



# Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

September 28, 2021

7:00pm

## AGENDA

### Note:

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

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

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

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

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

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

- III. Approval of Minutes for September 14, 2021. (For possible action)
- IV. Approval of the Agenda for September 28, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning

- 1. **AR-21-400113 (UC-1188-04)-TUCKER NICOLETTE LIVING TRUST & TUCKER NICOLETTE TRS:**  
**USE PERMIT FOURTH APPLICATION FOR REVIEW** of an existing massage establishment located within an existing retail center on 0.7 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Tropicana Avenue, 750 feet west of Spencer Street within Paradise. JG/sd/jo (For possible action)
  
- 2. **ET-21-400129 (ZC-0425-07)-PACIFIC PLACE SITE, LLC:**  
**ZONE CHANGE FIFTH EXTENSION OF TIME** to reclassify 33.5 acres from M-1 (Light Manufacturing) Zone to H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.  
**USE PERMITS** for the following: **1)** an expansion of the Gaming Enterprise Overlay District; **2)** a resort hotel/casino consisting of 2,700 hotel rooms; **3)** 1,120 resort condominiums; **4)** public areas including all casino areas, showrooms, live entertainment, cinema, performing arts center, shopping center, indoor and outdoor dining, entertainment, offices, meeting and convention, back-of-house, and parking structures; **5)** increase the height of high-rise towers; **6)** associated accessory and incidental commercial uses, buildings, and structures; and **7)** deviations from development standards.  
**DEVIATIONS** for the following: **1)** encroachment into airspace; **2)** reduced loading spaces; and **3)** all other deviations as shown per plans on file. Generally located on the southeast corner of Spring Mountain Road and Polaris Avenue within Paradise (description on file). JJ/jgh/jo (For possible action)  
**BCC 10/6/21**
  
- 3. **UC-21-0479-BRE/HC LAS VEGAS PPTY HOLDING:**  
**USE PERMITS** for the following: **1)** outdoor dining, drinking and cooking; and **2)** on-premises consumption of alcohol (supper club) in conjunction with an existing shopping center on 3.2 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the northeast corner of Howard Hughes Parkway and Flamingo Road within Paradise. TS/bb/jo (For possible action)  
**PC 10/19/21**

4. **AR-21-400142 (UC-20-0087)-AVILA, MARIA DEL ROSARIO VERDUZCO & GUZMAN, ROBERTO JIMENEZ:**  
**USE PERMIT SECOND 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/jd (For possible action) **BCC 10/20/21**
5. **DR-21-0477-FLAMINGO LV OPERATING CO, LLC:**  
**DESIGN REVIEWS** for the following: 1) exterior remodel; 2) modify an existing comprehensive sign plan; 3) increase wall sign area; 4) increase the number of animated signs; and 5) increase the area of animated signs in conjunction with an existing resort hotel (Flamingo) on a portion of 19.4 acres in an H-1 (Limited Resort and Apartment) Zone in an MUD-1 Overlay District. Generally located on the east side of Las Vegas Boulevard South, 200 feet north of Flamingo Road within Paradise. TS/lm/jo (For possible action) **BCC 10/20/21**
6. **ZC-21-0451-G2-CAMPUS VILLAGE, LLC:**  
**ZONE CHANGE** to reclassify 0.6 acres from a C-1 (Local Business) (AE-60) Zone to a C-2 (General Commercial) (AE-60) Zone.  
**USE PERMITS** for the following: 1) dormitory; and 2) eliminate portions of the pedestrian realms.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setbacks; 2) increase building heights; 3) reduce landscaping; 4) reduce the trash enclosure setbacks; 5) alternative driveway geometrics; and 6) non-standard improvements in the right-of-way.  
**DESIGN REVIEWS** for the following: 1) commercial complex; and 2) finished grade on 3.4 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway District. Generally located on the east side of Maryland Parkway, the north side of Harmon Avenue, and the south side of University Avenue within Paradise (description on file). TS/jt/xx (For possible action) **BCC 10/20/21**
7. **VS-21-0452-G2-CAMPUS VILLAGE, LLC:**  
**VACATE AND ABANDON** of a portion of a right-of-way being University Avenue located between Escondido Street and Maryland Parkway, Harmon Avenue located between Escondido Street and Maryland Parkway, and Maryland Parkway located between University Avenue and Harmon Avenue within Paradise (description on file). TS/jt/xx (For possible action) **BCC 10/20/21**
8. **TM-21-500134-G2-CAMPUS VILLAGE, LLC:**  
**TENTATIVE MAP** consisting of 1 commercial lot and common lots on 3.4 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway Design Overlay District. Generally located on the east side of Maryland Parkway, the north side of Harmon Avenue, and the south side of University Avenue within Paradise. TS/jt/xx (For possible action) **BCC 10/20/21**

VII. General Business

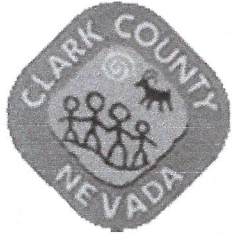
Select/nominate a representative and alternate for the CDAC Committee for the 2021/2022 FY  
(For possible action)

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: October 12, 2021.

X. Adjournment.

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



# Paradise Town Advisory Board

September 14, 2021

## MINUTES

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Board Members:	John Williams –Chair- <b>PRESENT</b> Susan Philipp - Vice Chair- <b>PRESENT</b> Roger Haywood- <b>EXCUSED</b>	Joh Wardlaw– <b>PRESENT</b> Katlyn Cunningham – <b>PRESENT</b>
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

Greg Cerven; Planning, Blanca Vazquez; Town Liaison

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

II. Public Comment:  
None

III. Approval of August 31, 2021 Minutes

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

Approval of Agenda for September 14, 2021

**Moved by: Philipp**  
**Action: Approve with the hold of item #10**  
**Vote: 4-0 Unanimous**

IV. Informational Items (For Discussion only)  
None

V. Planning & Zoning

1. **AR-21-400113 (UC-1188-04)-TUCKER NICOLETTE LIVING TRUST & TUCKER NICOLETTE TRS:**  
**USE PERMIT FOURTH APPLICATION FOR REVIEW** of an existing massage establishment located within an existing retail center on 0.7 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Tropicana Avenue, 750 feet west of Spencer Street within Paradise. JG/sd/jo (For possible action) **BCC 9/22/21**

**No show. Return to the September 28, 2021 Paradise TAB meeting**

2. **ZC-21-0365-SCHOOL BOARD OF TRUSTEES & COUNTY OF CLARK (PK & COMM) LEASE:**  
**HOLDOVER ZONE CHANGE** to reclassify 19.2 acres from an R-1 (Single Family Residential) Zone to a P-F (Public Facility) Zone.  
**DESIGN REVIEWS** for the following: 1) an existing school and park (William E. Orr Middle School/Orr Park); and 2) a proposed animated wall sign in conjunction with a school. Generally located on the northeast corner of Katie Avenue and Algonquin Drive within Paradise (description on file). TS/al/jd (For possible action) **BCC 9/22/21**

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

3. **UC-21-0412-HERBST FAMILY LIMITED PARTNERSHIP II:**  
**USE PERMIT** for a supper club.  
**DESIGN REVIEW** for a supper club in conjunction with a parking garage, warehouse, and convenience store with gasoline station on 4.0 acres in an M-1 (Light Manufacturing) (AE-60) Zone. Generally located on the south side of Dewey Drive, the north side of Russell Road, and the west side of Polaris Avenue within Paradise. MN/jt/jo (For possible action) **PC 10/5/21**

**MOVED BY-Wardlaw**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

4. **UC-21-0425-PARADISE GARDENS SHOPPING CENTER, LLC:**  
**USE PERMITS** for the following: 1) reduce the separation from an on-premises consumption of alcohol (supper club) to a residential use; and 2) reduce the separation from an on-premises consumption of alcohol (tavern) to a residential use in conjunction with an existing shopping center on a portion of 6.8 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway District. Generally located on the south side of Tropicana Avenue, approximately 360 feet west of Maryland Parkway within Paradise. JG/sd/jo (For possible action) **PC 10/5/21**

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

5. **UC-21-0434-GILL EXPRESS, INC:**  
**USE PERMIT** for reduced setback.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) cross access; 2) landscaping (required trees); and 3) reduced throat depth.  
**DESIGN REVIEW** for a proposed vehicle wash establishment on 1.2 acres in a C-1 (Local Business) Zone. Generally located on the north side of Flamingo Road, 155 feet east of Mountain Vista Street within Paradise. TS/jor/jd (For possible action) **PC 10/5/21**

**MOVED BY-Wardlaw**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

6. **UC-21-0435-HARSCH INVESTMENT PROPERTIES, LLC:**  
**USE PERMIT** for personal services (beauty salon) within an existing commercial/industrial complex on a portion of 2.6 acres in an M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the north side of Sunset Road, 200 feet east of Pecos Road within Paradise. JG/nr/jo (For possible action) **PC 10/5/21**

**MOVED BY-Cunningham**  
**APPROVE- Subject to staff conditions**  
**VOTE: 3-0 Unanimous**  
**Philipp abstained from comment and vote**

7. **WS-21-0427-LAS VEGAS AIRPORT CENTER, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increased sign area; 2) increased animated sign (electronic message unit) area; and 3) reduced setback.  
**DESIGN REVIEW** for a proposed freestanding sign in conjunction with an existing commercial center on 2.8 acres in a C-2 (General Commercial) (AE-65 & AE-70) Zone. Generally located on the south side of Bell Drive and the east side of Paradise Road within Paradise. JG/jor/jo (For possible action) **PC 10/5/21**

**MOVED BY-Wardlaw**  
**APPROVE- Subject to staff conditions**  
**VOTE: 4-0 Unanimous**

8. **WS-21-0436-CLAUS, THOMAS AUGUSTUS:**  
**WAIVER OF DEVELOPMENT STANDARDS** to allow a non-decorative (solid metal) fence in conjunction with an existing single family residence on 0.4 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Billman Avenue, 250 feet west of Sandhill Road within Paradise. TS/jor/jo (For possible action) **PC 10/5/21**

**MOVED BY-Philipp**  
**APPROVE- Subject to IF approved staff conditions**  
**Added condition**  
• **Apply and obtain permit for the fence**  
**VOTE: 4-0 Unanimous**

9. **DR-21-0443-M G P LESSOR, LLC:**  
**DESIGN REVIEWS** for the following: 1) modify an existing comprehensive sign plan; 2) increase the number of freestanding signs; 3) increase freestanding sign area; 4) increase the number of animated signs; and 5) increase the area of animated signs in conjunction with an existing resort hotel on 66.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northwest corner of Las Vegas Boulevard South and Stan Mallin Drive within Paradise. TS/sd/jo (For possible action) **BCC 10/6/21**

**MOVED BY-Williams**

**APPROVE- Subject to staff conditions**

**VOTE: 4-0 Unanimous**

10. **ET-21-400129 (ZC-0425-07)-PACIFIC PLACE SITE, LLC:**  
**ZONE CHANGE FIFTH EXTENSION OF TIME** to reclassify 33.5 acres from M-1 (Light Manufacturing) Zone to H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.  
**USE PERMITS** for the following: 1) an expansion of the Gaming Enterprise Overlay District; 2) a resort hotel/casino consisting of 2,700 hotel rooms; 3) 1,120 resort condominiums; 4) public areas including all casino areas, showrooms, live entertainment, cinema, performing arts center, shopping center, indoor and outdoor dining, entertainment, offices, meeting and convention, back-of-house, and parking structures; 5) increase the height of high-rise towers; 6) associated accessory and incidental commercial uses, buildings, and structures; and 7) deviations from development standards.  
**DEVIATIONS** for the following: 1) encroachment into airspace; 2) reduced loading spaces; and 3) all other deviations as shown per plans on file. Generally located on the southeast corner of Spring Mountain Road and Polaris Avenue within Paradise (description on file). JJ/jgh/jo (For possible action) **BCC 10/6/21**

**Held per applicant. Return to the September 28, 2021 Paradise TAB meeting**

11. **ZC-21-0442-ISC SPE, LLC:**  
**ZONE CHANGE** to reclassify 3.3 acres from an R-E (Rural Estates Residential) (AE-65) Zone to an M-D (Designed Manufacturing) (AE-65) Zone.  
**USE PERMITS** for the following: 1) recreational facility; 2) restaurant; and 3) on-premises consumption of alcohol (a lounge); and 4) allow alternative landscaping where landscaping per Figure 30.64-12 is required.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) departure distance; 2) reduce bicycle parking; 3) reduce setbacks; 4) reduce loading spaces; and 5) reduce height/setback ratio.  
**DESIGN REVIEW** for a distribution center. Generally located on the south side of Oquendo Road and the west side of Topaz Street within Paradise (description on file). JG/jvm/jd (For possible action) **BCC 10/6/21**

**MOVED BY-Williams**

**APPROVE- Subject to staff conditions**

**VOTE: 4-0 Unanimous**



VI. General Business (for possible action)  
**None**

VII. Public Comment  
**None**

VIII. Next Meeting Date  
**The next regular meeting will be September 28, 2021**

IX. Adjournment  
**The meeting was adjourned at 8:55p.m.**

DRAFT

09/22/21 BCC AGENDA SHEET

MESSAGE  
(TITLE 30)

TROPICANA AVE/SPENCER ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-21-400113 (UC-1188-04)-TUCKER NICOLETTE LIVING TRUST & TUCKER NICOLETTE TRS:**

**USE PERMIT FOURTH APPLICATION FOR REVIEW** of an existing massage establishment located within an existing retail center on 0.7 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Tropicana Avenue, 750 feet west of Spencer Street within Paradise. JG/sd/jo (For possible action)

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RELATED INFORMATION:

**APN:**  
162-23-403-012

**LAND USE PLAN:**  
WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**  
**Project Description**  
General Summary

- Site Address: 1550 E. Tropicana Avenue
- Site Acreage: 0.7
- Project Type: Massage

**Site Plans & History**

The plans show a 720 square foot lease space within an existing in-line retail center used for massage. The massage business was first approved in January 2001, subject to 3 years for review. However, the applicant failed to apply for an extension of time; therefore, that use permit expired. UC-1188-04 re-established the massage use and was approved with a 5 year review. The subsequent extension of time, UC-1188-04 (ET-0184-09), was also approved with a 5 year review. In 2016, UC-1188-04 (AR-0098-16) was approved with a 5 year time limit for review, and this application represents a fourth application for review.

