street; and a portion of right-of-way being Helm Drive located between Spencer Street and Surrey Street within Paradise (description on file). JG/rk/syp (For possible action)  
**BCC 5/3/23**
  
8. **DR-23-0095-FUSION GROUP NEVADA, LLC:**  
**DESIGN REVIEWS** for the following: 1) office/warehouse building; and 2) finished grade on 0.9 acres in an M-D (Designed Manufacturing) (AE-60) Zone. Generally located on the south side of Helm Drive, 530 feet east of Spencer Street within Paradise. JG/rk/syp (For possible action)  
**BCC 5/3/23**
  
9. **UC-23-0126-HCI-CERBERUS 160 EAST FLAMINGO HOTEL OWNER L P, ET AL:**  
**USE PERMIT** for a monorail.  
**DESIGN REVIEW** for a monorail on approximately 302.0 acres in an H-1 (Limited Resort and Apartment) Zone, an M-1 (Light Manufacturing) Zone, an H-1 (Limited Resort and Apartment) (AE-60, AE-65, & AE-70) Zone, an R-T (Manufactured Home Residential) Zone, an R-4 (Multiple Family Residential) – (High Density) (AE-60 & AE-65) Zone, a P-F (Public Facility) (AE-65 & AE-70) Zone, a C-1 (Local Business) (AE-70) Zone, and a C-2 (General Commercial) (AE-65) Zone within the Midtown Maryland Parkway Overlay District. Generally located between Sahara Avenue and Blue Diamond Road, and between Maryland Parkway and Decatur Boulevard within Winchester, Paradise, and Enterprise. MN/TS/JG/JJ/jor/syp (For possible action)  
**BCC 5/3/23**

10. **UC-23-0128-5051 SLV, LLC:**  
**USE PERMITS** for the following: 1) primary means of access to accessory use (day club/pool) from the exterior of the resort; and 2) deviations from development standards.  
**DEVIATIONS** for the following: 1) reduce setback; and 2) all other deviations as shown per plans on file.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce the setback for freestanding sign; and 2) allow non-standard improvements within the right-of-way.  
**DESIGN REVIEWS** for the following: 1) modifications to a previously approved resort hotel; 2) comprehensive sign package; and 3) site lighting on 4.9 acres in an H-1 (Limited Resort and Apartment) (AE-65) Zone. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/lm/ja (For possible action)  
**BCC 5/3/23**
11. **ZC-23-0118-BELL REAL ESTATE LLC:**  
**ZONE CHANGE** to reclassify 2.4 acres from an R-E (Rural Estates Residential) Zone to a C-P (Office and Professional) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow attached sidewalk along Rawhide Street; and 2) increase wall height.  
**DESIGN REVIEWS** for the following: 1) office building; 2) EV charging stations under canopy; and 3) alternative parking lot landscaping. Generally located on the north side of Russell Road and the east side of Tamarus Street within Paradise (description on file). JG/lm/syp (For possible action)  
**BCC 5/3/23**
12. **VS-23-0119-BELL REAL ESTATE LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Russell Road and Rawhide Street, and between Tamarus Street and Caliente Street, and a portion of a right-of-way being Tamarus Street located between Russell Road and Rawhide Street within Paradise (description on file). JG/lm/syp (For possible action)  
**BCC 5/3/23**
13. **WS-23-0094-LAXMI BUILDING, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce street landscaping; 2) waive Asian Design Overlay District standards; 3) allow modified driveway design standards; and 4) reduce driveway distances from the intersection.  
**DESIGN REVIEW** for a proposed vehicle wash on 0.6 acres in an M-1 (Light Manufacturing) Zone in the Asian Design Overlay District. Generally located on the west side of Wynn Road and the south side of Desert Inn Road within Paradise. JJ/rk/syp (For possible action) **BCC 5/3/23**
14. **WS-23-0108-SG VEGAS OWNER LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setbacks; and 2) increase the number of projecting signs.  
**DESIGN REVIEW** for modifications to an approved comprehensive sign package in conjunction with an existing shopping center on a 1.8 acre portion of a 6.0 acre site in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Las Vegas Boulevard South, 1,332 feet north of Tropicana Avenue within Paradise. JG/hw/syp (For possible action)  
**BCC 5/3/23**

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: April 25, 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

March 28, 2023

### MINUTES

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

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

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

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

Rob Kaminski; Planning, Blanca Vazquez, Community Liaison

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

II. Public Comment:  
**None**

III. Approval of March 14, 2023 Minutes

**Moved by: Williams**

**Action: Approve as submitted**

**Vote: 5-0 Unanimous**

Approval of Agenda for March 28, 2023

**Moved by: Cunningham**

**Action: Approved as submitted**

**Vote: 5-0 Unanimous**

IV. Informational Items (For Discussion only)

**There are two upcoming events scheduled for the Paradise area. Eggapooloza on April 1<sup>st</sup> at Paradise Park and the Grand Re-Opening of the Sunset Park Sand Volley Ball Courts on April 15<sup>th</sup>. Flyers were left at the table for anyone interested in attending.**

V. Planning & Zoning

1. **DR-23-0071-HFC ACCEPTANCE, LLC:**

**DESIGN REVIEW** for a vehicle wash on 1.0 acre in an M-D (Design Manufacturing) (AE-70) Zone. Generally located on the south side of Sunset Road, 360 feet east of Spencer Street within Paradise. JG/sd/syp (For possible action) **PC 4/18/23**

**MOVED BY- Cunningham**

**APPROVE-Subject to staff conditions**

**VOTE: 5-0 Unanimous**

2. **VS-23-0062-WIGWAM RANCH EAST ESTATES HOA:**

**VACATE AND ABANDON** easements of interest to Clark County located between Wigwam Avenue and Ford Avenue and between Bruce Street and Treasure Trove Street, and a portion of a right-of-way being Indian Run Falls Lane located between Wigwam Avenue and Ford Avenue within Paradise (description on file). MN/hw/syp (For possible action) **PC 4/18/23**

**MOVED BY- Williams**

**APPROVE-Subject to staff conditions**

**VOTE: 5-0 Unanimous**

3. **VS-23-0086-DECATUR CAPITAL MANAGEMENT, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Decatur Boulevard and Ullom Drive, and between Russell Road and Oquendo Road within Paradise (description on file). MN/lm/syp (For possible action) **PC 4/18/23**

**MOVED BY- Philipp**

**APPROVE-Subject to staff conditions**

**VOTE: 5-0 Unanimous**

4. **WS-23-0085-DECATUR CAPITAL MANAGEMENT, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to reduce driveway throat depth.

**DESIGN REVIEW** for a proposed restaurant within a retail center on 2.5 acres in a C-2 (General Commercial) (AE-60) Zone. Generally located on the east side of Decatur Boulevard and the south side of Russell Road within Paradise. MN/lm/syp (For possible action) **PC 4/18/23**

**MOVED BY- Philipp**

**APPROVE-Subject to staff conditions**

**VOTE: 5-0 Unanimous**

5. **AR-23-400017 (UC-20-0087)-5000 BOULDER HWY, LLC:**

**USE PERMIT FOURTH APPLICATION FOR REVIEW** for an existing vehicle maintenance (automobile) facility.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the separation from an automobile maintenance facility to a residential use; **2)** alternative design standards; **3)**



increase fence height; and 4) allow temporary signs (banner) to be permanent.

**DESIGN REVIEWS** for the following: 1) vehicle maintenance (automobile) facility; and 2) signage on 0.6 acres in an H-2 (General Highway Frontage) Zone. Generally located on the southwest corner of Boulder Highway and Nellis Boulevard within Paradise. TS/md/syp (For possible action) **BCC 4/19/23**

**MOVED BY- Philipp**

**APPROVE-Subject to staff conditions**

**Added Condition**

- Clean up area before BCC
- 6 month review as a public hearing before the BCC

**VOTE: 5-0 Unanimous**

6. **UC-23-0090-TRRAC LLC:**

**USE PERMITS** for the following: 1) minor training facility; and 2) dormitory.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height; 2) alternative landscaping; 3) reduced trash enclosure setback; and 4) allow alternative design standards.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) minor training facility and dormitory on 1.2 acres in a C-P (Office and Professional) Zone. Generally located on the north side of Twain Avenue, 210 feet west of the Pecos McLeod Interconnect within Paradise. TS/md/syp (For possible action) **BCC 4/19/23**

**MOVED BY- Philipp**

**APPROVE-Subject to staff conditions**

**VOTE: 5-0 Unanimous**

7. **WC-23-400020 (ZC-1081-01)-TRRAC, LLC:**

**WAIVER OF CONDITIONS** of a zone change requiring an intense landscape buffer per Figure 30.64-12 along the west property line in conjunction with a proposed minor training facility and dormitory on 1.2 acres in a C-P (Office and Professional) Zone. Generally located on the north side of Twain Avenue, 210 feet west of the Pecos McLeod Interconnect within Paradise. TS/md/syp (For possible action) **BCC 4/19/23**

**MOVED BY- Philipp**

**APPROVE-Subject to staff conditions**

**VOTE: 5-0 Unanimous**

VI. General Business (for possible action)

**None heard**

VII. Public Comment

**Neighbor spoke regarding vacant abandoned home on Hacienda, east of Eastern. Needs help with squatters.**

**TAB spoke regarding homeless man with quite a bit of personal items living on Pecos and Flamingo**

VIII. Next Meeting Date

**The next regular meeting will be April 11, 2023**

IX. Adjournment

**The meeting was adjourned at 8:15 p.m.**

RECREATIONAL FACILITY  
(TITLE 30)

LAS VEGAS BLVD S/MANDALAY BAY RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0120-KULIK RIVER CAPITAL, LLC:**

**USE PERMIT** for a temporary recreational facility with accessory retail sales.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) recreational facility not within a permanently enclosed building; 2) permit alternative architectural materials; 3) alternative landscaping; 4) alternative standards for proposed temporary signage; 5) waive off-site improvements; 6) allow existing driveways to remain; and 7) allow non-standard improvements in the right-of-way.

**DESIGN REVIEWS** for the following: 1) a recreational facility (tent); and 2) finished grade within a fabric structure on 8.2 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

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

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**RELATED INFORMATION:**

**APN:**

162-28-301-001; 162-28-301-002; 162-28-301-010; 162-28-301-032; 162-28-301-033; 162-28-301-036 through 162-28-301-037

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow a recreational facility with accessory retail sales to operate in a fabric structure (tent) where required to be within a permanently enclosed building per Section 30.44.050.
2. Allow fabric (tent) as a building material where not permitted per Table 30.56-1.
3.
  - a. Waive landscaping adjacent to Las Vegas Boulevard South, and Mandalay Bay Road where landscaping per Figure 30.64-17 is required.
  - b. Waive parking lot landscaping where required per Figure 30.64-14.
  - c. Allow non-decorative fence (chain-link) along streets where a decorative fence in conjunction with required landscaping is permitted per Section 30.64.020.
4. Increase the time limit for proposed temporary signs to 13 months where a maximum of 1, ten day event in a calendar month, with no more than 6 total events over 1 calendar year is allowed per Table 30.72-3.
5. Waive off-site improvements (curb, gutter, sidewalk, partial paving) per Section 30.52.
6. Allow existing driveways to remain where USD 222.1 and 225 are required per Section 30.52.

7. Allow non-standard improvements (temporary fencing and parking area) in the right-of-way (Las Vegas Boulevard South) where not allowed per Section 30.52.

**DESIGN REVIEWS:**

1. Proposed recreation facility consisting of a fabric structure (tent) and retail sales.
2. Increase finished grade to 14 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 366% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 47 Mandalay Bay Road
- Site Acreage: 8.2
- Project Type: Recreational facility
- Number of Stories: 1
- Building Height (feet): 54
- Square Feet: 15,673 (tent with seating, stage, entrance area, and backstage area)
- Parking Required/Provided: 90/139

Site Plans

The applicant is requesting a recreational facility consisting of a fabric structure (tent) that will be operated in 2 phases, at 2 different locations, not to exceed 6 months at each location. The plans depict a recreational facility (magic show) located at the southeast corner of Las Vegas Boulevard South and Mandalay Bay Road. Access to the project site is from an existing driveway on Las Vegas Boulevard South and a proposed driveway at the easternmost connection to Mandalay Bay Road adjacent to the existing drainage channel to the east. The existing driveway on Las Vegas Boulevard South is located to the south of the tent and parking area. The drive aisle extends to an existing parking lot and continues to the north to the tent and parking area. A paved drive aisle will extend from the driveway along Mandalay Bay Road, follow along the east property line and head west across the site to the parking and tent area on the west side of the site, as well as the drive aisle from the Las Vegas Boulevard South access. Gated access from Las Vegas Boulevard South and Mandalay Bay Road will remain open during business hours.

The site is enclosed by an existing and proposed 6 foot high chain-link fence which will remain in the same location for both temporary tent locations. The fencing will provide for security access to the site and for the location of the temporary banner signage along Las Vegas Boulevard South and the western portion of Mandalay Bay Road. At each proposed phase, an additional interior fence is located around the tent staking and mechanical equipment area creating 1 main entrance and 3 emergency exits.

Phase 1 tent location: The tent is set back 50 feet from Las Vegas Boulevard South, over 210 feet from Mandalay Bay Road, and over 400 feet from the east property line. Parking is provided in the existing southern parking lot and to the north of the tent structure and enclosure.

Phase 2 tent location: The tent is set back 65 feet from Las Vegas Boulevard South, 25 feet from Mandalay Bay Road, and over 350 feet from the east property line. Parking is provided in the existing southern parking lot and to the south of the tent structure and enclosure.

#### Landscaping

Street or interior parking lot landscaping is not proposed with this request.

#### Elevations

The plans depict a 54 foot high membrane structure (tent) with a black and white "swirl" pattern design on the outside of the structure. The applicant has provided a completed "property Owner's Shielding Determination Statement" from the Department of Aviation.

#### Floor Plans

The membrane structure measures 15,673 square feet in area, consisting of 360 seating area with stage, an entrance area, and a backstage area.

#### Signage

The plans depict temporary banner signs measuring 6 feet in height, with a total of 745 linear feet of color fence wrap advertising the proposed use. The banner signs will be affixed to the 6 foot high chain-link fence that surrounds the recreational facility at the entrance, and along Las Vegas Boulevard South and the western portion of Mandalay Bay Road.

#### Applicant's Justification

The applicant requests a recreational facility that will be conducted in 2 phases for a period of 6 months in each location on the site, for a total of 13 months once set-up is completed and a 30 day transition period between phases for relocation of tent and parking. The applicant is requesting not to provide the required parking lot landscaping and around the perimeter where it would otherwise be required. The use of the site for a temporary magic show within the resort corridor is similar in character to the surrounding uses along the corridor. The temporary signs requested with this application consist of a high quality "banner" variety and affixed to the 6 foot high chain-link fence. There will be 2 shows daily at 6:00 p.m. and 8:30 p.m. The applicant also indicates that the increased finish grade is required to help rehabilitate the site to natural grade and prevent the site from being a further eyesore and public safety concern after the use is complete. Lastly, the applicant indicates that the temporary fencing, signage, and parking areas will be removed after Phase 2 is complete.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0368-11	Recreational Facility (amusement park), convention center, increased structure heights, commercial uses (SkyVeu Las Vegas Super Wheel) - expired	Approved by BCC	October 2011
WS-0022-11	Sign package for a proposed recreational facility (amusement park) - expired	Approved by BCC	March 2011
UC-0021-11	Original approval for the recreational facility/amusement park - expired	Approved by BCC	September 2010
UC-0304-10	Recreational facility (exotic animals)	Withdrawn	September 2010
WS-0682-09	Sign affixed to the balloon ride - expired	Approved by BCC	January 2010
WS-0186-09	Recreational facility with an amusement ride (balloon) - expired	Approved by PC	April 2009

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Event parking lot
South	Entertainment Mixed-Use	H-1	Hotel
East	Entertainment Mixed-Use	H-1	Drainage channel & multiple family residential
West	Entertainment Mixed-Use	H-1	Mandalay Bay Resort

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

Use Permit

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

The subject site is located within an area designated for commercial tourist uses. The Resort Corridor is the primary activity center where hotels, casinos, entertainment uses, and general businesses are located. Staff typically supports recreational facilities in this area. While the site is not being improved with all on-site development standards, staff can support the proposed use since it is temporary with a time limit of 13 months in total. A permanent use shall include improvements to enhance the Resort Corridor.

### Waivers of Development Standards

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

### Waivers of Development Standards #1 through #4 & Design Review #1

In the past staff has not supported similar requests at different locations within the Resort Corridor. However, the areas of those facilities were much larger than this tent. For example, a tent over 34,000 square feet was requested along Paradise Road, and a 200,000 square foot tent for a trade show event was requested on a site south of the subject site. As mentioned above, the expectation of development in the Resort Corridor is to provide enhanced landscaping and buffering with pedestrian realm along Las Vegas Boulevard South. While the proposed development provides for adequate paving of access and parking areas, along with providing site security and screening of mechanical equipment, the concern with the proposed development is the potential for the use to continue without proper on-site improvements. However, since this project is on a smaller scale, and will be on site for only 13 months, staff can support these waivers and design review.

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

#### Waiver of Development Standards #5

Staff has no objection to the waiver of full off-site improvements for this temporary recreational facility. Staff finds as this is only temporary there is no need for full off-site improvements at this time.

#### Waiver of Development Standards #6

Staff supports the waiver to leave the existing pan driveways for the use of this temporary facility. Staff finds as this is only temporary there is no need for commercial curb return driveways at this time.

#### Waiver of Development Standards #7

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any fences or gravel placed in the right-of-way. Staff can support this waiver of development standards but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

#### 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**

- 18 months for review as a public hearing;
- Each phase shall not be in operation for more than 6 months;
- Total time limit of both tent location phases for 13 months once Building Permit occupancy is issued for Phase 1.
- 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, 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 application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Right-of-way dedication to include 43 feet for Las Vegas Boulevard South;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Any extension of time or new applications for this project will require the construction of full off-sites improvements and compliance with driveway standards.
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

### **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;
- Temporary tents, air-supported, air-inflated or tensioned membrane structures shall not be erected for a period of more than 180 days within a 12-month period on a single premises.
- 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.

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

**APPLICANT:** THE SHEKINAH PROJECT I, LLC

**CONTACT:** EPG LAW GROUP, 5940 S. RAINBOW BLVD., LAS VEGAS, NV 89118



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

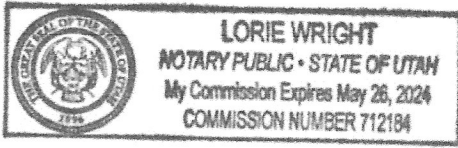
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <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 #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0120</u> DATE FILED: <u>3/7/2023</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>4/11/2023</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>5/3 4/19/2023</u> FEE: <u>\$1650</u>
	<b>PROPERTY OWNER</b>  NAME: <u>KULIK RIVER CAPITAL LLC</u> ADDRESS: <u>3800 HOWARD HUGHES PKWY STE 1200s</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89169</u> TELEPHONE: <u>n/a</u> CELL: <u>n/a</u> E-MAIL: <u>n/a</u>
	<b>APPLICANT</b>  NAME: <u>The Shekinah Project I, LLC</u> ADDRESS: <u>486 Princeton Place</u> CITY: <u>Bozeman</u> STATE: <u>MT</u> ZIP: <u>59715</u> TELEPHONE: <u>406-579-1901</u> CELL: _____ E-MAIL: <u>jayowenhouse@msn.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Elias George - EPG Law Group</u> ADDRESS: <u>5940 S Rainbow Blvd</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702) 358-0933</u> CELL: _____ E-MAIL: <u>elias@epglawgroup.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 16228301032, 16228301037, 16228301036, 16228301001, 16228301002  
 PROPERTY ADDRESS and/or CROSS STREETS: S Las Vegas Blvd & Mandalay Bay Drive 1622830133, 16228301010  
 PROJECT DESCRIPTION: \_\_\_\_\_

(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.

  
 Property Owner (Signature)\*  
 \_\_\_\_\_  
 Gregory Perry  
 Property Owner (Print)

STATE OF UTAH  
 COUNTY OF WALT  
 SUBSCRIBED AND SWORN BEFORE ME ON October 24 2022 (DATE)  
 By: Gregory Perry  
 NOTARY PUBLIC: \_\_\_\_\_



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



5940 S. RAINBOW BLVD.  
LAS VEGAS, NV 89118  
(702) 358-0933 P.  
ELIAS GEORGE

[ELIAS@EPGLAWGROUP.COM](mailto:ELIAS@EPGLAWGROUP.COM)

Clark County  
Department of Comprehensive Planning  
c/o Nancy Amundsen, Director  
500 S. Grand Central Pkwy.  
Las Vegas, NV 89101

Re: Justification Letter | Site Plan Review | APR22-100764  
Applicant (Shekinah Project 1, LLC) | Magic Show on S. Las Vegas Boulevard  
APNs: 162-28-301-001/002/036/037/32

Dear Ms. Amundsen:

Shekinah Project 1, LLC, through its manager, Jay Owenhouse (“**Owenhouse**” and “**Applicant**”), seeks a special use permit for a recreational facility, specifically, allowance to set up and establish a large-scale commercial tent (“**Temporary Structure**”) on the Southeast corner of S. Las Vegas Boulevard and Mandalay Bay Road for two (2) six month periods (each a phase to run consecutively) to operate the second largest touring magic show in the United States (“**Magic Show**”).<sup>1</sup>

#### A. APPLICANT’S BACKGROUND

A lifelong student of Harry Houdini, Owenhouse is one of our country’s foremost escape artists and has been featured on the television programs “Master of Illusion” and “Magic on the Edge.” His Magic Show is a family affair, with his four children—John, Peter, Juliana, and Christina—all working behind the scenes and onstage.

With its breathtaking illusions and emotional story beginning with the unfortunate passing of Owenhouse’s wife, the Magic Show guides viewers through an inspiring journey of compassion, unity, and the emerging strength of families and communities who experience hardship yet persevere despite those struggles.

The Magic Show will serve as a unique attraction on S. Las Vegas Boulevard (i.e., the old SkyVue Las Vegas Super Wheel site) where, presently, there is an unsightly, fenced-off unimproved series of parcels surrounding a large hole in the earth.

The instant request for a special use permit is made to bring entertainment to S. Las Vegas Strip from a magician and illusionist who is world-renowned, particularly at a site that has not seen any activity (hospitality or otherwise) in nearly eight (8) years.

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<sup>1</sup> Applicant will not be using live animals in the Magic Show.

B. SITE AND APPLICATION DETAILS

*Phases.* The Application contemplates two (2), consecutive, six-month phases, with each designated herein as "Phase I" and "Phase II."

