



If you do not wish to attend the meeting in person, but would like to comment on an item appearing on this agenda, please submit your comments to [Beatriz.martinez@clarkcountynv.gov](mailto:Beatriz.martinez@clarkcountynv.gov), before 5:00 pm, on April 13,2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting’s minutes.

- III. Approval of Minutes (For possible action)
- IV. Approval of Agenda for April 13, 2021 and Hold, Combine or Delete Any Items (For possible action)
- V. Informational Items
- VI. Planning & Zoning

**1. UC-21-0126-SAIA, GABRIEL GOMES JR. REV LIV TR & SAIA, GABRIEL GOMES JR. TRS:**  
**USE PERMIT** for a proposed daycare (children) facility within an existing retail and office/warehouse on a portion of 9.1 acres in an M-1 (Light Manufacturing) (Adult Use Overlay) Zone. Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester. TS/sd/jo (For possible action) 5/4/21 PC

**2. ET-21-400036 (UC-18-0753)-305CCD, LLC:**  
**USE PERMIT FIRST EXTENSION OF TIME** to commence the following: **1)** a High Impact Project; **2)** day spa with medical offices; **3)** offices; **4)** retail sales and service; **5)** restaurants and taverns with outside dining and drinking; **6)** alcohol sales (beer and wine – packaged only); **7)** alcohol sales (liquor – packaged only) **8)** on-premises consumption of alcohol (service bars, supper clubs and taverns); **9)** convention facilities and meeting rooms with kitchens; and **10)** reduce separation between on-premises consumption of alcohol to a residential use (multiple family).

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increased building height; **2)** reduce height/setback ratio; **3)** permit encroachment into airspace; **4)** reduced setbacks; **5)** reduce setback from the right-of-way; **6)** reduced parking; **7)** reduced loading spaces; **8)** allow modified street standards; and **9)** allow modified driveway design standards.

**DESIGN REVIEWS** for the following **1)** a High Impact Project; **2)** hotel; **3)** day spa with medical offices; **4)** retail sales and service; **5)** restaurants and taverns with outside dining and drinking; **6)** on-premises consumption of alcohol (service bars, supper clubs and taverns); **7)** convention facilities and meeting rooms with kitchens; **8)** parking garage with subterranean levels; and **9)** pool areas with landscaping at the top level of the hotel podium on 6.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Convention Center Drive and the west side of Debbie Reynolds Drive within Winchester (description on file). TS/jgh/jo (For possible action) 5/5/21 BCC

- VII. General Business

VIII. Comments by the General Public - A period devoted to comments by the general public about matters relevant to the Board's/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 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 Chair or the Board/Council by majority vote.

If you would like to provide written general public comment on an item not appearing on this agenda, but within the general jurisdiction of this body, please submit your comments via email to [Beatriz.martinez@clarkcountynv.gov](mailto:Beatriz.martinez@clarkcountynv.gov), before 5:00 pm, April 13,2021. Please include your name, address, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

IX. Next Meeting Date: April 27, 2021

X. Adjournment

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following locations:

Winchester Community Center: 3130 S McLeod Dr., Las Vegas, NV 89121

Fast ans Fresh Dry Cleaners: 2548 Desert Inn Rd., Las Vegas, NV 89121

United States Postal Service: 2478 E. Desert Inn Rd., Las Vegas, NV 89121

Starbucks: 2412 E. Desert Inn Rd., Las Vegas, NV 89121

<https://notice.nv.gov/>

BOARD OF COUNTY COMMISSIONERS  
MARILYN KIRKPATRICK, CHAIR – JAMES B. GIBSON, Vice-Chair  
JUSTIN C. JONES – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM  
YOLANDA KING, County Manager



## Winchester Town Advisory Board

March 30, 2021

### MINUTES

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Board Members:	Robert O. Mikes, Jr. – Chair – <b>Present</b> Kenneth Dayton – Vice Chair- <b>Present</b> John Delibos – <b>Present</b> Judith Siegel – <b>Present</b> Patrick Becker - <b>Present</b>
Secretary:	Victoria Bonner, 702-335-9205 victoriabelleb@gmail.com
Town Liaison:	Beatriz Martinez 702-455-0560 beatriz.martinez@clarkcountynv.gov