**Applicant's Justification**

The applicant states that Hawaii Massage was approved by the County and an application review was submitted as a required 5 year review. There have been no significant changes to the

business or location, and has maintained continuous operations. The applicant is also requesting removal of the time limit.

Previous Conditions of Approval

Listed below are the approved conditions for UC-1188-04 (AR-0098-16):

**Current Planning**

- Until August 4, 2021 to review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application to review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for UC-1188-04 (ET-0055-14):

**Current Planning**

- Until August 4, 2016 to review as a public hearing.

**Building/Fire Prevention**

- Applicant is advised that the proposal has been reviewed and it does not conflict with Fire Code Requirements.

Listed below are the approved conditions for UC-1188-04 (ET-0184-09):

**Current Planning**

- Until August 5, 2014 to review;
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Listed below are the approved conditions for UC-1188-04:

- Subject to 5 years for review; and all applicable standard conditions for this application type. Applicant is advised there is a review date and the applicant must apply for an extension of time when that date approaches to keep the use permit active; any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must commence within 2 years of the approval date or it will expire.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-1188-04 (AR-0098-16)	Third application to review a massage establishment	Approved by BCC	August 2016

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-1188-04 (ET-0055-14)	Second extension of time to review a massage establishment	Approved by BCC	June 2014
UC-1188-04 (ET-0184-09)	First extension of time to review a massage establishment	Approved by PC	August 2009
UC-1188-04	Massage establishment	Approved by PC	August 2004
UC-1805-00	Massage establishment - expired	Approved by PC	January 2001

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (8 to 18 du/ac)	R-3	Multiple family residential
South	Commercial General	R-2 & R-E	Undeveloped & commercial uses
East	Commercial General	C-2	Commercial uses
West	Commercial General	C-1	Commercial uses

**STANDARDS FOR APPROVAL:**

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

**Analysis .**

**Current Planning**

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

Reviews of this massage establishment have been approved on 3 previous occasions in August 2009, June 2014, and August 2016 with the current application for the fourth review. An inquiry made to the Clark County Metropolitan Police Department shows that there have been no incidents, arrests, or complaints regarding this business since the last review. In addition, there have been no public response complaints filed against this massage business and the Clark County business license is in good standing; therefore, staff can support approval of this review and removal of the time limit.

**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Remove the time limit.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT: XIAOTONG LI**

**CONTACT: KIRK KENNEDY, 815 S. CASINO CENTER BOULEVARD, LAS VEGAS, NV 89101**

**DRAFT**

RESORT HOTEL  
(TITLE 30)

SPRING MOUNTAIN RD/POLARIS AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-21-400129 (ZC-0425-07)-PACIFIC PLACE SITE, LLC:**

**ZONE CHANGE FIFTH EXTENSION OF TIME** to reclassify 33.5 acres from M-1 (Light Manufacturing) Zone to H-1 (Limited Resort and Apartment) Zone in the MUD-1 Overlay District.

**USE PERMITS** for the following: **1)** an expansion of the Gaming Enterprise Overlay District; **2)** a resort hotel/casino consisting of 2,700 hotel rooms; **3)** 1,120 resort condominiums; **4)** public areas including all casino areas, showrooms, live entertainment, cinema, performing arts center, shopping center, indoor and outdoor dining, entertainment, offices, meeting and convention, back-of-house, and parking structures; **5)** increase the height of high-rise towers; **6)** associated accessory and incidental commercial uses, buildings, and structures; and **7)** deviations from development standards.

**DEVIATIONS** for the following: **1)** encroachment into airspace; **2)** reduced loading spaces; and **3)** all other deviations as shown per plans on file.

Generally located on the southeast corner of Spring Mountain Road and Polaris Avenue within Paradise (description on file). JJ/jsh/jo (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-17-210-001; 162-17-210-002; 162-17-211-001; 162-17-212-002; 162-17-212-003; 162-17-212-005; 162-17-213-004; 162-17-214-002; 162-17-215-001; 162-17-216-001; 162-17-217-001; 162-17-218-001; 162-17-219-001; 162-17-220-001; 162-17-221-001 through 162-17-221-003; 162-17-222-001; 162-17-223-001; 162-17-224-001

**USE PERMITS:**

1. Allow an expansion of the Gaming Enterprise Overlay District.
2. Allow a resort hotel/casino consisting of 2,700 hotel rooms.
3. Allow 1,120 resort condominiums.
4. Allow public areas including all casino areas, showrooms, live entertainment, cinema, performing arts center, shopping center, indoor and outdoor dining, entertainment, offices, meeting and convention, back-of-house, and parking structures.
5. Increase the height of high-rise towers to 590 feet where 100 feet is the standard (a 490% reduction).
6. Allow all associated accessory and incidental commercial uses, buildings, and structures.
7. Allow for deviations from development standards.

**DEVIATIONS:**

1. Permit encroachment into airspace.
2. Reduce the number of loading spaces from 39 spaces to 7 loading spaces.
3. Permit all other deviations as shown per plans on file.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3355 Spring Mountain Road
- Site Acreage: 33.5
- Project Type: Resort hotel

History

The original approval had deviation #1 (reduce the 1:3 height setback ratio from Spring Mountain Road) withdrawn. The numbering of the deviations has changed. Also, during the last extension of time application the design reviews for the project were withdrawn.

Previous Conditions of Approval

Listed below are the approved conditions for (ET-18-400166) ZC-0425-07:

Current Planning

- Until July 18, 2021 to complete;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ZC-0425-07 (ET-0035-16):

Current Planning

- Until July 18, 2018 to complete.
- Applicant is advised that the application is subject to a Development Agreement and conditions of the original application (ZC-0425-07); a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works – Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ZC-0425-07 (ET-0046-13):

Current Planning

- Until July 18, 2016 to complete.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Public Works – Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that at the time of development CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates from all phases of the proposed project at build-out before sewer point-of-connection can be approved; there is an existing public 15 inch sanitary sewer line on the property adjacent to Highland Drive; applicant is required to confirm the existence of the easements, provide any new easements where missing, and to confirm that the applicant's improvements do not encumber the sewer easement, CCWRD must have 24 hour access to maintain public sewer lines; applicant may propose relocation of the public sewer at his expense, maintaining flow capacity and meeting all CCWRD design standards; and that CCWRD has no exception to the requested extension of time.

Listed below are the approved conditions for ZC-0425-07 (ET-0070-10):

Current Planning

- Until July 18, 2013 to complete;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- All applicable standard conditions for this application type.
- Applicant is advised that the application is subject to a Development Agreement; conditions of approval of the original application ZC-0425-07; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

Civil Engineering

- Compliance with previous conditions.

Listed below are the approved conditions for ZC-0425-07:

Current Planning

- A Development Agreement as agreed upon by the applicant to mitigate impacts of the project including but not limited to issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners;
- Design review as a public hearing for the tower buildings in the northwest corner of the site;
- Pedestrian realm to be provided per plans on file;
- All applicable standard conditions for this application type.
- 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; any change in circumstances or regulations may be justification for the denial



of an extension of time; and that this application must be completed within 3 years of approval date or it will expire.

#### Civil Engineering

- Compliance with Development Agreement with Clark County;
- Dedication of additional right-of-way to complete a 60 foot half street width on Spring Mountain Road;
- Construct full off-site improvements;
- Detached sidewalk will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control which may require a vacation of excess right-of-way or execute a license and maintenance agreement for non-standard improvements in the right-of-way;
- Drainage study and compliance;
- Traffic study and compliance;
- Traffic study to also address: a) any additional right-of-way dedications required for construction of turning lanes for Spring Mountain Road and Polaris Street, b) dedication of right-of-way for bus turnout relocation and/or passenger loading/shelter areas in accordance with Regional Transportation Commission standards, c) minimum required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes, d) turnover analysis for the porte-cochere and recommendation of mitigation measures as applicable;
- Reconstruct any unused driveways with full off-sites;
- Driveway widths and locations to be approved by Clark County Civil Engineering Division;
- Nevada Department of Transportation approval.

#### Department of Aviation

- No building permits shall 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 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 the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved.

#### Applicant's Justification

The applicant states that the property was recently acquired by the current property owner and needs additional time to determine optimal feasibility of the site.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-18-400166 (ZC-0425-07)	Fourth extension of time on a zone change to reclassify 33.5 acres from M-1 to H-1 zoning for resort hotel/casino with high rise towers including hotel rooms and resort condominiums and all incidental buildings and structures	Approved by BCC	September 2018
ZC-0425-07 (ET-0035-16)	Third extension of time on a zone change to reclassify 33.5 acres from M-1 to H-1 zoning for resort hotel/casino with high rise towers including hotel rooms and resort condominiums and all incidental buildings and structures	Approved by BCC	May 2016
ZC-0425-07 (ET-0046-13)	Second extension of time on a zone change to reclassify 33.5 acres from M-1 to H-1 zoning for resort hotel/casino with high rise towers including hotel rooms and resort condominiums and all incidental buildings and structures	Approved by BCC	July 2013
ZC-0425-07 (ET-0070-10)	First extension of time on a zone change to reclassify 33.5 acres from M-1 to H-1 zoning for resort hotel/casino with high rise towers including hotel rooms and resort condominiums and all incidental buildings and structures	Approved by BCC	June 2010
ZC-0425-07	Original application to reclassify 33.5 acres from U-V to H-1 zoning with use permits to expand the gaming enterprise overlay district, a resort hotel/casino, resort condominiums, public areas, increased building height, associated accessory uses, buildings and structures and deviations from development standards and design reviews for resort hotel/casino with high rise towers including hotel rooms and resort condominiums and all incidental buildings and structures	Approved by BCC	July 2007
NZC-1687-04	Reclassified from M-1 to U-V zoning for a mixed use development - expired	Approved by BCC	February 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial Tourist	M-1 & H-1	Adult use, check cashing, & retail sales
South	Commercial Tourist	H-1	Retail & office spaces
East	Commercial Tourist	M-1	Industrial buildings
West	Commercial Tourist	M-1 & H-1 (under ROI)	Vehicle repair & industrial buildings

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

Since approval of the original zone change in July 2007 there have been no technical studies submitted to Clark County for review. The application has been extended 4 times; once in June 2010 with ZC-0425-07 (ET-0070-10), once in July 2013 with ZC-0425-07 (ET-0046-13), once in May 2016 with ZC-0245-07 (ET-0035-16) and the most recent in September 2018 with ET-18-400166 (ZC-0425-07). During the last extension of time, staff indicated there is an expectation for progress to provide technical studies or complete the required Development Agreement. Since no progress has been made, staff cannot support the request to extend this application.

**Department of Aviation**

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

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

**Staff Recommendation**

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- Until September 5, 2023 to complete.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Compliance with previous conditions.

**Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77;
- Applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 PART B of the Clark County Unified Development Code;
- 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 and is still valid.
- 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.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** PACIFIC PLACE SITE, LLC

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

10/19/21 PC AGENDA SHEET

SUPPER CLUB  
(TITLE 30)

FLAMINGO RD/HOWARD HUGHES PKWY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0479-BRE/HC LAS VEGAS PPTY HOLDING:**

**USE PERMITS** for the following: 1) outdoor dining, drinking and cooking; and 2) on-premises consumption of alcohol (supper club) in conjunction with an existing shopping center on 3.2 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

Generally located on the northeast corner of Howard Hughes Parkway and Flamingo Road within Paradise. TS/bb/jo (For possible action)

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RELATED INFORMATION:

**APN:**

162-16-811-015

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 325 Hughes Center Drive and 340 East Flamingo Road
- Site Acreage: 3.2
- Project Type: Supper club
- Number of Stories: 1
- Building Height (feet): 38
- Square Feet: 14,160
- Parking Required/Provided: 142/149

Site Plan

The site plan depicts an existing retail development in 1 building on the west side of the property. Access is provided through a driveway from Hughes Center Drive and by cross-access with the property to the east. The required 142 parking spaces were calculated by using the restaurant parking requirement for the entire building, this ensures adequate parking. Parking is located to the north, south, and east of the building. Existing outdoor patio areas are located on the north and south sides of the building with primary access from inside tenant spaces.