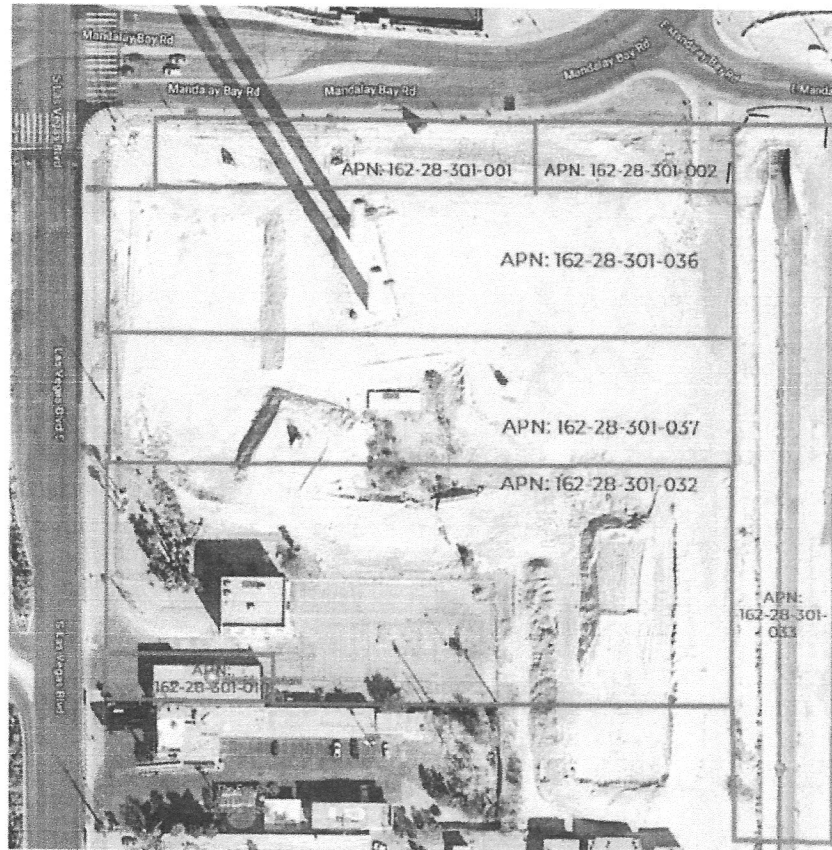
Phase I - This Application seeks a special use permit for the placement of the Temporary Structure on the following two (2) assessor parcel numbers ("APNs"), 162-28-301-037 and 162-28-301-032, for a period of six months ("Phase I").

Phase II - This Application seeks a second special use permit for the placement of the Temporary Structure on the following two (2) APNs, 162-28-301-001 and 162-28-301-036, for a period of six months that would immediately following Phase I ("Phase II").

Transition Period - Phase II will commence no later than thirty (30) days after Phase I concludes.

Although the Temporary Structure would touch two parcels during Phase I and two different parcels during Phase II, the Application includes seven (7) separate but adjacent parcels (APNs: 162- 28-301-001/002/036/037/32/033/010) as they will house the surface parking lots, Temporary Structure, and/or ingress/egress.

*Site Location.* The site is situated within District G (Comm'n Gibson) of Clark County, Nevada, and, more specifically, on the SE corner of S. Las Vegas Boulevard and Mandalay Bay Road ("Site"). The below APN Map indicates the location of the site and the seven (7) subject APNs:





*Land Owner.* The owner of the seven (7) subject parcels is Kulik River Capital LLC, a Nevada limited liability company, with its manager being Gregory Perry, who is located at 11245 SE 6<sup>th</sup> St., Suite 240, Bellevue, WA, 98004 ("**Land Owner**").

*Zoning.* The current zoning of the five (5) subject parcels is Limited Resort and Apartment District (H-1).

*Applicant.* The Applicant has entered into a lease agreement with the Landowner to operate its Magic Show on the Site.

*Days and Times of the Magic Show.* The Application submits that the Magic Show will occur Mondays through Sundays with two shows daily at 6:00 pm and 8:30 pm.

*Proposed Timeline of Project.* The Applicant submits the following milestones, by way of example, that it anticipates meeting should the instant application be approved:

- Land Reclamation Project: March 27 – May 11, 2023 (~ 8 weeks)
- Tent and Show Set Up: May 12 – May 25, 2023 (~ 2 weeks)
- Phase I (Opening): May 26 – November 24, 2023 (6 months)
- Tent Relocation: November 25 – December 24, 2023 (~30 days)
- Phase II (Opening): December 25 – June 25, 2024 (6 months)
- Tent Dismantling: June 26 – July 10, 2024 (~ 2 weeks)

C. THE TEMPORARY STRUCTURE IS A "RECREATIONAL FACILITY" UNDER THE CLARK COUNTY CODE AND IS ALLOWED WITHIN AN H-1 ZONE AS A SPECIAL USE WITH AN SPU.

*Recreational Facility Defined.* Under CC 33.08.030, a "Recreational Facility" is defined as the following:

[A] *facility or area used for . . . entertainment . . .* by the general public for a fee, or when not in conjunction with a principal use. Examples include, but are not limited to, amphitheaters . . . arenas . . . interactive entertainment . . . , but does not include adult uses, theaters, health clubs, or arcades.

*Id.* (emphasis added). Here, because the Temporary Structure is a facility/arena that will be used for entertainment in the form of a magic show by the public for a fee and not used in conjunction with another, principal use, it clearly falls within the County's classification as a "recreational facility."

*Special Use Permit Requirements.* Pursuant to CC 30.44.010 (Table 30.44-1), the use of a "Recreational Facility" within an H-1 zone is allowed but a special use permit is needed. A "special use," as set forth under the Code, includes the following:

1. Accessory commercial uses may be permitted in conjunction with the establishment including, but not limited to shops, snack bars, lounges, and restaurants, provided the accessory commercial uses are specified in a special use permit approval.

Response: Applicable has reviewed this requirement and seeks a waiver as more particularly set forth below in section "G" of this Justification Letter, specifically, because the Temporary Structure is a fabric structure (tent) and not a permanent building.



In addition, this section of the code has additional requirements (i.e., "notes") that relate to recreational facilities, which include the following:

1. Landscaping and screening requirements per Table 30.64-[2] (Commercial and Special Uses).  
Response: Applicant has reviewed and seeks a waiver of this requirement as set forth more particularly below in section "C" of this Justification Letter.
2. Activities are permitted outside.  
Response: Applicant has reviewed and accepted this stipulation.
3. Title 8 of the CC regulates the sale of alcohol and cannot be waived or varied.  
Response: Applicant has reviewed and accepted this stipulation.
4. Off-premises signage allowed in conjunction with Recreational Facilities which are governed by a Board authorized by the state of Nevada.  
Response: Applicant has reviewed and accepted this stipulation.

CC Table 30.44-1 (Recreational Facilities)

Here, because the Temporary Structure will be used for entertainment in the form of a magic show, it is a recreational facility and thus, allowed within the H-1 zoning so long as an SPU is issued.

As a result, the Applicant is seeking two (2) Special Use Permits for recreational facility for each of the two phases.

**D. THE APPLICABLE SATISFACTORILY MEETS THE REQUIREMENTS FOR THE ISSUANCE OF A SPECIAL USE PERMIT UNDER CC 30.16.070 (TABLE 30.16-4)**

Per CC 30.16.070, the instant Application satisfactorily meets each of the following requirements needed for the issuance of an SPU for a recreational facility. Only those relevant, applicable sections of Table 30.16-4(i) (Standards for Approval) will be documented in this Justification Letter:

\* \* \*

(2) (A) The proposed use shall be in harmony with the purpose, goals, objectives, and standards of the Plan and of this Title.

Response: The Magic Show is a quintessential Las Vegas entertainment event located within the most harmonious and ideal location: S. Las Vegas Boulevard. Plus, the show will help to diversify and emphasize tourism-centric services and enhance the resiliency of the Strip and the community at large.

(B) The proposed use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; and

Response: The Magic Show will not result in an undue adverse effect on adjacent properties, namely because the adjacent

properties are either unimproved or resort hotels and casinos, which will benefit from the marginal increase in pedestrian and vehicle traffic. The character of S. Las Vegas Boulevard is ripe for a unique, traveling magic show that will not significantly impact roadways or the general welfare of the community but instead, add to the allure and entertainment of our community.

(C) The proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden.

Response: The Magic Show is merely temporary and will not be operating all day and all night but will be entertaining guests during the late afternoon / early evening hours and thus, will not significantly impact public facilities and services.

\* \* \*

(4) FAA and other additional requirements and standards are established in 30.16.210.

Response: Inquiries have been placed with the Department of Aviation to determine whether only a Shielding Permit is needed.

The remaining standards for approval under Table 30.16-4(i) are inapplicable, and the Magic Show is not a "high impact" project that would necessitate additional documentation or evidentiary support. As a result, the Applicant proposes that its application satisfactorily meets the factors necessary to support the issuance of an SPU for a recreational facility.

E. THE TEMPORARY SIGNAGE WILL SERVE TO COVER THE CURRENTLY EXISTING FENCING THAT IS SURROUNDING THE SITE.

*Currently Existing Fencing Surrounding the Site.* The 6-foot high, chain link fence that is shown in the site plan is already located and situated on the Site. The Applicant is not raising a new fence nor relocating the currently existing fence; instead, it is merely proposing to decorate the fence with a high-quality, industry-standard banner wrap ("Temporary Signage").

CC 30.72.070 governs temporary signs in the County and sets forth the minimum requirements for the issuance of a temporary sign permit. Specifically, such signage is allowed within an H-1 zone so long as it complies first with CC 30.72.040 (Requirements of General Applicability) and second with Table 30.72-3 (Time, Place, and Manner Requirements for Temporary Signs). This Justification Letter will address each of these two Code provisions in turn:

First, under CC 30.72.040, the Applicant will address those relevant, applicable subsections herein:

(1) External Bracing. Except for poles supporting freestanding signs, but including single support freestanding signs (pole signs), all bracing and support structures for signs visible from a street or residential development shall be decorative or covered. Single support freestanding signs (pole signs) shall use decorative pole covers that integrate the colors, materials, architectural features, or other appropriate design components of the principal buildings

within the same site development to prevent visibility of any structural element.

Response: Applicant has reviewed and accepted this stipulation. Its Temporary Signage is not a pole sign, but rather, is a wrap that will decorate and cover the currently existing chain link fence that surrounds the Site.

As to those remaining general requirements, as more particularly set forth in subsections CC 30.72.040(2) – (15), the Applicant has reviewed and accepted these stipulations.

Second, under Table 30.72-3, Applicant's Temporary Signage satisfactorily meets the time, place, and manner requirements for temporary signs. Specifically, the signs will be a "banner" variety and affixed to the 6-foot-high existing chain link fence. Specifically, the sign will be manufactured by FenceScreens.com - 351 Series - 6' Tall (5'-8") 90% blockage, custom printed on Flex Mesh Plus, including full color digitally printed graphics, finished edges, and black grommets on all 4 Sides. Some of the relevant dimensions of the sign include the following:

- Sign Elevations: As set forth in the "Elevations and Floor Plan" submitted contemporaneously with this letter, the sign wrap will cover the entire outdoor fence sections.
- Sign Length: A total of 745ft of signage will cover the current fence and surround the Site.
- Sign Dimensions: 6' Tall (5'-8") 90% Blockage, Custom Printed x 745ft.
- Locations of Sign: The Temporary Signage will be located on:
  - (i) the property fence facing Las Vegas Blvd, (450ft);
  - (ii) the corner of Las Vegas Blvd and Mandalay Bay Road, going East on Mandalay Bay Road (190 ft.); and
  - (iii) the private parking lot driveway at 3951 Las Vegas Blvd. South (105ft),
  - = for a total distance of 745 ft color fence wrap.
- Privacy Screen: The Applicant intends also on wrapping the chain-link fence with a black privacy screen that will be secured with stakes.
- All Mechanical Equipment Will Be Screened: Because of this privacy screen, the mechanical equipment will be screened and in compliance.

Considering the preceding, the Temporary Signage meets all additional requirements set forth under CC 30.72 et. seq., including the setback (20+ feet where only 10 feet is required), and the height (6 feet where up to 30 feet is allowed).

**F. THE DESIGN OF THE TEMPORARY STRUCTURE SATISFACTORILY MEETS THE APPROVAL REQUIREMENTS SET FORTH UNDER CC 30.16.120 (DESIGN REVIEW).**

Although a design review is not required under the Code, a design review of the Temporary Structure is required here because the Department of Planning determined that a review is necessary. See CC 30.16.120 (Table 30.16-9(b) ("A design review shall be required per this Subsection . . . when the Zoning Administrator determines a review is necessary.")).

...

In examining the approval standards relevant here, the proposed recreational facility consisting of a fabric tent, as depicted in the attached renderings/drawings, meets each of these requirements:

Table 30.16-9(i)(1) – (7). The applicant for any design review shall have the burden of proof to establish that plans, including changes in location of uses or principal structures, satisfy the following criteria:

(1) The proposed development is compatible with adjacent development and development in the area, including buildings, structures, or sites with a Historic Designation;

Response: The Temporary Structure, as shown in the attached drawing plans, is a commercial-grade and structural sound tent that is compatible with the high-quality, commercial construction found across the street (i.e., Mandalay Bay Resort and Casino) and a significant upgrade from the surfacing parking lot just North of the Site. Plus, the Site has been vacant for an extended period of time and is unsightly, as there exists a large hole in the earth. With this project, the Applicant will remediate the land and make economic use of it in a manner that is compatible with the surrounding areas.

(2) The proposed development is consistent with the applicable land use plan, this Title, and other regulations, plans and policies of the County;

Response: The Temporary Structure is located within an H-1 zone and consistent with the County's master plan for the S. Las Vegas Boulevard area, which is to promote tourism-centric services and enhance the resiliency of the Strip and the community at large

(3) Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

Response: The Temporary Structure will be accessed directly on and off from S. Las Vegas Boulevard—one of the largest and most robust thoroughfares in the County—and may also be accessed on the back portion of the Site on and off Mandalay Bay Road. The Site circulation is clear and will not impede the adjacent roadways, plus, the Magic Show will operate 24/7 but only during select times and days during the week for a temporary period of time.

(4) Building and landscape materials are appropriate for the area and for the County;

Response: The Temporary Structure, although a fabric tent, is a commercial-grade and sound structure, that can withstand wind forces up to 110 mph and is specially designed and manufactured for this Magic Show. In other words, the design and safety standards, which exceed industry standards, are appropriate and mirror the quality of development on S. Las Vegas Boulevard.

(5) Elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

Response: The Temporary Structure was specially designed and colored to maximize its aesthetic appearance and blend in well with the surrounding area. This is not a carnival structure; but

rather, a state-of-the-art and modernly manufactured tent built to specific requirements needed by the Applicant to showcase his Magic Show – one of the largest in the world.

(6) Appropriate measures are taken to secure and protect the public health, safety, and general welfare; and

Response: The Temporary Structure, a fabric tent, as shown in the attached drawing plans, is a commercial-grade and structural sound tent, secured by numerous steel stakes, and manufactured to withstand high winds and seismic activity.

(7) FAA and other additional requirements and standards as established in Sections 30.16.210-30.16.240.

Response: Currently, the only requirements appear to be for the Applicant to obtain a Shielding Permit with the Department of Aviation.

The following are additional facts about the Temporary Structure that should be considered in its Design Review:

- Floor Plan: The Temporary Structure includes the following:
  - *Stage Area* (dimensions 70' x 40')
  - *Seating Area* (dimensions of aisles: center 6' wide, side aisles 10' wide)
  - *Emergency Exits* (5 exits for public + 1 additional behind the stage for employees)
- Dimensions: The total height above the grade plane of the Temporary Structure, as shown in the attached Elevation and Floor Plan, is a total of 53.75'.

In light of the preceding, the Applicant respectfully submits that the Temporary Structure's design is compatible with the County's Plan and Title, harmonious with the surrounding development, and, therefore, in satisfaction of CC 30.16.120's requirements.

**G. THE DESIGN OF THE EXCESS FILL PROPOSED FOR THE SITE SATISFACTORILY MEETS CC 30.32.040(9)(B) AND THE COUNTY'S MASTER PLAN**

The Code sets forth that a design review is required in circumstances in which an applicant submits a "request to increase the finished grade over 36 inches." CC 30.32.040.

Here, the Applicant is requesting that the Board approve its design plan to reclaim the Site and to allow a 14-foot fill even though only 3 feet is presently allowed. This would rehabilitate the Site to its natural grade and prevent it from being both an eye-sour and a public safety concern.

...  
...  
...  
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## H. WAIVERS OF DEVELOPMENT STANDARDS

Due to the temporary nature of the Magic Show and the limitations placed on by the Site and Temporary Structure, the Applicant respectfully requests the following waivers from the Code to complete the successful design and installation of the temporary recreational facility:

1. A waiver to allow fabric as a building material: Table 30.56-2 sets forth the types of building materials and design standards for nonresidential development and projects. Specifically, the "Exterior Materials" section of this Code does not allow or include fabric as an allowed material. The Applicant is requesting a waiver of this requirement as the Temporary Structure, namely, its size, decorative nature, and construction were specifically built and designed for this Magic Show on S. Las Vegas Boulevard to create a harmonious and compatible structure commensurate with a building (temporary or otherwise) that would be found on the Strip. Plus, the Temporary Structure will maintain an inner series of curtains that, when separated by the outer layer of the tent, will create energy efficiencies consistent with the Plan. In addition, the tent was precisely constructed to withstand high winds and seismic activity to maintain public safety and welfare. Lastly, the spirit and intent of CC 22.02.065 (Temporary Use Buildings) appear to allow temporary structures that do not resemble permanent buildings made of stucco, masonry, or wood, but rather, structures made of temporary material like fabric.
2. A waiver of the Special Use requirements to allow a recreational facility to be used, not in conjunction with a permanent building, but with a temporary structure, and to allow onsite accessory retail sales and on-premises consumption of alcohol in a fabric structure. Table 30.44-1 (1) sets forth that a "special use" sufficient for the issuance of an SPU in connection with a recreation facility is that the commercial use must be used in connection with a permanent building. The Applicant respectfully requests a waiver of this requirement also so that it can offer accessory retail sales and on-premises consumption of alcohol to operate because its tent is temporary, not permanent, and, although not used in connection with a permanent structure, it is substantial in size and safety. The tent, standing alone, is a wonderful piece of architecture specially designed for this Magic Show on the Strip. Plus, the Temporary Structure will make economic use of another wise undeveloped and underperforming asset on the Strip.
3. A waiver of the landscape adjacent to S. Las Vegas Boulevard and Mandalay Bay Road: Figure 30.64-17 and CC 30.64.040 set forth the landscaping requirements for nonresidential construction and sidewalks. Because the Magic Show is temporary in nature, and because it is maintaining the currently existing chain-linked that surrounds the Site, the Applicant respectfully requests that the landscaping requirements be waived as it does not impede on the Plan or the surrounding properties. In addition, the Site is located on the far end of S. Las Vegas Boulevard where there is presently no landscaping and a series of parcels that would not be in use but for this Magic Show.



4. A waiver of the parking lot landscaping standards. Figure 30.64-14 sets forth the requirements for landscaping for commercial and special use. Because the Magic Show is temporary in nature, the Applicant respectfully requests that the parking lot landscaping requirements be waived as it does not impact the Plan or the surrounding properties. In addition, the Site is located on the far end of S. Las Vegas Boulevard where there is presently no landscaping and a series of parcels that would not be in use but for this Magic Show.
5. A waiver to allow a non-decorative fence (chain-link) along streets where a decorative fence in conjunction with required landscaping is permitted: CC 30.64.020 requires that a fence "which is along a street shall be decorative." The Applicant is proposing to cover the fence that is already surrounding the Site with a custom-made screen print to decorate it. Covering of the existing fence is consistent, again, with the Plan and this Title that seeks to promote tourism-centric services and enhance the entertainment and resiliency of the Strip. But for this Magic Show, the bare fence would persist.
6. A waiver to increase the time limit for an existing temporary sign to thirteen (13) months (Phase I – 6 months, Transition Period – 1 month, Phase II – 6 Months) where a maximum of one (1), ten (10) day event in a calendar month, with no more than six (6) total events over one (1) calendar year. Table 30.72.3 sets forth the requirements for the length of time in which a temporary sign may be used for commercial purposes in connection with a special attraction. Here, the Applicant respectfully requests a waiver of this requirement, specifically, extending the Applicant's ability to use the Temporary Signage on the chain-linked fence for the duration of the Magic Show. If the Temporary Signage was restricted temporarily in concert with the Code, it would detrimentally impact the aesthetics of the Site and Magic Show, whereby visitors would be met with a fence rather than a high-resolution and custom-made print wrap surrounding that fence. Plus, the signage would be an improvement over what is presently situated on the site: a chain-linked fence securing a large and unsightly hole in the earth.
7. A waiver to leave existing infrastructure (non-standard improvements) and off-site improvements. CC 30.52 and Uniform Standard Drawings 22.1 and 22.5 require that driveways be commercial curb return driveways and that such driveways must be between 32' and 40' in width, measured from the lip of one gutter to the other. Because the Magic Show is temporary in nature, and because it is maintaining the currently existing improvements that surround the Site, the Applicant respectfully requests that these off-site improvement requirements be waived as they do not impede on the Plan, Title, or the surrounding properties.

...

8. A waiver of non-standard improvements to allow the temporary fence surrounding the Temporary Structure and the temporary gravel parking spaces in the public right of way. CC 30.52 does not otherwise allow non-standard improvements like a temporary fence or gravel-like parking in a public right-of-way, but given the temporary nature of the Magic Show and given also that the temporary fence along with the gravel parking will be removed immediately after Phase II's completion, the Applicant respectfully requests that these non-standard improvements be allowed as they do not impede on the Plan, the Title, or the surrounding properties.

I. THE SITE PLAN SATISFACTORILY MEETS THE CODE'S PARKING REQUIREMENTS.

Table 30.60-1 under the Code sets forth the parking requirements for stadiums and arenas. That calculus includes the following ratio: 1 parking spot per 4 seats. Here, the total number of seats that the Applicants propose to use is 312. Given the size of the Temporary Structure, however, the Applicant has the ability in the future to add an additional 48 seats to the arena for a combined total of 360 seats. To that end, the minimum required number of parking spots equals 90, with a ratio of 90:360.

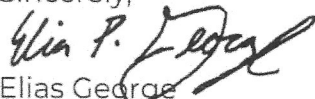
Based on the present Site Plan, the Applicant satisfactorily meets this 1:4 threshold. For example, where 360 audience seats (maximum) will be provided with 90 required parking spaces, the Applicant will be exceeding this requirement by offering a total of 139 parking spaces for both Phase I and Phase II.

J. CONCLUSION

This justification letter represents the required and supplementary information to document the harmonious use of the Temporary Structure on S. Las Vegas Boulevard, and the Magic Show serving to further the Plan and Title by emphasizing tourism-centric services while enhancing the resiliency of the Strip and the community at large. Plus, the Magic Show will offer a temporary reprieve from the Site that is currently surrounded by a chain-linked fence and housing a large hole in the earth that requires remediation, corrective action that the Applicant has agreed to undertake as a condition in securing its special use permit for this recreational facility.

The Applicant respectfully requests the approval of its Special Use Permits, Design Review, and Waiver of Development Standards Application for the Temporary Structure.

Sincerely,



Elias George  
EPG Law Group

RIGHT-OF-WAY  
(TITLE 30)

BACKSTAGE BLVD/DESERT INN RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0103-VT 1, LLC & SIERRA RIDGE STORAGE, LLC:**

**VACATE AND ABANDON** a portion of right-of-way being Backstage Boulevard located between Desert Inn Road and Raymert Drive and a portion of right-of-way being Raymert Drive located between Backstage Boulevard and US Highway 95 within Paradise (description on file). TS/rk/syp (For possible action)

**RELATED INFORMATION:**

**APN:**

161-18-510-058

**LAND USE PLAN:**

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

The plans show the vacation and abandonment of 5 foot wide portions of Backstage Boulevard and Raymert Drive to accommodate detached/meandering sidewalks in conjunction with a mini-warehouse development.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0760-07	Reclassified this site to C-1 zoning for an office building and animal care facility	Approved by BCC	August 2007

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	H-1	Undeveloped
South	Corridor Mixed-Use	C-P	Outside storage
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
West	Corridor Mixed-Use	C-1	Retail center, vehicle sales, & undeveloped

**Related Applications**

Application Number	Request
UC-23-0102	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**

**Public Works - Development Review**

Staff has no objection to the vacation of right-of-way for detached sidewalk.

