



# Paradise Town Advisory Board

Paradise Community Center

4775 McLeod Drive

Las Vegas, NV. 89121

November 30, 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 November 9, 2021. (For possible action)
- IV. Approval of the Agenda for November 30, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
  1. **UC-21-0636-APEX LAS VEGAS, LLC:**  
**USE PERMIT** for a multiple family residential development.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced parking; **2)** nonstandard landscaping; and **3)** alternative standards for perimeter fence.  
**DESIGN REVIEW** for the conversion of a motel to a multiple family residential development on 5.2 acres in a H-1 (Limited Resort and Hotel) (AE-60) Zone. Generally located on the south side of Twain Avenue and the west side of Cambridge Street within Paradise. TS/ja/jo (For possible action) **PC 12/21/21**
  2. **DR-21-0635-3535 LV NEWCO, LLC:**  
**DESIGN REVIEWS** for the following: **1)** modifications to an approved comprehensive sign plan (Caesars Forum Meeting Center, LINQ Resort/Hotel, LINQ Promenade, & Harrah's Resort/Hotel); **2)** increase the number of wall signs; **3)** increase overall wall sign area; **4)** increase the number of projecting signs; **5)** increase the area of projecting signs; **6)** increase the number of animated signs; and **7)** increase the area of animated signs on a 9.0 acre portion of approximately 60.0 acres for the LINQ Resort/Hotel in an H-1 (Limited Resort and Apartment) Zone. Generally located on the west side of Koval Lane, 900 feet north of Flamingo Road within Paradise. TS/lm/jo (For possible action) **BCC 12/22/21**
  3. **UC-21-0631-PATRICK LANE HOLDINGS, LLC:**  
**USE PERMIT** minor training facility.  
**WAIVER OF DEVELOPMENT STANDARDS** to reduce the driveway departure distances from the intersection.  
**DESIGN REVIEW** for a proposed fitness training facility on 1.0 acre in a C-P (Office and Professional) (AE-60) Zone. Generally located on the north side of Patrick Lane, 490 feet east of Annie Oakley Drive within Paradise. JG/rk/jo (For possible action) **BCC 12/22/21**



4. **UC-21-0646-BPS HARMON, LLC:**  
**USE PERMITS** for the following: 1) to allow retail sales and service as a primary use (outside); 2) alcohol (on-premises consumption); 3) alcohol sales, beer and wine packaged; 4) craft distillery; 5) antiques; 6) arcade; 7) art gallery; 8) banquet facility; 9) club; 10) convenience store; 11) electronic equipment sales; 12) food/cart booth; 13) grocery store; 14) health club; 15) hookah lounge; 16) jewelry making; 17) jewelry sales; 18) kiosk/information; 19) live entertainment; 20) massage; 21) movie theater; 22) night club; 23) office; 24) outside dining and drinking; 25) personal services; 26) pharmacy; 27) photographic studio; 28) recording studio; 29) recreational facility; 30) restaurant; 31) retail sales; 32) shoe repair; 33) sporting goods; 34) theater; and 35) watch repair.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow retail sales and service not within a permanent enclosed building; 2) reduce setbacks; 3) reduce landscaping; and 4) reduce height setback ratio.

**DESIGN REVIEWS** for the following: 1) outside retail sales and service structures/kiosks; and 2) expansion of second level retail space in conjunction with an existing shopping center on 2.2 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the northeast corner of Las Vegas Boulevard South and Harmon Avenue within Paradise. JG/jvm/jo (For possible action)

**BCC 12/22/21**

- VII. General Business (For possible action)
- VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
- IX. Next Meeting Date: December 14, 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

November 9, 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>PEXCUSED</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

Jared Tasko; 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 October 26, 2021 Minutes

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

Approval of Agenda for November 9, 2021

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

IV. Informational Items (For Discussion only)  
**None**

V. Planning & Zoning

1. **NZC-21-0611-BARTSAS MARY 9, LLC:**  
**ZONE CHANGE** to reclassify 2.5 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone.  
**DESIGN REVIEWS** for the following: 1) a proposed single family residential development; and 2) finished grade. Generally located on the west side of Amigo Street and the south side of Robindale Road within Paradise (description on file). MN/rk/jd (For possible action) **PC 12/7/21**

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

2. **VS-21-0612-BARTSAS MARY 9, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Amigo Street and Battista Lane (alignment), and between Robindale Road (alignment) and Via Alhambra Court (alignment) within Paradise (description on file). MN/rk/jd (For possible action) **PC 12/7/21**

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

3. **TM-21-500173-BARTSAS MARY 9, LLC:**  
**TENTATIVE MAP** consisting of 8 single family residential lots and common lots on 2.5 acres in an R-1 (Single Family Residential) Zone. Generally located on the west side of Amigo Street and the south side of Robindale Road within Paradise. MN/rk/jd (For possible action) **PC 12/7/21**

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

4. **VS-21-0563-TOBIAS HOLDINGS, LLC:**  
**VACATE AND ABANDON** a portion of a right-of-way being Tobias Lane located between Pecos Road and Sandhill Road (alignment) within Paradise (description on file). JG/md/jo (For possible action) **PC 12/7/21**

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

5. **VS-21-0581-ARIA RESORT & CASINO HOLDINGS, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Harmon Avenue and Park Avenue and between Frank Sinatra Drive and Las Vegas Boulevard South within Paradise (description on file). JG/jgh/jd (For possible action) **PC 12/7/21**

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

6. **WS-21-0584-J T B PROPERTY BEAUTIFICATION-LANDSCAPE DESIGN:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced setbacks; and 2) alternative landscaping and screening.  
**DESIGN REVIEWS** for the following: 1) convert an existing single family residence into an office building; 2) convert an existing single family residence into a commercial storage building; and 3) a landscape contractor facility on 3.0 acres in an M-D (Designed Manufacturing) (AE-60) Zone and M-D (Designed Manufacturing) (AE-65) Zone. Generally located between Patrick Lane and Silvestri Lane, 440 feet east of Annie Oakley Drive within Paradise. JG/al/jo (For possible action)  
PC 12/7/21

**MOVED BY-Philipp**  
**DENY**  
**VOTE: 3-0 Unanimous**

7. **ET-21-400163 (VS-19-0588)-SLETTEN CONSTRUCTION NEVADA, INC:**  
**VACATE AND ABANDON FIRST EXTENSION OF TIME** for easements of interest to Clark County located between Cameron Street (alignment) and Arville Street (alignment), and between Post Road (alignment) and Sobb Avenue (alignment) within Paradise (description on file). MN/sd/jo (For possible action)  
BCC 12/8/21

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

8. **VS-21-0599-MILAGRO VISTA INVESTMENTS, LLC & MILAGRO VISTA INVESTMENTS, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Oleta Avenue and 215 Beltway, and between Manhattan Road (alignment) and Kingston Road (alignment) within Paradise (description on file). JG/md/jo (For possible action) BCC 12/8/21

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

9. **UC-21-0598-MILAGRO VISTA INVESTMENTS, LLC & MILAGRO VISTA INVESTMENTS, LLC:**  
**USE PERMITS** for the following: 1) mini-warehouse; and 2) off-highway vehicle, recreational vehicle, and watercraft storage.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce parking lot landscaping; 2) increase wall height; and 3) permit lighting to project upward.  
**DESIGN REVIEWS** for the following: 1) mini-warehouse facility; 2) off-highway vehicle, recreational vehicle, and watercraft storage facility; 3) lighting; and 4) finished grade on 7.4 acres in a C-1 (Local Business) Zone. Generally located on the north side of Oleta Avenue and the west side of Manhattan Road (alignment) within Paradise. JG/md/jo (For possible action)  
BCC 12/8/21

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

10. **VS-21-0608-N & G SHOWCASE, LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Tropicana Avenue and Harmon Avenue, and between Las Vegas Boulevard South and Koval Lane within Paradise (description on file). JG/bb/jo (For possible action) **BCC 12/8/21**