Landscaping

There are existing landscape areas consisting of trees, shrubs, and groundcover adjacent to Howard Hughes Parkway, Hughes Center Drive, and Flamingo Road.

Elevations

The existing 1 story building has a flat roof behind parapet walls with heights between 22 feet and 38 feet. Exterior walls are a combination of stucco, stone veneer, decorative metal panels, and glass curtain wall systems.

Floor Plans

The floor plans depict a 14,160 square foot building with up to 7 suites and dedicated outdoor dining areas on the north and south ends of the building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is applying for special use permits in the H-1 zone for a supper club with outside dining and drinking. The proposed restaurant will continue the recent history of restaurants operating out of this building with outdoor seating. The previous restaurant was permitted to operate, but has been closed for over a year, leading to an expired permit and the need for this application.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0597-15	Retail center restaurants, office uses, and personal services	Approved by PC	October 2015
WS-0739-13	Signage for Starbucks	Approved by BCC	December 2013
UC-0704-12	Restaurant (Starbucks) with waivers for alternative landscaping along Flamingo Road	Approved by PC	January 2013

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Commercial Tourist	H-1	Restaurants, offices, retail sales
South	Commercial Tourist	H-1 & C-2	Hotel, adult use, and undeveloped

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive 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 use is in harmony with the purpose, goals, objectives and standards of the Plan and of the Code when considering the outdoor dining area is existing infrastructure that was successfully used for many years. The proposed supper club with outdoor dining will be adequately served by public improvements, facilities and services, and will not impose an undue burden. The available existing parking was calculated using the higher density and intensity use of restaurants for the entire building, ensuring compliance with Title 30 parking requirements.

### **Staff Recommendation**

Approval.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Applicant is advised that approval of this application does not constitute or imply approval of 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; 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.

#### **Building Department - Fire Prevention**

- No comment.

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

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

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

**APPLICANT:** LOLO'S CHICKEN & WAFFLES  
**CONTACT:** LOLO'S CHICKEN & WAFFLES, 325 HUGHES CENTER DRIVE, LAS  
VEGAS, NV 89129

DRAFT





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

### APPLICATION TYPE

- TEXT AMENDMENT (TA)
- ZONE CHANGE
  - CONFORMING (ZC)
  - NONCONFORMING (NZC)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
- (ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
- (ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
- (ORIGINAL APPLICATION #)

STAFF

APP. NUMBER: 44/DR-21-2479 DATE FILED: 8-25-2021  
 PLANNER ASSIGNED: ASD  
 TAB/CAC: Paradise TAB/CAC DATE: 9-28-2021  
 PC MEETING DATE: 10-19-2021  
 BCC MEETING DATE: \_\_\_\_\_  
 FEE: \$1,175

PROPERTY OWNER

NAME: Bre/HC Las Vegas Property Holding LLC  
 ADDRESS: 3800 Howard Hughes Pkwy suite 140  
 CITY: Las Vegas STATE: NV ZIP: 89169  
 TELEPHONE: 702.728-5390 CELL: 702.305.0292  
 E-MAIL: +cameron@egoffice.com

APPLICANT

NAME: Lolo's CS LLC - dba Lolo's chicken + waffles  
 ADDRESS: 5027 E. Calle del Norte Rasheedah white  
 CITY: PHOENIX STATE: AZ ZIP: 85018  
 TELEPHONE: 602.763.2148 CELL: 602.705.5088  
 E-MAIL: rasheedah@loloescw.com REF CONTACT ID #: \_\_\_\_\_

CORRESPONDENT

NAME: Lolo's CS LLC - dba Lolo's chicken + waffles  
 ADDRESS: 5027 E. Calle del Norte Rasheedah white  
 CITY: PHOENIX STATE: AZ ZIP: 85018  
 TELEPHONE: 602.763.2148 CELL: 602.705.5088  
 E-MAIL: rasheedah@loloescw.com REF CONTACT ID #: \_\_\_\_\_

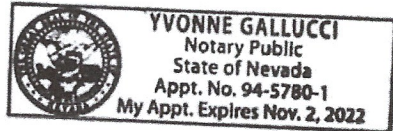
ASSESSOR'S PARCEL NUMBER(S): 162-16-811-015 and 162-21-502-002  
 PROPERTY ADDRESS and/or CROSS STREETS: Howard Hughes Pkwy + Flamingo Rd  
 PROJECT DESCRIPTION: supper club/restaurant

(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)\*  
 STATE OF Clark Nevada  
 COUNTY OF Clark

Paul Gordon  
 Property Owner (Print)

SUBSCRIBED AND SWORN BEFORE ME ON August 11, 2021 (DATE)  
 By Paul Joseph Gordon  
 NOTARY PUBLIC: Yvonne Gallucci



\*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.

Justification Letter

We are applying for a special use permit in an H-1 zone per title 30 as this restaurant is not part of a resort hotel. It requires a special use permit. There was a special use permit on this parcel for restaurants but it has expired as the last restaurant (Bandito Latin Kitchen) went out of business more than one year ago in August 2019.  
We are a chicken & waffle restaurant leasing the space at 325 Hughes Center Pkwy St. 100.

RWhite  
Rasmeedah White  
7/20/21

CIVIL  
ENGINEERING  
UC-21-0479

Justification Letter

We are applying for a special use permit in an H-1 zone per title 30 as this restaurant is not part of a resort hotel. It requires a special use permit. There was a special use permit on this parcel for restaurants but it has expired as the last restaurant (Bandito Latin Kitchen) went out of business more than one year ago in August 2019.

We are a chicken & waffle restaurant leasing the space at 325 Hughes Center Pkwy St. 100.

RWhite  
Rasmeelah White  
7/20/21

UC-21-0479

PLANNER  
COPY

10/20/21 BCC AGENDA SHEET

VEHICLE MAINTENANCE  
(TITLE 30)

BOULDER HWY/NELLIS BLVD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-21-400142 (UC-20-0087)-AVILA, MARIA DEL ROSARIO VERDUZCO & GUZMAN, ROBERTO JIMENEZ:

USE PERMIT SECOND 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/jd (For possible action)

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RELATED INFORMATION:

APN:  
161-20-502-013

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the separation from an existing vehicle maintenance (automobile) facility to a residential use to 60 feet where a minimum of 200 feet is required per Table 30.44-1 (a 70% reduction).
2. Allow non-decorative metal siding on a building where decorative features are required per Table 30.56-2.
3. Increase the height of an existing non-decorative fence (corrugated metal) to 7 feet where 6 feet is the maximum height permitted per Section 30.64.020 (a 16.7% increase).
4. Allow temporary signs (banner) to be permanent where not allowed per Section 30.72.070

**LAND USE PLAN:**  
WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 5000 Boulder Highway
- Site Acreage: 0.6
- Project Type: Vehicle maintenance (automobile) facility (window tinting and repairs)

- Number of Stories: 1
- Building Height (feet): 15 (office building)/up to 14.5 (work/maintenance/storage buildings)
- Square Feet: 1,344 (office building)/1,440 (work/maintenance/storage buildings)
- Parking Required/Provided: 21/21

#### History & Request

The Board of County Commissioners approved UC-20-0087 in June 2020 for a vehicle maintenance facility with a condition for 6 months to commence and review, in addition to several other conditions. The applicant subsequently applied for an application for review, AR-20-400159, requesting additional time to obtain the necessary building permit for the existing metal buildings. A condition of AR-20-400159 was 6 months to review the use permit and associated applications. This request is for a second application for review for the previously approved land use applications associated with the subject property. The applicant has maintained their business license for the vehicle maintenance facility and has commenced business operations at the subject property. Evidence has been provided to planning staff in the form of photographs indicating the installation of security cameras and surveillance operations at the subject property. Photographs have also been provided to staff depicting the addition of several new trees within the landscape area along the west property line of the site, adjacent to the existing single family residences. Recent aerial photographs, as of July 2021, reveal continuing outside storage of tires on the subject property. Per the Development Code, outside storage is not permitted within the H-2 zoning district. The applicant has applied for a building permit, BD21-45114, for the 3 existing metal structures on the project site. The applicant requests additional time to acquire the necessary building permit for the existing metal buildings utilized for the operation of the facility.

#### Site Plans

The previously approved plans depict an existing 1 story, 1,344 square foot building located within the front portion of the property which will be used for office purposes. Behind the existing office building, the plans depict 2, side by side metal accessory structures that form 4 outdoor working bays for vehicle maintenance and windshield repair. A third, 576 square foot building that is utilized for window tinting is located 60 feet from the single family residential development to the east. Two enclosed trailers measuring 236 feet and 223 feet in area are located at the southwest corner of the property and are utilized for the storage of tires. A total of 21 parking spaces are provided where 21 parking spaces are required per Code. Parking at the front portion of the property consists of angled parking with one-way traffic circulating clockwise around the existing office building. An existing 10 foot to 12 foot high non-decorative fence (corrugated metal) is located along the southeast property line of the project site. All elements of the site design exist with no changes proposed with this request.

#### Landscaping

Street landscaping along Boulder Highway consists of a 15 foot wide landscape area. Landscaping along the west property line, adjacent to the existing single family residential development, consists of a 10 foot wide landscape area with 2 rows of off-set trees consistent with an intense landscape buffer per Figure 30.64-12. An existing mature tree is located within a planter area at the southeast corner of the site.

### Elevations

The previous photographs submitted by the applicant show the office building is painted with a white and red horizontal stripe. The 3 metal structures, measuring between 11.5 feet to 14.5 feet in height, are also painted white with a horizontal red stripe to unify the site. In addition, the pictures show the structures are pre-manufactured non-decorative metal siding with a metal roof.

### Floor Plans

The previously approved plans depict an office building measuring 1,344 square feet. Buildings A and B consist of 738 square feet and 576 square feet, respectively. Building C consists of 576 square feet.

### Signage

The previous photographs submitted by the applicant depict 3 temporary banner signs affixed at various locations on the property. Two banner signs, measuring 1 foot to 2 feet in height, are located along the southeast property line affixed to an existing 10 foot to 12 foot high corrugated metal fence. The banner signs measure 12 square feet and 29 feet respectively and are visible from Nellis Boulevard. The third banner sign is affixed to the metal building located directly behind the office building. The banner sign measures 4.5 feet in height with an overall area of 62 square feet. Existing wall signage is painted on 3 sides of the office building with red, white, and blue lettering advertising the business. Wall signage is also painted on the side of the metal building, which is visible from Boulder Highway. The wall signage is compliant with Code requirements.

### Previous Conditions of Approval

Listed below are the approved conditions for AR-20-400159 (UC-20-0087):

#### Current Planning

- 6 months to review;
- Obtain any required permits and inspections for the existing metal buildings, if needed.
- Applicant is advised that outside storage/display is not permitted in the H-2 zone; 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; and that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review.

Listed below are the approved conditions for UC-20-0087:

#### Current Planning

- 6 months to commence and review;
- Obtain any required permits for the existing metal buildings, if needed;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation;
- Replace the dead trees within the intense landscape buffer along the west property line with evergreen trees.

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; outside storage/display is not permitted in the H-2 zone; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Applicant's Justification

The applicant states they have been operating at this location since 2015 and have recently purchased the subject property. Five to 10 employees are typically employed at the project site, providing a vital service to the Las Vegas Valley by selling and installing affordable auto glass. The applicant indicates they will continue to maintain the subject property in a safe, eye appealing standard and have no plans on deviating from the previously approved use permit.

**Prior Land Use Requests**

Application Number	Request	Action	Date
AR-20-400159 (UC-20-0087)	First application for review of a vehicle maintenance (automobile) facility	Approved by BCC	February 2021
UC-20-0087	Vehicle maintenance (automobile) facility with waivers for reduced separation from a residential use, alternative design standards, increased fence height, allowed temporary signs (banner) to be permanent, and a design review for a vehicle maintenance facility	Approved by BCC	June 2020
UC-0328-16 (AR-17-400164)	First application for review for an existing vehicle maintenance (automobile) facility - expired	Approved by PC	February 2018
UC-0328-16	Vehicle maintenance (automobile) facility with waivers for reduced separation from a residential use, alternative design standards, and a design review for a vehicle maintenance facility - expired	Approved by PC	July 2016
UC-0533-11	Vehicle maintenance (automobile) - expired	Approved by BCC	May 2012
UC-0417-09	Vehicle maintenance (automobile) - expired	Approved by BCC	September 2009

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	General Commercial	C-2	Undeveloped with existing off-premises sign
South	General Commercial	C-2 & H-2	Commercial retail
East	Commercial Tourist	H-1	Sam's Town Resort Hotel
West	Residential Suburban (up to 8 du/ac)	R-1	Single family residential

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

The applicant continues to make demonstrated progress in meeting the original conditions imposed by the Board of County Commissioners for UC-20-0087. The applicant has applied for a building permit, BD21-45114, for the 3 existing metal structures on the project site. The intent of the metal structures is to perform vehicle maintenance activities and provide storage for the excessive amount of tires. Therefore, staff recommends approval of the application subject to 6 months for review to ensure the required building permit and inspections are obtained for the existing metal structures and the outside storage of tires are eliminated from the site.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- 6 months to review;
- Obtain any required permits and inspections for the existing metal buildings, if needed.
- Applicant is advised outside storage/display is not permitted in the H-2 zone; that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- No comment.