**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**

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Right-of-way dedication to include a 54 foot property line radius in the northeast corner of the site and associated spandrels;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Fire Prevention Bureau**

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

- Applicant is advised 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 objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** KURT WALDEN

**CONTACT:** ERIK SWENDSEID, EV&A, 1160 N. TOWN CENTER DRIVE #170, LAS VEGAS, NV 89144

DRAFT



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-23-0103</u>	DATE FILED: <u>3-6-23</u>
		<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Paradise</u> PC MEETING DATE: <u>5-2-23</u> BCC MEETING DATE: <u>—</u> FEE: <u>\$875.00</u>

<b>PROPERTY OWNER</b>	NAME: <u>VT1, LLC</u>
	ADDRESS: <u>4678 Concord Center Dr, Ste 200</u>
	CITY: <u>Englewood</u> STATE: <u>CO</u> ZIP: <u>80112</u>
	TELEPHONE: <u>702-697-9003</u> CELL: _____
	E-MAIL: <u>dhoran@ventanacap.com</u>

<b>APPLICANT</b>	NAME: <u>Darwin Horan</u>
	ADDRESS: <u>8678 Concord Center Dr, Ste 200</u>
	CITY: <u>Englewood</u> STATE: <u>CO</u> ZIP: <u>80112</u>
	TELEPHONE: <u>720-697-9003</u> CELL: _____
	E-MAIL: <u>bhoran@ventanacap.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Rick Engineering Co - Andre Leonard</u>
	ADDRESS: <u>4255 Dean Martin Dr, Ste F</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89103</u>
	TELEPHONE: <u>702 827 0650</u> CELL: <u>702-918-7912</u>
	E-MAIL: <u>aleonard@rickengineering.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 161-18-510-058

PROPERTY ADDRESS and/or CROSS STREETS: SWC of E Desert Inn Road and Backstage Boulevard

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

[Signature]  
Property Owner (Signature)

[Print Name]  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF Colorado, Douglas Co  
SUBSCRIBED AND SWORN BEFORE ME ON 12.31.2022 (DATE)  
By Darwin Horan  
NOTARY PUBLIC: [Signature]

ALANA WESTER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20204039896  
MY COMMISSION EXPIRES NOVEMBER 13, 2024

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

2





Dec 19, 2022

Clark County Development Services  
500 S. Grand Central Parkway  
Las Vegas, Nevada 89153

Re: Justification Letter : Ventana Capital – Mini Storage  
Parcel No: 161-18-510-058 in conjunction with APR-22-101305

On behalf of our team, the following details a proposed Commercial Development located on the southwest corner of East Desert Inn Road & Backstage Boulevard here in Las Vegas, Nevada.

#### A. Project Overview

The project site will be comprised of one parcel: No. 161-18-510-058 totaling approximately 1.51 net acres. This parcel is currently zoned C-1. This gated self storage facility is comprised of one 3 level building with a single access drive off Raymert Drive.

#### Right of Way Vacation Justification:

As part of APR-22-101305, Public Works commented on Nov 22, 2022 that the detached sidewalks require the vacation of the public right of way and the vacation must be submitted with APR-22-101305.

Also, a 54 foot property line radius at the northeast corner of the site must be provided.

The meandering sidewalk is sought to enhance the visual aesthetic and create opportunities to install enhanced landscaping for this project by having detached sidewalks.

p 

Andre R. Leonard P.E.  
Sr Project Manager, Rick Engineering.

2

MINI-WAREHOUSE FACILITY  
(TITLE 30)

BACKSTAGE BLVD/DESERT INN RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0102-VT 1, LLC & SIERRA RIDGE STORAGE, LLC:**

**USE PERMIT** for a mini-warehouse facility.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase wall height 2) allow access to a local street; 3) allow non-standard improvements in the right-of-way; and 4) reduce driveway distances from the intersection.

**DESIGN REVIEW** for a proposed mini-warehouse facility on 1.5 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Backstage Boulevard and the south side of Desert Inn Road within Paradise. TS/rk/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

161-18-510-058

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow perimeter wall height to 8 feet where 6 feet is the maximum per Section 30.64.020 (a 34% increase).
2. Allow access to a local street (Raymert Drive) where access to a local street is not permitted per Table 30.56-2.
3. Allow non-standard street improvements in the right-of-way (landscaping) where not allowed per Section 30.52.050.
4. Reduce the departure distance from an intersection to a driveway along Raymert Drive to 97 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 49% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 1.5
- Project Type: Mini-warehouse facility
- Number of Stories: 3

- Building Height (feet): 35
- Square Feet: 104,826
- Parking Required/Provided: 5/5

Site Plan

The plan depicts a mini-warehouse building centrally located on a 1.5 acre site. The facility will have a total of 860 storage units between 3 levels. Primary access to the site is from Raymert Drive to the south which is considered a local street. The access gate to the facility is located within the interior of the site beyond the customer parking area and leasing office. Five parking spaces are located to the west of the office.

Landscaping

The plans depict 15 foot wide landscape areas with detached sidewalks along each of the streets that are adjacent to the site. More specifically, this site will provide standard detached sidewalks along Desert Inn Road and Raymert Drive, as well as a meandering path along Backstage Boulevard to provide additional appeal to the development. An 8 foot CMU security wall will be provided adjacent to the neighboring properties within the extents of the gated portion of the property. A 6 foot wrought iron fence will provide a security buffer at the property line outside the gated area.

Elevations

The mini-warehouse is a 3 story building with a maximum height of 35 feet. The proposed building has unified and consistent modern architecture with different surface planes and slight building height variations. The materials include EIFS concrete panel walls, decorative panels, corrugated metal accents with varying color schemes.

Floor Plan

The proposed mini-warehouse building has a total area of 104,826 square feet. There are 860 storage units that range between 25 square feet and 300 square feet in area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the office hours are estimated to be 9:00 a.m. to 6:00 p.m., with gate access from 6:00 a.m. to 9:00 p.m. This facility will be of similar nature to other facilities in the valley and will be secured and monitored 24/7 and contribute very little in terms of noise or traffic disturbance to the surrounding area.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0760-07	Reclassified this site to C-1 zoning for an office building and animal care facility	Approved by BCC	August 2007

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use	H-1	Undeveloped
South	Corridor Mixed-Use	C-P	Outside storage
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
West	Corridor Mixed-Use	C-1	Retail center, vehicle sales, & undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-23-0103	A vacation and abandonment to vacate portions of right-of-way 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 (Desert Inn Road) and the parcels to the west are developed with commercial uses. The proposed facility should not impact the surrounding area. A 15 foot wide landscape buffer is provided along the perimeter street frontages. The request complies with the Master Plan which promotes ensuring that the design and intensity of new development is compatible with established neighborhoods and uses.

Waivers of Development Standards

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

Waiver of Development Standards #1

Staff has no issue with the increase in wall height as it would provide additional security for the facility; therefore, staff can support this request.

### Waiver of Development Standards #2

Staff has no objection to permitting access to the local street, Raymert Drive. The proposed driveway location was selected due to the context of traffic patterns and frontage, and while there is an existing parcel zoned R-1, it is not currently being used for single family use. Lastly, the size of the street (dead-ending into US Hwy 95) and low traffic count for a storage facility also makes the likelihood of conflict extremely low; therefore, staff can support this request.

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

#### Waiver of Development Standards #3

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #3 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

#### Waiver of Development Standards #4

Staff has no objection to reducing the driveway departure distance for the Raymert Drive. The applicant has placed the driveway as far west as the site will allow.

### **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**

- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation;
- 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**

- Coordinate with Public Works on the design of Backstage Boulevard;
- Drainage study and compliance;
- Right-of-way dedication to include a 54 foot property line radius in the northeast corner of the site and associated spandrels;

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0442-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** KURT WALDEN

**CONTACT:** ERIK SWENDSEID, EV&A, 1160 N. TOWN CENTER DRIVE #170, LAS VEGAS, NV 89144





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <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 #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0102</u> DATE FILED: <u>3-6-23</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>4-11-23</u> PC MEETING DATE: <u>5-2-23</u> C-1 BCC MEETING DATE: _____      Corridor Mixed-Use FEE: <u>\$1825.00</u> TS 200760-07
	<b>PROPERTY OWNER</b>  NAME: <u>VT1,LLC</u> ADDRESS: <u>8678 Concord Center Dr Ste 200</u> CITY: <u>Englewood</u> STATE: <u>CO</u> ZIP: <u>80112</u> TELEPHONE: <u>720-697-9003</u> CELL: _____ E-MAIL: <u>dhoran@ventanacap.com</u>
	<b>APPLICANT</b>  NAME: <u>Darwin Horan</u> ADDRESS: <u>8678 Concord Center Dr Ste 200</u> CITY: <u>Englewood</u> STATE: <u>CO</u> ZIP: <u>80112</u> TELEPHONE: <u>720-697-9003</u> CELL: _____ E-MAIL: <u>dhoran@ventanacap.com</u> REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>EV&amp;A Architects/Kurt Walden</u> ADDRESS: <u>1160 N. Town Center</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89144</u> TELEPHONE: <u>702-946-8195</u> CELL: <u>702-581-9684</u> E-MAIL: <u>kwalden@edvanceassociates.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 161-18-510-058

PROPERTY ADDRESS and/or CROSS STREETS: SWC of E. Desert Inn Road and Backstage Blvd

PROJECT DESCRIPTION: New 116,800 square foot self-storage facility

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

[Signature]  
 Property Owner (Signature)\*

Darwin Horan  
 Property Owner (Print)

STATE OF Colorado  
 COUNTY OF Douglas

SUBSCRIBED AND SWORN BEFORE ME ON Sept 2, 2022 (DATE)

By Darwin Horan  
 NOTARY PUBLIC: [Signature]

ALANA WESTER  
 NOTARY PUBLIC  
 STATE OF COLORADO  
 NOTARY ID 20204039896  
 MY COMMISSION EXPIRES NOVEMBER 13, 2024

\*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.



December 22, 2022

ARCHITECTURE  
PLANNING  
INTERIORS

Clark County Development Services  
500 S. Grand Central Parkway  
Las Vegas, Nevada 89153

Re: **Justification Letter : Ventana Capital – Mini Storage**  
Parcel No: 161-18-510-058  
EV&A Project No. 2021205

**Principals**

Edward A. Vance, FAIA  
Matthew F. Burns, AIA  
Kellee L. Wainwright, RID  
Kurt P. Wulden, CDT, Assoc. AIA

On behalf of our team, the following details a new Commercial Development located on the southwest corner of East Desert Inn Road & Backstage Boulevard here in Las Vegas, Nevada. The following outlines our request for a design review and requests for waivers of development standards.

**Associates**

Thomas Gravestock, AIA  
Erik Swendseid, AIA  
Stephan Winfield, AIA  
Ana Fontana, Assoc. AIA  
Giuseppe Lopez, Assoc. AIA  
Ken Dalbey, Assoc. AIA  
Carina Sigurd  
Jose Pina, Assoc. AIA  
Destanee Cook, Assoc. AIA  
Alex Vance  
Byron Baker

**A. Project Overview**

The project site will be comprised of one parcel: No. 161-18-510-058 totaling approximately 1.51 net acres. This parcel is currently zoned C-1. This gated self storage facility is comprised of one 3 level building with a single access drive off Raymert Drive. In total, the project will have approximately 860 units ranging from 25 SF to 300 SF. Office hours are estimated to be 9:00 am to 6:00 pm, with gate access from 6:00 am to 9:00 pm. The project is narratively described as follows:

**BUILDING A:**

Self Storage

- 3 Levels @ 10'-0" Floor-to-Floor
- Leasing office and Lobby at ground floor
- Sprinklered and conditioned exterior & interior accessed units

**Administration**

Jennifer Blumenthal  
Jason Ross  
Susan Roberts

The architecture will consist of a contemporary design aesthetic, with EIFS walls, Metal Panel wall covering, CMU walls, and glass store front.

**Parking Requirements**

Four standard and one accessible parking spaces will be provided where 5 are required in the ungated portion of the front entrance, with direct access to the leasing office. In a large loading area within the gated section of the site, four loading stalls (minimum 25' x 10') provided where four loading stalls are required by Table 30.60-6. Four bicycle spaces will also be provided per Table 30.60-2.

EV&A Architects  
1160 N. Town Center Dr. Ste 170  
Las Vegas, NV 89144

T (702) 948-8125  
F (702) 948-8126



ARCHITECTURE  
 PLANNING  
 INTERIORS

**Principals**

Edward A. Young FAIA  
 Matthew F. Burns AIA  
 Robert W. Worthington FID  
 Kent P. Walden CDT Assoc. AIA

**Associates**

Thomas Davidson AIA  
 Erik Soderberg AIA  
 Stephen Warfield AIA  
 Amy Fontana Assoc. AIA  
 Danielle LaSalle Assoc. AIA  
 Ken Gallo Assoc. AIA  
 Carina Gayman  
 Josh Durr Assoc. AIA  
 Christina Cook Assoc. AIA  
 Greg Vance  
 Alyssa Baker

**Administration**

Jennifer Blanchard  
 James Aron  
 Brian P. Spina

EV&A Architects  
 1150 N. Town Center Dr. Ste 770  
 Las Vegas, NV 89141

T (702) 948-8100  
 F (702) 948-8100

**Site Landscape**

Per the requirements under Title 30, streetside landscaping will be provided per the requirements of detached sidewalks (outside the sight visibility zones). Parked storage areas will have adjacent landscaping per Title 30. An 8'-0" CMU security wall will be provided adjacent to the neighboring properties within the extents of the gated portion of the property. A 6'-0" wrought iron fence will provide a security buffer at the shared property line outside the gated area.

**Building Height**

The building will have an overall height of 35'-0" and parapets will provide screening to any rooftop mechanical equipment.

**Trash Enclosures**

A trash enclosure is located inside the gated portion of the project and is to be used solely by the employees of the facility.

**Site Lighting and Signage**

Site lighting and signage is not included in this application and will be submitted separately. All site lighting and signage will conform with Clark County Title 30 Standards and be designed in a way to limit the impact on the neighboring residences.

**B. Waiver of Development Standards**

1. A waiver of development standards is requested to reduce the departure distance to driveway to 97'-0" where 190'-0"-feet is required.

**Justification:** The depth of the site along Raymert Dr. prevents the accommodation of the required departure depth and the driveway has been placed as far away as possible from the intersection.

2. A waiver of development standards is requested to allow the primary access to occur off Raymert Dr. where parcels are zoned R-1.

**Justification:** The proposed driveway location has been selected due to the context of traffic patterns and frontage, and while there exists a parcel zoned R-1, it is not currently being used for single family use. The size of the street and low traffic count for a storage facility such as this also make the likelihood of conflict extremely low.



ARCHITECTURE  
 PLANNING  
 INTERIORS

**Principals**

Edward A. Vance AIA  
 Matthew F. Burns AIA  
 Nicole L. Wrentham, BID  
 Kurt P. Walden, CDT AIA

**Associates**

Theresa Grayton AIA  
 Eric Swandick AIA  
 Stephen Winfield AIA  
 Ana Fajana Assoc. AIA  
 Humberto Lopez Assoc. AIA  
 Kim Gilibe Assoc. AIA  
 Carina Gaytan  
 Jose Ruiz Assoc. AIA  
 Christine Cook Assoc. AIA  
 Alex Vance  
 Alyssa Baker

**Administration**

Jennifer Blanchard  
 Janna Ayon  
 Sarah Meyer

3. A waiver of development standards is requested to allow the non-standard improvement of a right-of-way at the corner of Desert Inn and Backstage between the property line and back of sidewalk.

**Justification:** The area between the 54' radius property line and 25' back-of-sidewalk is large enough that landscaping is proposed. The owner will execute a license and maintenance agreement for the area, if approved.

**C. Special Use Permits**

1. A special use permit is requested for a mini-warehouse use.

**Justification:** This facility will be of similar nature to other facilities in the valley and will be secured and monitored 24/7, and contribute very little in terms of noise or traffic disturbance to the surrounding area.

We appreciate any comments you may have with this proposed development, please let me know if you need anything additional to complete your review of this project.

Respectfully,

**Kurt Walden**  
 Project Manager

**EV&A Architects**  
 1800 N. Town Center Dr. Ste 170  
 Las Vegas, NV 89141

T: (702) 946-8195  
 F: (702) 946-8196

05/02/23 PC AGENDA SHEET

EASEMENTS  
(TITLE 30)

DESERT INN RD/POLARIS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0100-POLLUX POLARIS FF 399, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Polaris Avenue and Procyon Street, and between Desert Inn Road and Spring Mountain Road within Paradise (description on file). JJ/jgh/ja (For possible action)

RELATED INFORMATION:

**APN:**

162-17-102-002; 162-17-102-003; 162-17-102-005; 162-17-102-007; 162-17-102-009

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

The applicant indicates the patent easements within the subject parcels are no longer needed as the street patterns have become established. In addition, the applicant states they are processing a 1 lot parcel map that will eventually combine the 5 parcels where the easements lie. The plans indicate multiple easements being vacated, spanning across 5 parcels. The easements range in size; from 3 feet to 33 feet.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-22-0384	Reclassified the site from M-1 to R-5 zoning for a multiple family residential development	Approved by BCC	August 2022
ZC-0672-05	Reclassified the site from M-1 to U-V zoning for a mixed-use development - expired	Approved by BCC	July 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	M	Office/warehouse
South	Entertainment Mixed-Use	M-1	Office/warehouse
West	Entertainment Mixed-Use	M-1	Office/warehouse & undeveloped
East	Entertainment Mixed-Use	M-1	Office/warehouse & outside storage

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Right-of-way dedication to include 30 feet for Polaris Avenue;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**



**APPLICANT:** DRC ENGINEERING

**CONTACT:** DRC ENGINEERING, 7080 LA CIENEGA STREET, SUITE 200, LAS VEGAS,  
NV 89119

DRAFT



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):	DEPARTMENT USE	APP. NUMBER: <u>VS-23-0100</u>	DATE FILED: <u>3/2/2023</u>
		PLANNER ASSIGNED: <u>JGH</u>	TAB/CAC DATE: <u>4/11/23</u> 7 PM
		TAB/CAC: <u>Paradise</u>	
		PC MEETING DATE: <u>5/2/23</u>	
		BCC MEETING DATE: _____	
		FEE: <u>\$ 875</u>	

PROPERTY OWNER	NAME: <u>Pollux Polaris F F 399 LLC</u>
	ADDRESS: <u>3041 W. Horizon Ridge Pkwy #155</u>
	CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u>
	TELEPHONE: _____ CELL: _____
	E-MAIL: _____

APPLICANT	NAME: <u>Fore Property Company</u>
	ADDRESS: <u>1741 Village Center Circle</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89134</u>
	TELEPHONE: <u>702-851-1644</u> CELL: <u>702-523-5794</u>
	E-MAIL: <u>aburk@ForeProperty.com</u> REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Dennis Wertzler @ DRC Surveying Nevada Inc.</u>
	ADDRESS: <u>7080 La Cienega St. #200</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89119</u>
	TELEPHONE: <u>702-274-3250</u> CELL: _____
	E-MAIL: <u>dwertzler@drc-lasvegas.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-17-102-002, 003, 005, 007, 009

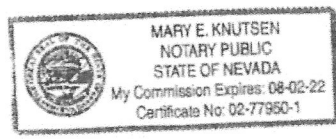
PROPERTY ADDRESS and/or CROSS STREETS: Polaris Ave. / Desert Inn Road

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.

Laura C. Lychock  
Property Owner (Signature) manager

LAURA C. LYCHOCK  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF Clark  
SUBSCRIBED AND SWORN BEFORE ME ON 7-21-22 (DATE)  
By Laura C Lychock  
NOTARY PUBLIC: [Signature]



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

4

# DRC Surveying Nevada, Inc.

Civil Engineering • Land Surveying • Planning  
7080 La Cienega Street, Suite 200 LV, NV 89119 (Ph. 270-6119 Fax 270-4899)

December 14, 2022

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

VS-23-0100

Attention: Senior Planner

**Regarding: Justification Letter for Vacation of Patent easement  
APN's 162-17-102-002, 003, 005, 007, 009**

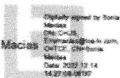
On behalf of our client, Fore Property Company, DRC Surveying Nevada would like to submit a request for a Vacation of Patent easements, on approximately 5.54 +/- gross acres of land generally located on Desert Inn Rd and Polaris Ave.

The patent easements in this area are no longer needed as the street patterns have become established. We are processing a one lot parcel map that will combine the five parcels and dedicate the following right of way: 30' on Polaris Ave.

Please call me if you should have any questions or require additional information.

Sincerely,

DRC Surveying Nevada, Inc.

  
Sonia Macias  
1427 08 08 2022

Sonia Macias  
Project Coordinator

PLANNER  
COPY

4

05/02/23 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

PEBBLE RD/SPENCER ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-23-0116-COLEN, SHELDON & SOTO, ANGELA:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** allow proposed single family residential lots to have direct access to an arterial street (Pebble Road); and **2)** allow individual single family residential lots to not have circular driveways/on-site turnarounds on 1.1 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the north side of Pebble Road, 130 feet west of Spencer Street within Paradise. MN/bb/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

177-14-401-026

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow single family residential lots to face front and have direct access to an arterial street (Pebble Road) where not permitted per Section 30.56.080.
2. Allow single family residential lots not to have circular driveways/on-site turnarounds where required per Section 30.56.040.

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 1730 E. Pebble Road
- Site Acreage: 1.1
- Number of Lots: 2
- Project Type: Single family residential

Site Plans

NZC-20-0486 was previously approved to reclassify the site to CRT and C-2 zoning for an office building and a single family residential development. The proposed plans with this request depict a single family residential development consisting of 2 lots on 1.1 acres. NZC-20-0486 will be expunged as a result. The lot sizes are 23,131 square feet and 23,135 square feet. The access to the project site is via 15 foot wide driveways connecting to Pebble Road through each property.

This is a shared half circle driveway, with 1 point of connection to Pebble Road located on each lot. There are no other potential access points to or from these lots.

Landscaping

The plans depict 6 foot high decorative walls placed at least 15 feet from the front property line with a driveway on each property connecting at the shared property lines. Each lot will have access gates placed a minimum of 18 feet from the front property line with direct access to the shared half circle driveway. An existing attached sidewalk is located along Pebble Road with two, 15 foot wide curb cuts proposed for the driveways. A 15 foot wide landscaped area is shown adjacent to Pebble Road behind the existing attached sidewalk.

Floor Plan

The proposed single family homes will be custom built with general footprints shown on the site plan.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is no longer pursuing development of the commercial and residential development associated with NZC-20-0486 and is requesting that application be expunged in place of the current request to divide the property into 2 residential lots that will remain R-E zoned. The applicant is proposing a semi-circle driveway with 1 point of access to Pebble Road on each residential lot. The applicant states that the shared access will prevent stacking of vehicles and allow ingress and egress without having to back out onto Pebble Road. The property directly adjacent to the west has a similar driveway configuration.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
NZC-20-0486	Reclassified from R-E to CRT and R-2 zoning, with waivers for setbacks and driveway standards, for an office building and 3 single family lots	Approved by BCC	January 2021
VS-1598-03	Vacated and abandoned patent easements - recorded	Approved by PC	November 2003

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
South	Neighborhood Commercial	R-E	Undeveloped
East & West	Neighborhood Commercial	R-E	Single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning**

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.