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

11. **WS-21-0607-N & G SHOWCASE, LLC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increased wall sign area; **2)** alternative sign (roof); and **3)** increase the number of animated signs.  
**DESIGN REVIEW** for modifications to an approved comprehensive sign package on a 2.3 acre portion of a 6.0 acre site in an H-1 (Limited Resort and Apartment) and an H-1 (Limited Resort and Apartment) (AE-60) Zone. Generally located on the east side of Las Vegas Boulevard South, 950 feet north of Tropicana Avenue within Paradise. JG/bb/jo (For possible action)

**BCC 12/8/21**

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

- VI. General Business (for possible action)  
**Motion was made by Williams to approve the 2022 TAB meeting calendar as submitted.**  
**Vote 3-0 unanimous**
- VII. Public Comment  
**None**
- VIII. Next Meeting Date  
**The next regular meeting will be November 30, 2021**
- IX. Adjournment  
**The meeting was adjourned at 8:10 p.m.**

MULTIPLE FAMILY DEVELOPMENT  
(TITLE 30)

TWAIN AVE/CAMBRIDGE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0636-APEX LAS VEGAS, LLC:**

**USE PERMIT** for a multiple family residential development.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced parking; **2)** nonstandard landscaping; and **3)** alternative standards for perimeter fence.

**DESIGN REVIEW** for the conversion of a motel to a multiple family residential development on 5.2 acres in a H-1 (Limited Resort and Hotel) (AE-60) Zone.

Generally located on the south side of Twain Avenue and the west side of Cambridge Street within Paradise. TS/ja/jo (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-15-701-002; 162-15-701-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the required parking spaces to 202 where 339 spaces are required per Table 30.60-1 (40% reduction)
2.
  - a. Allow alternative landscaping along a collector street where a 15 foot landscape area is required with an existing attached sidewalk per Section 30.64.030(1)(4).
  - b. Allow alternative landscaping along a local street where landscaping per Figure 30.64-9 is required.
3.
  - a. Allow a decorative fence which is not set back for landscaping as required per Section 30.64.020.
  - b. Increase the maximum height of a fence to 6 feet 2 inches where 6 feet is the maximum per Section 30.64.020 (a 3% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 905 and 955 E. Twain Avenue
- Site Acreage: 5.2
- Number of Units: 243
- Density (du/ac): 47.2

- Project Type: Multiple family residential
- Number of Stories: 2
- Building Height (feet): 22
- Parking Required/Provided: 339/202

### History

The existing development was built in the mid 1970's. In 2008 a zone change (ZC-0804-08) was approved to reclassify the existing apartment complex from R-5 zoning to H-1 zoning to convert the existing apartment to a motel. In 2015 an application was submitted to revert the motel to a residential complex, however the application was withdrawn, leaving the development as a motel. Through the years it appears the complex was used as an apartment and motel, similar to long/short term lodging that has been included into Title 30 since the time of the previous approval. This request is to revert the site to a multiple family residential development. This is for permanent residency and does not allow for transient occupancy, meaning the units must be leased for a minimum of 31 days.

Since this is a developed site with no new construction, the existing conditions which were previously approved or permitted may continue without additional land use. For example, the parking stalls do not meet the required 18 foot length; however, a waiver to allow 16 feet was previously approved. To the contrary, a fence was installed after the latest land use approval which does not meet the standards; therefore, a waiver of development standards is required for the fencing.

When the use changes on a site, for example from a motel to an apartment complex, the regulations related to the use must meet Code. In this case, the parking requirement is per multiple family residential development. Since the on-site parking does not meet Code for multiple family developments, a waiver of development standards for parking is required.

### Site Plans

The plans depict a complex consisting of 26 buildings and 228 units. The buildings are generally grouped into 2 complexes which are a mirror image of each group, having 13 buildings in each. There are courtyards within the buildings, with 1 pool in each grouping. Parking is located on the west and east property lines and in the center of the 2 groupings. The existing parking will remain, necessitating the waiver of development standards. 339 spaces are required for a multiple family complex and 202 spaces are provided. Trash enclosures are located along the southern property line. The plans show 4 driveways from Twain Avenue and 1 driveway from Cambridge Street. Two driveways on Twain Avenue, and the 1 on Cambridge Street are gated for emergency use only. The 2 central driveways along Twain Avenue do not have a gate.

### Landscaping

Existing palm trees are shown in a landscape strip ranging from 8 feet to 16 feet wide along Twain Avenue, as well as along the southern property line. The plans depict additional shrubs to enhance the landscaping on Twain Avenue, however Code requires a 15 foot strip next to a collector street, and palm trees are no longer permitted along a street. Medium trees, spaced 30 feet apart (20 feet is the maximum per Code) and shrubs are provided along Cambridge Street, in an existing 8 foot wide landscape strip. Landscaping was removed at the northeast corner of the



site, as it was located within the right-of-way. A portion of the landscape strip to the east of the central driveway is shown to be converted to artificial turf.

A 6 foot 2 inch wrought iron fence is located just behind the sidewalk of Twain Avenue and Cambridge Street. The fence has not been previously approved; therefore, it is required to meet the current Code requirements, including being set back for landscaping and a maximum of 6 feet in height.

Elevations

The buildings are approximately 22 feet tall with a tile pitched roof. Existing exterior materials include stucco with stone veneer accents.

Floor Plans

The apartment complex consists of studio's, 1 bedroom, and 2 bedroom units.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the multiple family residential development is consistent with the existing zoning and Master Plan, and with the surrounding development. The waiver of development standards for parking is justified by the history of limited parking demand on the property, as well as new bicycle parking, and the site is readily available to public transportation. Additional landscaping is provided to improve the existing situation.

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0804-08	Reclassified from R-5 to H-1 zoning for a motel conversion	BCC	November 2008

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Commercial Tourist	R-5	Multple family residential
East	Public Facility	P-F	Park
West	Commercial Tourist	C-2	Shopping center

**STANDARDS FOR APPROVAL:**

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

**Analysis**  
**Current Planning**  
Use Permit

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

While the latest approved land use was approved for a motel, the site has operated as a multiple family use as well; similar to the current long/short term land use category within Title 30. At this time the applicant would like to provide a residential environment, without short term rentals. The multiple family use is less intense than a motel, and is consistent with the other multiple family uses in the surrounding area. Staff supports the request.

Waivers of Development Standards

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

The waivers of development standards are required to allow the existing development to remain as is.

Waiver of Development Standards #1

The applicant has provided a parking calculation to indicate that the existing parking has been sufficient without reported problems. As the applicant stated, the site is in close proximity to public transportation and new bicycle racks have been provided to further reduce the demand on parking. Staff can support the request.

Waivers of Development Standards #2 and #3

Staff finds the existing fence will not provide a negative impact to the area. The fence is constructed with wrought iron, which is decorative per Title 30. With it being an open fence, the landscaping is still visible from the street. The landscape strip along Cambridge Street exceeds the required width along a local street and the applicant has enhanced the area with shrubs and medium trees. In addition, the applicant has enhanced the existing landscaping along Twain Avenue. Staff can support the request.

Design Review

Staff can support the design review with the improvements mentioned above. Recent photography shows storage containers located in the center of the site. The applicant indicates the containers will be removed. In addition, the area where the containers were located is shown on the plans as parking stalls; however, the stalls need to be striped prior to business license or building permit approval.