**Building Department - Fire Prevention**

- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** MARIA VERDUZCO

**CONTACT:** MARIA VERDUZCO, US AUTO GLASS, 5000 BOULDER HWY, LAS VEGAS, NV 89121

DRAFT

# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

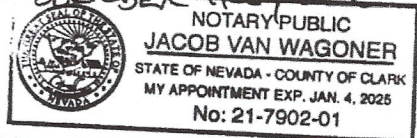
APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<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 type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input checked="" type="checkbox"/> EXTENSION OF TIME (ET) <u>UC-20-0087</u> (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>AR-21-40042</u> DATE FILED: <u>8/25/21</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>9/28/21 @ 7:00</u> PC MEETING DATE: <u>-</u> BCC MEETING DATE: <u>10/20/21 @ 9:00 A.M.</u> FEE: <u>\$900.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>5000 BOULDER HWY LLC</u> ADDRESS: <u>5000 Boulder Hwy</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>(702) 712 3922</u> CELL: <u>"</u> <u>6</u> E-MAIL: <u>USAUTOGLASSLV@GMAIL.COM</u>
	<b>APPLICANT</b>  NAME: <u>5000 BOULDER HWY LLC</u> ADDRESS: <u>5000 Boulder Hwy</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>(702) 712 3922</u> CELL: <u>"</u> <u>9</u> E-MAIL: <u>USAUTOGLASSLV@GMAIL.COM</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>MARIA DEL ROSARIO VERDUZCO AVILA</u> ADDRESS: <u>5000 Boulder Hwy</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89121</u> TELEPHONE: <u>(702) 712-3922</u> CELL: <u>9</u> <u>4</u> E-MAIL: <u>USAUTOGLASSLV@GMAIL.COM</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 161-20-502-013  
 PROPERTY ADDRESS and/or CROSS STREETS: 5000 Boulder Hwy LAS VEGAS NV 89121  
 PROJECT DESCRIPTION: PT NE4 NE4 SEC 20 21 62

(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.

Maria Verduzco      MARIA DEL ROSARIO VERDUZCO AVILA,  
 Property Owner (Signature)\*      Property Owner (Print) OPERATING MANAGER  
 STATE OF NEVADA  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON July 27, 2021 (DATE)  
 By MARIA DEL ROSARIO VERDUZCO AVILA



\*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.

JUSTIFICATION LETTER

July 27, 2021

Re: 5000 Boulder Hwy, Las Vegas, Nevada 89121

Renewal of Special Use Permit Request

Dear Sirs/Madams

We are requesting that our special use permit be granted for the property located at 5000 Boulder Hwy, Las Vegas, Nevada 89121. Our business known as USA AUTO GLASS has been operating at this location since 2015 and we just recently purchased the property. On average we employ five to ten employees, and we provide a vital service to the Las Vegas Valley by selling and installing affordable auto glass.

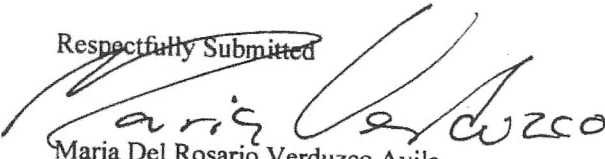
We have maintained our business in the standards of the city, county and state to the best of our abilities and have always complied with the various requests and we will continue to do so. In keeping current and up to date with local and state regulations, we continue to maintain the property in a safe, eye appealing standard.

We have no plans on varying from our current Special Use Permit other than what is requested from the county and state.

It is our honor to continue to service the Las Vegas Valley and with your grace we hope to continue for many years hereon.

We thank you for your time and consideration

Respectfully Submitted

  
Maria Del Rosario Verduzco Avila

Operating Manager of 5000 Boulder Hwy LLC

PLANNER  
COPY

4

10/20/21 BCC AGENDA SHEET

SIGNAGE/EXTERIOR REMODEL  
(TITLE 30)

LAS VEGAS BLVD S/FLAMINGO RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**DR-21-0477-FLAMINGO LV OPERATING CO, LLC:**

**DESIGN REVIEWS** for the following: 1) exterior remodel; 2) modify an existing comprehensive sign plan; 3) increase wall sign area; 4) increase the number of animated signs; and 5) increase the area of animated signs in conjunction with an existing resort hotel (Flamingo) on a portion of 19.4 acres in an H-1 (Limited Resort and Apartment) Zone in an MUD-1 Overlay District.

Generally located on the east side of Las Vegas Boulevard South, 200 feet north of Flamingo Road within Paradise. TS/lm/jo (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-16-412-004 ptn

**DESIGN REVIEWS:**

1. Exterior remodel of a resort hotel.
2. Modify a comprehensive sign plan.
3. Increase the area of wall signs to 81,599.02 square feet where 81,589.0 square feet was previously approved and a maximum of 12,550 square feet is allowed per Table 30.72-1.
4. Increase the number of animated signs to 6 signs where 5 signs were previously approved and 1 per street frontage is allowed per Table 30.72-1.
5. Increase the area of animated signs to 18,739.20 square feet where 18,700 square feet was previously approved and 150 square feet is allowed per Table 30-72-1.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3555 Las Vegas Boulevard South
- Site Acreage: 19.4 (portion)
- Project Type: Exterior remodel and comprehensive sign package with wall signs
- Total Sign area (square feet): 81,599.02 (wall signs)/18,739.20 (animated wall signs)

Plans

The plans depict the rebranding of the existing exterior southwest corner bar (Purple Zebra Daiquiri Bar). No changes to the site plan are proposed. The exterior remodel includes the painting of exterior pillars and trusses and the application of floral wraps to the exterior rails, truss panels, and interior of the bar counters.

Signage

The rebranding includes panels, vinyl wraps on existing wall signs, and an animated wall sign. There will be a replacement of 7 wall signs with wall wraps that will be mounted flush to the exterior truss panels, doors and interior bar counters, and the removal of 2 wall signs. There is 1 proposed wall sign (animated) consisting of 39.2 square feet with an LED illuminated cabinet and strips that chase upward.

The following table is a summary for signage:

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	297	0	297	7,590	5	0	5
Wall*	81,589	10.02	81,599.02	12,550	59	-2	57
Overall Total	81,886 (per DR-0021-17)	10.02	81,896.02	20,140	64	-2	62

\*The wall signs also contain animation.

The details for animated signs are 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	18,700	39.2	18,739.20	300	4	1	5

Applicant's Justification

The applicant indicates that the proposed exterior changes and signage will complement the property's existing building materials and colors along Las Vegas Boulevard South and is compatible and harmonious with the existing resorts in the area surrounding the property.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-20-0508	Vacated and abandoned easements (pedestrian access)	Approved by PC	January 2021
DR-0021-17	Modification to an approved comprehensive sign plan (Margaritaville and various wall wraps)	Approved by BCC	March 2017
UC-0153-12	Signage, reduced setbacks, and design review for modifications to a previously approved comprehensive sign package in conjunction with existing resort hotels (Flamingo, The LINQ, and Harrah's)	Approved by BCC	July 2012

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-0336-10 (ET-0074-12)	First extension of time for a comprehensive sign package for 4 contiguous resort hotels - expired	Approved by BCC	July 2012
DR-0336-10	Comprehensive sign package for 4 contiguous resort hotels (Imperial Palace, Flamingo, O'Sheas, & Bills Gamblin' Hall) - expired	Approved by BCC	September 2010
UC-1548-00	Outside dining with a restaurant fronting Las Vegas Boulevard South and various deviations	Approved by BCC	November 2000

Applications listed pertain to this portion of the property. Various other applications have been approved on the site and are available in department records.

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	LINQ Promenade & LINQ Resort Hotel
South	Commercial Tourist	H-1	Cromwell Resort Hotel
East	Commercial Tourist	H-1	Hilton Grand Vacation Timeshare, LINQ parking lot, & commercial center
West	Commercial Tourist	H-1	Caesars Palace Resort Hotel

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Staff finds that the proposed exterior remodel and signs are compatible with the existing developments along Las Vegas Boulevard South and comply with Urban Specific Policy 20 of the Comprehensive Master Plan which states that all signage should be compatible with building styles on-site and with surrounding developments. Las Vegas Boulevard South is also designated and recognized as a National Scenic Byway; therefore, the signs further promote this designation and are appropriate and compatible with the surrounding uses and area. 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

**Public Works - Development Review**

- No comment.

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

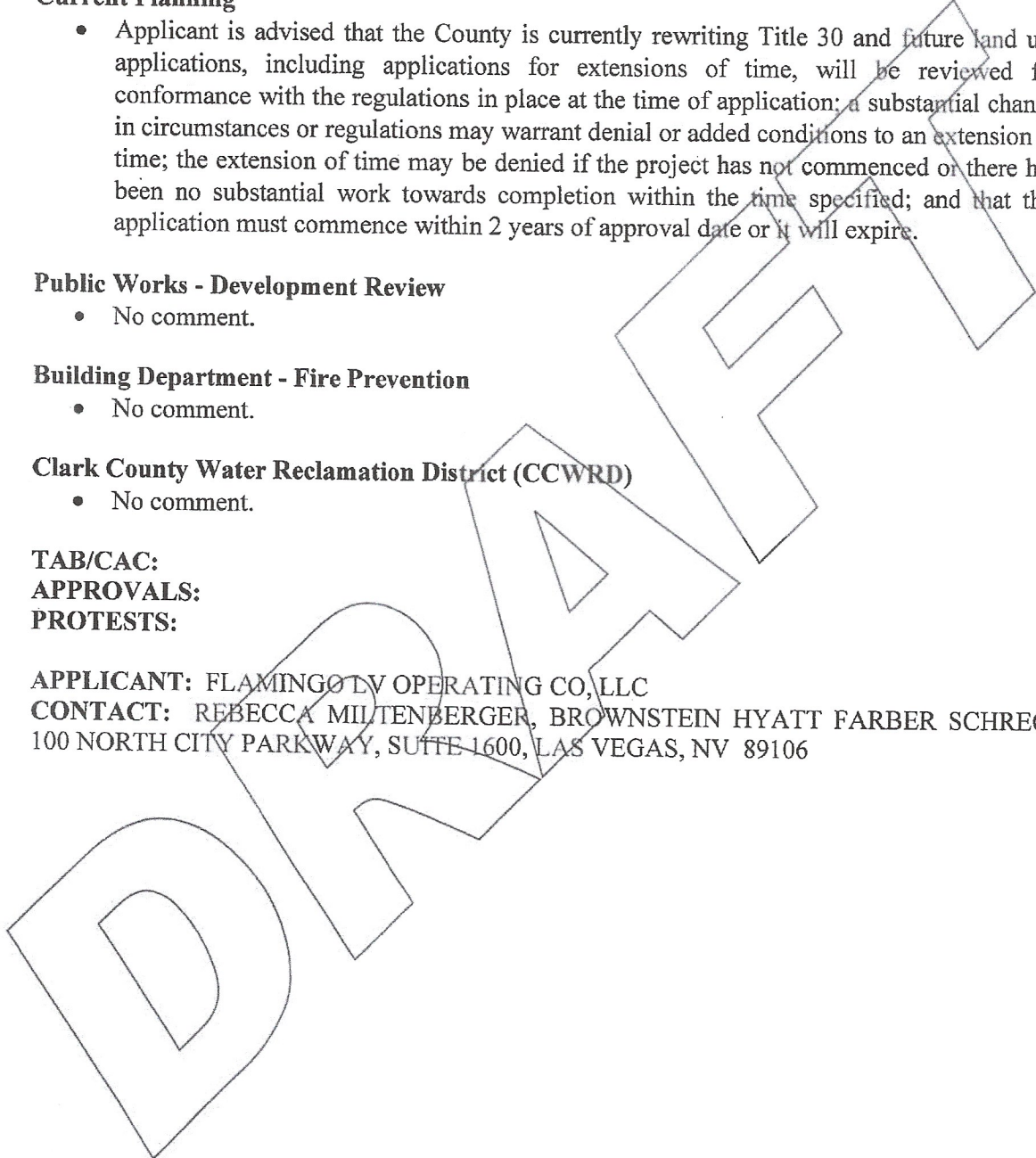
**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** FLAMINGO LV OPERATING CO, LLC

**CONTACT:** REBECCA MILTENBERGER, BROWNSTEIN HYATT FARBER SCHREC,  
100 NORTH CITY PARKWAY, SUITE 1600, LAS VEGAS, NV 89106