The applicant depicts a single shared driveway on each property instead of a half circle driveway on each property. This condition may result in vehicles only having access to Pebble Road on the 15 foot wide driveways shown on each property. There is no assurance that cross access movement will be available to each lot in the future, or that cross access to exit onto Pebble Road will not be impeded in either direction by parked vehicles. Staff recommends a half circle drive on each property to provide adequate safe access to Pebble Road. Also, Policy 4.2.4 of the Master Plan supports limiting driveway access on arterial and collector streets. Therefore, staff cannot support these requests.

**Staff Recommendation**

Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- Expunge NZC-20-0486;
- A cross access agreement to be recorded between the future lots;
- No parking on the circular driveway;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.



**Public Works - Development Review**

- Comply with approved drainage study PW21-10447.
- Applicant is advised that off-site improvement permits may be required.

**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 #0303-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

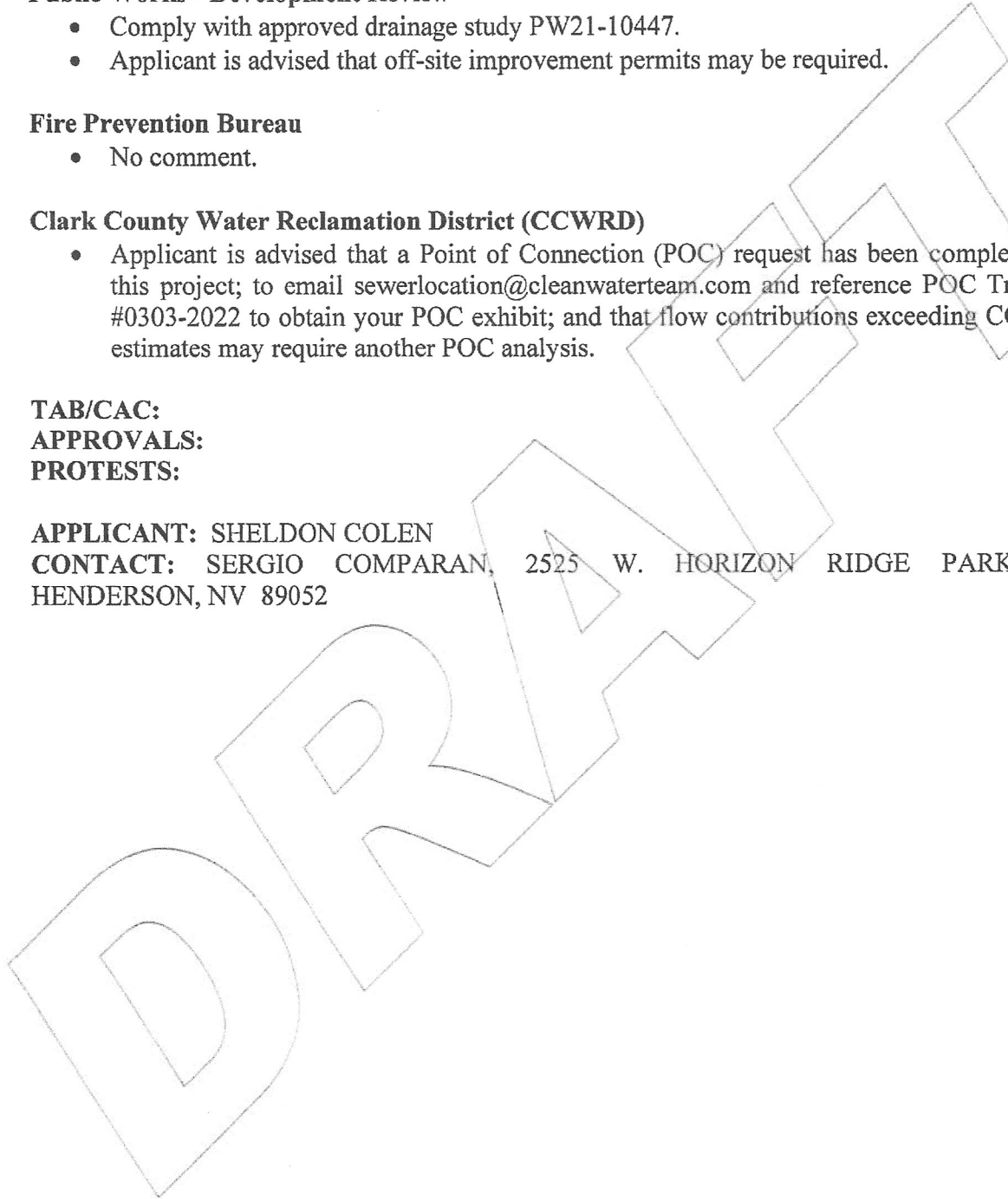
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SHELDON COLEN

**CONTACT:** SERGIO COMPARAN, 2525 W. HORIZON RIDGE PARKWAY,  
HENDERSON, NV 89052





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> <b>WAIVER OF DEVELOPMENT STANDARDS (WS)</b> <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>WS-23-0116</u> DATE FILED: <u>3-6-2023</u> PLANNER ASSIGNED: <u>BSB</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>4-11-2023</u> PC MEETING DATE: <u>5-2-2023</u> BCC MEETING DATE: _____ FEE: <u>\$475</u> M. NOFT R-E
	<b>PROPERTY OWNER</b>  NAME: <u>Sheldon Colen and Angela Soto</u> ADDRESS: <u>2357 Trevisani Street</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89044</u> TELEPHONE: <u>702-719-2020</u> CELL: _____ E-MAIL: <u>sheldon@scadesign.com</u>
	<b>APPLICANT</b>  NAME: <u>Sheldon Colen</u> ADDRESS: <u>2357 Trevisani Street</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89044</u> TELEPHONE: <u>702-719-2020</u> CELL: _____ E-MAIL: <u>sheldon@scadesign.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Sergio Comparan</u> ADDRESS: <u>2525 W Horizon Ridge Pkwy</u> CITY: <u>Henderson</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>702-719-2020</u> CELL: _____ E-MAIL: <u>sergio@scadesign.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-14-401-026

PROPERTY ADDRESS and/or CROSS STREETS: 1730 E PEBBLE RD

PROJECT DESCRIPTION: Splitting of one RE Lot into two RE Lots

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

[Signature]  
Property Owner (Signature)\*

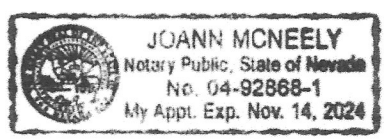
Angela Soto  
Property Owner (Print)

STATE OF Nevada  
COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON December 21, 2022 (DATE)

By Sheldon Colen + Angela Soto

NOTARY PUBLIC: Joann McNeely



\*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.

3056,040 #4

APR-23-100015

5



2525 W. Horizon Ridge Parkway, Suite 230,  
Henderson, NV 89052  
Tel.: (702) 719-2020 Fax: (702) 269-9673  
Gary L. Carlson, Architect (License No. 1859)  
Sheldon Colen, Architect (License No. 7701)

---

January 05, 2023

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

PLANNER  
COPY

**RE: Justification Letter for a Waiver of Development Standards at E. Pebble Rd and Spencer St.**

Please accept this letter as justification for the proposed Waiver of Development Standards:

- 1) Request Waiver of Development Standards 30.56.080.f. (Lot Configuration) to allow 2 proposed residential lots to access an arterial street.

We are proposing a semi-circular driveway to prevent the stacking of vehicles onto the right-of-way and provide an ingress and egress without having to back up into the right-of-way. The design of the proposed driveway is consistent with the design of existing driveways that front Pebble Road, including the property directly adjacent to the west. Please feel free to reach out to me with any questions or comments.

Thank You,

Sheldon Colen,  
SCA Design

05/03/23 BCC AGENDA SHEET

OFFICE/WAREHOUSE DEVELOPMENT  
(TITLE 30)

HELM DR/SPENCER ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WC-23-400021 (ZC-2144-04)-FUSION GROUP NEVADA, LLC:**

**WAIVER OF CONDITIONS** of a zone change requiring landscape plans on file on 0.9 acres in an M-D (Designed Manufacturing) (AE-60) Zone.

Generally located on the south side of Helm Drive, 530 feet east of Spencer Street within Paradise. JG/rk/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-02-601-004

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 0.9
- Project Type: Office/warehouse development
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 13,464
- Parking Required/Provided: 22/25

**Site Plans**

The new plans depict a 1 story, 13,464 square foot office/warehouse building located near the center of the site. This property is surrounded by existing or planned industrial uses. The proposed building is oriented in a north/south direction, with 2 future tenant spaces shown on the plans. Each tenant will have a storefront entrance and grade level overhead roll-up doors. The overhead roll-up doors are on the south, east, and west sides of the building. Parking for the facility is located on the north and south sides of the property. The building is set back 86 feet from Helm Drive to the north, 25.5 feet from the east and west property lines, and 47 feet from the south property line. Access to the project site will be provided by 1 commercial driveway

proposed along Helm Drive. The office/warehouse building requires 22 parking spaces where 25 parking spaces are provided.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-2144-04:

Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning; Landscape plans on file; Full off-sites; Drainage study and compliance; Vacate any unnecessary rights-of-way and/or easements; Any applicable vacations to be recordable prior to building permit issuance or applicable map submittal; as required by Section 30.48.120 of the Clark County Unified Development Code, receive either a permit from the Director of Aviation or a variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction; no building permits will be released for the project prior to the Department of Aviation notifying Zoning Plan Check that the applicant has received all necessary airspace approvals; Applicant is advised that the FAA's determination is advisory in nature and does not guarantee the Director's permit or an AHABA variance will be approved; A standard condition of approval for a Director's permit or an AHABA variance is the granting of an aviation easement.

Applicant's Justification

The applicant indicates that the request to waive conditions of approval is due to the change in design of the site which was approved 19 years ago. Furthermore, the applicant contends that the proposed landscaping associated with the new project meets or exceeds Code requirements for landscaping.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0433-14	Medical cannabis (dispensary)	Denied by BCC	December 2014
UC-0436-14	Medical cannabis establishment (cultivation) - expired	Approved by BCC	June 2014
UC-0438-14	Medical cannabis establishment (production) - expired	Approved by BCC	June 2014
ZC-2144-04	Reclassified the subject site to M-D zoning for an office/warehouse development	Approved by BCC	January 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E & M-D	Undeveloped & distribution building
South, East, & West	Business Employment	M-D	Office/warehouse developments

**Related Applications**

<b>Application Number</b>	<b>Request</b>
DR-23-0095	A design review for a proposed office/warehouse building is a companion item on this agenda.
VS-23-0096	A request to vacate a right-of-way 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**

The waivers of conditions are conditions that were placed on a specific design almost 19 years ago. Since that time both zoning and land use along this segment of Helm Drive have changed. Staff finds the landscaping provided throughout the site meets the intent of the original conditions and complies with the current regulations contained within Title 30; therefore, staff can support 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**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**



**APPLICANT:** FUSION GROUP NEVADA, LLC

**CONTACT:** SCA DESIGN, 2525 W. HORIZON RIDGE PKWY., STE 230, HENDERSON,  
NV 89052

DRAFT





2525 W. Horizon Ridge Parkway, Suite 230,  
Henderson, NV 89052  
Tel.: (702) 719-2020 Fax: (702) 269-9673  
Gary L. Carlson, Architect (License No. 1859)  
Sheldon Colen, Architect (License No. 7701)

---

January 11, 2023

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

**Justification Letter for a proposed office/warehouse building at 1943 Helm Drive**

Please accept this letter as justification for the construction of a new office and warehouse building located at 1943 Helm Drive, currently zoned as Design Manufacturing (M-D).

The proposed building will be a building footprint of approximately 11,500 sq. ft. and 28'-0" in height, oriented to the north toward Helm Drive. The building shall consist of two spaces for office/warehouse use, each with a mezzanine level. The mezzanine levels will be for office use. Space A is approximately 4,466 square feet and Space B 8,998 square feet, for a total area of 13,464 square feet.

The exterior of the building will consist of painted concrete tilt-up panels in a variety of colors with aluminum awnings above storefront systems to emphasize the entrances. The site is accessible from Helm Drive via a 35'-0" driveway and ADA compliant pedestrian walkways.

Where 22 parking spaces are required, a total of 25 parking spaces are provided, including 1 accessible space. A total of 4 bicycle spaces are provided. All parking can be easily accessed by customers and employees via walkways located at building entrance. Recessed downlights and wall mounted lighting will be provided at the entrance of the building. Additional wall mounted lighting along the perimeter of the building will be provided making this building and surrounding area a safe and illuminated environment.

Landscape is being provided along the perimeter of the project and landscape fingers where parking occurs. All plants being used are low maintenance, low water, and native to Southern Nevada, complying with the regional SNRPC plant list. There is one proposed trash enclosure, which will have 6-foot-high CMU walls finished to match the proposed building. Landscaping will be provided surrounding the enclosure for screening purposes.

We are requesting a Design Review for Fill as the site will require more than 36" of fill. This is needed to ensure that the building is set high enough above the grade in Helm Drive to provide adequate flood protection. As part of the Design Review, cross sections have been provided and the maximum fill is anticipated to be 4.49' (53.88") which is an increase over the 36" of 1.49' (17.88").

We would also like to request a Waiver of Conditions from the original zone change ZC-2144-04 for one of the conditions listed in the Notice of Final Action. The Notice of Final Action from this zone change required "landscape plans on file." However, with our new proposed site design, there will also be a new landscape design. Therefore, we would like to request a Waiver of Conditions for this item.

We feel that this new office warehouse will fit harmoniously with the surrounding existing warehouse buildings in the area and create employment opportunities for the community. With these items in mind, we respectfully ask for your approval recommendation for this project.

Thank You,

Sheldon Colen  
SCA Design

05/03/23 BCC AGENDA SHEET

EASEMENTS/RIGHT-OF-WAY  
(TITLE 30)

HELM DR/SPENCER ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0096-FUSION GROUP NEVADA, LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Helm Drive and Pama Lane, and between Spencer Street and Surrey Street; and a portion of right-of-way being Helm Drive located between Spencer Street and Surrey Street within Paradise (description on file). JG/rk/syp (For possible action)

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RELATED INFORMATION:

**APN:**

177-02-601-004

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

The plans show the vacation and abandonment of a 5 foot wide portion of the south side of Helm Drive to accommodate a detached sidewalk in conjunction with an office/warehouse development. This application also includes a request to vacate and abandon 2 access easements as granted to Clark County under document number 20150521:0000606. The subject property is currently undeveloped; however, there is a companion item on the agenda for a proposed office/warehouse building. The easements being eliminated are being shifted slightly based on the new design of the site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0433-14	Medical cannabis (dispensary)	Denied by BCC	December 2014
UC-0436-14	Medical cannabis establishment (cultivation) - expired	Approved by BCC	June 2014
UC-0438-14	Medical cannabis establishment (production) - expired	Approved by BCC	June 2014
ZC-2144-04	Reclassified the subject site to M-D zoning for an office/warehouse development	Approved by BCC	January 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment	R-E & M-D	Undeveloped & distribution building
South, East, & West	Business Employment	M-D	Office/warehouse developments

**Related Applications**

<b>Application Number</b>	<b>Request</b>
DR-23-0095	A design review for a proposed office/warehouse building is a companion item on this agenda.
WC-23-400021 (ZC-2144-04)	A request to waive a condition from a previous zone change for landscape plans on file is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Public Works - Development Review**

Staff has no objection to the vacation of driveway easements and right-of-way for detached sidewalks.

**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**

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Vacation to be recordable prior to building permit issuance or applicable map submittal;



- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** FUSION GROUP NEVADA, LLC

**CONTACT:** SCA DESIGN, 2525 W. HORIZON RIDGE PKWY., STE 230, HENDERSON, NV 89052

DRAFT



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-23-0096</u>	DATE FILED: <u>2-27-23</u>
		PLANNER ASSIGNED: <u>RR</u>	TAB/CAC DATE: <u>4-11-23</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs)		TAB/CAC: <u>Paradise</u>	
<input type="checkbox"/> EASEMENT(S)		PC MEETING DATE: <u>—</u>	
<input type="checkbox"/> RIGHT(S)-OF-WAY		BCC MEETING DATE: <u>5-3-23</u>	
<input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #):		FEE: <u>\$875.00</u>	<u>M-D (AE.CO)</u> <u>Business Employment</u> <u>JG</u>

<b>PROPERTY OWNER</b>	NAME: <u>FUSION GROUP NEVADA LLC</u>
	ADDRESS: <u>680 COLUMBIA AVE</u>
	CITY: <u>RIVERSIDE</u>
	STATE: <u>CA</u> ZIP: <u>92507</u>
	TELEPHONE: <u>951-682-9660</u> CELL: <u>714-720-3481</u>
	E-MAIL: <u>loren@fusionsign.com</u>

<b>APPLICANT</b>	NAME: <u>LOREN HANSON C/O FUSION GROUP NEVADA</u>
	ADDRESS: <u>COLUMBIA</u>
	CITY: <u>RIVERSIDE</u>
	STATE: <u>CA</u> ZIP: <u>92507</u>
	TELEPHONE: <u>951-682-9660</u> CELL: <u>714-720-3481</u>
	E-MAIL: <u>loren@fusionsign.com</u>
	REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>SHELDON COLEN</u>
	ADDRESS: <u>2525 W. HORIZON RIDGE PKWY STE. 230</u>
	CITY: <u>HENDERSON</u>
	STATE: <u>NV</u> ZIP: <u>89052</u>
	TELEPHONE: <u>702-719-2020</u> CELL: <u>702-400-2957</u>
	E-MAIL: <u>SHELDON@SCADESIGN.COM</u>
	REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-02-601-004

PROPERTY ADDRESS and/or CROSS STREETS: 1943 HELM DRIVE  
NEW OFFICE/WAREHOUSE BUILDING, APPROX. 11,500 SF BUILDING FOOTPRINT

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

[Signature] Loren Hanson  
 Property Owner (Signature)\* Property Owner (Print)

STATE OF NEVADA  
COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)  
By \_\_\_\_\_  
NOTARY PUBLIC: \_\_\_\_\_

See Attached Certificate

\*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.

2086-014-222

January 13, 2023

LARRY R. NELSON, P.E.  
President

Department of Comprehensive Planning  
Development Review  
500 S. Grand Central Parkway  
Las Vegas, Nevada 89155

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING
- FORENSICS

**Reference: Vacation of Pedestrian Access Easement Justification Letter for APN# 177-02-601-004**

Dear Staff:

On behalf of our client, we are pleased to provide information regarding a Vacation request for the above-mentioned parcel number, which is located on the approximately 415 feet east of the intersection of Spencer Street and Helm Drive.

We are proposing to vacate 5' of the right-of-way for Helm Drive to allow for a 5' landscape area with a 5' detached sidewalk per the requirements of Title 30. The original right-of-way for Helm Drive was dedicated per Book: 0084 Instrument: 0066993.

We are proposing to vacate the pedestrian access easement across the parcel that was granted on May 21, 2015. This pedestrian access easement was recorded in Official Records as Instrument No. 20150521:0000606 at the Clark County Recorder's Office. The pedestrian access easement is not needed as the proposed driveway for the site is being changed. Public R.O.W adjacent to the site is already dedicated.

We feel that this development and the proposed vacation are compatible with the surrounding area and planned development. With this in mind, we respectfully request the approval of this pedestrian access easement vacation. If you have any questions or concerns, please contact this office at your earliest convenience.

Thank you for your consideration.

Sincerely,

L. R. NELSON CONSULTING ENGINEERS, LLC



Clayton L. Neilsen, P.E.  
Vice President/ Civil Department Manager

NEVADA

L.R. NELSON  
CONSULTING ENGINEERS, LLC

6765 West Russell Road, Suite 200  
Las Vegas, NV 89118-1811

Phone 702/798-7978  
FAX 702/451-2296  
Email lmelson@lmeng.com

UTAH

L.R. NELSON  
CONSULTING ENGINEERS, LLC

51 West 9000 South  
Sandy, UT 84070-2008

Phone 801/565-8580  
FAX 801/565-9340  
Email lmengineers@lmisc.com

OFFICE/WAREHOUSE DEVELOPMENT  
(TITLE 30)

HELM DR/SPENCER ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-23-0095-FUSION GROUP NEVADA, LLC:**

**DESIGN REVIEWS** for the following: 1) office/warehouse building; and 2) finished grade on 0.9 acres in an M-D (Designed Manufacturing) (AE-60) Zone.

Generally located on the south side of Helm Drive, 530 feet east of Spencer Street within Paradise. JG/rk/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-02-601-004

**DESIGN REVIEWS:**

1. Office/warehouse complex.
2. Increase finished grade to 54 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 50% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 0.9
- Project Type: Office/warehouse Development
- Number of Stories: 1
- Building Height (feet): 28
- Square Feet: 13,464
- Parking Required/Provided: 22/25

**Site Plans**

The plans depict a 1 story, 13,464 square foot office/warehouse building located near the center of the site. This property is surrounded by existing or planned industrial uses. The proposed building is oriented in a north/south direction, with 2 future tenant spaces shown on plans. Each tenant will have a storefront entrance and grade level overhead roll-up doors. The overhead roll-

up doors are on the south, east, and west sides of the building. Parking for the facility is located on the north and south sides of the property. The building is set back 86 feet from Helm Drive to the north, 25.5 feet from the east and west property lines, and 47 feet from the south property line. Access to the project site will be provided by 1 commercial driveway proposed along Helm Drive. The office/warehouse building requires 22 parking spaces where 25 parking spaces are provided.

Landscaping

Street landscaping is shown at approximately 18.5 feet in width with a detached sidewalk. Along a portion of the south property line, the project will provide a 6.5 foot wide landscape buffer with trees spaced 20 feet apart. Interior to the site, an ample amount of landscaping is distributed throughout the parking lot and around portions of the building footprint.

Elevations

The plans depict two, 1 story, 28 foot high office/warehouse buildings constructed of concrete tilt-up panels and a flat roof with parapet walls. The elevations also show glass storefront windows, decorative horizontal reveal bands, and metal canopies. The overhead roll-up doors are on the south, east, and west sides of the building.

Floor Plans

The office/warehouse building has a total area of 13,464 square feet and will be constructed with an open floor plan for 2 future tenants. The plan also shows mezzanine levels near the front portion of building.

Signage

Signage is not a part of this request.

Applicant's Justification

The site has been designed to be compatible with the surrounding area and meet all Title 30 regulations. Furthermore, the applicant feels that this new office/warehouse development will fit harmoniously with the surrounding warehouse buildings in the area and create employment opportunities for the community.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0433-14	Medical cannabis (dispensary)	Denied by BCC	December 2014
UC-0436-14	Medical cannabis establishment (cultivation) - expired	Approved by BCC	June 2014
UC-0438-14	Medical cannabis establishment (production) - expired	Approved by BCC	June 2014
ZC-2144-04	Reclassified the subject site to M-D zoning for an office/warehouse development	Approved by BCC	January 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Business Employment	R-E & M-D	Undeveloped & distribution building
South, East, & West	Business Employment	M-D	Office/warehouse developments

**Related Applications**

<b>Application Number</b>	<b>Request</b>
WC-23-400021 (ZC-2144-04)	A request to waive a condition of a zone change requiring landscape plans on file is a companion item on this agenda.
VS-23-0096	A request to vacate a right-of-way 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**

Design Review #1

The proposed development is in an area that is surrounded by either planned or zoned industrial uses. Staff finds that the proposed warehouse buildings are compatible with existing and planned uses in the surrounding area. Furthermore, the project is consistent with the Master Plan that encourages diversification of the economic base; therefore, staff can support this requests.