### **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**

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**

- Containers shall be removed prior to zoning approval of a business license or a building permit;
- Parking stalls shall be striped prior to zoning approval of a business license or issuance of a building permit;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a change of occupancy permit may be required by the Clark County Building Department, and if so, the change must be approved by the Building Department prior to zoning approval of the business license; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

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

- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

#### **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 buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;

- Applicant must provide a map to future buyers/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 sales/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 to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

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

- Applicant is advised that 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:** APEX LAS VEGAS LLC

**CONTACT:** EDRICK FERRERAS, APTUS 241 WEST CHARLESTON BOULEVARD,  
SUITE 145, LAS VEGAS, NV 89102



# LAND USE APPLICATION


## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

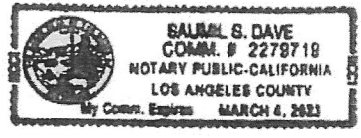
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b> APP. NUMBER: <u>UC-21-0636</u> DATE FILED: <u>10/26/21</u> PLANNER ASSIGNED: <u>J. Ammerman</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>11/30/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>12/22/2021</u> FEE: <u>\$1,825 (UC, WS, DR)</u>
	<b>PROPERTY OWNER</b> NAME: <u>APEX LAS VEGAS, LLC</u> ADDRESS: <u>631 S OLIVE ST., STE 860</u> CITY: <u>LOS ANGELES</u> STATE: <u>CA</u> ZIP: <u>90014</u> TELEPHONE: <u>(213) 627-1665</u> CELL: _____ E-MAIL: <u>sumi@proresidential.com</u>
	<b>APPLICANT</b> NAME: <u>APEX LAS VEGAS, LLC</u> ADDRESS: <u>631 S. OLIVE ST., STE 860</u> CITY: <u>LOS ANGELES</u> STATE: <u>CA</u> ZIP: <u>90014</u> TELEPHONE: <u>(213) 627-6165</u> CELL: _____ E-MAIL: <u>sumi@proresidential.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b> NAME: <u>Edrick Ferreras</u> ADDRESS: <u>241 West Charleston Blvd, Suite 145</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>(702) 839-1200</u> CELL: _____ E-MAIL: <u>edrick@aptusgroup.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 162-15-701-002 + -003  
 PROPERTY ADDRESS and/or CROSS STREETS: 955 E TWIN AVE, 905 E TWIN AVE LAS VEGAS NV  
 PROJECT DESCRIPTION: Special use permit for apartments in H-1.

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

  
 Property Owner (Signature)  
 STATE OF California  
 COUNTY OF Los Angeles  
 SUBSCRIBED AND SWORN BEFORE ME ON Nov 3, 2021 (DATE)  
 By Pratik Jogani  
 NOTARY PUBLIC: \_\_\_\_\_

PRATIK JOGANI  
 Property Owner (Print)



\*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.

October 23, 2021

Clark Co. Planning  
For electronic submission

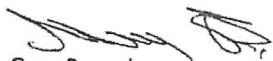
VC-21-0636  
JL

Dear Ladies/Gentlemen:

Please accept this as the required and revised justification letter for a special use permit, waivers of development standards, and design review for multi-family dwellings at 905 and 955 E. Twain, APNs 162-15-701-002 and 003, as portrayed in the separately-submitted plans:

1. Special use permit approval for multi-family dwellings is requested, as allowed in the existing H-1 zoning. Although the property has previously operated for many years under a license which referenced multi-family use, this application is submitted pursuant to Jennifer Ammerman's determination that the new property owner now requires this element of the application (see Attachment A).
2. Waivers of development standards are requested as follows:
  - A. To maintain existing parking reduction on property, from 339 required to 202 provided.
  - B. To maintain non-standard landscaping.
  - C. To maintain a fence not setback for landscaping and at 6'2" in height, where 6' maximum is allowed.
3. Design review approval is requested for the existing project at a density of 44.3 units/acre as an existing non-conformity, plus new amenities (wall-enclosed trash areas, bicycle parking, and new landscaping) per plans.

Justification: As to the special use permit for multi-family dwellings, the request is consistent with the existing zoning and master plan status of the subject parcels and with surrounding development in the area. Additionally, the properties have operated as de facto multi-family dwellings for many years with no problems known to the current applicant. The overall purpose of all elements of this submission is to recognize or improve the existing condition of the properties which were constructed under different codes and interpretations in the past. The waiver as to parking is justified by the history of limited parking demand on the property (see Attachment B for actual parking demand counts at 75% occupancy, as well as the proposed addition of bicycle parking and the ready availability of public transportation serving the area. The non-standard landscaping request deals with the existing situation and some improvements proposed in the plans, excepting in areas where sight zone requirements have precluded maintaining or enhancing landscaping. ~~Similarly, driveway and throat depth waivers only request continuation of existing uses which have not been identified as a problem during many years of operation.~~ Design review approval is requested for the overall project at the existing non-conforming density, calculated under new standard of net area, and for elements of new construction (wall-enclosed trash areas nor previously required, bicycle facilities, and some new landscaping arrangements).



Greg Borgel  
300 S. 4<sup>th</sup> St. #1400  
Las Vegas NV 89101  
Ph: 702-791-8219



**From:** Jennifer Ammerman <[jad@ClarkCountyNV.gov](mailto:jad@ClarkCountyNV.gov)>  
**Sent:** Tuesday, June 8, 2021 9:19 AM  
**To:** [sumi@proresidential.com](mailto:sumi@proresidential.com)  
**Cc:** Chandra Adair <[CAadair@ClarkCountyNV.gov](mailto:CAadair@ClarkCountyNV.gov)>  
**Subject:** RE: 2009335.053-170 THE APEX APARTMENTS @ 955 E Twain Ave - H-1 zone

\*

Good morning Sumi, yes, the best thing will be to apply for the special use permit to have the land use approval for apartments. But, please know that you will ultimately have to go the change of occupancy permit through Building Department, even with approval of the special use permit. It would probably be best to determine what is required for the conversion before you go through with our process for the special use permit.

Let me know what you decide and if you need additional information.

Jennifer

**From:** Jennifer Ammerman <[jad@ClarkCountyNV.gov](mailto:jad@ClarkCountyNV.gov)>  
**Sent:** Monday, June 7, 2021 3:53 PM  
**To:** [sumi@proresidential.com](mailto:sumi@proresidential.com); Chandra Adair <[CAadair@ClarkCountyNV.gov](mailto:CAadair@ClarkCountyNV.gov)>; 'miriam martinez' <[miriamproresidential@gmail.com](mailto:miriamproresidential@gmail.com)>; Rebecca Lim <[Rebecca.Lim@clarkcountynv.gov](mailto:Rebecca.Lim@clarkcountynv.gov)>  
**Subject:** Re: 2009335.053-170 THE APEX APARTMENTS @ 955 E Twain Ave - H-1 zone

Hello Miriam, I received your voicemail this morning but has to leave the office early.

\*

While the previous business license included wording with apartments as part of the zoning review, the license was clearly for a weekly/monthly facility. Unlike the code now, at that time we didn't have a specific land use category for a short/long term facility. From what I understand, at that time, short/long term facilities used both apartments and motel licenses. Today there is a specific land use category for such facilities.

We checked with the Building Department, and apartments (long term, non transient, more than 30 day stay) has a different occupancy code than transient facilities. I believe it is an R-2 building code occupancy. If you can provide us evidence that the building does have the correct occupancy required for long term/apartments, we can sign off the zoning portion of your business license upon receipt of the evidence.

I didn't see that you applied for an occupancy change with the Building Department. If it is required, we may be able to work with you on the license as you are working towards correcting the occupancy, since there has been confusion (I can't guarantee). But we will at least need information from the Building Department indicating that it is able to be converted, that you are working towards and committed to completing the change.

I am not sure if you have been in contact with anyone from the Building Department yet? Chandra can help direct you to someone who can you. Just let her know. I will be in the office tomorrow morning. Let me know if you would like to discuss it further.