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

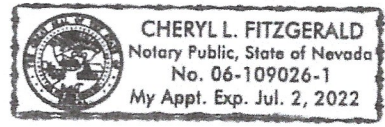
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER 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-21-0477</u> DATE FILED: <u>8/25/2021</u> PLANNER ASSIGNED: <u>LMN</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>9/28/2021</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>10/20/2021</u> FEE: <u>\$ 500</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Flamingo Las Vegas Operating Company, LLC</u> ADDRESS: <u>One Caesars Palace Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>702-369-5042</u> CELL: <u>N/A</u> E-MAIL: <u>gbogan1@caesars.com</u>
	<b>APPLICANT</b>  NAME: <u>Flamingo Las Vegas Operating Company, LLC</u> ADDRESS: <u>One Caesars Palace Drive</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>702-369-5042</u> CELL: <u>N/A</u> E-MAIL: <u>gbogan1@caesars.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Rebecca L. Miltenberger</u> ADDRESS: <u>100 North City Parkway, Suite 1600</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89106</u> TELEPHONE: <u>702-464-7052</u> CELL: <u>N/A</u> E-MAIL: <u>RMiltenberger@BHFS.com</u> REF CONTACT ID #: <u>176001</u>

ASSESSOR'S PARCEL NUMBER(S): 162-16-412-004  
 PROPERTY ADDRESS and/or CROSS STREETS: 3555 South Las Vegas Blvd., Las Vegas, NV 89109  
 PROJECT DESCRIPTION: Modification to existing comprehensive sign plan and facade updates

(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)\*  
 Gary Bogan (Authorized Signatory)  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON July 13, 2021 (DATE)  
 By \_\_\_\_\_  
 NOTARY PUBLIC: Cheryl L. Fitzgerald



\*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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July 20, 2021

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

**VIA ONLINE SUBMISSION**

Clark County Department of Comprehensive Planning  
500 S. Grand Central Parkway, First Floor  
Las Vegas, NV 89106

RE: Justification Letter – Design Review for Flamingo Las Vegas Hotel and Casino  
APN 162-16-412-004

Dear Clark County Department of Comprehensive Planning:

We represent Flamingo Las Vegas Operating Company, LLC, a Nevada limited liability company ("Applicant"), who is the owner of the Flamingo Las Vegas Hotel and Casino located at 3555 South Las Vegas Boulevard, Las Vegas, NV 89109 bearing Clark County Assessor Parcel Number 162-16-412-004 (the "Property"). As further shown in the enclosed plans, the Applicant is requesting approval for a design review to (i) modify the existing comprehensive sign plan in conjunction with a resort hotel (Flamingo Las Vegas Hotel and Casino); (ii) increase the overall wall sign area from 81,589 square feet to 81,599.02 square feet, where 81,589 square feet was previously approved per application no. DR-0021-17; (iii) increase the number of animated signs from 4 to 5; (iv) increase the overall animated sign area from 18,700 square feet to 18,739.2 square feet, where 18,700 square feet was previously approved per application no. DR-0021-17; and (v) remodel the exterior of the southwest corner bar at the Property that includes the painting of exterior pillars and trusses, and the application of floral wraps to the exterior rails, truss panels and interior bar counters (the "Application"). The Applicant submits this justification letter in support of its request for approval of the Application.

Specifically, with regards to the proposed signage, the Applicant is requesting approval to replace seven wall signs that will consist of wall wraps that will be mounted flush to the exterior truss panels, doors and interior bar counters at the southwest corner bar at the Property, as shown on the enclosed plans, which only results in the overall wall sign area increasing by 10.02 square feet. The wall wraps are collectively 184.19 square feet and are each approximately 6.7mm thick. The Applicant is also requesting approval of one animated sign that will be mounted flush on an exterior pillar at the southwest corner bar at the Property, as shown on the enclosed plans. The animated sign will consist of a LED illuminated cabinet and LED strips that chase upward. The animated sign is 39.2 square feet and 5.1 inches thick. The proposed comprehensive sign chart for the Property with the foregoing proposed signs is enclosed hereto.

The Application satisfies each standard of approval under the Clark County Comprehensive Master Plan ("Plan"). The proposed signage complies with the applicable requirements under the Plan for wall and animated signs. The proposed signage will complement the Property's existing design. Similarly, the materials selected for the proposed signage will complement the existing building materials at the Property. The proposed signage is also consistent with other signage along South Las Vegas Boulevard, and compatible and harmonious with the existing resorts in the area surrounding the Property. As such, the

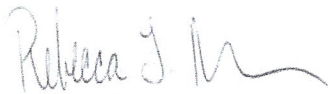
proposed signage complies with the Plan, including Urban Specific Policy 20, which states that all signage should be compatible with building styles on-site and also with surrounding development.

Furthermore, with respect to the proposed remodel, the paint colors and floral wraps complement the Property's existing color scheme and will not result in any unsightly development. The remodel will further enhance the Property, which is already compatible with the existing casinos and resorts in the surrounding area, and will result in the orderly development of this area. Thus, the proposed remodel of the Property also complies with the Plan.

The Application is consistent with the Plan and will have no effect on the capital improvement planning of Clark County. The Application will not have any negative impact on adjacent roadways, traffic, public health, safety and general welfare, public facilities or the natural environment. Accordingly, the Applicant respectfully requests that the Application be approved.

We appreciate your consideration of this request. Please let us know if you have any questions.

Sincerely,



Rebecca L. Miltenberger

Enclosures.

22710862

10/20/21 BCC AGENDA SHEET

DORMITORY/OFFICE/RETAIL/  
CONVENIENCE STORE/GASOLINE STATION  
(TITLE 30)

MARYLAND PKWY/HARMON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-21-0451-G2-CAMPUS VILLAGE, LLC:**

**ZONE CHANGE** to reclassify 0.6 acres from a C-1 (Local Business) (AE-60) Zone to a C-2 (General Commercial) (AE-60) Zone.

**USE PERMITS** for the following: 1) dormitory; and 2) eliminate portions of the pedestrian realms.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setbacks; 2) increase building heights; 3) reduce landscaping; 4) reduce the trash enclosure setbacks; 5) alternative driveway geometrics; and 6) non-standard improvements in the right-of-way.

**DESIGN REVIEWS** for the following: 1) commercial complex; and 2) finished grade on 3.4 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway District.

Generally located on the east side of Maryland Parkway, the north side of Harmon Avenue, and the south side of University Avenue within Paradise (description on file). TS/jt/xx (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-23-204-001; 162-23-204-003 through 162-23-204-004

**USE PERMITS:**

1. Dormitory.
2. a. Eliminate the pedestrian realm for a portion of street frontage along Maryland Parkway where a 20 foot wide pedestrian realm is required per Section 30.48.1870.  
b. Eliminate the pedestrian realm along Harmon Avenue where a 20 foot wide pedestrian realm is required per Section 30.48.1870.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the rear setback along the east property line to 1 foot where 10 feet is required per Table 30.40-4 (a 90% reduction).  
b. Reduce the height setback from an arterial street (Maryland Parkway) to 16 feet where 58 feet is required per Figure 30.56-4 (a 72% decrease).
2. a. Increase the height of Building A to 180 feet where 50 feet is the maximum per Table 30.40-4 (a 260% increase).

- b. Increase the height of Building B to 132 feet where 50 feet is the maximum per Table 30.40-4 (a 164% increase).
  3.
    - a. Eliminate landscaping along a portion of University Avenue where landscaping per Figure 30.64-13 is required.
    - b. Reduce landscaping along Maryland Parkway where landscaping per Figure 30.64-17 is required.
    - c. Eliminate landscaping along a portion of Harmon Avenue where landscaping per Figure 30.64-17 is required.
    - d. Eliminate landscaping to a less intense use where Figure 30.64-11 with 1 tree per 20 feet is required.
  4. Reduce the setback for trash enclosures to 1 foot from an adjacent residential use where 50 feet is the minimum per Section 30.56.120 (a 98% reduction).
  5.
    - a. Reduce the width of the University Avenue driveway to 23 feet where 32 feet is the minimum per Uniform Standard Drawing 222.1 (a 28% reduction).
    - b. Reduce the throat depth of the University Avenue driveway to 78 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 48% reduction).
    - c. Reduce the ingress radius to 20 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (a 20% reduction).
    - d. Reduce the throat depth for the Maryland Parkway driveway to 5 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (an 80% reduction).
    - e. Reduce the ingress radius for the Maryland Parkway driveway to 10 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (a 60% reduction).
    - f. Eliminate the throat depth for the western Harmon Avenue driveway where 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
    - g. Reduce the egress radius for the western Harmon Avenue driveway to 10 feet where 15 feet is the minimum per Uniform Standard Drawing 222.1 (a 33% reduction).
    - h. Reduce the width of the eastern Harmon Avenue driveway to 23 feet where 32 feet is the minimum per Uniform Standard Drawing 222.1 (a 28% reduction).
    - i. Reduce the throat depth for the eastern Harmon Avenue driveway to 50 feet where 150 feet is the minimum per Uniform Standard Drawing 222.1 (a 67% reduction).
    - j. Reduce the ingress radius for the eastern Harmon Avenue driveway to 20 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (a 20% reduction).
    - k. Reduce the departure distance on University Avenue to 82 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 57% reduction).
    - l. Reduce the departure distance on Maryland Parkway to 80 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 58% reduction).
    - m. Reduce the approach distance on Harmon Avenue to 36 feet where 150 feet is the minimum per Uniform Standard Drawing 222.1 (a 76% reduction).
  6. Allow non-standard improvements (landscaping and pedestrian refuge in the median) in the right-of-way (Maryland Parkway) where not allowed per Chapter 30.52.

**DESIGN REVIEWS:**

1. Commercial complex consisting of dormitory, office, retail, convenience store, and gasoline station uses.
2. Increase finished grade to 69 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 283% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4440 & 4482 S. Maryland Parkway & 1220 E. Harmon Avenue
- Site Acreage: 3.4
- Number of Dormitory Beds: 706
- Project Type: Dormitory, office, retail, convenience store, & gasoline station
- Number of Stories: 15
- Building Height (feet): 180
- Square Feet: 566,800
- Open Space Required/Provided: 7,340/12,200
- Parking Required/Provided: 727/846

Overview

This project includes the redevelopment of a site that included 2 commercial buildings, a convenience store, and gasoline station. Both commercial buildings have been demolished, and these parcels are zoned C-2. The existing convenience store and gasoline station located near the corner of Maryland Parkway and Harmon Avenue is zoned C-1. The existing convenience store and gasoline station will also be removed, and this parcel will be reclassified to C-2 zoning as part of this application. The proposed redevelopment will consist of dormitory, office, and retail uses as well as a new convenience store with gasoline station. The dormitory use is in conjunction with the University of Nevada, Las Vegas (UNLV).

Site Plan

The site plan depicts a commercial complex with 2 buildings. Setbacks for the northern building, which includes commercial suites, podium parking, and a dormitory, include 1 foot to the east property line adjacent to a multiple family residential complex and 14 feet to the north property line along University Avenue. Along Maryland Parkway to the west of the site, the northern building is set back 20 feet along the first floor for the pedestrian realm, and the floors above are set back 16 feet, which creates an overhang over the pedestrian realm. The 1:3 height setback ratio from an arterial street (Maryland Parkway) is also 16 feet where 58 feet is required.

The southern building, which consists of commercial suites, convenience store, gasoline station, podium parking, and office uses, is set back 1 foot from the east property line adjacent to a multiple family residential development, 10 feet from the south property line along Harmon Avenue, and 85 feet from the west property line along Maryland Parkway. A gasoline station canopy is located near the corner of Maryland Parkway and Harmon Avenue, which is set back

37 feet from the south property line along Harmon Avenue and 38 feet from the west property line along Maryland Parkway.

Access is provided by a driveway from University Avenue on the north side of the site, a driveway from Maryland Parkway on the southwest side of the site, and 2 driveways from Harmon Avenue on the south side of the site. Both the driveway from University Avenue and the eastern driveway from Harmon Avenue provide north/south access through the site and to the podium level parking spaces in both buildings. The driveway from Maryland Parkway and the western driveway from Harmon Avenue both provide access to the gasoline station, convenience store, and surface level parking spaces for the commercial suites in the southern building. Waivers of development standards are necessary for alternative driveway geometries for all the driveways. A waiver of development standards is also necessary for non-standard improvements consisting of landscaping and a pedestrian refuge for 2 pedestrian crosswalks across Maryland Parkway. Both the landscaping and pedestrian refuge (concrete curbed area to protect pedestrians from traffic) are in the median of Maryland Parkway, directly west of the subject site.

Internal trash enclosures are located on the first floors of both the northern and southern buildings. Although these refuse areas are set back 1 foot from the east property line, which is adjacent to a multiple family residential complex, there are no ventilation openings on the east side of the trash enclosure areas. Instead, the ventilation is directed north to University Avenue and south to Harmon Avenue.