**Public Works - Development Review**

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:**

**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;
- Full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals; and that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0076-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** FUSION GROUP NEVADA, LLC

**CONTACT:** SCA DESIGN, 2525 W. HORIZON RIDGE PKWY., STE 230, HENDERSON, NV 89052



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input 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 #)	<b>STAFF</b>  APP. NUMBER: <u>DR-23-0095</u> DATE FILED: <u>2-27-23</u> PLANNER ASSIGNED: <u>RK</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>4-11-23</u> PC MEETING DATE: <u>—</u> M.D (AE-60) BCC MEETING DATE: <u>5-3-23</u> Business Employment FEE: <u>\$675.00</u> JG
	<b>PROPERTY OWNER</b>  NAME: <u>Fusion Group Nevada LLC</u> ADDRESS: <u>1080 Columbia Ave</u> CITY: <u>Riverside</u> STATE: <u>Ca</u> ZIP: <u>92507</u> TELEPHONE: <u>9516829660</u> CELL: <u>7147203481</u> E-MAIL: <u>loren@fusionsign.com</u>
	<b>APPLICANT</b>  NAME: <u>Loren Hanson c/o Fusion Group Nevada</u> ADDRESS: <u>1080 Columbia Ave</u> CITY: <u>Riverside</u> STATE: <u>Ca</u> ZIP: <u>92507</u> TELEPHONE: <u>9516829660</u> CELL: <u>7147203481</u> E-MAIL: <u>loren@fusionsign.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>SHELDON COLEN</u> ADDRESS: <u>2525 W. HORIZON RIDGE PKWY STE. 230</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: <u>702-719-2020</u> CELL: <u>702-400-7550</u> E-MAIL: <u>SHELDON@SCADESIGN.COM</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 177-02-601-004

PROPERTY ADDRESS and/or CROSS STREETS: 1943 HELM DRIVE

PROJECT DESCRIPTION: New office/warehouse building, approx 11,500 sf building footprint

(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.

Property Owner (Signature)\* [Signature]      Property Owner (Print) Loren Hanson

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_  
 SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: \_\_\_\_\_

**SEE ATTACHED**

\*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.

8



2525 W. Horizon Ridge Parkway, Suite 230,  
Henderson, NV 89052  
Tel: (702) 719-2020 Fax: (702) 259-8673  
Gary L. Carlson, Architect (License No. 18510)  
Sheldon Colet, Architect (License No. 7701)

January 11, 2023

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

**Justification Letter for a proposed office/warehouse building at 1943 Helm Drive**

Please accept this letter as justification for the construction of a new office and warehouse building located at 1943 Helm Drive, currently zoned as Design Manufacturing (M-D).

The proposed building will be a building footprint of approximately 11,500 sq. ft. and 28'-0" in height, oriented to the north toward Helm Drive. The building shall consist of two spaces for office/warehouse use, each with a mezzanine level. The mezzanine levels will be for office use. Space A is approximately 4,466 square feet and Space B 8,998 square feet, for a total area of 13,464 square feet.

The exterior of the building will consist of painted concrete tilt-up panels in a variety of colors with aluminum awnings above storefront systems to emphasize the entrances. The site is accessible from Helm Drive via a 35'-0" driveway and ADA compliant pedestrian walkways.

Where 22 parking spaces are required, a total of 25 parking spaces are provided, including 1 accessible space. A total of 4 bicycle spaces are provided. All parking can be easily accessed by customers and employees via walkways located at building entrance. Recessed downlights and wall mounted lighting will be provided at the entrance of the building. Additional wall mounted lighting along the perimeter of the building will be provided making this building and surrounding area a safe and illuminated environment.

Landscape is being provided along the perimeter of the project and landscape fingers where parking occurs. All plants being used are low maintenance, low water, and native to Southern Nevada, complying with the regional SNRPC plant list. There is one proposed trash enclosure, which will have 6-foot-high CMU walls finished to match the proposed building. Landscaping will be provided surrounding the enclosure for screening purposes.

We are requesting a Design Review for Fill as the site will require more than 36" of fill. This is needed to ensure that the building is set high enough above the grade in Helm Drive to provide adequate flood protection. As part of the Design Review, cross sections have been provided and the maximum fill is anticipated to be 4.49' (53.88") which is an increase over the 36" of 1.49' (17.88").

We would also like to request a Waiver of Conditions from the original zone change ZC-2144-04 for one of the conditions listed in the Notice of Final Action. The Notice of Final Action from this zone change required "landscape plans on file." However, with our new proposed site design, there will also be a new landscape design. Therefore, we would like to request a Waiver of Conditions for this item.

We feel that this new office warehouse will fit harmoniously with the surrounding existing warehouse buildings in the area and create employment opportunities for the community. With these items in mind, we respectfully ask for your approval recommendation for this project.

Thank You,

Sheldon Colen  
SCA Design



MONORAIL  
(TITLE 30)

LAS VEGAS BLVD S/SAHARA AVE/BLUE DIAMOND RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0126-HCI-CERBERUS 160 EAST FLAMINGO HOTEL OWNER L P, ET AL:**

**USE PERMIT** for a monorail.

**DESIGN REVIEW** for a monorail on approximately 302.0 acres in an H-1 (Limited Resort and Apartment) Zone, an M-1 (Light Manufacturing) Zone, an H-1 (Limited Resort and Apartment) (AE-60, AE-65, & AE-70) Zone, an R-T (Manufactured Home Residential) Zone, an R-4 (Multiple Family Residential) – (High Density) (AE-60 & AE-65) Zone, a P-F (Public Facility) (AE-65 & AE-70) Zone, a C-1 (Local Business) (AE-70) Zone, and a C-2 (General Commercial) (AE-65) Zone within the Midtown Maryland Parkway Overlay District.

Generally located between Sahara Avenue and Blue Diamond Road, and between Maryland Parkway and Decatur Boulevard within Winchester, Paradise, and Enterprise. MN/TS/JG/JJ/jor/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-09-302-006; 162-09-703-024; 162-16-410-056; 162-17-201-003; 162-17-201-004; 162-17-201-006 through 162-17-201-015; 162-17-201-017; 162-17-202-001; 162-17-202-003; 162-21-301-001; 162-21-301-003; 162-21-301-020; 162-21-615-003; 162-21-615-005; 162-21-801-005; 162-22-105-001; 162-22-203-001; 162-22-303-001; 162-22-303-004; 162-22-308-001; 162-22-308-009; 162-22-312-002; 162-22-312-003; 162-22-403-001; 162-22-501-001; 162-33-101-019; 177-05-510-002; 177-08-803-014

**LAND USE PLAN:**

WINCHESTER/PARADISE - PUBLIC USE

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

ENTERPRISE - ENTERTAINMENT MIXED-USE

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 302
- Project Type: Monorail (underground people mover system)

History and Request

Previous land use applications were approved to allow a monorail (underground people mover system). DR-19-0429 was approved for 6 aboveground entrances to the underground stations which connect the Las Vegas Convention Center (LVCC) parking lots and exhibition halls. DR-20-0261 was approved for a single point to point connection between the West Hall expansion of the LVCC to Resorts World. The underground tunnel connecting the LVCC and Wynn Resort Hotel was approved via DR-20-0262. In addition, UC-20-0546 is a Project of Regional Significance which expands the monorail within the Resort Corridor from Russell Road along Las Vegas Boulevard South heading north towards Sahara Avenue. Furthermore, UC-20-0547 was a figure 8 route alignment (Caesar's Loop) which connects existing resorts south of Sands Avenue, north of Harmon Avenue, west of Koval Lane, and East of Las Vegas Boulevard South. UC-22-0412 was previously approved and added 4613 Las Vegas Boulevard South as a new station to the Vegas Loop.

This request is a Project of Regional Significance for additional stations and extensions to the existing monorail (underground people mover system) alignments. Portions of this project are also within the City of Las Vegas to the north and northwest. The new stations and extensions will also operate underground in the vicinity of the Resort Corridor, Allegiant Stadium, the University of Nevada, Las Vegas, Town Square Las Vegas, and Blue Diamond Road/Las Vegas Boulevard South. As previously approved, this system will operate with autonomous vehicles on paved routes within the underground tunnels. In addition, an amendment to the franchise agreement is required to be approved concurrently by the Board of County Commissioners with this application since there are new stations and new extensions. Lastly, this application is only for the alignment of the monorail; therefore, individual stations will be reviewed with future land use applications.

Site Plan

The submitted site plan depicts an addition to the previously approved monorail (underground people mover system) - the Vegas Loop. This project includes new stations and extensions which traverse from south of Sahara Avenue/Las Vegas Boulevard South to Blue Diamond Road/Las Vegas Boulevard South and between Maryland Parkway and Decatur Boulevard. Overall, the additional alignments are approximately 25 miles long. The site plan shows that the 18 new stations and extensions are primarily on the south, east and west sides of the Resort Corridor.

<b>Proposed stations with this application:</b>
• Las Vegas Boulevard South and Elvis Presley Boulevard
• 3025 Sammy Davis Jr. Drive
• The Westin Hotel
• Las Vegas Boulevard South and Harmon Avenue
• Spring Mountain Road and Twain Avenue
• Spring Mountain Road and Procyon Street
• UNLV Gaming
• UNLV Athletics 1



Proposed stations with this application:
• UNLV Athletics 2
• UNLV Housing 1
• UNLV Housing 2
• Thomas & Mack 2
• 4769 Deckow Lane
• The Virgin Resort Hotel
• Harmon Square
• 5051 Las Vegas Boulevard South
• Town Square Las Vegas
• Blue Diamond and Las Vegas Boulevard South

Per the submitted plans there are 25 new extensions which further connects the new and previously approved stations. For example, the extensions connect from previously approved stations from the Resort Corridor and branch eastward utilizing easements beneath the rights-of-way such as Sahara Avenue, Elvis Presley Boulevard, Sands Avenue, Flamingo Road, and Harmon Avenue. Examples for extensions west of the Resort Corridor are located along Dean Martin Drive, Sammy Davis Jr. Drive, Frank Sinatra Drive, and Valley View Boulevard. The applicant submitted an easement map book which shows dedicated public rights-of-way which will be utilized for the underground tunnels. The full list of extensions with this application are listed below:

Extensions	
From:	To:
West Sahara Avenue/Union Pacific Railroad	East Sahara Avenue/Commercial Center Drive
East Sahara Avenue/Paradise Road	Elvis Presley Boulevard/Paradise Road
Convention Center Drive/Paradise Road	Paradise Road/Tropicana Avenue
36 South University Center Drive	University Center Drive (Eastern portion of right-of-way only)*/De Met Drive
Paradise Road/East Bell Drive	Palo Verde Road/East Bell Drive
Palo Verde Road/Tropicana Avenue	Palo Verde Road/East Bell Drive
Circus Circus Drive/Las Vegas Boulevard South	Circus Circus Drive/South Sammy Davis Jr Drive
Circus Circus Drive/Sammy Davis Jr Drive	Dean Martin Drive/Tropicana Avenue
Dean Martin Drive/Frank Sinatra Drive/Sammy Davis Jr. Drive	3333 Al Davis Way (refer to map)
West Desert Inn Road/Las Vegas Boulevard South	Desert Inn Road/South Valley View Boulevard
East Twain Avenue/South University Center Drive	South Valley View Boulevard/Spring Mountain Road

<b>Extensions</b>	
<b>From:</b>	<b>To:</b>
South Valley View Boulevard/West Desert Inn Road	South Valley View Boulevard/Tropicana Avenue
Procyon Street/West Desert Inn Road	Procyon Street/West Twain Avenue
South Valley View Boulevard/West Twain Avenue	Dean Martin Drive/West Twain Avenue
Flamingo Road/Las Vegas Boulevard South	Flamingo Road/South University Center Drive
East Harmon Avenue/Frank Sinatra Drive	East Harmon Avenue/South University Center Drive
Las Vegas Boulevard South/Tropicana Avenue	Frank Sinatra Drive/Tropicana Avenue
Sands Avenue/Koval Lane	Tropicana Avenue/Koval Lane
Las Vegas Boulevard South/Mandalay Bay Road	Giles Street/Mandalay Bay Road
Las Vegas Boulevard South/Four Seasons Drive (Southern portion of right-of-way only)*	Haven Street/Four Seasons Drive (Southern portion of right-of-way only)*
East Dewey Drive/Las Vegas Boulevard South	96 East Dewey Drive
West Russell Road/Polaris Avenue	West Hacienda Avenue/Polaris Avenue
West Hacienda Avenue/Polaris Avenue	West Hacienda Avenue/Dean Martin Drive
Las Vegas Boulevard South/Sunset Road	Sunset Road/Paradise Road
Las Vegas Boulevard South/Russell Road	Las Vegas Boulevard South/Blue Diamond Road

\*The portion of public right-of-way as shown within the easement map book.

Applicant's Justification

The submitted justification letter states that this use permit will add 18 stations and approximately 25 miles of tunnels (extensions) to the Vegas Loop monorail as a part of UC-20-0546. Station designs will be submitted for an administrative design review at a later date. As a transportation facility, the proposed Vegas Loop expansion is consistent with the existing land use and zoning of the properties listed.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-22-0412	Station addition located at 4613 Las Vegas Boulevard South	Approved by BCC	September 2022
UC-20-0547	Monorail (underground people mover system) in a figure 8 loop which connects the Cromwell Resort Hotel, Flamingo Resort Hotel, the High Roller, Harrah's Resort Hotel, the Linq Resort Hotel, Caesar's Palace Resort Hotel, and Bally's Resort Hotel	Approved by BCC	October 2021

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-20-0546	Monorail (underground people mover system) which extends from Sahara Avenue along Las Vegas Boulevard S (Resort Corridor) to Russell Road	Approved by BCC	October 2021
ADR-20-900564	Modifications to the alignment of the underground people mover system connecting the Las Vegas Convention Center to Encore Resort Hotel and changes to the station location at the Las Vegas Convention Center	Approved by ZA	December 2020
DR-20-0262	Underground people mover system connecting the Las Vegas Convention Center to Encore Resort Hotel	Approved by BCC	August 2020
DR-20-0261	Underground people mover system connecting the Las Vegas Convention Center to Resorts World Resort Hotel	Approved by BCC	August 2020
ADR-19-900879	Modifications to the previously approved underground people mover system at the Las Vegas Convention Center, which included moving stations and changing the entrance structures for stations	Approved by ZA	January 2020
DR-19-0429	Underground people mover system at the Las Vegas Convention Center with both below grade and surface level stations	Approved by BCC	July 2019

Numerous prior land use applications are associated with all the project parcels; however, these applications are related to the monorail.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	C-2	Retail tourist uses along Las Vegas Boulevard
South	Entertainment Mixed-Use	R-E, M-D, H-1, & RVP	Undeveloped & Oasis Las Vegas RV Resort
East	Corridor Mixed-Use, Public Use, Mid-Intensity Suburban Neighborhood, Business Employment, Neighborhood Commercial, Urban Neighborhood (from 8 du/ac to greater than 18 du/ac)	P-F, R-3, R-4, R-5, C-1, C-2, & U-V,	UNLV, multiple family residential, retail, commercial complexes, offices, & Harry Reid International Airport
West	Entertainment Mixed-Use & Light Manufacturing	H-1, M-1, C-2, R-4, R-5, R-E, M-D, U-V, & C-1	Resort hotels, industrial complex, & multiple family residential

## **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Comprehensive 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.

##### Use Permit & Design Review

Staff finds that these requests will establish 18 additional stations and 25 new extensions on a previously approved monorail line, and therefore, will increase connectivity and convenience to visitors within the Resort Corridor and surrounding establishments. In addition, the project will create economic, transportation, and environmental benefits. The proposed stations and extensions, along with the previously approved monorail alignments, comply with Policy 3.1.2 of the Master Plan which encourages pursuing a variety of strategies to reduce reliance on private automobile travel, with the goal of reducing fossil fuel consumption and associated pollutant emissions from vehicles, including efforts to encourage the use of electric vehicles. Lastly, this project complies with Urban Specific Policy 28 which encourages unique transportation opportunities and Policy 1 which encourages growth patterns that reduce automobile dependence, support alternative modes of transportation, and reduce air pollution. Staff supports these requests.

#### **Staff Recommendation**

Approval.

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

## **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

- No comment.

## Fire Prevention Bureau

- No comment.

## Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the CCWRD has existing sanitary sewer infrastructure within the project boundaries; to please continue coordination efforts as the project progresses; CCWRD requires submittal of civil improvement plans for review and approval by the District (Plan Review Requirements noted below); if a Point of Connection (POC) is required, you may find instructions for submitting a POC request on the CCWRD website and a signed Sump Connection Agreement will be required; during plan review, all CCWRD public sanitary sewer facilities that are found to need relocation or abandonment to accommodate the Developer's project shall be done solely at the Developer's expense; any new relocation of sewers, along with the granting of any needed sanitary sewer easements, shall be constructed and flows diverted into the new relocated facilities prior to the old sanitary sewers being removed; to protect the integrity of CCWRD sewers, PRE and POST construction televising of CCWRD sewers is required for sewers in close proximity of the Developer's project; and tunnels are required to be at least 40 feet deep at major streets.
- Plan Review Requirements:
  - Regardless of discharge location:
  - Provide connection details on these plans of where the drainage system for the tunnels, tunnel side structures, stations, and any other structure will discharge.
  - Reference the BD Permit numbers on these plans for all proposed structures (such as Foundation, Structural and/or Build-Out).
- If discharging into Storm Drain:
  - Upload supplemental plans approved by the Building Department (CCBD) to the PIPES Portal for CCWRD review.
- If discharging into Sanitary Sewer:
  - Ensure the following is addressed on these plans:
    - No groundwater is allowed to discharge to sewer (including any perforated pipe around underground structures).
    - A Sand/oil interceptor is required before connecting to Sewer. Any pressurized flows need to discharge to a gravity MH first before going through the interceptor.
    - A Rain Diversion Structure (i.e., Trench Drain) is required at every ramp entrance.
    - Have an approved POC # and proposed average flow (in MGD or number of ERUs) listed on the General Notes sheet. 1 Sump pump = 5 ERUs.
    - Have an Executed Sump Connection Agreement between CCWRD and The Boring Company (TBC) for each project.

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

**APPLICANT: TYLER FAIRBANKS**

**CONTACT: TYLER FAIRBANKS, VEGAS LOOP, 3395 CAMBRIDGE STREET, LAS VEGAS, NV 89169**

DRAFT





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <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"/> <b>USE PERMIT (UC)</b> <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> <b>DESIGN REVIEW (DR)</b> <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 #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0126</u> DATE FILED: <u>3/8/23</u> PLANNER ASSIGNED: <u>JOR</u> TAB/CAC: <u>ENT: 4/12</u> <u>PAR: 4/11</u> <u>WIN: 4/11</u> TAB/CAC DATE: _____ PC MEETING DATE: _____ BCC MEETING DATE: <u>5/3/2023</u> FEE: <u>PRS FEES - \$950</u>
	<b>PROPERTY OWNER</b>  NAME: <u>COUNTY OF CLARK(LV CONV AUTH)</u> ADDRESS: <u>3150 PARADISE RD</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: _____      CELL: _____ E-MAIL: _____
	<b>APPLICANT</b>  NAME: <u>TBC - THE BORING COMPANY</u> ADDRESS: <u>3395 CAMBRIDGE ST.</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89169</u> TELEPHONE: <u>301-928-9221</u> CELL: <u>301-928-9221</u> E-MAIL: <u>TYLER@BORINGCOMPANY.COM</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>TYLER FAIRBANKS</u> ADDRESS: <u>3395 CAMBRIDGE ST.</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89169</u> TELEPHONE: <u>301-928-9221</u> CELL: <u>301-928-9221</u> E-MAIL: <u>TYLER@BORINGCOMPANY.COM</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-09-703-024


PROPERTY ADDRESS and/or CROSS STREETS: Las Vegas Blvd. x Elvis Presley

PROJECT DESCRIPTION: Station

(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.

Stam O'Sell      STEVEN D HILL  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON May 26, 2022 (DATE)  
 By Lisa Garcia  
 NOTARY PUBLIC: J. Gamen

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

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

February 27, 2023

UC-23-0126

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

RE: Justification Letter  
Use Permit Application

This Use Permit (UC) application is submitted by The Boring Company (TBC) as a part of its proposal to add eighteen (18) stations (see Table 1) and approximately 25 miles of tunnels (see Table 2) to the Vegas Loop monorail outlined in the existing use permit 20-0546 which includes the building of stations and/or tunnels to connect to the Vegas Loop. Station designs will be submitted for an administrative design review at a later date.

Table 1 - Proposed Stations

Station Name	Parcels	Land Use	Zoning
Las Vegas Blvd / Elvis Presley Blvd	162-09-703-024	EM	H-1
3025 S Sammy Davis	162-09-302-006	CM	M-1
Westin	162-16-410-056	EM	H-1
Las Vegas Blvd / Harmon Ave	162-21-301-001, -003, -020*	EM	H-1
Spring Mtn / Twain	162-17-201-003, -004, -006 to -015, -017	EM	M-1
Spring Mtn / Procyon	162-17-201-011	EM	H-1
UNLV Gaming	162-17-202-001, -003	EM	M-1
UNLV Athletics 1	162-22-501-001	PU	P-F
UNLV Athletics 2	162-22-105-001	PU	P-F
UNLV Athletics 2	162-22-203-001	PU	P-F
UNLV Housing 1	162-22-303-001	PU	P-F
UNLV Housing 2	162-22-303-004	PU	P-F
Thomas & Mack 2	162-22-308-009, 162-22- 403-001*	PU	P-F
	162-22-308-001	CM	C-1
4769 Deckow Lane	162-21-801-005	EM	R-T/R-4
Virgin Hotel	162-21-615-003, -005*	EM	H-1
Harmon Square	162-22-312-002, -003	EM	C-2
5051 S Las Vegas Blvd	162-33-101-019	EM	H-1
Town Square	177-05-510-002	EM	H-1
Blue Diamond	177-08-803-014	EM	H-1

Table 2 - Stations not included in UC-20-0546 and UC-20-0547

Station Name	Application	Parcels	Land Use	Zoning
4613 S Las Vegas Blvd	DR-22-0412	162-28-402-002, -003	EM	H-1

**THE  
BORING  
COMPANY**

Table 3 – Proposed Extensions

Extensions	
FROM	TO
W Sahara Ave / Union Pacific Railroad	E Sahara Ave / Commercial Center Dr
E Sahara Ave / Paradise Rd	Elvis Presley Blvd / Paradise Rd
Convention Center Dr / Paradise Rd	Paradise Rd / Tropicana Ave
36 S University Center Dr	University Center Dr (Eastern portion of ROW only)* / De Met Dr.
Paradise Rd / E Bell Dr	Palo Verde Rd / E Bell Dr
Palo Verde Rd / Tropicana Ave	Palo Verde Rd / E Bell Dr
Circus Circus Dr / S Las Vegas Blvd	Circus Circus Dr / S Sammy Davis Jr Dr
Circus Circus Dr / S Sammy Davis Jr Dr	Dean Martin Dr / Tropicana Ave
Dean Martin Dr / Frank Sinatra Dr / Sammy Davis Jr. Dr	3333 Al Davis Way (refer to map)
W Desert Inn Rd / S Las Vegas Blvd	Desert Inn Rd / S Valley View Blvd
E Twain Ave / S University Center Dr	S Valley View Blvd / Spring Mountain Rd
S Valley View Blvd / W Desert Inn Rd	S Valley View Blvd / Tropicana Ave
Procyon St / W Desert Inn Rd	Procyon St / W Twain Ave
S Valley View Blvd / W Twain Ave	Dean Martin Dr / W Twain Ave
Flamingo Rd / S Las Vegas Blvd	Flamingo Rd / S University Center Dr
E Harmon Ave / Frank Sinatra Dr	E Harmon Ave / S University Center Dr
S Las Vegas Blvd / Tropicana Ave	Frank Sinatra Dr / Tropicana Ave
Sands Ave / Koval Ln	Tropicana Ave / Koval Ln
S Las Vegas Blvd / Mandalay Bay Rd	Giles St / Mandalay Bay Rd
S Las Vegas Blvd / Four Seasons Dr (Southern portion of ROW only)*	Haven St / Four Seasons Dr (Southern portion of ROW only)*
E Dewey Dr / S Las Vegas Blvd	96 E Dewey Dr.
W Russell Rd / Polaris Ave	W Hacienda Ave / Polaris Ave
W Hacienda Ave / Polaris Ave	W Hacienda Ave / Dean Martin Dr
S Las Vegas Blvd / Sunset Rd	Sunset Rd / Paradise Rd
S Las Vegas Blvd / Russell Rd	S Las Vegas Blvd / Blue Diamond Rd

\*Public Right-of-Way (ROW)

Per Table 1, the proposed station parcels are designated by land use for Entertainment Mixed-Use (EM), Public Use (PU), or Corridor Mixed-Use (CM); and the parcels are classified by zoning for Limited Resort and Apartment (H-1), Light Manufacturing (M-1), Public Facility (P-F), Local Business (C-1), General Commercial (C-2), Manufactured Home Residential (R-T), or Multiple-Family Residential – High Density (R-4). As a transportation facility, the proposed Vegas Loop expansion is consistent with the existing land use and zoning of the properties listed.