ATTACHMENT A



**Borgel, Greg**

---

**From:** sumi@proresidential.com  
**Sent:** Monday, August 16, 2021 2:19 PM  
**To:** Borgel, Greg; 'Kristen Goodell'  
**Cc:** 'miriam martinez'  
**Subject:** FW: Car count

This is the car count for Apex:

Date	8 am	9 pm
7/29/21	70	70
7/30/21	79	70
7/31/21	68	71
8/1/21	54	71
8/2/21	81	72
8/3/21	74	87
8/4/21	76	72
8/5/21	75	87
8/6/21	79	89
8/7/21	73	78
8/8/21	52	79
8/9/21	70	74
8/10/21	78	76
8/11/21	76	72

ATTACHMENT B

SIGNAGE  
(TITLE 30)

LAS VEGAS BLVD S/FLAMINGO RD

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**DR-21-0635-3535 LV NEWCO, LL C:**

**DESIGN REVIEWS** for the following: **1)** modifications to an approved comprehensive sign plan (Caesars Forum Meeting Center, LINQ Resort/Hotel, LINQ Promenade, & Harrah's Resort/Hotel); **2)** increase the number of wall signs; **3)** increase overall wall sign area; **4)** increase the number of projecting signs; **5)** increase the area of projecting signs; **6)** increase the number of animated signs; and **7)** increase the area of animated signs on a 9.0 acre portion of approximately 60.0 acres for the LINQ Resort/Hotel in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the west side of Koval Lane, 900 feet north of Flamingo Road within Paradise. TS/lm/jo (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-16-312-002; 162-16-411-003; 162-16-411-005; 162-16-412-002; 162-16-413-001 ptn

**DESIGN REVIEWS:**

1. Modifications to an approved comprehensive sign plan (Caesars Forum Meeting Center, LINQ Resort/Hotel, LINQ Promenade, & Harrah's Resort/Hotel).
2. Increase the number of wall signs to 268 where 266 signs were previously approved.
3. Increase the overall wall sign area to 260,776 square feet where 260,570 square feet was previously approved and a maximum of 49,733 square feet is permitted per Table 30.72-1.
4. Increase the number of projecting signs to 9 where 8 were previously approved and 1 sign per tenant is allowed per Table 30.72-1.
5. Increase the area of projecting signs to 605 square feet where 588 square feet was previously approved.
6. Increase the number of animated signs to 33 where 32 were previously approved and 1 per street frontage is allowed per Table 30.72-1.
7. Increase the area of animated signs to 43,860 square feet where 43,694 square feet was previously approved and 150 square feet is allowed.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3535 Las Vegas Boulevard South
- Site Acreage: 9 (request)/60 (overall)
- Project Type: Amended sign plan for a restaurant (Dunkin Donuts) within the LINQ Resort/Hotel

Site Plan

The proposed request is to amend the comprehensive sign plan for a restaurant (Dunkin Donuts) within the LINQ Resort/Hotel. The proposed restaurant is located at the southwest corner of the site with previously approved direct access onto Las Vegas Boulevard South.

Landscaping

No changes are proposed or required to the existing landscape areas.

Signage

Modifications to the approved comprehensive sign plan include 2 wall signs which total 206 square feet and 1 projecting sign with a total of 17 square feet. The signs consist of a 166 square foot animated wall sign (electronic message unit, a 40 square foot band of color above the entrance with company signature color of orange, and a projecting sign above the previously approved signage and the revamped façade of the building. The wall signs will be mounted flush to the building façade and emergency exit doors. The projecting sign is 14 feet above grade.

The following table is a summary for signage:

Type of sign	Approved (sq. ft)	Proposed (sq. ft)	Total (sq. ft)	Allowed per Title 30 (sq. ft)	# of existing signs	# of proposed signs	Total # of signs
Wall	260,570	206	260,776	49,733	266	2	268
Freestanding	8,353	0	8,353	12,600	23	0	23
Directional	293	0	293	32	18	0	18
Roof	7,592	0	7,592	0	18	0	18
Hanging	88	0	88	32 per tenant	3	0	3
Revolving	10	0	10	Per design review	1	0	1
Projecting	588	17	605	32 per tenant	8	1	9
Overall Total	277,494	223	277,717	N/A	337	3	340

Some existing wall signs and freestanding signs also contain animated sign area, and the table below is a summary of animated signage.

Type of sign	Approved (sq. ft)	Proposed (sq. ft)	Total (sq. ft)	Allowed per Title 30 (sq. ft)	# of existing signs	# of proposed signs	Total # of signs
Animated	43,694	166	43,860	150	32	1	33

Applicant's Justification

The applicant indicates the overall signage design is cohesive with the surrounding development and will enhance the façade of the proposed restaurant use and overall property.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-21-0297	Vacated and abandoned a portion of the pedestrian access easement along Las Vegas Boulevard South	Approved by PC	August 2021
UC-21-0120	Use permit and design review to update the comprehensive sign package	Approved by BCC	May 2021
UC-19-0685	Ticket kiosks & amended sign plan	Approved by BCC	October 2019
DR-19-0646	Modified an approved comprehensive sign package for the LINQ	Approved by BCC	October 2019
UC-19-0482	Modified an approved comprehensive sign package for the LINQ	Approved by BCC	August 2019
WS-19-0149	Modified an approved comprehensive sign package for the LINQ	Approved by BCC	April 2019
WS-18-1022	Modified an approved comprehensive sign package and façade changes to a lease area at the LINQ Promenade (Kind Heaven)	Approved by BCC	February 2019
UC-18-0951	Modified the LINQ Resort/Hotel and the LINQ Promenade and an amendment to an approved comprehensive sign package	Approved by BCC	January 2019
DR-18-0934	Modified an approved comprehensive sign package for the LINQ Resort/Hotel and the LINQ Promenade	Approved by BCC	January 2019
ADR-18-900800	Exterior remodel of an existing restaurant with outside dining	Approved by ZA	December 2018
UC-18-0611	Restaurant with outside dining and modified an approved comprehensive sign package	Approved by BCC	October 2018
DR-18-0610	Modified an approved comprehensive sign package	Approved by BCC	October 2018
UC-18-0546	Outdoor sales structure/booth with amended sign plan	Approved by BCC	September 2018
UC-18-0364	Modified an approved comprehensive sign package	Approved by BCC	September 2018
UC-0979-17	Recreational facility (zip line)	Approved by BCC	December 2017
UC-0625-16	Modified an approved comprehensive sign package	Approved by BCC	October 2016
DR-0294-15	Building addition (box office) and shade structures in conjunction with the LINQ	Approved by BCC	June 2015

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0244-15	Modified an approved comprehensive sign package	Approved by BCC	June 2015
UC-0203-15	Temporary outdoor commercial events with temporary structures, associated retail sales, rentals, food and beverage sales with outdoor dining, and drinking areas	Approved by BCC	May 2015
DR-0105-14	Modified an approved comprehensive sign package	Approved by BCC	April 2014
UC-0234-12	Additional parking lot on 1.5 acres for the LINQ	Approved by BCC	July 2012
UC-0153-12	Increased height of a freestanding sign and design reviews for a freestanding sign, a roof sign, and modified a comprehensive sign package	Approved by BCC	July 2012
UC-0281-11	Allowed commercial, retail, entertainment, restaurant, and recreational facility uses (LINQ project)	Approved by BCC	August 2011

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist	H-1	Harrah's Resort Hotel
South	Commercial Tourist	H-1	Flamingo Resort Hotel
East	Commercial Tourist	H-1	The Meridian at Hughes Center, multiple family residential, undeveloped, & Wynn Resorts employee parking structure
West	Commercial Tourist	H-1	Caesar's Palace

**STANDARDS FOR APPROVAL:**

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

**Analysis  
Current Planning  
Design Reviews**

Code allows alternative sign standards within the Resort Corridor that can be approved if the signs result in the development having a visual character which is compatible with adjacent development. The proposed signs are compatible with other signs in the area and are in harmony with the unique nature of signage along Las Vegas Boulevard South and within the Resort Corridor. Therefore, staff finds that the proposed signs are compatible with the existing developments and resort hotels in the area, 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 also with surrounding developments. Therefore, staff can support the design review requests.