#### Public Art

A requirement of the Midtown Maryland Parkway District is to provide a public art installation. The proposed art component of this project consists of a decorative staircase centrally located within a courtyard area. Materials for the staircase include iridescent wrap over painted metal fins and painted risers. The Clark County Parks and Recreation, Cultural Division provided a written recommendation letter based on input from the Maryland Parkway Public Art Committee in support of the proposed art; however, the letter expressed concerns about the maintenance of the installation, the durability of materials, and if the piece would be better located directly on the street for greater public visibility.

#### Landscaping

West of the University Avenue driveway on the north side of the site, landscaping includes a 5 foot wide landscape strip, a 5 foot wide detached sidewalk, and a 5 foot to 10 foot wide landscape area. Additional hardscape and pedestrian areas are located near the corner of University Avenue and Maryland Parkway. East of the University Avenue driveway, a 10 foot wide landscape area is provided behind an attached sidewalk; however, a 40 foot section of the street frontage will have no landscaping for a utility area. A waiver of development standards is included to eliminate landscaping for this portion of University Avenue.

On the northern portion of the Maryland Parkway street frontage, the plans depict a 20 foot wide pedestrian realm consisting of an 8 foot wide landscape and amenity zone, a 5 foot wide clear zone, and a 7 foot wide supplemental pedestrian area. Due to the grade changes, up to a 2 foot high retaining wall will be in the landscape and amenity zone. Therefore, the pedestrian clear

zone will be above street level. Within the central portion of the Maryland Parkway street frontage, an approximately 40 foot wide pedestrian courtyard area extends from the street eastward, providing pedestrian access into the site. A waiver of development standards to not provide street landscaping is included for this section of Maryland Parkway street frontage. On the southern portion of the Maryland Parkway street frontage, which is in front of the gasoline station and convenience store, street landscaping will include a 5 foot wide landscape area, a 5 foot wide detached sidewalk, and a 5 foot wide landscape area. A use permit is included to not provide a 20 foot wide pedestrian realm on this portion of the site.

Along the western side of the Harmon Avenue street frontage, landscaping includes a 5 foot wide landscape strip, a 5 foot wide detached sidewalk, and a 4 foot to 10 foot wide landscape area. The eastern portion of the Harmon Avenue street frontage includes a 5 foot wide attached sidewalk and a 12 foot to 14 foot wide landscape area. However, a 40 foot wide section of the street frontage is designated as a utility area and will have no landscaping. A waiver of development standards is necessary to not provide at least 15 feet of landscaping, and a use permit is necessary to not provide a 20 foot wide pedestrian realm.

Along the east property line, a waiver of development standards is necessary to not provide landscaping to a less intense use (multiple family residential complex). Landscaping is provided within the central pedestrian courtyard area and within the parking lot in front of the convenience store and gasoline station.

#### Elevations

The northern building is 180 feet high and the southern building is 132 feet high. Both buildings consist of storefront glass on the first floor, several levels of podium parking, and floors above consisting of glass windows, metal panels, balconies, and smooth painted EIFS. Decorative metal mesh panels on both buildings help to visually obscure the podium parking levels.

On the northern building, balconies are located at the 4 corners of the overall building, starting above the podium level parking on level 6. Facing west towards Maryland Parkway and starting on level 6, the central portion of the northern building is set back along the eastern side of the site. The podium level decks on levels 6 and 7 will provide a pool and other amenities facing west towards Maryland Parkway. Also, this design reduces the apparent mass of the overall building along Maryland Parkway. On the north, south, and east sides of the northern building, vertical off-set surface planes create shadows to help reduce the visual mass.

On the southern building, balconies are only located on the west and south portions of the building, starting at level 6 above the podium level parking. Horizontal overhangs create shadows and reduce the visual mass of the southern building, and angled metal panels extending from the ground to the top of the building create visual interest on the west and south sides.

The fuel canopy is approximately 19 feet high. Future roof signs are shown above the fuel canopy; however, these signs are not a part of this application.

### Floor Plans

The northern building is 434,500 square feet and includes commercial suites, a dormitory, and accessory uses such as a student lobby. Commercial suites, the student lobby, and back of house spaces are located on the first floor, and podium level parking is located on levels 2 through 5. Dormitory rooms and a pool with outdoor amenities are located on a podium deck on levels 6 and 7. Dormitory rooms are also located on levels 8 through 15. The dormitory includes 72 studio units, 185 two bedroom units, and 66 four bedroom units for a total of 323 units or 706 beds. The 2 and 4 bedroom units share a common living room and kitchen.

The southern building is 132,300 square feet. On the first level, the building includes commercial suites, a convenience store, and back of house areas. Levels 2 through 5 are podium level parking, and levels 6 through 9 are designated for office uses.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant indicates that the zone change and proposed development is appropriate for the area, and the scale of the project is similar to the mixed-use UNLV Gateway development located 1,300 feet south of this site along Maryland Parkway. Although the project incorporates several design alternatives to Title 30 standards, the alternatives are appropriate for the site and will not create any negative impacts.

For example, the design review to increase finished grade is necessary since the site slopes from west to east, away from Maryland Parkway. One of the previous buildings on the site included a floor below street level, and this building experienced significant flooding as a result. The grade will need to be raised above street level to prevent future flooding.

Similarly, the use permit for a dormitory is appropriate in the C-2 zone, and this project will be utilized by students attending UNLV. The use permits to not provide a pedestrian realm are necessary adjacent to the gasoline station along Maryland Parkway and along Harmon Avenue. Instead of providing a pedestrian realm along the street frontage in this portion of the site, a 10 foot wide sidewalk is provided in front of the convenience store and commercial storefronts for the southern building.

The waivers of development standards to reduce the rear setback and not provide landscaping to a less intense use are intended to eliminate an area behind the property that may encourage homeless encampments. Above the first floor, the building steps back to meet the minimum 10 foot setback requirements from the east property line. Along the west property line, adjacent to Maryland Parkway, the reduced height setback from an arterial street, as well as the overall increased height, is similar to the design of the University Gateway project to the south.

The applicant also states that eliminating portions of the street landscaping is necessary to accommodate utility areas and to allow for the central courtyard to connect to Maryland Parkway. Regarding the reduced setback for the trash enclosures, the applicant indicates that this will not create any negative impacts for the adjacent residential complex since the trash



enclosures are fully enclosed within the buildings, and the ventilation is directed north to University Avenue and south to Harmon Avenue.

Lastly, the applicant indicates that the alternative standards to Uniform Standard Drawing 222.1 will not create any queuing or safety issues in the right-of-way. The project is primarily pedestrian oriented, and the alternative driveway geometrics are necessary to accommodate the scale of this development on the subject property. Similarly, the non-standard improvements in Maryland Parkway will help ensure that customers and students have safe pedestrian access between the project and the main campus of UNLV.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0189-63	Reclassified the southwestern parcel to C-1 zoning for a service station	Approved by BCC	January 1964
ZC-027-75	Reclassified the northern and the eastern parcels to C-2 zoning for a shopping center	Approved by BCC	May 1975

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Institutional	R-1	Place of worship
South	Commercial General	C-1	UNLV buildings
East	Residential Urban Center (18 to 32 du/ac)	R-4	Multiple family residential
West	Public Facilities	P-F	UNLV campus

**Related Applications**

Application Number	Request
TM-21-500134	A tentative map for a 1 lot commercial subdivision is a companion item on this agenda.
VS-21-0452	A vacation and abandonment 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**

**Current Planning**

Zone Change

The conforming zone boundary amendment is within the range of intensities planned for the site in the Winchester/Paradise Land Use Plan. The northern and eastern portions of the site are already zoned C-2, and reclassifying the southwest portion of the site to C-2 zoning will unify the overall site within a single zoning district. Furthermore, the site is located at the corner of an arterial street (Maryland Parkway) and a collector street (Harmon Avenue), and these streets can

accommodate any increased traffic that may be generated by development in a C-2 zoning designation. Therefore, staff can support the request.

#### Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive 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 #1

A dormitory is an appropriate use of the property since the site is located directly across Maryland Parkway from the main campus of UNLV. Students living in the dormitory will have a direct pedestrian connection to the university, and the project will provide students with another living option. However, since staff cannot support the building design, staff also cannot support the use permit for a dormitory.

#### Use Permit #2

This project incorporates both pedestrian oriented uses, such as ground-floor commercial suites, as well as a vehicular oriented use (gasoline station). A pedestrian realm is located along Maryland Parkway on the northern portion of the site adjacent to ground-floor commercial suites with the dormitory above. Even though the pedestrian realm is not located along the southern portion of the site along Maryland Parkway adjacent to the gasoline station or along Harmon Avenue, the project incorporates a 10 foot wide walkway along the front of the convenience store. Also, a detached sidewalk is included in front of the gasoline station along Maryland Parkway and along a portion of Harmon Avenue. As a result, there will be adequate accommodations for pedestrians incorporated on all street frontages and throughout the site. This is consistent with the intent of the pedestrian realm requirement in the Midtown Maryland Parkway District. However, since staff cannot support the increased height for the building, staff also cannot support the use permits for alternative pedestrian realms associated with the building design.

#### Waivers of Development Standards

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

#### Waiver of Development Standards #1a

A 10 foot wide area behind this project could create an area for crime, homeless encampments, and refuse. Also, the reduced setback only applies to the first floor of both buildings, and a 10 foot setback is maintained above the first level. Above the first level, decorative metal mesh screens will help visually obscure the podium level parking spaces, and vertical and horizontal design elements will reduce the visual mass of both buildings above the podium parking levels. Nevertheless, the overall height, bulk, and scale of the buildings are dramatically more intense

than the 2 story multiple family complex to the east. The 180 foot building (15 stories) will create drastic visual changes, including affecting the light and sun patterns, for the residents to the east. Eliminating the setback at the lower level only increases the visual impact of the scale of the building, and the upper portions of the building should be stepped back to create more visual separation from the residents to the east. Lastly, balconies are located on the north and south sides of the northern building, which will face east towards the existing multiple family complex. As a result, staff cannot support the request.

Waiver of Development Standards #1b

Staff also cannot support the reduced height setback ratio along Maryland Parkway. At street level, the northern building will be set back 20 feet from the Maryland Parkway right-of-way. Above the first floor, the building will be set back 16 feet from the right-of-way for levels 2 through 6 for the podium parking levels. Also, the northern and southern portions of the building above level 6 will also be set back 16 feet. Although the central portion of the building above level 6 will accommodate a rooftop pool and amenities, which reduces the visual mass of the building, the overall height, bulk, and scale of the building will still create a dramatic visual impact along Maryland Parkway. Additional design components should be incorporated to the building to reduce the overall visual mass. As a result, staff cannot support the request.

Waiver of Development Standards #2a & #2b

The immediate buildings around the site are single and 2 stories, and the proposed 180 foot high and 132 foot tall buildings are not compatible with these existing buildings. While multiple story buildings are located further from the site along Maryland Parkway, the proposed buildings are significantly taller than the existing multiple story buildings in the area. For example, the University Gateway project was developed at 109 feet in height (7 stories with rooftop amenities), and several buildings on the UNLV campus are similar in height. For example, the UNLV Greenspun Building at the northwest corner of Maryland Parkway and University Road is 5 stories. North of the Greenspun Building, the student union is 3 stories, and north of the student union, the Flora Dungan Humanities building is 7 stories tall. Additionally, a UNLV student housing project on the northwest corner of Maryland Parkway and Cottage Grove Avenue was developed at 66 feet in height (5 stories). Although multiple story buildings are consistent with the development trend along this section of Maryland Parkway, 180 feet (15 stories) is dramatically taller than any other building in the area. In addition, the reduced setbacks and lack of design components to reduce the visual mass of the buildings will intensify the impact of the increased height. As a result, staff cannot support the request.

Waiver of Development Standards #3a through #3d

The reduction in street landscaping is necessary to accommodate utility areas as well as a pedestrian connection to the courtyard. As a result, the reductions are appropriate and will not create any negative visual impacts. Furthermore, abundant landscaping is provided along other portions of the street frontages. However, since staff cannot support the design of the buildings, staff also cannot support the reduction in street landscaping.

Staff also cannot support the elimination of landscaping to a less intense use (multiple family residential complex) along the east property line. The rear setback is reduced to eliminate an area that could contribute to crime and collect trash. However, the elimination of the

landscaping further intensifies the overall impacts of the development on the adjacent multiple family complex. Additional design considerations should be incorporated into the project to reduce the visual impacts on existing properties. As a result, staff cannot support the request.

#### Waiver of Development Standards #4

While the trash enclosures are only set back 1 foot from the east property line, the trash enclosures are fully enclosed within the first floor of both buildings. Also, the ventilation is directed north to University Avenue and south to Harmon Avenue. As a result, there will be no impact to the multiple family complex to the east; however, since staff cannot support the overall design of the project, staff also cannot support this request.