We appreciate your review of this Use Permit application. Please feel free to contact us to discuss any relevant comments.

Sincerely,



Tyler Fairbanks  
The Boring Company  
(301) 928-9221  
tyler@boringcompany.com

RESORT HOTEL  
(TITLE 30)

RUSSELL RD/LAS VEGAS BLVD S

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-23-0128-5051 SLV, LLC:**

**USE PERMITS** for the following: **1)** primary means of access to accessory use (day club/pool) from the exterior of the resort; and **2)** deviations from development standards.

**DEVIATIONS** for the following: **1)** reduce setback; and **2)** all other deviations as shown per plans on file.

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

**DESIGN REVIEWS** for the following: **1)** modifications to a previously approved resort hotel; **2)** comprehensive sign package; and **3)** site lighting on 4.9 acres in an H-1 (Limited Resort and Apartment) (AE-65) Zone.

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

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**RELATED INFORMATION:**

**APN:**  
162-33-101-019

**USE PERMITS:**

1. Allow primary means of access to accessory use (day club pool) from the exterior of the resort per Table 30.44-1.
2. Deviations from development standards.

**DEVIATIONS:**

1. Reduce the required special setback for Las Vegas Boulevard South for freestanding signs to 15 feet where 25 feet from back of curb, or 10 feet from property line, whichever is greater, is required per Section 30.56.060.
2. All other deviations as shown on plans.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the setback from a future right-of-way for freestanding signs to zero feet where a minimum of 10 feet is required per Table 30.72-1 and Table 30.44-1 (a 100% reduction).
2. Allow non-standard improvements (sport court, landscaping, and signage) in a right-of-way (Las Vegas Boulevard South) where not allowed per Section 30.52.

## DESIGN REVIEWS:

1. a. Modify a previously approved resort hotel to include an elevator on the west elevation to provide direct access to a day club/pool.  
b. A sports court in the future right-of-way.
2. Comprehensive sign plan.
3. Site lighting.

## LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

## BACKGROUND:

### Project Description

#### General Summary

- Site Address: 5051 Las Vegas Boulevard S.
- Site Acreage: 4.9
- Project Type: Resort hotel
- Number of Stories: 20
- Building Height (feet): 237
- Sign Height (feet): 165.5
- Sign Square Feet: 9,937 (freestanding)/21,148 (wall)/452 (directional)/125 (projecting) (hanging)/6,414 (animated)
- Parking Required/Provided: 749/750 (standard)/10 (compact)

#### Site Plans

The plan depicts a previously approved resort hotel with access from Las Vegas Boulevard South. The building is located on the northern and eastern portions of the parcel. There are no changes to the previously approved parking garage that is incorporated into the design of the building. Along the west side of the building, between the building and an existing attached sidewalk along Las Vegas Boulevard South, is a pedestrian plaza. The pedestrian plaza provides a pedestrian connection between the resort hotel and the existing public sidewalk. The proposed changes to the pedestrian plaza include a sports court with a removable artificial turf covering and landscaping located within the future right-of-way of Las Vegas Boulevard South. There are no changes to the entrance of the hotel which is located on the southwestern portion of the building facing Las Vegas Boulevard South. A proposed elevator to the day club/pool is requested on the west face of the southern portion of the building, providing direct access to the day club not through the interior of the resort hotel. The previously approved day club/pool is on the podium level to the west of the parking garage. There is no height increase being requested with these plans.

#### Landscaping

The approved plans depict an existing attached sidewalk located along Las Vegas Boulevard South with an additional 43 foot wide area for future additional right-of-way. The plans depict that the area within the right-of-way consists of a pedestrian plaza with meandering sidewalks and landscape areas, previously approved by UC-20-0493. This pedestrian plaza extends onto the property and is between 10 feet to approximately 33 feet in width. The plans depict some



additional landscaping at the northern and southern property lines; however, most of the proposed landscape areas are within the future right-of way dedication for Las Vegas Boulevard South. An 80 foot by 50 foot sports court covered with artificial turf is proposed to be located within the additional right-of-way area for Las Vegas Boulevard South and will remain open to the adjacent landscaping. The sports court will be constructed with concrete and no permanent fencing. Anticipated special events could include but not limited to ice skating, basketball, roller skating, and various yard games.

#### Elevations

The building was approved for a maximum of 20 stories with a height of 237 feet. The highest portion of the building remains on the west side of the site. The approved building is designed to increase in height from the east to the west. The lowest portion of the approved building is the parking garage on the east side of the facility, which is approximately 51 feet in height. There are no changes to the previously approved building design features with flat roofs behind parapet walls, and the exterior of the structure consists of glazed aluminum curtain wall systems, metal wall panels, and colored plaster. On the eastern portion of the building, on level 3, is a pool area with an outdoor patio. The proposed primary access to the day club/pool area will be located on the eastern portion of the building near the porte-cochere. The changes include an entry area and a dedicated elevator to the previously approved pool level.

#### Floor Plans

There are no proposed changes to the approved building, which includes 527 guest rooms; public areas (lobbies, retail areas, gaming); food, beverage and entertainment areas; pool deck; meeting space; administration office and related areas; and back of house/support areas.

#### Signage and Lighting

The plans depict several signs to identify and negotiate the site. A 9,765 square foot, approximately 165.5 foot tall, 2 sided animated freestanding sign is located along Las Vegas Boulevard South which will be set back zero feet from the future right-of-way, a minimum of 50 feet from the back of curb on Las Vegas Boulevard South and over 30 feet from the south property line. A second freestanding sign is designed as an archway over the driveway to the valet and parking areas providing lane designation, and has an overall height of 19 feet with 15 feet of clear area and 212 square feet. There are 18 directional signs located near the driveways, within the site and within the future right-of-way. Wall signs are located on all elevations of the building. At the top of the room tower on the north and south elevations are 11 foot high illuminated channel letter signs (DREAM) while at the podium and entry levels are additional wall signs. The east elevation on the exterior of the parking garage includes a permanent non-illuminated wall graphic installed directly to the wall or painted directly on the wall. Additional signage includes a digitally printed wall graphic with wash lighting only, and no backlighting, and an illuminated channel letter sign. Projecting and hanging signs are located at the parking garage entrance and exits on the south and east elevations.

Site lighting is provided on the buildings, freestanding light poles, and within landscape areas. All lighting is directed downward to prevent shining on abutting uses.



Type of Sign	Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
Freestanding*	0	9,977	9,977	1,810	N/A	0	2	2
Wall*	0	21,064	21,064	15,260	N/A	0	16	16
Directional	0	452	452	192	N/A	0	18	18
Projecting	0	60	60	32	N/A	0	1	1
Hanging	0	24	24	32	N/A	0	1	1
Total Overall	0	31,577	31,577	17,326	N/A	0	38	38

The freestanding sign also contains animation.

The details for the animated signs are listed below:

Type of Sign	Existing (sq ft)	Proposed (sq ft)	Total (sq ft)	Allowed per Title 30 (sq ft)	Percent increase	# of existing signs	# of proposed signs	Total # of signs
Animated	0	6,419	6,419	150	N/A	0	4 (2 wall & 2 f/s)	4

Applicant's Justification

The applicant indicates that the proposed changes to the building and review of signage and lighting are appropriate for the Las Vegas Gaming Corridor. The applicant further states that they have met with the Harry Reid International Airport and the Department of Aviation and have designed the sign plan to be responsive to the airport operational needs. The proposed signage is shielded by the approved hotel tower. Other signage on the site has been reviewed with the Department of Aviation and the requested design and waivers are compatible to and appropriate for the area. Lighting is provided in consideration of Harry Reid International Airport being fully shielded and directing lighting downwards to avoid light pollution and again provided predominantly on the west side of the building to further shield lighting to the east towards the airport. The proposed sport court is provided within the proposed landscaping area within the future Las Vegas Boulevard right-of-way and in conjunction with the proposed project, offers a dedication and reservation agreement which will require, at the application's sole expense, removal of the improvement upon the request of the County. The applicant also indicates that other non-standard improvements such as the freestanding sign at the neighboring Pinball Museum to the north is in the future right-of-way area. Lastly, the proposed direct access to the pool level will allow for guests queuing on the exterior of the hotel and will allow for no interference with the day-to-day casino operations. Similar operations are conducted at other resort hotels within the Resort Corridor and the proposed day club use does not alter the pool design or the pool deck wall.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-20-0493	Resort hotel with expansion to the Gaming Enterprise District	Approved by BCC	September 2021
UC-0385-06	Resort hotel - expired	Approved by BCC	October 2006
ZC-0362-05	Reclassified from H-1 to H-1 (AE-65) zoning to establish an Airport Environs overlay district for the parcel	Approved by BCC	April 2005
ZC-1732-00	Reclassified from P-F to H-1 zoning for a parcel that went from public ownership (Clark County Department of Aviation) to private ownership	Approved by BCC	December 2000

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Pinball Museum
South	Entertainment Mixed-Use	H-1	Harley Davidson motorcycle sales & repair facility
East	Public Use	P-F	Harry Reid International Airport
West	Public Use	P-F	Golf course, fire station, & Las Vegas Metropolitan Police facility

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Comprehensive Planning  
Use Permits & Deviation #2**

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 modifications to the building access to the day club/pool level takes into consideration the location of visitors and queuing and potential impacts to airport operations. Additionally, similar accessory uses within the Resort Corridor providing direct access from the exterior of the resorts have been approved with other resorts within the corridor. Staff can support the proposed access to the day club/pool.

**Waiver of Development Standards #1, Deviation #1, and Design Review #2**

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.

Staff can support the proposed wall, freestanding (archway), monument, projecting, and hanging signage as designed on the north, west, and south elevations of the building. However, staff finds that the proposed location of the directional signs in the future right-of-way are unnecessary in the proposed location to find the ingress and egress to the site and will still accomplish their purpose if located at the back of right-of-way. Staff is concerned with the proposed channel lettering signage on the east elevation of the parking garage. If approved, staff suggests an automated dimming feature for luminance reduction at dusk/dawn to reduce impact on airport operations. While the design of the pylon freestanding sign is compatible with the design of the approved building, the increased freestanding sign height is excessive for this portion of the Resort Corridor. The freestanding sign approved to the north was approved at a height of 58 feet (Pinball Museum), and the freestanding sign south at a height of 74 feet (Harley Davidson). Farther to the south at Town Square the freestanding sign was approved for a height of 66 feet. Therefore, staff is unable to support the request.

#### Design Reviews #1a & #3

Staff can support the modifications to a previously approved resort hotel for primary access to the day club and pool level from the exterior of the resort. Site lighting is shielded to prevent light pollution as required by the lighting standards within Chapter 30.68.

#### Design Review #1b

Staff is concerned with the sports court in close proximity to the sidewalk and street. While the location is within the landscaped/pedestrian plaza area, activities occurring on the sports court could spill out into the sidewalk. In addition pedestrians walking on the sidewalk may be inclined to stop and watch what is going on, which could disrupt the pedestrian traffic along Las Vegas Boulevard. It is also possible activities in the right-of-way could interfere or create a hazard to the occupants on the sports court. Staff cannot support this portion of the application.

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

##### Waiver of Development Standards #2

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any sports courts and non-commercial signs placed in the right-of-way. Staff can support waiver of development standards #2 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

#### **Department of Aviation**

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

The property lies within the AE-65 (65 - 70 DNL) noise contour for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel

and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International Airport facilities to meet future air traffic demand.

### **Staff Recommendation**

Approval of the use permits, waiver of development standards #2, deviation #2, and design reviews #1a and #3; denial of waiver of development standards #1; deviation #1, and design reviews #1b and #2.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

If approved:

- Signs shall not increase lighting levels by more than 0.3 foot candles over ambient light levels between dusk to dawn;
- Per plans on file;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- A barrier shall be installed around the sport court when activities are taking place;
- No commercial messages are permitted on signs within the right-of-way.

#### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;

- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 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.
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment, that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

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

**APPLICANT:** 5051 SLV, LLC

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





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <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 #)	<b>STAFF</b>  APP. NUMBER: <u>UC-23-0128</u> DATE FILED: <u>3/8/2023</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>4/11/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>5/3/2023</u> FEE: <u>\$1750 -</u>
	<b>PROPERTY OWNER</b>  NAME: <u>5051 S L V, LLC</u> ADDRESS: <u>18585 Jamboree Road, Suite 200</u> CITY: <u>Irvine</u> STATE: <u>CA</u> ZIP: <u>92612</u> TELEPHONE: <u>949-417-1398</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u>
	<b>APPLICANT</b>  NAME: <u>5051 S L V, LLC</u> ADDRESS: <u>18585 Jamboree Road, Suite 200</u> CITY: <u>Irvine</u> STATE: <u>CA</u> ZIP: <u>92612</u> TELEPHONE: <u>949-417-1836</u> CELL: <u>000-000-0000</u> E-MAIL: <u>n/a</u> REF CONTACT ID #: <u>n/a</u>
<b>CONSPONSOR</b>  NAME: <u>Keampfer Crowell - Tony Celeste</u> ADDRESS: <u>1980 Festival Plaza Dr. #650</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u> TELEPHONE: <u>702-792-7000</u> CELL: <u>702-792-7048</u> E-MAIL: <u>spierce@kcnvlaw.com</u> REF CONTACT ID #: <u>164674</u>	

ASSESSOR'S PARCEL NUMBER(S): 182-33-101-008 f006 now 162-33-101-019

PROPERTY ADDRESS and/or CROSS STREETS: 5051 Las Vegas Blvd So.

PROJECT DESCRIPTION: Signage package and design review for entrance not through inside of hotel

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

Dw Piny      David Daneshmand  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME ON \_\_\_\_\_ (DATE)

By \_\_\_\_\_  
 NOTARY PUBLIC: See Attached

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

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**KAEMPFER**

**CROWELL**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

**ANTHONY J. CELESTE**

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February 8, 2023

**VIA UPLOAD**

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

UC-23-0128

**Re: [REVISED] Justification Letter – Design Review for Signage Plan to Allow (1) Increase Overall Wall Sign Area, (2) Increase Pylon/Freestanding Sign Area, (3) Increase Height of Pylon/Freestanding Standing, & (4) Increase Overall Animated Sign Area with Waivers of Development Standards to Allow Special Setbacks; Special Use Permit to Allow Non-Standard Improvements (Signage) in the Right-of-Way; Design Review for Lighting Plan; Waiver of Development Standards/Deviation to (1) Allow Non-Standard Improvements (Sports Court) in a Public Right-of-Way and (2) All Other Deviations as Shown on Plans; Design Review and Special Use Permits to Allow Direct Access to an Accessory Use (Pool Area) and Day Club DREAM Las Vegas APNs: 162-33-101-006**

To Whom It May Concern:

Please be advised this firm represents the DREAM Las Vegas (the "Applicant"). By way of background, on October 6, 2021, the Board of County Commission approved UC-20-0493 allowing for the development of a 531-room Resort-Hotel and expansion of the gaming enterprise district on property located 5051 Las Vegas Boulevard, South, more particularly described as APN: 162-33-101-006 (the "Site"). As part of the approval, one of the conditions requires a "design review as a public hearing for signage and lighting plan." The Applicant is now requesting the design reviews for the signage and lighting plans. In addition to the signage and lighting request, the Applicant is also requesting a design review and related waivers for non-standard improvements (sports court) in a public right-of-way along with special use permits to allow for direct access to an accessory use and allow for a day club use.

The only changes to the approved plans dated March 18, 2021 are the proposed signage and lighting along with the sports court and proposed modification to the front area allowing

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direct access to the pool area for the proposed day club use. Each request will be addressed separately.

**DESIGN REVIEW, SPECIAL USE PERMIT, and RELATED WAIVERS FOR SIGNAGE PLAN:**

The Site is located on Las Vegas Boulevard, South within the Las Vegas Gaming Corridor. The Applicant is requesting signage that is commensurate with the existing resort hotels along the Las Vegas Gaming Corridor. The Applicant is requesting the following signage: 2 freestanding/pylon signs which includes the arch sign, 15 wall signs, 18 directional signs, 2 projecting/hanging signs, garage signage, and 3 of the proposed signs include animation.

Due to the fact the Site shares a property line with the Harry Reid International Airport (the "Airport"), the Applicant has had several meetings with the Department of Aviation (DOA) regarding the proposed signage prior to submittal of the signage plan. On November 14, 2022, the DOA issued a letter of conditional approval. The November 14, 2022 DOA letter is attached hereto. The Applicant has specifically designed the signage plan to be responsive to the DOA by proposing to implement the following design considerations:

- While the proposed pylon sign is approximately 166-feet in height, the pylon sign is along Las Vegas Boulevard and the pylon sign will be shielded by the 230-foot-tall approved hotel tower to the Airport's western property line. The proposed pylon sign will be located along the western property line about 15-feet setback from the future property right-of-way and located on the south side of the main entryway to the Site.
- The Arch sign is located along the south portion of the Site's main entrance. Vehicles will travel under the sign which is more akin to a directional sign. Since the Arch sign is technically a pylon or freestanding sign, the Applicant is requesting to reduce the setback from the south property line to 4-feet 6" inches where 10-feet is required.
- The proposed building signage will say "DREAM" on the parapet will be on the north and south elevations of the building, and, more importantly, not on the east elevation facing the Airport's western property line.
- The remaining building signs placed on the building will be at height of less than 70-feet above grade with the letters at 11-feet in height.
- The directional signs are only 8-feet and 12-feet in height and will be primarily on-site directional signs. Some of the directional signage is located within the future right-of-way, and, therefore, the Applicant is requesting the related waiver to allow the non-standard improvements in the future right-of-way.

- The Applicant is proposing an approximately 2,700 square foot digitally printed sign that is 30-feet tall and 90-feet wide along the backside of the parking garage to provide for visual relief from the long monolithic enclosed parking garage near the Airport's western property line.

Since the proposed signage plan is consistent with type of signage, number of signs, and square footage of signs along the Las Vegas Gaming Corridor and the additional design consideration due to the proximity to the Airport, the design review and related waivers for the sign plan are compatible to and appropriate for the area. Most importantly, the DOA has reviewed the proposed signage plan and has no objections to the design.

**DESIGN REVIEW FOR LIGHTING PLAN**

Similar to the signage plan, the Applicant met with the DOA prior to submittal. In the same November 14, 2022 letter, the DOA has expressed no objections to the lighting plan.

The lighting and photometric plan demonstrates that the on-site lighting will not cause any additional light pollution. The light poles are shielded directing the lighting downwards so as to avoid light pollution. Additionally, the Site's signage and lighting is predominately on the west side of the building to further shield lighting escaping to the east towards the Airport. The Applicant provided reflectively (or glint and glare) analysis to the DOA. Therefore, the lighting plan is in compliance with Title 30 lighting standards.

**DESIGN REVIEW, SPECIAL USE PERMIT AND RELATED WAIVERS FOR SPORTS COURT IN RIGHT-OF-WAY**

The Applicant is proposing a non-standard improvement in the un-used portion of Las Vegas Boulevard. Specifically, the Applicant is proposing a sports court located just west of the Site in the Las Vegas Boulevard right-of-way in between the north and south driveways to the Site. The dimensions of the sports court will be approximately 80-feet by 50-feet. The sports court will be composed of gray concrete and covered with artificial turf when not being used for special events. There is no proposed fencing around the sports court. Anticipated special events could include by way of example: ice skating, basketball, roller skating, and various yard games. There will not permanent structures placed in the Las Vegas Boulevard right-of-way. In conjunction with this request, the Applicant is working with the Clark County Public Works and District Attorney's Office on a dedication and reservation agreement which will require the Applicant to remove the improvement at the Applicant's sole expense upon the County's request.

Other non-standard improvements within the Las Vegas Boulevard right-of-way have been approved recently including a freestanding sign for the Pinball Museum property immediately to the north. Therefore, the Applicant's request is constant with other non-standard improvement approval in the area.

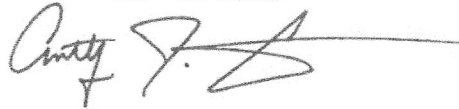
**DESIGN REVIEW and SPECIAL USE PERMITS FOR DAY CLUB USE WITH DIRECT ACCESS**

The Applicant is slightly revising the site plan to allow direct access to the pool level that is not accessed through the interior of the Resort-Hotel. The Applicant is proposing two (2) elevators near the Porte Cochere to allow for guest queuing on the exterior of the hotel. The elevators will take guest to the pool area. The Applicant is proposing a day club use in the pool area. The exterior elevators and exterior queuing is more appropriate as it will not interfere with the day-to-day casino operations. The exterior entrance and day club use is popular and operated in many resort-hotels including the Encore. Most importantly, the proposed day club use does not alter the pool design or the pool deck wall.

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

Sincerely,

KAEMPFER CROWELL



Anthony J. Celeste

jmd

OFFICE  
(TITLE 30)

RUSSELL RD/TAMARUS ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-23-0118-BELL REAL ESTATE LLC:**

**ZONE CHANGE** to reclassify 2.4 acres from an R-E (Rural Estates Residential) Zone to a C-P (Office and Professional) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** allow attached sidewalk along Rawhide Street; and **2)** increase wall height.

**DESIGN REVIEWS** for the following: **1)** office building; **2)** EV charging stations under canopy; and **3)** alternative parking lot landscaping.

Generally located on the north side of Russell Road and the east side of Tamarus Street within Paradise (description on file). JG/lm/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-26-402-001 through 162-26-402-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow attached sidewalk along a street (Rawhide Street) where detached sidewalk is required, per Section 30.64.030 and Figure 30.64-17.
2. Increase wall height to 8 feet where 6 feet is permitted, per Section 30.64.020 (a 33% increase).

**DESIGN REVIEWS:**

1. Office building.
2. EV charging stations under canopy.
3. Allow alternative parking lot landscaping where landscaping per Figure 30.64-14 is required.