**Staff Recommendation**  
Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Applicant is advised that VS-21-0297 shall record prior to issuing permits; 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:** 3535 LV NEWCO, LLC

**CONTACT:** REBECCA MLTENBERGER, 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

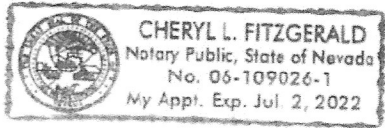
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC)  <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER 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-21-0635</u> DATE FILED: <u>10/26/21</u> PLANNER ASSIGNED: <u>J. Ammerman</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>11/30/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>12/22/2021</u> FEE: <u>\$675</u>
	<b>PROPERTY OWNER</b>  NAME: <u>3535 LV Newco, LLC &amp; Caesars Linq, LLC</u> ADDRESS: <u>3535 Las Vegas Blvd South</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u>
	<b>APPLICANT</b>  NAME: <u>3535 LV Newco, LLC &amp; Caesars Linq, LLC</u> ADDRESS: <u>3535 Las Vegas Blvd South</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: <u>N/A</u> CELL: <u>N/A</u> E-MAIL: <u>N/A</u> REF CONTACT ID #: <u>N/A</u>
	<b>CORRESPONDENT</b>  NAME: <u>Rebecca Miltenberger - Brownstein Hyatt Farber Schreck, LLP</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>175001</u>

ASSESSOR'S PARCEL NUMBER(S): 162-16-411-005 & 162-16-411-003, 162-16-412-002, 162-16-312-002,  
 PROPERTY ADDRESS and/or CROSS STREETS: 3535 S. Las Vegas Boulevard      162-16-413-001  
 PROJECT DESCRIPTION: Signage - Dunkin at the LINQ Hotel + Experience

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

Property Owner Signature: \_\_\_\_\_ Gary Bogan, Authorized Signatory  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark  
 SUBSCRIBED AND SWORN BEFORE ME ON 8/26/2021 (DATE)



By Cheryl L. Fitzgerald  
 NOTARY PUBLIC

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

2



September 14, 2021

Rebecca L. Miltenberger  
Attorney at Law  
702.464.7052 tel  
702.382.8135 fax  
rmiltenberger@bhfs.com

**VIA ELECTRONIC DELIVERY**

DR-21-0635

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

RE: Justification Letter – Design Review for Signage at the Linq Hotel + Experience  
Comprehensive Sign Package APNs 162-16-411-005, 162-16-411-003, 162-16-412-002,  
162-16-312-002 and 162-16-413-001

To Whom It May Concern:

We represent 3535 LV Newco, LLC, a Delaware limited liability company ("LV Newco"), owner of the Linq Hotel + Experience located at 3535 Las Vegas Boulevard, Las Vegas, Nevada and bearing Clark County Assessor Parcel Number ("APN") 162-16-411-005 (the "Hotel Property"), and Caesars Linq, LLC, a Delaware limited liability company ("Caesars Linq") and, together with LV Newco, the "Applicant", owner of that certain real property bearing APN 162-16-411-003 in connection with the land use application attached hereto. The Applicant is seeking approval of the following at the Hotel Property:

Design Review: to (a) modify the existing comprehensive sign package in conjunction with a resort hotel (LINQ, LINQ Promenade, Harrah's Hotel & Casino and Forum Convention Center); (b) increase the number of wall signs from 266 to 268; (c) increase the overall wall sign area from 260,570 square feet to 260,776 square feet; (d) increase the number of animated signs from 32 to 33; (e) increase the overall animated sign area from 43,694 square feet to 43,860 square feet; (f) increase the number of projecting signs from 8 to 9; and (g) increase the overall projecting sign area from 588 square feet to 605 square feet.

Specifically, the Applicant is requesting approval of one (1) LED animated digital display wall sign, approximately 8' 4" x 19' 8" and approximately 166 square feet, one (1) illuminated projecting blade sign, approximately 1' 11" x 8' 5" and approximately 17 square feet, and one (1) LED band wall sign approximately 9.5" x 51" and approximately 40 square feet, each as shown on the enclosed plans (collectively, the "Proposed Signs").

The minimum height clearance for the Proposed Signs is 14' 0" from grade, there is no visible bracing for the projecting sign, and the separation from the existing free standing signs at the Harrah's property (APN 162-16-312-002) and Linq Promenade property (APN 162-16-412-002) is, in each instance, in excess of 100 feet, as show on the enclosed plans. The setback for the subject site was reduced to 0 feet where a minimum of 25 feet is required per application no. WS-03-0801. The LED digital display boards will not flash. Included herewith, is the proposed updated comprehensive sign chart for the LINQ, LINQ Promenade, Harrah's Hotel & Casino and Forum Convention Center.

The Proposed Signs are visually compatible with the adjacent development, and consistent with previously approved signs along the Resort Corridor. As such, the Proposed Signs comply with Urban Specific Policy 20 of the Comprehensive Master Plan.

100 North City Parkway, Suite 1600  
Las Vegas, NV 89106-4614  
main 702.382.2101

2

12/22/21 BCC AGENDA SHEET

TRAINING FACILITY  
(TITLE 30)

PATRICK LN/ANNIE OAKLEY DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-21-0631-PATRICK LANE HOLDINGS, LLC:**

**USE PERMIT** minor training facility.

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the driveway departure distances from the intersection.

**DESIGN REVIEW** for a proposed fitness training facility on 1.0 acre in a C-P (Office and Professional) (AE-60) Zone.

Generally located on the north side of Patrick Lane, 490 feet east of Annie Oakley Drive within Paradise. JG/rk/jo (For possible action)

---

RELATED INFORMATION:

APN:  
161-31-603-033

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the departure distance from a driveway to a street intersection to 6 feet along Patrick Lane where 190 feet is the minimum per Chapter 30.52 and Uniform Standard Drawing 222.1 (a 97% reduction).

**LAND USE PLAN:**  
WINCHESTER/PARADISE - OFFICE PROFESSIONAL

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 1
- Project Type: Proposed CrossFit training facility
- Number of Stories: 1
- Building Height (feet): 34
- Square Feet: 6,400
- Parking Required/Provided: 20/20

**Site Plans**

The plans depict a proposed CrossFit training building located near the northern portion of the site with parking shown along the east property line adjacent to a private street. Internal

walkways provide access throughout the site creating pedestrian connections between the streets, parking lots, and buildings. The proposed building is set back 171 feet from Patrick Lane, 27 feet from the north property line, and 78 feet from the east property line. Access to the site is shown from 1 driveway on Patrick Lane. Also shown on plans is an emergency access gate to the private street to the east. Finally, a waiver of development standards is necessary to reduce the departure distances from the intersection of the private street to the proposed driveway.

Landscaping

The plans depict a 10 foot wide landscape area with an attached sidewalk on Patrick Lane. Along the east property line, a 10 foot wide landscape area with trees shown 30 feet apart will be provided, and along the north property line the landscape buffer will provide trees 20 feet apart per Figure 30.64-11. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprint.

Elevations

The plans depict a 1 story, 34 foot high building with a pitched metal gabled roof. The majority of the roofline is shown at 30 feet. The building materials consist of pre-finished decorative metal siding with smooth stucco finish elements, metal canopies, windows, and a roll-up door on the north elevation of the building. There are color variations consisting of walls that have contrasting design schemes.