#### Design Review #1

The overall commercial complex complies with several goals in the Comprehensive Master Plan. For example, Land Use Goal 2 in part encourages a mix of uses vertically, which are connected and integrated. Here, the project combines commercial, office, dormitory, convenience store, and gasoline station uses that are vertically integrated. Land Use Goal 3 encourages transit oriented development with increased intensity to reduce automobile dependence and air pollution. Here, the project creates a pedestrian and transit oriented development that will provide access to existing bus service and future bus rapid transit service along Maryland Parkway. Lastly, Land Use Goal 10 promotes higher intensity activity centers or districts. Here, the project will further the development of a student oriented commercial district along Maryland Parkway that creates synergy with UNLV operations.

Regarding the design of the site and buildings, the project complies with policies in the Comprehensive Master Plan as well. Urban Specific Policy 18 encourages pedestrian scale site furnishings to create visual continuity, reinforce the pedestrian character, and provide outdoor use areas along public walkways. Here, the project includes pedestrian amenities along a portion of Maryland Parkway, detached sidewalks around portions of the site, and an extensive pedestrian courtyard with a public art installation. However, Urban Specific Policy 19 in part encourages varying building height and breaking-up the mass of the buildings to reduce visual dominance. The increased height and reduced setbacks will create an oppressive impact for pedestrians and motorists along Maryland Parkway. Also, the increased height will dramatically alter the skyline and could negatively impact the residents to the east. The overall building design could include additional design elements such as off-set surface planes, unique building elements, step backs, and various building placements and heights to maintain visual interest while reducing the perceived mass of the buildings. As a result, staff cannot support this design review.

#### Waiver of Development Standards #5a through #5m

*Public Works*

#### Waiver of Development Standards #6

*Public Works*

#### Design Review #2

*Public Works*

**Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for McCarran 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-60 (60-65 DNL) noise contour for McCarran 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 McCarran International facilities to meet future air traffic demand.

**Staff Recommendation**

Approval of zone change; denial of use permits, 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:****Current Planning**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, waivers of development standards, and design reviews must commence within 4 years of approval date or they will expire.

**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;

- 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 must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future renters, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- 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; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Building Department - Fire Prevention**

- Applicant is advised that fire/emergency access must comply with the Fire Code.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; and to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0182-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** FRANK MARRETTI

**CONTACT:** MATT BURNS, EV & A ARCHITECTS, 1160 N. TOWN CENTER DRIVE, SUITE 170, LAS VEGAS, NV 89144





ARCHITECTURE  
 PLANNING  
 INTERIORS

July 27, 2021

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

20-21-0451

Re: **Justification Letter : G2- Campus Village – Master Plan**

Parcel No: 161-23-204-001, 003 & 004  
 EV&A Project No. 2021122

**Principals**

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 Kellie Wanbaugh, RID

**Associates**

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 Carina Gaytan  
 Destanee Cook, Assoc. AIA  
 Alexander Vance  
 Andrya Mojena, Assoc. AIA

**Administration**

Jennifer Blanchard  
 Janice Arvo  
 Sarah Robles

On behalf of our team, the following details a new Commercial Development located on the east side of Maryland Parkway between University Avenue and Harmon Ave. here in Las Vegas, Nevada. The following outlines our request for a design review and requests for waivers of development standards.

**Project Overview**

The project site will be comprised of three parcels: No. 162-23-204-001, 003, and 004 totaling approximately 3.37 net acres. Parcels 001 & 004 are currently zoned C-2 (and are to remain C-2), parcel 003 is currently C-1 and will be re-zoned as C-2 as part of a single lot commercial subdivision. This mixed-use project is comprised of two buildings with the following commercial uses; dormitory, office, retail, restaurant, outdoor dining, and podium pool. This project is not considered to be a High Impact Project as it has less than 500 dwelling units (Building A = 323 units), nor is it considered to be a Project of Regional Significance. The project is narratively described as follows:

**BUILDING A:**

**Dormitory**

- 10 Levels @ 10'-0" Floor-to-Floor (Levels 6-15)
- Leasing office and Lobby at ground floor
- Units: Studio, 2-bed, and 4-Bed (706 beds within 323 units with typical sleeping rooms @ 120 SF max.)
- 6th Level courtyard, pool deck, and student lounge

**Retail**

- Ground Level @ 20'-0" Floor-to-Floor
- 11,000 SF of grade level retail use

**Parking Structure**

- Ground Level @ 20'-0" Floor to Floor
- 4 Levels @ 10'-0" Floor-to-Floor
- Podium infrastructure (Add 5'-0" at level 5)

**EV&A Architects**  
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ARCHITECTURE  
 PLANNING  
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**BUILDING B:**

Office

- 4 Levels of office use with 15'-0" Floor-to-Floor
- 26,500 SF per floor (levels 6-9) = 106,000SF
- All spaces will be designed as a Grey Shell
- Lobby, restrooms, back-of-house, balcony at each level
- Ground level reception lobby

Retail

- Ground Level @ 20'-0" Floor-to-Floor
- Convenience store/gas station (7/Eleven), Retail (Chase Bank), and future retail or restaurant with outdoor dining uses

Parking Structure

- Ground Level @ 20'-0" Floor to Floor
- 4 Levels @ 10'-0" Floor-to-Floor

Fueling (7-Eleven Convenience Store):

- Existing pumps, tanks, and canopy to be demolished
- New pumps, tanks, and canopy per plan (total number of pumps to remain unchanged)

**PLAZA:**

Both buildings are connected by a central outdoor plaza with consisting of decorative walking surfaces, raised planters, outdoor seating and dining with shade provided by large decorative shade structures, building awnings, and large, desert appropriate trees. The required Open Space for the will be located at the Plaza (>50% will be shaded/covered). The central walking path also connect all adjacent retail, office, and student housing by way of extending the Pedestrian Realm into the site. A proposed enhanced crosswalk with landscaped median will connect the Plaza with the UNLV campus. The plaza will also serve the purpose of emergency access between buildings with removable bollards and roll up curbs for easy access.

The buildings will consist of a modern campus design aesthetic, with EIFS walls, Metal Panels, Perforated Metal Panels, metal shade awnings, and glass store fronts. Outdoor dining / seating will be provided within the pedestrian realm and Plaza.

**Design Review for Excess Fill**

The site currently slopes from west to east, away from Maryland Parkway. Additionally, the previous development had building finished floor elevations that were below the street level. To meet the 2D flood criterion, setting the finished floor of the buildings above the top of curb elevation at the adjacent streets, it is necessary to raise the grade of the site approximately 5.71 feet. We respectfully request for approval to increase the elevation of the site by more than 18-inches to flood protect each building.

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**Parking Requirements**

One parking space will be provided for every two dormitory rooms, 4 stalls per 1,000 gross SF of retail, office, and outside dining areas, and 10 stalls per 1,000 gross SF of restaurant area.

846 parking stalls are provided on the site where 727 parking stalls are required per the Shared Parking Schedule (Table 30.60.3). (21) accessible parking stalls will be provided where (17) are required by Table 30.60-5. Five loading stalls (minimum 25' x 10') will be provided where four loading stalls are required by Table 30.60-6. (62) Bicycle parking stalls will also be provided per Table 30.60-2.

Minimum throat depth dimensions, approach/departure, radius distance and/or driveway widths have been reduced at all entry drives. A waiver of development standards is requested for these drives (drive A, B, C & D). Please refer to the waiver section below for justification.

**Site Landscape**

Per the requirements under Title 30, including those in the Midtown Maryland Parkway Overlay District, landscaping will be provided with one tree every 20' adjacent to University Ave., Maryland Parkway and Harmon Ave. (outside the sight visibility zones). Parking areas outside the footprint of the parking structures will be landscaped per Title 30 with a waiver requested to reduce the landscaping along the east property line. Planter walls adjacent to the Pedestrian Realm will be less than 42" in height.

**Building Height**

Building A (Student Housing) building height is 180'-0" and Building B (Office) building height is 132'-0". An FAA Form 7460 has been submitted for further review per Section 30.56.070. The assigned ASN's are 2021-AWP-10712-OE & 2021-AWP-10713-OE.

**Trash Enclosures**

Trash enclosures are located on the ground level of the parking structures and service zone (See Section 30.48.1880(2)(A)(ii) and Figure 30.48-P2). Trash areas will be fully enclosed within the footprint of the building above and will have no openings along the shared property lines. They will have roll down doors secured with locks purchased from the local trash service provider. Exhaust from the trash rooms will be vented 50' min. from the property lines.

**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.

6



ARCHITECTURE  
 PLANNING  
 INTERIORS

**Principals**

Edward A. Vance, FAIA  
 Matthew F. Burns, AIA  
 Kellie Wanbaugh, RID

**Associates**

Nic Niccum, AIA  
 Theresa Grayson, AIA  
 Erik Swendseid, AIA  
 Stephan Winfield, AIA  
 Ana Fimbres, Assoc. AIA  
 Kurt Walden, Assoc. AIA  
 Humberto Lopez, Assoc. AIA  
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 Destanee Cook, Assoc. AIA  
 Alexander Vance  
 Andrya Mojena, Assoc. AIA

**Administration**

Jennifer Blanchard  
 Janice Arvo  
 Sarah Robles

**EV&A Architects**

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 Las Vegas, NV 89144

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 F (702) 946 8196

**Waiver of Development Standards**

- I. A waiver of development standards is requested to reduce the standard geometrics of:
  - a. Relocated Drive (A) along University Ave. The width provided is 23' (lip of gutter) where 32' is required. The throat depth provided is 78' where 150' is required. The ingress radius provided is 20' where 25' is required.
  - b. Relocated Drive (B) along Maryland Parkway. The throat depth provided is 5' where 25' is required. The ingress radius provided is 10' where 25' is required.
  - c. Relocated Drive (C) along Harmon Avenue. The throat depth provided is 0' where 25' is required. The egress radius provided is 10' where 15' is required..
  - d. Relocated Drive (D) along Harmon Ave. The width provided is 23' (lip of gutter) where 36' is required. The throat depth provided is 50' where 150' is required. The ingress radius provided is 20' where 25' is required.

**Justification:** There are currently eight driveways onto the site, and it is proposed to remove four and relocate four while adapting to current standard geometrics.

- a. Drive A will be one of two driveways serving the on-site structured parking and providing cross access for the site. The proposed twenty-foot radius represents a vast improvement to the existing conditions, accommodates the new building structure while have a minimum impact on incoming traffic flow. Regarding throat depth, while the two drive aisles determine the initial point of conflict for this driveway, the first parking space that abuts the driveway occurs considerably further down the driveway and would satisfy the 150' requirement when considered the initial point of conflict. There are only 35 parking stalls at grade with the remaining stalls in elevated structured parking.
- b. Drive B will be one of two driveways for the retail and gas station components of Building B and will replace an existing drive cut with more current driveway geometries. The proposed throat depth promotes better circulation around the fuel canopy for both cars and fuel trucks.
- c. Drive C will be one of two driveways for the retail and gas station components of Building B and will replace an existing drive cut with more current driveway geometries. The proposed throat depth reduction is a result of the ingress radius and provided parking. The drive in this location promotes better circulation around the fuel canopy for both cars and fuel trucks.
- d. Drive D will be one of two driveways serving the on-site structured parking and providing cross access for the site. The proposed twenty-foot radius represents a vast improvement to the existing conditions, accommodates the new building structure while have a minimum impact on incoming traffic flow. The reduced throat depth is justified as only 6 stalls are provided at grade, with the other parking stalls located in elevated structured parking.

6



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2. A waiver of development standards is requested to reduce the minimum building setback and landscaping requirement at the rear of building A and B (along the east property line) to 1'-0" where 10'-0" is required

**Justification:** Providing a 10'-0" setback at the east property line will create an area for homeless encampments and an unsafe environment for the neighborhood. A 1'-0" setback is provided at level 01 and will increase to 10'-0" (or more) at the upper floors.

3. A waiver of development standards is requested to increase the building height of Building A to 180' and Building B to 132' where 50' maximum is allowed. Additionally, it is requested that the 3:1 setback ratio (Figure 30.56-4) be reduced to allow additional height at the west side of building A.

**Justification:** An exhibit showing the current building elevations and the 3:1 setback ratio has been provided. The request to deviate the setback ratio has precedence in this neighborhood at the Gateway Project (currently called "The You") at the northeast corner of Maryland Parkway and Dorothy Ave. Building height requested will include screening of any mechanical units on the roof of both buildings

4. A waiver of development standards is requested to reduce the Landscape Buffer Requirements for Building A and B along University Ave (a) (Figure 30.64-13), and Maryland Parkway (b) & Harmon Ave (c) (Figure 30.64-17), and adjacent to less intensive use(d) (Figure 30.64-11).

**Justification:**

- a. Along University Ave., trees and landscape can higher than 24" can not be provided at the landscape strip between the back of curb and the sidewalk due to the sight visibility zone, instead it is requested that the trees in the landscaping between the sidewalk and the building be allowed to substitute for this requirement.
- b. Along Maryland Pkwy., large trees @ 20'-0" O.C. and additional palm trees are provided along the 20' pedestrian realm (except for where not allowed in the sight visibility zone). Between the plaza emergency access and the intersection at Harmon, shrubs are provided within the 15' min. detached sidewalk landscape area and trees are located where visibility to signage within the site can be maintained. It is proposed that LED band signage on the fuel canopy façade is used in lieu of a corner pylon sign for 7-11 to create a more unique and integrated design. Trees are located along the plaza and in parked areas to help offset the reduction at the perimeter.
- c. Along Harmon Ave., large trees @ 20'-0" are provided from the intersection at Maryland Pkwy. to the eastern site driveway in a 15' modified detached sidewalk configuration. Between the south entry drive and the east property line landscaping will be provided between site utility boxes as needed.