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2.4

- Project Type: Office with public EV charging station
- Number of Stories: 1
- Building Height (feet): 13
- Square Feet: 4,000
- Parking Required/Provided: 16/18

#### Site Plan

The request is to develop the site as an office with covered EV charging stations. The parcels are designed for all access from 2 driveways located on Russell Road. As part of this request, the applicant has submitted a vacation and abandonment of Tamarus Street and patent easements (VS-23-0119). The applicant is proposing, after the vacation and abandonment is recorded and the land is returned to the adjacent property owners, the entire alignment will become part of the proposed project. As designed, the northerly portion of the west 30 feet of Tamarus Street adjacent to Paradise Villas Townhomes would become a fire access easement. The proposed building is located on the northwest corner of the site and is set back 10 feet from the remaining fire access easement of Tamarus Street and 15 feet from Rawhide Street. The 6 lanes of covered vehicle charging stations are located on the westerly portion of the site with parking spaces located adjacent to Russell Road and on the south and east sides of the building. Ground mounted mechanical equipment is located to the east of the building. A trash enclosure is provided to the east of the northerly parking area. On the eastern portion of the site there is an existing enclosed communication tower and related equipment site, which will remain as currently constructed. The eastern approximate 258 feet of the site will remain open unstriped pavement.

#### Landscaping

The plan depicts 15 feet of street landscaping along the south property line adjacent to Russell Road located behind an existing attached sidewalk. Additional entry landscaping flanks the driveway entrance throat depths. Parking lot landscaping fingers are provided within the southerly parking area. There is a 6 foot wide landscape strip along the east property line. A 15 foot wide street landscape area is located behind a proposed attached sidewalk along Rawhide Street with an 8 foot high screen wall at the back of the landscape area. There is a 10 foot wide landscape buffer with 8 foot high screen wall adjacent to the future fire access easement for the townhome development to the west (Paradise Villas), along with a 15 foot wide landscape area south of the fire access easement which exceeds Figure 30.64-11 standards. There are 2 parking lot landscape fingers provided for the parking areas adjacent to the building with parking lot landscaping distributed along Rawhide Street and Russell Road.

#### Elevations

The plan depicts a 1 story building with a height of 16 feet. The building has a low slope roof. The building consists of earth-toned painted stucco finish, metal seam roof materials, and storefront window and door systems. Parking lot lighting will be provided under the covered vehicle charging parking spaces and the front of the building.



Floor Plans

The building has an area of 4,000 square feet. The plan indicates that the building will be open and consist of 3 offices, a driver area, restrooms, mechanical room, and ice/vending machine room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the zone change request is in conformance with the standards and the placement of the building and site design will help buffer impacts from the aircraft and street noise for the neighborhoods. Additional perimeter landscaping has been provided to screen the project as well as the Russell Road corridor. Design considerations such as placing building lighting only on the south elevation of the building and canopy lighting is to assure no light-pollution from the site. The applicant also indicates that the site will be used as a waiting area for company drivers to pick up arrivals at the airport and will not be used for storing fleet vehicles or dispatching for Bell Transportation. The proposed attached sidewalk along Rawhide Street is provided to match the existing attached sidewalk on the place of worship property to the east. In working with the neighbors, Tamarus Street located between Russell Road and Rawhide Street is to be vacated, and the site plan reflects those discussions. The applicant represents that the Paradise Villas Homeowners Association (west residential properties) does not want the responsibility of removing existing improvements nor installing any new ones to meet Development Code standards. The intent is for the office site to receive ownership of the west portion of Tamarus Street and complete improvements to match the plans after the vacation and abandonment has recorded.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-0228-13	Reclassified 1.5 acres from R-E to C-P and C-1 zoning or a car wash and office complex in a C-P zone	Withdrawn	August 2013
VS-0095-13	Vacated and abandoned a 3 foot wide portion of Rawhide Street	Approved by PC	April 2013
UC-0018-12	Communication tower	Approved by PC	April 2012
NZC-2188-04	Reclassified 4.1 acres to C-2 zoning for an office complex which also included the parcel to the east, zoning was reduced to C-P zone - expired	Approved by BCC	May 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
South	Public Use	P-F	Harry Reid International Airport

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
East	Neighborhood Commercial	R-E	Place of worship
West	Compact Neighborhood (up to 18 du/ac)	R-2	Townhouse development

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-23-0119	A request to vacate and abandon a portion of a right-of-way being Tamarus Street 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**

Zone Change

This site is designated Neighborhood Commercial in the Master Plan, and the request is a conforming zone boundary amendment. Staff finds the proposed zoning is compatible with the existing and approved land uses in the area and is designed for sole access to Russell Road. Staff can support the zone change request.

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.

Detached sidewalks are a required standard to remove pedestrians away from the lanes of travel. Additionally, providing trees on both sides of a detached sidewalk provides shade to the sidewalk area during multiple times of the day, and would provide an added visual relief for the proposed screen wall. While the increased wall height is not a specific concern, staff is unable to support the design request and recommends denial of the proposed waivers.

Design Reviews

The location of the building and proposed westerly landscaping are in an area that is currently Tamarus Street which will be vacated and is a companion item on this agenda. Due to the size of the parcel, the proposed building and uses could be relocated to the easterly portion of the site to provide greater relief of the proposed development on the surrounding neighboring properties. While the proposed site design provides access solely to Russell Road, staff is concerned the on-site circulation at the easterly driveway is undefined to guide drivers safely to ingress and egress the site with the proposed driveway layout. Policy 4.2.4 of the Master Plan encourages limited

driveway frequencies on arterial streets (Russell Road). A redesign to reduce the number of driveway entrances along Russell Road could provide safer ingress and egress to the site and provide better coordination with the existing median on Russell Road. Staff finds that the design of the site is inappropriate due to the reasons stated and is unable to support the proposed requests.

**Staff Recommendation**

Approval of the zone change; denial of the waivers of development standards and design reviews.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

If approved:

- 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; no outside storage of vehicles on the site; if operation plans change in the future, a transportation service requires C-2 zoning; 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;
- Full off-site improvements.

**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 #0112-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT: BRENT BELL**

**CONTACT: DLC CONSULTING, 2885 E QUAIL AVE, LAS VEGAS, NV 89120**

DRAFT



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<p><b>APPLICATION TYPE</b></p> <p><input type="checkbox"/> TEXT AMENDMENT (TA)</p> <p><input checked="" type="checkbox"/> ZONE CHANGE</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> CONFORMING (ZC) \$1050</p> <p style="margin-left: 20px;"><input type="checkbox"/> NONCONFORMING (NZC)</p> <p><input type="checkbox"/> USE PERMIT (UC)</p> <p><input type="checkbox"/> VARIANCE (VC)</p> <p style="margin-left: 20px;">\$475</p> <p><input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS)</p> <p><input checked="" type="checkbox"/> DESIGN REVIEW (DR) \$500</p> <p><input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR)</p> <p><input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC)</p> <p><input type="checkbox"/> WAIVER OF CONDITIONS (WC)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> ANNEXATION REQUEST (ANX)</p> <p><input type="checkbox"/> EXTENSION OF TIME (ET)</p> <p>(ORIGINAL APPLICATION #)</p> <p><input type="checkbox"/> APPLICATION REVIEW (AR)</p> <p>(ORIGINAL APPLICATION #)</p>	<b>STAFF</b>	<p>APP. NUMBER: <u>22-23-0118</u>      DATE FILED: <u>3/7/2023</u></p> <p>PLANNER ASSIGNED: <u>LMN</u></p> <p>TAB/CAC: <u>PARADISE</u>      TAB/CAC DATE: <u>4/11/2023</u></p> <p>PC MEETING DATE: _____</p> <p>BCC MEETING DATE: <u>5/3/2023</u></p> <p>FEE: <u>\$ 2025 -</u></p>
	<b>PROPERTY OWNER</b>	<p>NAME: <u>BELL REAL ESTATE L L C</u></p> <p>ADDRESS: <u>1900 INDUSTRIAL RD</u></p> <p>CITY: <u>LAS VEGAS</u>      STATE: <u>NV</u>      ZIP: <u>89102</u></p> <p>TELEPHONE: <u>(702) 739-7990</u>      CELL: <u>(702) 373-1616</u></p> <p>E-MAIL: <u>brent@belltransportation.com</u></p>
	<b>APPLICANT</b>	<p>NAME: <u>BELL REAL ESTATE L L C</u></p> <p>ADDRESS: <u>1900 INDUSTRIAL RD</u></p> <p>CITY: <u>LAS VEGAS</u>      STATE: <u>NV</u>      ZIP: <u>89102</u></p> <p>TELEPHONE: <u>(702) 739-7990</u>      CELL: <u>(702) 373-1616</u></p> <p>E-MAIL: <u>brent@belltransportation.com</u>      REF CONTACT ID #: _____</p>
	<b>CORRESPONDENT</b>	<p>NAME: <u>LANDON CHRISTOPHERSON</u></p> <p>ADDRESS: <u>2885 E QUAIL AVE</u></p> <p>CITY: <u>LAS VEGAS</u>      STATE: <u>NV</u>      ZIP: <u>89120</u></p> <p>TELEPHONE: <u>702-521-7021</u>      CELL: <u>702-521-7021</u></p> <p>E-MAIL: <u>LCHRISTOPHERSON@NOVUSVI.COM</u>      REF CONTACT ID #: _____</p>

ASSESSOR'S PARCEL NUMBER(S): 162-26-402-001, 002 & 003

PROPERTY ADDRESS and/or CROSS STREETS: RAWHIDE ST & TAMARUS ST

PROJECT DESCRIPTION: OFFICE

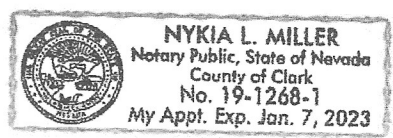
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and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

[Signature]      BRENT BELL  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF Nevada  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON May 2, 2022 (DATE)  
 By Brent Bell

NOTARY PUBLIC: [Signature]



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

December 02, 2022

Clark County – Current Planning  
500 Grand Central Pkwy  
Las Vegas, NV 89155  
(702) 455-4314

RE: RUSSELL ROAD OFFICE

To Whom It May Concern:

On behalf of the owner Bell Real Estate, LLC, we respectfully request consideration of the enclosed Zone Change, Waiver of Development Standards, Design Review and Vacation of Right-of-Way/Patent Easements for an office building located at 1551 Rawhide Street, APN's 162-26-402-001,002 & 003.

The property is located on the northeast corner of Russell and Tamarus. The property currently holds a zoning designation of R-E (Residential Estates) with a land use of NC (Neighborhood Commercial). The owner is requesting a zone change from R-E to C-P (Commercial Professional) with the use of office on the site. The property fronts the alignment Russell Road, a major thoroughfare. At the corner of Eastern and Russell is a commercial center. This area experiences high levels of aircraft noise and with the completion of Russell Road, vehicle as well. This project will buffer the existing neighborhood by providing low density project with a Design Review for landscape that provides increased perimeter landscape to screen the project as well as the Russell Road corridor.

The Design Review is for a 4,000 square foot office, covered parking canopy, public electrical vehicle charging stations and alternative parking lot landscape. The site is designed to allow a left turn in from Russell Road however exiting from the site will be right out only. The two entrances will be 32 feet in width and the entire site will be paved. The building will consist of three (3) offices, bathrooms and a driver's areas. The finish materials on the exterior of the building will be stucco with earth tone colors. The site will be used as a waiting area for company drivers to pick up arrivals at the airport. The airport continues to eliminate these areas for drivers and this is a need for Bell Transportation. The site will not be used for storing fleet vehicles or for dispatching. The project will also provide electric charging stations for all electric vehicles. These charging stations will be located under the covered parking (for private use) and along Russell Road (public use) . Parking lot lighting will be located under the canopy of the covered parking and on the front of the office building to assure no light-pollution from the site. The parking lot landscaping, in which Figure 30.64-14 is required, is not being followed. So to compensate for this, the site will have increased perimeter landscape along the north, east and south side to assure the screening of the project as mentioned earlier.

Wavier of Development Standards are being requested with this design review to allow: 1) attached sidewalk along a street (Rawhide Street) where detached sidewalk is required per

11



30.64.030. The existing sidewalk along Rawhide Street is attached and we will be matching this condition 2) Increase wall height to 8 feet where 6 feet is permitted, per Figure 30.64-11. This increase is being requested for security as well as screening of the project

The development of this site does not require Tamarus Street and has been requested to be vacated south of Rawhide Street and will be part of this application. Bell Real Estate has worked with Paradise Villas Homeowners Associate to acquire the west 30 feet of Tamarus Street that will be vacated and the site plan reflects those discussions. Paradise Villas Homeowners Association does not want the responsibility of removing existing improvements nor installing any new ones to meet development code. The patent easements for the site are being vacated along the north, east and south property lines as well since they are no longer required as the right-of-ways required have been dedicated and/or being vacated.

Should you have any questions or need additional information please contact our office at (702)521-7021.

Sincerely,

A handwritten signature in black ink, appearing to read 'Landon Christopherson', with a long horizontal line extending to the right.

Landon Christopherson, P.E.

11

RIGHT-OF-WAY & EASEMENTS  
(TITLE 30)

RUSSELL RD/TAMARUS ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-23-0119-BELL REAL ESTATE LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Russell Road and Rawhide Street, and between Tamarus Street and Caliente Street, and a portion of a right-of-way being Tamarus Street located between Russell Road and Rawhide Street within Paradise (description on file). JG/lm/syp (For possible action)

RELATED INFORMATION:

**APN:**

162-26-402-001 through 162-26-402-003

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

The plan depicts the vacation and abandonment of 60 feet of right-of-way (Tamarus Street) located on the west side of the proposed site development and patent easement along the north, west, and south portions of the property. The applicant indicates that they have worked with Paradise Villas Homeowners Association to acquire the west 30 feet of Tamarus Street that will be vacated and the patents are no longer required as the rights-of-way have been dedicated and/or being vacated.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-0228-13	Reclassified 1.5 acres from R-E to C-P and C-1 zoning for a car wash and office complex in C-P zone	Withdrawn	August 2013
VS-0095-13	Vacated and abandoned a 3 foot wide portion of Rawhide Street	Approved by PC	April 2013
UC-0018-12	Communication tower	Approved by PC	April 2012
NZC-2188-04	Reclassified 4.1 acres to C-2 zoning for an office complex which also included the parcel to the east, zoning was reduced to C-P zone - expired	Approved by BCC	May 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
South	Public Use	P-F	Reid International Airport
East	Neighborhood Commercial	R-E	Place of worship
West	Compact Neighborhood (up to 18 du/ac)	R-2	Townhouse development

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-23-0118	A zone change to reclassify 2.4 acres to C-P zoning for an office building is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Public Works - Development Review**

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

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Coordinate with Traffic Management to return any County assets to Public Works;

- If the applicant chooses to purchase the streetlights, coordinate with Public Works - Traffic Management for the purchase and the transfer of electric service;
- Enter into a maintenance and access agreement with the subdivision to the west to allow the applicant to use the vacated area or complete the appropriate subdivision map to transfer ownership;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**Fire Prevention Bureau**

- No comment.

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

- The Clark County Water Reclamation District (CCWRD) has existing or proposed assets within the area proposed to be vacated per VS-23-0119; CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the rights-of-way are reserved; it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner; and additionally, CCWRD requests no gates or fences are allowed to be installed across the subject parcel as a condition of the rights granted to the CCWRD.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: BRENT BELL**

**CONTACT: DLC CONSULTING, 2885 E QUAIL AVE, LAS VEGAS, NV 89120**



# VACATION APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b> <input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs) <input type="checkbox"/> EASEMENT(S) <input checked="" type="checkbox"/> RIGHT(S)-OF-WAY <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____	<b>DEPARTMENT USE</b>	APP. NUMBER: <u>VS-23-0119</u>	DATE FILED: <u>3/7/2023</u>
		PLANNER ASSIGNED: <u>LMN</u>	TAB/CAC DATE: <u>4/11/2023</u>
		TAB/CAC: <u>PARADISE</u>	
		PC MEETING DATE: <u>      </u>	
		BCC MEETING DATE: <u>5/3/2023</u>	
		FEE: <u>\$875-</u>	

<b>PROPERTY OWNER</b>	NAME: <u>BELL REAL ESTATE L L C</u>
	ADDRESS: <u>1900 INDUSTRIAL RD</u>
	CITY: <u>LAS VEGAS</u>
	STATE: <u>NV</u> ZIP: <u>89102</u>
	TELEPHONE: <u>(702) 739-7990</u>
	E-MAIL: <u>brent@belltransportation.com</u>
	CELL: <u>(702) 373-1616</u>

<b>APPLICANT</b>	NAME: <u>BELL REAL ESTATE L L C</u>
	ADDRESS: <u>1900 INDUSTRIAL RD</u>
	CITY: <u>LAS VEGAS</u>
	STATE: <u>NV</u> ZIP: <u>89102</u>
	TELEPHONE: <u>(702) 739-7990</u>
	E-MAIL: <u>brent@belltransportation.com</u>
	CELL: <u>(702) 373-1616</u>
	REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>LANDON CHRISTOPHERSON</u>
	ADDRESS: <u>2885 E. QUAIL AVE</u>
	CITY: <u>LAS VEGAS</u>
	STATE: <u>NV</u> ZIP: <u>89102</u>
	TELEPHONE: <u>702-521-7021</u>
	E-MAIL: <u>lchristopherson@novusvi.com</u>
	CELL: <u>702-521-7021</u>
	REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-26-402-001, 002 & 003

PROPERTY ADDRESS and/or CROSS STREETS: 1551 RAWHIDE ST / RAWHIDE ST & TAMARUS ST

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

[Signature]

Property Owner (Signature)\*

BRENT BELL

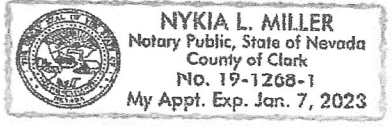
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON May 2, 2022 (DATE)

By Brent Bell

NOTARY PUBLIC: [Signature]



12

\*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.

December 02, 2022

Clark County – Current Planning  
500 Grand Central Pkwy  
Las Vegas, NV 89155  
(702) 455-4314

RE: RUSSELL ROAD OFFICE

To Whom It May Concern:

On behalf of the owner Bell Real Estate, LLC, we respectfully request consideration of the enclosed Zone Change, Waiver of Development Standards, Design Review and Vacation of Right-of-Way/Patent Easements for an office building located at 1551 Rawhide Street, APN's 162-26-402-001,002 & 003.

The property is located on the northeast corner of Russell and Tamarus. The property currently holds a zoning designation of R-E (Residential Estates) with a land use of NC (Neighborhood Commercial). The owner is requesting a zone change from R-E to C-P (Commercial Professional) with the use of office on the site. The property fronts the alignment Russell Road, a major thoroughfare. At the corner of Eastern and Russell is a commercial center. This area experiences high levels of aircraft noise and with the completion of Russell Road, vehicle as well. This project will buffer the existing neighborhood by providing low density project with a Design Review for landscape that provides increased perimeter landscape to screen the project as well as the Russell Road corridor.

The Design Review is for a 4,000 square foot office, covered parking canopy, public electrical vehicle charging stations and alternative parking lot landscape. The site is designed to allow a left turn in from Russell Road however exiting from the site will be right out only. The two entrances will be 32 feet in width and the entire site will be paved. The building will consist of three (3) offices, bathrooms and a driver's areas. The finish materials on the exterior of the building will be stucco with earth tone colors. The site will be used as a waiting area for company drivers to pick up arrivals at the airport. The airport continues to eliminate these areas for drivers and this is a need for Bell Transportation. The site will not be used for storing fleet vehicles or for dispatching. The project will also provide electric charging stations for all electric vehicles. These charging stations will be located under the covered parking (for private use) and along Russell Road (public use) . Parking lot lighting will be located under the canopy of the covered parking and on the front of the office building to assure no light-pollution from the site. The parking lot landscaping, in which Figure 30.64-14 is required, is not being followed. So to compensate for this, the site will have increased perimeter landscape along the north, east and south side to assure the screening of the project as mentioned earlier.

Wavier of Development Standards are being requested with this design review to allow: 1) attached sidewalk along a street (Rawhide Street) where detached sidewalk is required per



30.64.030. The existing sidewalk along Rawhide Street is attached and we will be matching this condition 2) Increase wall height to 8 feet where 6 feet is permitted, per Figure 30.64-11. This increase is being requested for security as well as screening of the project

The development of this site does not require Tamarus Street and has been requested to be vacated south of Rawhide Street and will be part of this application. Bell Real Estate has worked with Paradise Villas Homeowners Associate to acquire the west 30 feet of Tamarus Street that will be vacated and the site plan reflects those discussions. Paradise Villas Homeowners Association does not want the responsibility of removing existing improvements nor installing any new ones to meet development code. The patent easements for the site are being vacated along the north, east and south property lines as well since they are no longer required as the right-of-ways required have been dedicated and/or being vacated.

Should you have any questions or need additional information please contact our office at (702)521-7021.

Sincerely,

A handwritten signature in black ink, appearing to read 'Landon Christopherson', with a long horizontal line extending to the right.

Landon Christopherson, P.E.

VEHICLE WASH  
(TITLE 30)

WYNN RD/DESERT INN RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-23-0094-LAXMI BUILDING, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce street landscaping; 2) waive Asian Design Overlay District standards; 3) allow modified driveway design standards; and 4) reduce driveway distances from the intersection.

**DESIGN REVIEW** for a proposed vehicle wash on 0.6 acres in an M-1 (Light Manufacturing) Zone in the Asian Design Overlay District.

Generally located on the west side of Wynn Road and the south side of Desert Inn Road within Paradise. JJ/rk/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-18-502-005

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce street landscaping behind an attached sidewalk on an arterial street (Desert Inn Road) to 10 feet where 15 feet is required per Table 30.64-2 and Figure 30.64-17 (a 33% reduction).
2. Waive the Asian Design Overlay District standards where required per Section 30.48.800.
3. Reduce throat depth to 16 feet where a minimum of 25 feet is the standard per Uniform Standard Drawing 222.1 (a 36% reduction).
4. Reduce the departure distance from an intersection to a driveway along Wynn Road to 74 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 61% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4125 W. Desert Inn Road
- Site Acreage: 0.6
- Project Type: Proposed vehicle wash

- Number of Stories: 1
- Building Height (feet): Up to 26
- Square Feet: 2,763
- Parking Required/Provided: 3/9

#### Site Plans

The plans depict a proposed automated carwash facility. The carwash is oriented in a north/south direction and located near the center of the site. Currently, this property has an existing office/warehouse building on the site that will be demolished and redeveloped with the proposed car wash. Also, 2 existing driveways along Desert Inn Road will be eliminated for a single point of access shown on Wynn Road. The building is set back 35 feet from the north property line (Desert Inn Road), 34 feet from the south property line, 79 feet from the east property line (Wynn Road), and 38 feet from the west property line. Customers would enter from a southern queuing lane and exit through to the northern portion of the parking lot. There are 8 associated vacuum stations located along the east side of the building and the trash enclosure is in that same vicinity of the site. The existing driveway along Wynn Road necessitates the waivers of development standards for modified driveway design.

#### Landscaping

Street landscaping along Desert Inn Road consists of an existing attached sidewalk with 10 feet of landscaping behind the sidewalk. The street landscaping along Wynn Road consists of an existing attached sidewalk with 15.5 feet of landscaping behind the sidewalk. A cluster of shrubs and trees are shown along Desert Inn Road where the car wash tunnel faces.

#### Elevations

The plans depict a 1 story building, generally 20 feet in height with building design elements reaching 26 feet. The building materials consist of stucco finished walls, standing seam metal roof elements, and honed concrete block accents. The tunnel ingress/egress faces in a north/south direction.

#### Floor Plans

The plans show a proposed 2,763 square foot automated vehicle wash building with a wash tunnel, lobby, restroom, and equipment room.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant indicates that the carwash building is architecturally compatible to match the commercial and light industrial development in the area. The applicant also indicates that the carwash will be a suitable location for this use because the site is adequately parked and the property is located at the corner of 2 larger roads.