Floor Plans

The plans show a 6,400 square foot fitness center with a reception desk, juice bar, training area, conference room, offices, and restrooms with showers.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates this is a 'boutique' CrossFit fitness training center that operates as a nonprofit to provide free memberships to disabled military veterans. The intended hours of operation are Monday through Friday from 6:00 a.m. to 10:00 a.m., 4:00 p.m. to 7:30 p.m., Saturday 9:00 a.m. to 12:00 p.m. and closed on Sunday. The building is scaled to fit within the surrounding contextual buildings of single story accessory structures and 2 story single family residential properties. A gable roof with barn style clerestory windows is designed to reduce the visual scale of the building and to be residential in character similar to the existing storage barn building on the adjacent lot to the west. Furthermore, the waiver of development standards is required to reduce the driveway departure distance from the intersection since this cannot be physically accommodated because the subject site is less than 190 feet wide.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0900-17	Proposed assisted living facility on this site and the parcel to the east	Denied by BCC	July 2018

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-2181-04	Reclassified the north half of the parcel to C-P zoning with a design review for a parking lot and office building	Approved by BCC	May 2005
ZC-1624-98	Reclassified the south half of the parcel to C-P zoning	Approved by BCC	October 1998

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential
East	Office Professional & Rural Neighborhood Preservation (up to 2 du/ac)	C-P & R-E	Undeveloped & single family residential
South	Business and Design/Research Park	M-D	Contractor's office & undeveloped
West	Office Professional	C-P	Office building

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning Use Permit**

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

Low intensity 'boutique' CrossFit fitness training center is appropriate and compatible with office developments. Additionally, the site will provide adequate parking for customers; therefore, staff does not anticipate any adverse impacts and finds that the use is compatible with the existing developments and surrounding area.

**Waiver of Development Standards**

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

### Design Review

Overall, staff finds that the fitness training center is well designed and appropriate at this location. However, staff has concerns that the design of the building having a roll-up door in the back facing existing residential is not consistent with Urban Specific Policies: Policy 68, which encourages overhead roll-up doors to be screened and not directed toward public streets or less intense uses. Therefore, staff can support this request if the overhead roll-up door is removed and eliminated from all elevations of the building.

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

#### Waiver of Development Standards

The proposed commercial driveway on Patrick Lane has a number of safety concerns. Based on the site plan submitted by the applicant and various aerial photos of the site, there are utility poles within the site visibility zones. Sight visibility zones cannot be waived or varied, so the applicant must make the necessary revisions to ensure that vehicles can safely enter and exit the site. Patrick Lane is a major collector street that sees a high volume of traffic combined with the reduction in the departure distance, drivers will be unable to judge the speed and distance of those traveling along Patrick Lane with those obstructions as well as vehicles exiting the private street. Therefore, staff cannot support this request.

### **Staff Recommendation**

Approval of the design review; denial of waiver of development standards.

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:

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

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

- Drainage study and compliance;
- Traffic study and compliance;
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones; and that the installation of detached

sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**Building Department - Fire Prevention**

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0404-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MCHORT, LLC

**CONTACT:** GRN VISION LLC, 606 S. 9TH ST., LAS VEGAS, NV 89101

DRAFT





# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

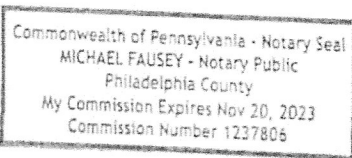
<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (Nzc) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-21-0631</u> DATE FILED: <u>10-26-21</u> PLANNER ASSIGNED: <u>Rk</u> TAB/CAC: <u>Paradise</u> TAB/CAC DATE: <u>11-30-21</u> PC MEETING DATE: <u>—</u> C-P BCC MEETING DATE: <u>12-22-21</u> OP FEE: <u>\$1,650.00</u> JG      N2C-2181-04
	<b>PROPERTY OWNER</b>  NAME: <u>Patrick Lane LLC</u> ADDRESS: <u>4090 E. Patrick Lane</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702.696.3037</u> CELL: <u>702.696.3037</u> E-MAIL: <u>nick@brandedone.org</u>
	<b>APPLICANT</b>  NAME: <u>Nick McCombs</u> ADDRESS: <u>4090 E. Patrick Lane</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89120</u> TELEPHONE: <u>702.696.3037</u> CELL: <u>702.696.3037</u> E-MAIL: <u>nick@brandedone.org</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>Rick Van Diepen</u> ADDRESS: <u>606 S. 9th St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702.265.8583</u> CELL: <u>702.265.8583</u> E-MAIL: <u>rick@GRNVision.com</u> REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 161-31-603-033  
 PROPERTY ADDRESS and/or CROSS STREETS: E. Patrick Lane & Annie Oakley Dr.  
 PROJECT DESCRIPTION: New 6,400 SF Crossfit Gym and associated parking, site improvements

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

Property Owner (Signature)\* [Signature]  
 STATE OF Pennsylvania  
 COUNTY OF Philadelphia  
 Property Owner (Print) Patrick Lane Holdings LLC

SUBSCRIBED AND SWORN BEFORE ME ON January 21, 2021 (DATE)  
 By Hugh Proctor  
 NOTARY PUBLIC: Michael Fausey



\*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.



October 4, 2021

Clark County Current Planning Division  
500 S. Grand Central Pkwy.  
Las Vegas, Nv 89155

UC-21-0631

Re.: Justification Letter

The Branded One Crossfit Training Facility is a proposed single story 6,400 SF multi-tenant building with offices, training space and training related support spaces located on an undeveloped commercial site zoned as C-P. The purpose of the special use permit is to allow a minor training facility (under 30 students at a time) for use as a 'boutique' Crossfit recreation/fitness training center operated as a nonprofit to provide free memberships to disabled military veterans.

The building is scaled to fit within the surrounding contextual buildings of single story accessory structures and two story single family residential properties. A gable roof with barn style clerestory windows is designed to reduce the visual scale of the building and to be residential in character similar to the existing storage barn building on the adjacent lot to the west.

The training facility building has been sited within the allowed setbacks and sufficient parking has been provided to eliminate any overflow parking issues that might affect the neighboring residential street.

A waiver of development standards is required to provide a driveway departure distance of 6'-0" when a minimum distance of 190'-0" is required. This change cannot be physically accommodated because the subject site is less than 190 feet wide and the commercial driveway is not allowed to be moved to the private street per the conditions of approval. Please see attached site plan.

The intended hours of operation are Monday-Friday 6-10AM, 4-7:30PM, Saturday 9AM-12PM and closed Sunday.

OUTSIDE RETAIL/KIOSKS  
(TITLE 30)

LAS VEGAS BLVD S/HARMON AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0646-BPS HARMON, LLC:**

**USE PERMITS** for the following: 1) to allow retail sales and service as a primary use (outside); 2) alcohol (on-premises consumption); 3) alcohol sales, beer and wine packaged; 4) craft distillery; 5) antiques; 6) arcade; 7) art gallery; 8) banquet facility; 9) club; 10) convenience store; 11) electronic equipment sales; 12) food/cart booth; 13) grocery store; 14) health club; 15) hookah lounge; 16) jewelry making; 17) jewelry sales; 18) kiosk/information; 19) live entertainment; 20) massage; 21) movie theater; 22) night club; 23) office; 24) outside dining and drinking; 25) personal services; 26) pharmacy; 27) photographic studio; 28) recording studio; 29) recreational facility; 30) restaurant; 31) retail sales; 32) shoe repair; 33) sporting goods; 34) theater; and 35) watch repair.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow retail sales and service not within a permanent enclosed building; 2) reduce setbacks; 3) reduce landscaping; and 4) reduce height setback ratio.

**DESIGN REVIEWS** for the following: 1) outside retail sales and service structures/kiosks; and 2) expansion of second level retail space in conjunction with an existing shopping center on 2.2 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the northeast corner of Las Vegas Boulevard South and Harmon Avenue within Paradise. JG/jvm/jo (For possible action)

---

**RELATED INFORMATION:**

**APN:**

162-21-214-003 through 162-21-214-005

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow outdoor retail sales/kiosks.
2. Reduce the setback to a street to 7 feet where 10 feet is required per 30.56.040 (a 30 % reduction) and zero feet was previously approved.
3. Eliminate street landscaping where landscaping per Figure 30.64-17 is required.
4. Reduce the height setback ratio per Figure 30.56-4.