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ARCHITECTURE  
 PLANNING  
 INTERIORS

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- d. Along the property lines shared with the less intensive use, an effort to mitigate the potential issue for an area for homeless encampments and an unsafe environment for the neighborhood has the proposed backs of Buildings A & B built closely to the shared property lines. Between the buildings at the eastern end of the plaza, dense shrubs that climb up a decorative landscape (green) screen (10' min.) along with a new decorative 6' wall is proposed to provide an aesthetically appropriate substitution to the landscape requirements, viewable from both sides of the property wall.
- 5. A waiver of development standards is requested to reduce the arrival and departure distances: a) At University & Maryland the distance provided is 82-feet where 190-feet is required & b) At Harmon & Maryland the approach distance provided is 36-feet where 150-feet is required, and the departure distance provided is 80-feet where 190-feet is required.

**Justification:**

- a. The depth of the site at University Ave does not allow for a 190' departure distance while still allowing access to the site (entire site is 208' deep at University Ave.). At Building A, driveways have been eliminated along Maryland Parkway to alleviate congestion along this street and instead provided along University Ave.
- b. The depth of the site at Harmon Ave does not allow for 150' approach and 190' departure distances. The convenience store currently has 4 entry drives (two on Harmon Ave. and two on Maryland Parkway, the proposed design will eliminate one driveway from each road and provide updated geometry for entering and exiting the site. The east drive along Harmon is required for fire access.
- 6. A waiver of development standards is requested for the reduction of the trash enclosure setback (30.56.120) at both buildings.

**Justification:** The trash rooms at each building will be fully enclosed with mechanical ventilation to the roof provided. The trash rooms will not be visible or allow odors to be noticeable at the adjacent properties.

- 7. A waiver of development standards is requested for non-standard improvements in the right of way for the proposed enhanced crossing from the plaza across Maryland Pkwy.

**Justification:** With building A being student housing and Building B containing office space for the University, it is important to provide access across Maryland Parkway that is safe for pedestrians. Providing low landscape (maximum 24" in height) with curbs to separate the pedestrians from the traffic it provides a safe area for pedestrians to wait for oncoming traffic to stop. A Landscape Maintenance Agreement (LMA) between Clark County and the property owner would be required. Due to the nature and length of time

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ARCHITECTURE  
 PLANNING  
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 Andrya Mojena, Assoc. AIA

**Administration**

Jennifer Blanchard  
 Janice Arvo  
 Sarah Robles

such agreements take to execute it is requested that this requirement be a condition of the issuance of the Certificate of Occupancy and not hinder the ability to submit construction documents for plan review or commencement of construction.

**Special Use Permits**

1. A special use permit is requested to modify the pedestrian realm at the west side of Building A (along Maryland Parkway) and eliminate the pedestrian realm at the west (along Maryland Parkway) and south (along Harmon Ave.) sides of building B.

**Justification:** A modified pedestrian realm is requested along Maryland Parkway along the west side of Building A. The face of the building is 20' from the back of the curb, however Public Works requires that the finish floor of the building be placed 18" above the street as to keep the building from flooding (a serious problem with the previous building on the site). To mitigate the transition between the street and the building pad a 6'-8" wide landscape buffer is proposed with a 12" to 18" retaining wall down the middle. This will also provide additional protection for pedestrians from vehicle traffic and discourage pedestrians from crossing the street outside of designated cross walks. The request to deviate the pedestrian realm also has precedence in this neighborhood at the Gateway Project (currently call "The You") at the northeast corner of Maryland Parkway and Dorothy Ave.

At Building B along Maryland Parkway and Harmon Ave, we request that the pedestrian realm requirement be removed due to the convenience store and fuel pumps. It is not practical (or safe) to have the pedestrian realm along the street where traffic enters and exits the site for access to the convenience store and fuel pump. Instead, a meandering sidewalk, with landscaping on each side, is proposed along both streets. Additionally, the sidewalk that is provided adjacent to the retail shops is 10'-0" in width. Amenities such as seating, shade canopies and landscaping will be provided in the plaza between buildings A and B and accessible to the public.

2. A special use permit is requested for a dormitory use in conjunction with UNLV, complying with Table 30.44-1.

**Justification:** The rooms will be designed with offerings similar to recently completed dormitories near the UNLV Campus.

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6



ARCHITECTURE  
PLANNING  
INTERIORS

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,

**Erik Swendseid, AIA**

Senior Designer

**Principals**

Edward A. Vance, FAIA

Matthew F. Burns, AIA

Kellie Wanbaugh, RID

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6

RIGHT-OF-WAY  
(TITLE 30)

MARYLAND PKWY/HARMON AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-21-0452-G2-CAMPUS VILLAGE, LLC:**

**VACATE AND ABANDON** of a portion of a right-of-way being University Avenue located between Escondido Street and Maryland Parkway, Harmon Avenue located between Escondido Street and Maryland Parkway, and Maryland Parkway located between University Avenue and Harmon Avenue within Paradise (description on file). TS/jt/xx (For possible action)

**RELATED INFORMATION:**

**APN:**

162-23-204-001; 162-23-204-003 through 162-23-204-004

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

The plans depict the vacation and abandonment of portions of right-of-way. The right-of-way to be vacated includes an 8 foot wide portion of University Avenue along the north side of the site, a 6 foot wide portion of Harmon Avenue along the south side of the site, and a 6 foot wide portion of Maryland Parkway along the west side of the site.

The applicant indicates that the vacation and abandonment of right-of-way is necessary to accommodate pedestrian realms along each right-of-way for the companion application to develop a commercial complex consisting of a dormitory, office space, retail space, convenience store, and gasoline station.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0189-63	Reclassified the southwestern parcel to C-1 zoning for a service station	Approved by BCC	January 1964
ZC-027-75	Reclassified the northern and the eastern parcels to C-2 zoning for a shopping center	Approved by BCC	May 1975



**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Institutional	R-1	Place of worship
South	Commercial General	C-1	UNLV buildings
East	Residential Urban Center (18 to 32 du/ac)	R-4	Multiple family residential complex
West	Public Facilities	P-F	UNLV campus

**Related Applications**

Application Number	Request
ZC-21-0451	A zone change to reclassify a portion of the site to C-2 zoning along with use permits, waivers of development standards, and design reviews on the entire site for a commercial complex consisting of a dormitory, office space, retail space, convenience store, and gasoline station is a companion item on this agenda.
TM-21-500134	A tentative map for a 1 lot commercial subdivision 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*

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

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

recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Building Department - Fire Prevention**

- Applicant is advised that fire/emergency access must comply with the Fire Code.

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

- No objection.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** FRANK MARRETTI

**CONTACT:** MATT BURNS, EV & A ARCHITECTS, 1160 N. TOWN CENTER DRIVE,  
SUITE 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> <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-21-0452</u> DATE FILED: <u>8/24/21</u>
		PLANNER ASSIGNED: <u>JET</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>9/28/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>10/20/21</u> FEE: <u>875<sup>00</sup></u>

<b>PROPERTY OWNER</b>	NAME: <u>G2-Campus Village LLC</u>
	ADDRESS: <u>4700 S. Maryland Pkwy. Suite 150</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-242-4211</u> CELL: _____
	E-MAIL: <u>frank@g2capdev.com</u>

<b>APPLICANT</b>	NAME: <u>G2-Campus Village LLC</u>
	ADDRESS: <u>4700 S. Maryland Pkwy. Suite 150</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u>
	TELEPHONE: <u>702-242-4211</u> CELL: _____
	E-MAIL: <u>frank@g2capdev.com</u> REF CONTACT ID #: _____

<b>CORRESPONDENT</b>	NAME: <u>Zenith Engineering - Julia Izzolo, PE</u>
	ADDRESS: <u>1980 Festival Plaza Drive, Suite 450</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89135</u>
	TELEPHONE: <u>702-835-3496</u> CELL: _____
	E-MAIL: <u>julia@zenith-lv.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-23-204-001, 003, 004

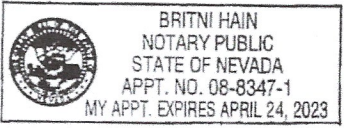
PROPERTY ADDRESS and/or CROSS STREETS: Maryland and Harmon

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)\*

Franko J. Marretti III  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON MAY 20, 2021 (DATE)  
 By Franko J. Marretti III  
 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.



June 30, 2021

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

Re: UNLV Campus Village, Zenith Project No. 191040  
Right-of-Way Vacation Justification Letter

Dear Sir or Madam:

Zenith Engineering has prepared a Right-of-Way Vacation application to vacate right-of-way associated with property located on southeast corner of University Avenue and Maryland Parkway (Assessor's Parcel Numbers 162-23-204-001, 003, 004).

Part of the proposed site improvements for the project includes a pedestrian realm along University Avenue, Maryland Parkway, and Harmon Avenue. Due to the unique elements of the pedestrian realm, Clark County Public Works has asked that we vacate the right-of-way adjacent to each street to the back of curb so that the pedestrian realm sits on private property entirely. The existing back of curb on University Avenue is 8-feet from the right-of-way line. The existing back of curb on Maryland Parkway and Harmon Avenue is 6-feet from the right-of-way line. This has been verified with a topography survey. We are requesting to vacate 8-feet of right-of-way adjacent to University Avenue, 6-feet of right-of-way along Maryland Parkway, and 6-feet of right-of-way along Harmon Avenue.

Please feel free to contact me with any questions or comments at (702) 835-3496. Thank you.

Sincerely,

ZENITH ENGINEERING

A handwritten signature in black ink, appearing to read 'Julia', is written over a horizontal line.

Julia Izzolo, PE  
Principal

7

UNLV CAMPUS VILLAGE  
(TITLE 30)

MARYLAND PKWY/HARMON AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-21-500134-G2-CAMPUS VILLAGE, LLC:**

**TENTATIVE MAP** consisting of 1 commercial lot and common lots on 3.4 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway Design Overlay District.

Generally located on the east side of Maryland Parkway, the north side of Harmon Avenue, and the south side of University Avenue within Paradise. TS/jt/xx (For possible action)

RELATED INFORMATION:

**APN:**

162-23-204-001; 162-23-204-003 through 162-23-204-004

**LAND USE PLAN:**

WINCHESTER/PARADISE COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4440 & 4482 S. Maryland Parkway & 1220 E. Harmon Avenue
- Site Acreage: 3.4
- Number of Lots: 1
- Project Type: Commercial complex

The plans depict a 1 lot commercial tentative map with driveway access from University Avenue on the north side of the site, Maryland Parkway on the west side of the site, and 2 driveways from Harmon Avenue on the south side of the site. Several waivers of development standards for alternative driveway geometrics and non-standard improvements in the right-of-way are included with the companion application, ZC-21-0451.

Perimeter landscaping includes both a detached and attached sidewalk along University Avenue on the north side of the site, a detached sidewalk along Maryland Parkway on the west side of the site, and both a detached sidewalk and attached sidewalk along Harmon Avenue on the south side of the site. No landscaping is provided along the east property line.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0189-63	Reclassified the southwestern parcel to C-1 zoning for a service station	Approved by BCC	January 1964

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-027-75	Reclassified the northern and the eastern parcels to C-2 zoning for a shopping center	Approved by BCC	May 1975

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Institutional	R-1	Place of worship
South	Commercial General	C-1	UNLV buildings
East	Residential Urban Center (18 to 32 du/ac)	R-4	Multiple family residential complex
West	Public Facilities	P-F	UNLV campus

**Related Applications**

Application Number	Request
ZC-21-0451	A zone change to reclassify a portion of the site to C-2 zoning along with use permits, waivers of development standards, and design reviews on the entire site for a commercial complex consisting of a dormitory, office space, retail space, convenience store, and gasoline station is a companion item on this agenda.
VS-21-0452	A vacation and abandonment 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**

**Current Planning**

This request meets the tentative map requirements as outlined in Title 30. However, since staff cannot support portions of the companion application, ZC-21-0451, staff cannot support the tentative map.

**Department of Aviation**

The property lies within the AE-60 (60-65 DNL) noise contour for McCarran 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 McCarran International facilities to meet future air traffic demand.

**Staff Recommendation**

Denial.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

If approved:

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

### **Current Planning Division - Addressing**

- No comment.

### **Department of Aviation**

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future renters, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

### **Building Department - Fire Prevention**

- Applicant is advised that fire/emergency access must comply with the Fire Code.

### **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 #0182-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** FRANK MARRETTI

**CONTACT:** MATT BURNS, EV & A ARCHITECTS, 1160 N. TOWN CENTER DRIVE,  
SUITE 170, LAS VEGAS, NV 89144

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