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use	M-1	Convenience store with gas pumps
South & West	Corridor Mixed-Use	M-1	Warehouse buildings
East	Entertainment Mixed-Use	M-1	Commercial center

### **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

Staff finds the proposed 10 foot wide landscape area adjacent to the attached sidewalk along Desert Inn Road exceeds the existing landscape areas along this roadway and is compatible with the existing development in the area. Given the established street improvements in this area and the character of the surrounding neighborhood, a reduction to 10 feet of perimeter landscaping is appropriate and will still provide visual screening of the car wash tunnel; therefore, staff can support the waiver.

##### Waiver of Development Standards #2 & Design Review

The proposed addition does not conform to the Asian Design Overlay standards. A vehicle wash tunnel without Asian elements may be appropriate to match the existing structures in the area. Not only does the subject site not conform to the Asian Design Overlay District, but there are various other businesses which also do not comply. Furthermore, the applicant must adhere to the typical design for a use of this type; therefore, staff can support this request.

Since the areas to the north and east of the subject site contain commercial type uses, staff does not anticipate any negative impacts from the proposed use. In addition, the site is not adjacent to any residential developments. The closest residential development is a multiple family complex located over 420 feet to the north. Additionally, the site is consistent with the Master Plan which encourages architectural treatments on all building sides to eliminate blank elevations along public rights-of-way and areas visible to the general public to improve visual quality; therefore, staff can support this request.

**Public Works - Development Review**

Waiver of Development Standards #3

Staff cannot support the reduction in the throat depth in that it could result in stacking of vehicles into Wynn Road. Vehicles will come into immediate conflicts with vehicles exiting the parking stalls west of the driveway.

Waiver of development Standards #4

Staff has no objection to the reduction in the departure distance for the Wynn Road commercial driveway. The applicant placed the driveway as far south as the site will allow.

**Staff Recommendation**

Approval of waivers of development standards #1, #2, #4, and the design review; denial of waiver of development standards #3.

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;
- Right-of-way dedication to include a additional right-of-way to accommodate the traffic signal in the northeast corner of the site;
- Reconstruct any unused driveways with full off-site improvements;
- Applicant is advised that off-site improvement permits may be required.

**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 #0258-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** NEIL CAPIN

**CONTACT:** CASSANDRA WORRELL, 520 SOUTH FOURTH STREET, LAS VEGAS, NV 89101

DRAFT





LAW OFFICE

*Brown, Brown & Premsrirut*

JAY H. BROWN  
DAVID T. BROWN  
PUOY K. PREMSRIRUT

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS  
520 SOUTH FOURTH STREET  
LAS VEGAS, NEVADA 89101

TELEPHONE: (702) 384-5563  
FACSIMILE: (702) 385-1023  
EMAIL: jbrown@brownlawlv.com

January 19, 2023

Clark County Comprehensive Planning Department  
500 Grand Central Parkway  
Las Vegas, 89155-1744

*WS - 23-0094*

**RE: Desert Inn Road & Wynn Road Vehicle (Car) Wash  
Justification Letter (Revision 3)  
Waivers of Development Standards and Design Review and for a proposed vehicle  
(car) wash.  
Assessors' Parcel Numbers: 162-18-502-005**

**To Whom It May Concern:**

On behalf of our Client, Neil Capin Jr. we respectfully submit this application package for a proposed vehicle (car) wash with vacuums. The proposed project is located on the southwest corner of Desert Inn Road and Wynn Road on a site currently developed as an office/warehouse building. The subject parcel is zoned M-1 and is on a total of 0.58 acres. The existing office/warehouse building will be demolished to redevelop the site with the proposed car wash. The revised plan shows only one (1) driveway to access the site from Wynn Road. The revisions to the plans now depict that the two (2) existing driveways along Desert Inn Road are eliminated which results in eliminating the waivers required for the original submittal for the proposed redevelopment of the site for the car wash.

**Project Description:**

The project is located on the southwest corner of Desert Inn Road and Wynn Road with the proposed car wash building/tunnel located on the western portion of the site and oriented in a north south direction. The covered vacuums are located on the east side of the building/tunnel and along Wynn Road. The pay points are located on the west side of the building close to the southern portion of the site. A total of parking (3) parking spaces including a handicap accessible space as provided as required by Code. Please see Keynotes for descriptions of the site information and elements. **An existing freestanding sign will remain and be re-used for the car wash but is not a part of this application.**

**Elevations:**

The proposed car wash building/tunnel is one story and up to 26 feet high to the top of parapet. The building is of a contemporary design with an irregular shaped roof line. The building materials consist of painted stucco finishes and standing seam metal roofing. The design accents include honed and split face concrete blocks, square painted steel tube columns, metal overhead doors, metal insulated doors, aluminum store front windows and doors. Both metal overhead doors are either screened by a building on the adjacent parcel to the south and by landscaping along Desert Inn Road.

**Floor Plans:**

The car wash building/tunnel is 2,763 square feet and includes, the wash tunnel, equipment, maintenance, electrical, restroom, lobby, and a restroom.

**Landscaping:**

A 10 foot wide landscape strip with an attached (existing) sidewalk is depicted along Desert Inn Road. A 15 foot wide landscape strip with an attached (existing) sidewalk is depicted along the Wynn Road.

Signage is not a part of this application, although the freestanding sign on the site will be reused in the future. The sign for the site will be addressed in the future.

**We respectfully request approval for the following applications required for the proposed project:**

**Waivers of Development Standards:**

- 1) **Reduce the required landscaping along Desert Inn to 10 feet where a 15 foot wide area with a detached sidewalk is required and where an attached sidewalk already exists, and the adjacent street frontages are developed with attached sidewalks. Also maintain the existing attached sidewalk along the street frontage.**

**Justification:**

This request is required because of the size and depth of the lot (less than 170 feet) and to match the existing landscaping along both sides of Desert Inn in this area. The proposed 10 foot wide landscaping provided along Desert Inn Road will either match or exceed the landscaping provided for the majority of the properties along this portion of Desert Inn Road. The majority of the adjacent properties in this area were developed in the 1970s with others developed in the 1990s and most have less than the 10 foot landscaping proposed with this redevelopment of the parcel. The landscaping proposed will match the width of landscaping of the parcel to the west which was constructed in 1999. The property as it exists today has no landscaping along the street frontages. Therefore, the landscaping proposed along Desert Inn Road with the redevelopment of the parcel will not only enhance the parcel but the area as well. The attached sidewalk already exists, and the adjacent street frontages are developed with attached sidewalks the sidewalk will be maintained to match the other attached sidewalks along the street frontages in this area.

- 2) **Reduce the throat depth for the northern side of the driveway on Wynn Road to 16 feet where 25 feet is required.**

**Justification:**

This request is only for the northern side of the driveway and has the required 25 radius to accommodate the turn movements into the site without any vehicular conflicts. The width of the parcel (east to west) is approximately 148 feet to accommodate the wash building/tunnel, the driveway access to the site, vehicular circulation and queuing leaving minimal space to provide the required throat depth on both sides of the driveway. Additionally, with the revisions to the plans there are no cross maneuvers to create conflicts at the driveway, therefore, the reduced throat depth on one side of the driveway will not impact ingress and egress at the driveway or Wynn Road.

- 3) **Reduce the departure distance from the intersection of Wynn Road and Desert Inn Road to 74 feet where 190 feet is required.**

**Justification:**

The width/frontage of the lot along Wynn Road is 153.49 feet beginning from the back of the curb radius, and the required departure distance from the intersection is 190 feet, therefore the subject parcel does not have sufficient width/frontage to accommodate the required clearance distance. The driveway on Wynn Road is located as far south as possible to maximize the clearance distance from the intersection. The revised plans show a 36 foot wide driveway on Wynn Road with the required radius on one side of the driveway as required by Code which will help with the ingress and egress from the site and will not create vehicular conflicts. Furthermore, there is minimal traffic on Wynn Road in this area, therefore, there will be no issues with ingress and egress from the site and will not create any queuing into the right-of-way.

**Design Review:**

For a vehicle (car) wash.

The proposed project is a redevelopment of the subject parcel. The proposed car wash is an appropriate use for the site and area which will enhance the area and may encourage redevelopment of the adjacent parcels. The use is also compatible with the area which is an older industrial area developed in the 1970s through the 1990s. The redevelopment of the site complies with sustainability and growth management policies outlined for redevelopment of sites in Master Plan for the Paradise Planning area.

We appreciate your review of this application and looking forward to staff comments to continue with the application process for the project.

Please contact me at 702-598-1429 if you have any questions or need additional information.

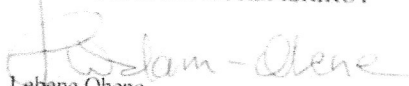
LAW OFFICE

*Brown, Brown & Premsrirut*

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

Sincerely,

BROWN, BROWN & PREMSRIRUT



Lebene Ohene  
Land Use and Development Consultant

SIGNAGE  
(TITLE 30)

LAS VEGAS BLVD S/PARK AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-23-0108-SG VEGAS OWNER LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setbacks; and 2) increase the number of projecting signs.

**DESIGN REVIEW** for modifications to an approved comprehensive sign package in conjunction with an existing shopping center on a 1.8 acre portion of a 6.0 acre site in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

Generally located on the east side of Las Vegas Boulevard South, 1,332 feet north of Tropicana Avenue within Paradise. JG/hw/syp (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-21-301-014; 162-21-401-005; 162-21-401-007; 162-21-401-023; 162-21-401-028; 162-21-401-029 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the setback for a proposed projecting sign to 9.4 feet where a minimum setback of 10 feet is required per Table 30.40-7, Section 30.56.040, Section 30.56.060 & Table 30.70-1 (a 6% reduction).
2. Increase the number of projecting signs per tenant to 2 signs where a maximum of 1 projecting sign per tenant is allowed per Table 30.70-1 (a 100% increase).

**DESIGN REVIEW:**

1.
  - a. Modifications to an approved comprehensive sign package for an existing shopping center (Showcase Mall).
  - b. Increase projecting sign area to 1,667 square feet where 1,424 square feet was previously approved (a 17% increase) and where a maximum of 32 square feet is allowed per Table 30.70-1.
  - c. Increase the total number of projecting signs to 10 signs where a total of 8 projecting signs were previously approved (a 25% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE



## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 3767 Las Vegas Boulevard South
- Site Acreage: 1.8 (portion)
- Project Type: Signage
- Building Height (feet): 130 (per WS-22-0099)
- Square Feet: 243 (both faces of projecting sign)

#### Site Plan & Request

The site plan depicts an existing shopping center (Showcase Mall) located on the eastside of Las Vegas Boulevard South. The applicant is requesting to construct a singular projecting sign structure with 2 sign faces on the northern portion of the existing Showcase Mall building, and as a result, modify the approved comprehensive sign plan for the Showcase Mall. The location of the proposed projecting sign on the site is shown to be in front of the existing Olive Garden and Brewdog Brew Pub located approximately 1,332 feet north of Tropicana Avenue on the west side of the existing building. The proposed projecting sign is shown to be set back 4 feet 8 inches from the western property line; 9 feet 5 inches from the right-of-way line of Las Vegas Boulevard South and 27 feet 10 inches from the back of curb of Las Vegas Boulevard South. The site plan indicates that the proposed sign will project approximately 8.5 feet from the existing building over the sidewalk. The plans indicate that the sign will not be within the public pedestrian access easement or right-of-way.

#### Signage

The elevations provided show that the proposed projecting sign will be placed on a wall over the entrance to the existing Olive Garden and Brewdog Brew Pub. This façade of the building already contains several wall signs and 3 projecting signs that serve to advertise other nearby businesses. The sign itself will contain 2 sign faces with each side measuring 10 feet high and 12 feet 2 inches wide, for an area of 121.7 square feet for each face. Each sign face will be broken into 2 panels with each panel containing a different graphic, 1 for Olive Garden and the other for the Brewdog Brew Pub. The Olive Garden graphic measures out at 37.7 square feet, while the Brewdog graphic is approximately 38.3 square feet. The portion of the projecting sign attached to the building will measure 18.3 feet wide and the sign will project 8.5 feet from the building face to the farthest point of the sign. The 2 sign faces will be separated from each other by a 100 degree angle. The projecting sign is proposed to have an overhead clearance above the sidewalk of 12.7 feet. The proposed sign will also have a metal panel on the bottom of the sign with scintillating lights, and the overall structure will be constructed using a steel frame.

Table summarizing signage is provided below:

Type of sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	# of existing signs	# of proposed signs	Total # of signs
Freestanding	426	0	426	3,890	5	0	5
Wall*	47,046	0	47,046	4,320	94	0	94
Directional	35	0	35	32 (per tenant)	6	0	6
Projecting	1,424	243	1,667	32 (per tenant)	8	2	10
Hanging	34	0	34	32 (per tenant)	5	0	5
Overall Total	48,965	243	49,208	N/A	118	2	120

\*The wall signs also contain animation.

Details for animated signs listed below:

Type of sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	# of existing signs	# of proposed signs	Total # of signs
Animated	6,837	0	6,837	N/A	19	0	19
Video Units	19,364	0	19,364	N/A	27	0	27
Overall Total	26,201	0	26,201	150	46	0	46

\*\*The tables above describe the signage for all portions of the Showcase Mall.

#### Applicant's Justification

The applicant states that the proposed projecting sign is needed in order to better compete visually with the surrounding area given the number of signs currently located on the Showcase Mall property. In addition, they state the sign will be used to help reduce the confusion that customers have regarding the location of the entrance to both Olive Garden and Brewdog Brew Pub. The applicant also states that the sign is similar in aesthetics and size to other signs within the Showcase Mall property, and along the Las Vegas Boulevard corridor. Finally, the applicant indicates that the sign will not pose any safety hazards given that it is not animated, is raised well above the sidewalk, and is sufficiently set back from the traveled portion of Las Vegas Boulevard South.

#### Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0099	Roof signs, encroachment into airspace, and modifications to an approved comprehensive sign package (Brewdog Brew Pub)	Approved by BCC	April 2022
UC-22-0066	Brew pub, craft distillery, and outside dining and drinking	Approved by BCC	April 2022

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-21-0607	Modification to an approved comprehensive sign plan (Fly Over Las Vegas)	Approved by BCC	December 2021
VS-21-0608	Vacated and abandoned a portion of a pedestrian easement which includes air space (11 feet above existing grade) and a portion of the ground easement area (Fly Over Las Vegas signage recorded)	Approved by BCC	December 2021
WS-21-0312	Modification to an approved comprehensive sign plan (Olive Garden)	Approved by BCC	August 2021
WS-21-0231	Modification to an approved comprehensive sign plan (Raising Canes Restaurant)	Approved by BCC	July 2021
WS-21-0117	Modification to an approved comprehensive sign plan (T-Mobile projecting sign)	Approved by BCC	June 2021
WS-21-0019	Modification to an approved comprehensive sign package to increase wall sign area	Approved by BCC	March 2021
WS-19-0866	Amended sign plan for the Showcase Mall	Approved by BCC	December 2019
WS-19-0837	Modification to an approved comprehensive sign plan (Burlington)	Approved by BCC	December 2019
WS-19-0239	Amended sign plan for the Showcase Mall	Approved by BCC	May 2019
WS-18-0245	Amended sign plan for the Showcase Mall	Approved by BCC	May 2018
WS-18-0165	Reduced parking and design review for modifications to a parking lot in conjunction with an approved expansion of the Showcase Mall	Approved by BCC	April 2018
WS-18-0084	Amended sign plan for the Showcase Mall	Approved by BCC	March 2018
DR-0819-17	Remodeled and modified entrance of a retail space for the Designer Shoe Warehouse in the Showcase Mall	Approved by BCC	November 2017
UC-0657-17	Expansion of the Showcase Mall	Approved by BCC	September 2017
WS-0456-17	Amended sign plan for the Showcase Mall	Approved by BCC	July 2017
WS-0153-17	Waivers and a design review for a portion of the Showcase Mall for a building addition and modified the existing plaza, sidewalks, and landscape areas along Las Vegas Boulevard South	Approved by BCC	April 2017
WS-0579-16	Amended sign plan for the Showcase Mall with facade change to a portion of the site	Approved by BCC	October 2016

\* There have been several other land use applications for this site. The applications listed above are the most recent.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	H-1	Mosaic shopping center
South & East	Entertainment Mixed-Use	H-1 & H-1 (AE-60)	MGM Grand Resort Hotel
West	Entertainment Mixed-Use	H-1 & H-1 (AE-60)	Park MGM & New York New York Resort Hotels

**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

While staff finds that there may be other design solutions that could otherwise reduce the need to request reduced setbacks for the proposed sign, the projecting sign as proposed is sufficiently setback from the traveled portion of Las Vegas Boulevard South and is not designed with any animation that may create a safety concern. In addition, the design of the sign is similar in setback and scale to other projecting signs in the area with no discernable concerns. For these reasons, staff can support this waiver.

Waiver of Development Standards #2

The Development Code currently permits alternative sign standards to be approved within the Resort Corridor if the signs result in the development having a visual character which is compatible with adjacent developments. Staff finds that the proposed sign is compatible with other signs in the area, as the surrounding area has several other projecting signs with a similar construction. In addition, staff finds that the proposed projecting sign is in harmony with the unique nature of the signage along Las Vegas Boulevard South and within the Resort Corridor. As a result, staff finds that an additional projecting sign in this area would not create any negative effects on the surrounding area and can support this request.

Design Review

Overall, staff finds that the proposed sign is compatible with the existing developments along Las Vegas Boulevard South and with the other signage within the Showcase Mall development. The modifications to the already existing comprehensive sign package comply with Policy 6.2.1 of the Master Plan which states that all new development should be compatible with the established neighborhood in terms of building styles on-site, and also with surrounding

developments. Policy 5.1.3 of the Master Plan also states that tourism is one of the bases of the local economy and should continue to be enhanced where possible. Given that Las Vegas Boulevard South is designated and recognized as a National Scenic Byway, and signage contributes to this important designation, staff finds that the proposed signage and modifications to the approved sign package are in compliance with Policy 5.1.3 and the proposed signage is appropriate and compatible with the surrounding uses and would contribute to the overall visual atmosphere of the Las Vegas Boulevard South corridor. For these reasons, staff can support this request.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Comprehensive Planning**

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: KATIE PEEL**

**CONTACT: SHAWN SMITH, SITE ENHANCEMENT SERVICES, 6001 NIMTZ PARKWAY, SOUTH BEND, IN 46628**





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <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) <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 #)	<b>STAFF</b>  APP. NUMBER: <u>WS-23-0108</u> DATE FILED: <u>3/8/23</u> PLANNER ASSIGNED: <u>NW</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>4/11/23</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>5/3/23</u> FEE: <u>\$1,150</u>
	<b>PROPERTY OWNER</b>  NAME: <u>G C VEGAS RETAIL L L C</u> ADDRESS: <u>19 WEST 34TH STREET 11TH FLOOR</u> CITY: <u>New York</u> STATE: <u>NY</u> ZIP: <u>10001</u> TELEPHONE: <u>212-760-3565</u> CELL: _____ E-MAIL: <u>jack@gindicapital.com</u>
	<b>APPLICANT</b>  NAME: <u>Charley Schalliol / Olive Garden</u> ADDRESS: <u>6001 Nimitz Parkway</u> CITY: <u>South Bend</u> STATE: <u>IN</u> ZIP: <u>46628</u> TELEPHONE: <u>574-532-3764</u> CELL: _____ E-MAIL: <u>jcs@sesbranding.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Charley Schalliol</u> ADDRESS: <u>6001 Nimitz Parkway</u> CITY: <u>South Bend</u> STATE: <u>IN</u> ZIP: <u>46628</u> TELEPHONE: <u>574-532-3764</u> CELL: _____ E-MAIL: <u>jcs@sesbranding.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-21-301-014, 162-21-401-005, 162-21-401-007, 162-21-401-023, 162-21-401-028, 162-21-401-029

PROPERTY ADDRESS and/or CROSS STREETS: 3767 S Las Vegas Blvd

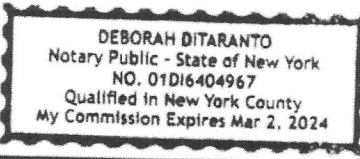
PROJECT DESCRIPTION: Olive Garden at Showcase Mall

(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.

Property Owner (Signature)\* [Signature]      Property Owner (Print) Jack Rabe

STATE OF New York  
 COUNTY OF New York

SUBSCRIBED AND SWORN BEFORE ME ON October 12, 2022 (DATE)  
 By Deborah Di Taranto  
 NOTARY PUBLIC: Deborah Di Taranto



\*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.



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

**PLANNER**  
**COPY**  
WS-23-0108

February 24<sup>th</sup>, 2023

RE: Olive Garden – Showcase Mall – Design Review and Waiver

Justification Statement

The Olive Garden located at 3767 S Las Vegas Boulevard within Showcase Mall is respectfully requesting a Waiver of Development Standards to increase sign area, reduce the H-1 front setback, reduce the setback from the right-of-way, and to reduce the setback of a projecting sign, and Design Review for modification to an approved comprehensive sign package for an existing shopping center in an H-1 zone.

1. Modify an approved comprehensive sign package to increase sign area and number of signs to the existing comprehensive sign package per (WS-22-0099) to allow an increase of the projecting signage area and number of signs on the exterior of the building. The request is to allow an additional 243 SF of area by adding an additional projecting sign to the exterior.
  - a. Request exterior projecting sign portion totaling a sign area increase of 243 SF and sign number increase of 2 where 1,424 SF currently exists with existing number of 8 signs. The increase would allow for a total SF of 1,667 and total number of 10.
    - i. The reason for the Waiver of the Development Standards is requested due to the location of the property on Las Vegas Boulevard and the size of the space occupied for the restaurant. The site currently has this type of sign requested over the allowed 32 SF per the H-1 zoning classification.
    - ii. The location is also connected to the Showcase Mall which is a destination for the area and has access from Las Vegas Boulevard.
    - iii. This element is proposed to alleviate the confusion that our customers are currently experiencing in locating the entrance to the business. Confusion occurs due to the complex visual environment and the number of building entries that are present along this elevation.
    - iv. The proposal is consistent with the design and intent of the area by providing attractive and effective wayfinding utilized currently in the corridor.
    - v. The projecting signage is constant to the design and scope to that of other signs in the shopping center and along the Las Vegas Boulevard Scenic Byway.
    - vi. To adequately advertise a business in the resort corridor, signage must be of a size and scope than can be visible to the public and attractions nearby.

which these signs do while maintain a tasteful and pleasing aesthetic balance to the corridor.

2. A Design Review for modification to an approved comprehensive sign package for an existing shopping center in an H-1 zone district
  - a. The proposed request is compatible with the adjacent properties and surrounding area as the usage is currently being utilized.
  - b. The proposal is compatible to the Chapter 30.16 Land Use Code and Title 30.72 (Signs) as the requested use is allowed.
  - c. The materials and landscaping are compatible to the surrounding neighborhood and adjacent properties with following code requirements
  - d. The proposal will have no adverse effect on the health or safety of the public and the proposal will not affect motoring traffic due to setback form ROW.
  - e. The site is existing and no additional circulation patterns are requested to the current condition.
  - f. The location and proposal are well below the flight patterns of commercial aircraft and light will not project up into the sky.
  - g. The proposal is compatible to the building architecture and utilizes the existing glass currently in place along with minimal penetrations to the building façade for the external usage.

The site was developed utilizing commercial shopping and restaurant opportunities in this area. The reason for the increased signage area is to enhance the current building features and alleviate the confusion that our customers are currently experiencing in locating the entrance to the business. The proposal was discussed and reviewed at great lengths to ensure this application would last through the years and reflects the surrounding area within the corridor. By doing this, the proposal is in harmony with the design intent of the area.

Sincerely,

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