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: 3717 Las Vegas Boulevard South
- Site Acreage: 2.2
- Project Type: Retail sales and service structures/kiosks
- Kiosk Height (feet): 11
- Square Feet: 2,164 (combined area of 8 kiosks)
- Parking Required/Provided: 490/159 (a reduction to 159 spaces was previously approved by WS-1029-17)

#### Site Plan

The site plan depicts 8 proposed retail sales and service structures (kiosks) set back 7 feet from a pedestrian right-of-way along Harmon Avenue. Display materials are shown on all 4 sides of the kiosks. As a result, customers will be able to que on all sides of the structures. A 10 foot wide pedestrian access easement, located on the subject property, runs along the east side of the kiosks, and a sidewalk is located along the west side of the kiosks.

The remainder of the site consists of a shopping center located on the north side of the property and parking area located on the east side of the property. Including the additional 3,035 square feet of retail space, 490 parking spaces are required where 159 parking spaces are provided and 148 parking spaces were previously approved.

#### Landscaping

The landscaping that exists in the parking area is to remain as is, the applicant is requesting a waiver to eliminate the street landscaping and instead install a County approved decorative pedestrian control fence.

#### Elevations

The kiosks are a maximum of 11 feet in height. Exterior materials include metallic panels, with white metal panel roofing materials.

#### Floor Plan

The area of the kiosks ranges from a minimum of approximately 100 square feet to a maximum of 505 square feet.

#### Signage

Each kiosk includes a variety of wall signs, which will be requested in a future application.

#### Applicant's Justification

The applicant indicates that their proposed improvements along the street frontage will create visual interest over the plaza mitigating the need for street landscaping. It is also stated that the cantilevered area of the second story will not impede pedestrian flow and is consistent with the streetscape. In addition, the requested 7 foot setback to the kiosks will not negate the character of the boulevard as it does not adversely impact the pedestrian comfort and flow along the ground level.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
AR-21-400125 (UC-20-0169)	Review of retail sales as a primary use/kiosks	Approved by BCC	September 2021
VS-20-0271	Vacated and abandoned easements along with right-of-way for Harmon Avenue and Las Vegas Boulevard	Approved by BCC	August 2020
UC-20-0169	Allowed retail sales as a primary use outside/kiosks	Approved by BCC	June 2020
UC-19-0408	Recreational facility in conjunction with a shopping center	Approved by BCC	July 2019
VS-18-0155	Vacated and abandoned a public access easement (driveway)	Approved by PC	April 2018
WS-1029-17	Reduced parking, façade changes, and a mezzanine addition to the existing shopping center	Approved by BCC	January 2018
UC-0800-17	Allowed on-premises consumption of alcohol (service bar) in conjunction with an existing restaurant (Subway)	Approved by BCC	November 2017
UC-0224-17	Allowed on-premises consumption of alcohol (tavern/self-serve beer structure)	Approved by BCC	June 2017
WS-0069-17	Modified landscape planters and fencing within Harmon Avenue	Approved by BCC	March 2017
WS-0324-16	Shade structures, façade changes, and modified a comprehensive sign plan for a proposed restaurant (Taco Bell Cantina)	Approved by BCC	June 2016
ADR-0596-15	Shade structures within outside dining area (Subway)	Approved by ZA	July 2015
UC-0241-13 (ET-0068-14)	First extension of time to review outside retail sales structures until November 20, 2015 to review - expired	Approved by BCC	July 2014
UC-0241-13	Allowed additional commercial uses within a shopping center (list on file) and outside retail sales structures subject to 6 months to review outside retail sales structures	Approved by BCC	November 2013
UC-0008-12	Allowed commercial uses in H-1 zoning and permit outside retail sales - expired	Approved by BCC	March 2012
UC-0518-11	Allowed on-premises consumption of alcohol (tavern) in conjunction with a shopping center - the application included other land uses which were withdrawn without prejudice at the PC meeting	Approved By PC	December 2011
UC-0608-10	Redesigned a shopping center and pharmacy including the pedestrian bridge across Harmon Avenue	Approved by BCC	February 2011

**Prior Land Use Requests**

Application Number	Request	Action	Date
TM-0025-10	Harmon Center commercial subdivision	Approved by PC	July 2010
UC-0174-10	Shopping center, pharmacy, packaged beer and wine sales, packaged liquor sales, including waivers to reduce parking, parking lot landscaping and allowed tandem parking	Approved by BCC	June 2010

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Commercial Tourist	H-1	Planet Hollywood Resort Hotel & Miracle Mile Shopping Center
South	Commercial Tourist	H-1	Commercial building (former Harley Davidson Café) & parking garage
West	Commercial Tourist	H-1	CityCenter & The Cosmopolitan Resort Hotel

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the 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 kiosks have previously been approved on this site, 3 separate land use applications for the outside uses have expired and there is a current land use application (UC-20-0169) active on the site. The kiosks have continued to operate on the property with land use approval and recently were approved with a review (AR-21-400125). Reviews were placed on the previous applications due to the discretionary nature of the application, which would give the public, staff, and elected and appointed officials an opportunity to review the use. However, staff is not requesting a review on this application since this is just an expansion of the existing condition.

Staff finds that the uses requested with this application should be able to be conducted in a manor that is harmonious with the site and surrounding developments. Staff would however, like to clarify that no guns or ammunition are allowed to be sold at this location.

### 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.

Staff finds that the proposed improvements along the street frontage will create visual interest over the plaza mitigating the need for street landscaping. Also the cantilevered area of the second story will not impede pedestrian flow and is consistent with the streetscape. In addition, the requested 7 foot setback to the kiosks will not negate the character of the boulevard as it does not adversely impact the pedestrian comfort and flow along the ground level. Therefore, staff can support the requested waivers.

### Design Reviews #1 & #2

Staff can support the design review for the additional retail space on the second level as it will blend seamlessly with the existing structure. The ground level area with the additional kiosks will also allow for unimpeded pedestrian flow and a well integrated indoor/outdoor development. Therefore, staff can support the design reviews.

### **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**

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

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

- No building permit or business license shall be issued until VS 20-0271 records.



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

- Applicant is advised that the property is already connected to the CCWRD sewer system; and 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:** BPS HARMON, LLC

**CONTACT:** CURT CARLSON, 7250 PEAK DRIVE, SUITE 216, LAS VEGAS, NV 89128

**DRAFT**



# LAND USE APPLICATION

1 OF 2

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>UC-21-0646</u> DATE FILED: <u>10/27/21</u> PLANNER ASSIGNED: <u>JVM</u> TAB/CAC: <u>PARADISE</u> TAB/CAC DATE: <u>11/30/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>12/22/21</u> FEE: <u>\$1,825.00</u>
	<b>PROPERTY OWNER</b>  NAME: <u>BPS Hamon LLC</u> ADDRESS: <u>3717 Las Vegas Blvd 89118</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>(702) 629-1980</u> CELL: _____ E-MAIL: <u>czap12@5hpartners.com</u>
	<b>APPLICANT</b>  NAME: <u>same</u> ADDRESS: _____ CITY: _____      STATE: _____      ZIP: _____ TELEPHONE: _____      CELL: _____ E-MAIL: _____      REF CONTACT ID #: _____
<b>CORRESPONDENT</b>  NAME: <u>Brown, Brown and Premsrirut c/o Lora Dreja</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>(702) 598-1408</u> CELL: _____ E-MAIL: <u>Lora@Brownlawlv.com</u> REF CONTACT ID #: <u>170880</u>	

ASSESSOR'S PARCEL NUMBER(S): 162-21-214-004 and 005

PROPERTY ADDRESS and/or CROSS STREETS: 3717 Las Vegas Blvd

PROJECT DESCRIPTION: design reievw for building expansion w/ waivers/SUP in conjunition w CC parcels 015-017, 022-023

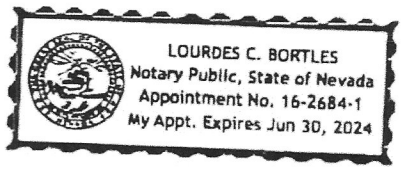
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained hereof 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)\*      Brett Toeino  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF Clark

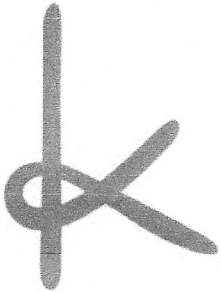
SUBSCRIBED AND SWORN BEFORE ME ON 6/28/2021 (DATE)  
 By Brett Toeino

NOTARY PUBLIC: Loures Bortles



4

\*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.



**KNIT**

7250 Peak Drive,  
Suite 216  
Las Vegas, NV 89128  
P 702.363.2222  
F 702.363.6060

Las Vegas  
Seattle  
Salt Lake City

KnitStudios.com

September 17, 2021

Clark County Comprehensive Planning Department  
1<sup>st</sup> Floor, Clark County Government Center  
500 Grand Central Parkway  
Las Vegas, Nevada 89155

**RE: Request for Design Review, Use Permits and Waivers of Development Standards to the existing Harmon Corner Retail Center (Northeast corner of Las Vegas Blvd. and Harmon Avenue) at 3717 South Las Vegas Blvd. Las Vegas, NV 89109, APN 162-21-201-004 and 005.**

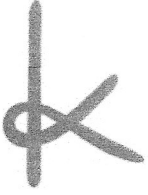
Dear Mr. Laird,

This application is to incorporate a vacated area of approximately 11,150 SF (from the county) added at the street level plaza. The improvements at the enlarged plaza area will include 8 new kiosk structures for retail and food & beverage tenants as well as a new sign band, reconfigured stairs to the bridge level and related mechanical services. Improvements will also include new traffic bollards and a decorative pedestrian control fence at the back of curb along the street frontage. The plaza area will incorporate an overhead lighting/shade installation at approximately 24' above grade. Existing retail space at the bridge level (2nd Level) will also be expanded approximately 3,035 SF with roof top decks adjacent to the north and south entries over the plaza area.

1. **Waiver – Street Landscaping:** - The applicant requests a waiver of street landscaping. The plans indicate the replacement of the existing planter wall and trees along the street frontage with County approved traffic bollards and decorative pedestrian control fence. The proposed improvements incorporate overhead lighting and shade installation as well as an animated sign band that would provide shade and visual interest over the plaza thus mitigating the need for street trees and landscaping along the street frontage.
2. **Setback Waiver 30.56.040 d, 3:1 height:** Plaza section 3 shown on sheet three of the submittal package indicates that the proposed second story building addition along Harmon Avenue is within 10 feet of the back of curb. The second story cantilevers over the sidewalk from a height of 23 feet to 49 feet. It therefore cannot meet the 3:1 height setback ratio. This cantilevered area is approximately 113'-0" wide addition adjacent to the SE pedestrian bridge on levels 2/3. Because this addition is located on level two, it does not impede the pedestrian flow along the pedestrian bridge, nor does it affect the pedestrian realm at the plaza level. It represents less than 50 % of the building's width and is also consistent with the streetscape and setbacks of other buildings on Harmon Avenue.

John Anderson, RD  
Curt Carlson, AIA  
Mark McGinty, RD  
Dennis Panars, AIA  
Eric Roberts, AIA  
John Sawdon, AIA

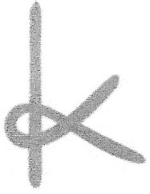
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3. Setback Waiver 30.56.060 a. Special Setback – Las Vegas Blvd: The northern portion of this site is aligned with Las Vegas Blvd and is subject to the special setback which requires the greater of 10 feet from the property line or 25 feet from back of curb. The property line on this parcel is placed at the back of curb. The proposed plan places retail structures within this setback as well as the shade/signage structure at three feet from the property line/curb where 25 feet are required. The retail structures (kiosks) are separated from the recorded pedestrian easement by the escalators and will not encumber pedestrian movement. After 10 years of operation, the applicant has learned that the shade structure is preferable at this location as the vertical visibility intended by the Special Setback is encumbered by the pedestrian bridge.
4. Setback waiver 30.40-7 and 30.56-040, to allow 7'-0" foot setback from property line/ back of curb where 10 feet are required. The retail structures (kiosks) previously held a zero foot setback entitlement. The applicant requests this setback be maintained following the vacation and relocation of the property line to the back-of-curb. This alternate streetscape allows the pedestrian realm to be separated from vehicular traffic by the retail structures. The pedestrian walkway exceeds 20 feet at all points on the street level. This request not negate the character of the boulevard as it does nor adversely affect the pedestrian comfort and flow along ground level pedestrian realm.
5. **Waiver of Previous Conditions – Animated Sign:** The applicant requests a waiver of previous conditions WS-0609-10 to allow an animated sign band to be located below 58'-0". The proposed approximate 272'-0" long sign, as indicated on the plan and cross section plan, will extend from the SE pedestrian bridge to the NW escalators. The 8'-0" tall sign will be located 2'-0" from back of curb and be 15'-6" above the plaza level to the bottom of the sign. The structure for the sign will also provide structural support for the proposed decorative lighting and shade element above the plaza. Media displayed will be in harmony with the existing exterior animated sign. The applicant recognizes new signage remains subject to the condition requiring a lumen output compared to the traffic signal per WS-0609-10.

**Use Permits: 1. Special use / Condition Use:** The applicant requests a use permit to allow Alcohol, On-Premise Consumption, Alcohol Sales, Beer and Wine Packaged, Liquor Packaged, Antiques, Arcade, Art Gallery, Banquet Facilities, Club, Convenience Store, Craft Distillery, Electronic Equipment Sales, Food Cart/Booth, Grocery Store, Health Club, Hookah Lounge, Jewelry Making - excluding Smelting, Jewelry Sales, Kiosk/Information (Outdoor), Live Entertainment, Massage, Movie Theater, Night Club, Office, Outside Dining, Drinking and Cooking, Personal Services, Pharmacy, Photographic Studio, Recording Studios, Recreation Facility, Restaurant, Retail Sales and Service, Shoe Repair, Sporting Goods, Theater, Watch Repair.



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**Note: Parking standards - Quantity:** - The currently approved parking requirement is for 138 stalls (includes a 72% reduction from code required 490 Stalls). The addition of 8,279 SF of space for retail and kiosks requires 10 stalls (includes a 72% reduction from code required 35stalls). The total required parking stalls (including 72% reduction) is 149 Stalls and 159 stalls are provided.

NOTE: The previous parking study for UC-20-0169 (Storage Containers) was not constructed. The attached parking study was submitted with application UC-20-0169 in anticipation of this request.

Therefore, parking analysis shown on the plans indicates that this proposal is within the purview of this prior parking study – 148 Stalls required and 159 Stalls Provided.

**Note: Kiosk Setback & Outside Sales:** - Per title 30, Section 30.44.005, outside retail sales and service are required to be within a permanent enclosed building, Table 30.40-7 requires a 10'-0" minimum setback for retail sales and service structures/kiosks, and Section 30.56.040 requires a 10'-0" minimum setback from a right-of-way. Application UC-20-0169 approved the use of outside retail sales and services not part of a permanent enclosed structure and also reduced the setback to 0'-0" where 10'-0" is required.

Thank you for your consideration and please contact the undersigned at (702) 341-2230 with any additional concerns or questions.

Sincerely,

KNIT

Curt John Carlson, AIA, LEED AP

Principal