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- I. Call to Order, Pledge of Allegiance, Roll Call, (see above) County Staff Introductions  
Beatriz Martinez; Town Liaison, Victoria Bonner; Secretary, Brady Burnhart; Planning. The meeting was called to order at 6:00p.m.
- II. Public Comment  
**None**
- III. Approval of February 23, 2021 Minutes  
**Moved by: Delibos**  
**Approve as submitted**  
**Vote: 5-0 Unanimous**
- IV. Approval of Agenda for March 30, 2021  
**Moved by: Mikes**  
**Hold item #2 to April 27,2021 meeting**  
**Vote: 5-0 Unanimous**
- V. Informational Items
  1. Announcements of upcoming neighborhood meetings and County or community meetings and events( for discussion)
- VI. Planning & Zoning:

1. **UC-21-0067-E-J CLUB, LLC:**

**USE PERMIT** to allow a day spa in conjunction with an existing office/warehouse building on 1.0 acre in an M-1 (Light Manufacturing) Zone in the Adult Use Overlay District. Generally located on the west side of Sammy Davis Jr. Drive, approximately 550 feet south of Circus Drive within Winchester. TS/sd/jd (For possible action)

**Moved By- Mikes**

**Approve with staff conditions**

**Vote: 5-0 Unanimous**

2. **VS-21-0085-RESORTS WORLD LAS VEGAS, LLC:**

**VACATE AND ABANDON** a portion of a right-of-way being Resorts World Drive located between Las Vegas Boulevard South and Sammy Davis Jr. Drive within Winchester (description on file). TS/bb/xx (For possible action)

**Hold to April 27,2021 meeting**

VII. General Business

VII. Public Comment

VIII. Next Meeting Date

**The next regular meeting will be April 13, 2021**

IX. Adjournment

**The meeting was adjourned at 6:13 p.m.**

**ATTACHMENT A  
WINCHESTER TOWN ADVISORY BOARD  
ZONING AGENDA  
TUESDAY, 6:00 P.M., APRIL 13, 2021**

05/04/21 PC

1. UC-21-0126-SAIA, GABRIEL GOMES JR. REV LIV TR & SAIA, GABRIEL GOMES JR. TRS:  
USE PERMIT for a proposed daycare (children) facility within an existing retail and office/warehouse on a portion of 9.1 acres in an M-1 (Light Manufacturing) (Adult Use Overlay) Zone. Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester. TS/sd/jo (For possible action)

05/05/21 BCC

2. ET-21-400036 (UC-18-0753)-305CCD, LLC:  
USE PERMIT FIRST EXTENSION OF TIME to commence the following: 1) a High Impact Project; 2) day spa with medical offices; 3) offices; 4) retail sales and service; 5) restaurants and taverns with outside dining and drinking; 6) alcohol sales (beer and wine – packaged only); 7) alcohol sales (liquor – packaged only) 8) on-premises consumption of alcohol (service bars, supper clubs and taverns); 9) convention facilities and meeting rooms with kitchens; and 10) reduce separation between on-premises consumption of alcohol to a residential use (multiple family).  
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increased building height; 2) reduce height/setback ratio; 3) permit encroachment into airspace; 4) reduced setbacks; 5) reduce setback from the right-of-way; 6) reduced parking; 7) reduced loading spaces; 8) allow modified street standards; and 9) allow modified driveway design standards.  
DESIGN REVIEWS for the following 1) a High Impact Project; 2) hotel; 3) day spa with medical offices; 4) retail sales and service; 5) restaurants and taverns with outside dining and drinking; 6) on-premises consumption of alcohol (service bars, supper clubs and taverns); 7) convention facilities and meeting rooms with kitchens; 8) parking garage with subterranean levels; and 9) pool areas with landscaping at the top level of the hotel podium on 6.1 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the south side of Convention Center Drive and the west side of Debbie Reynolds Drive within Winchester (description on file). TS/jgh/jo (For possible action)

05/04/21 PC AGENDA SHEET

DAYCARE  
(TITLE 30)

DESERT INN RD/HIGHLAND DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0126-SAIA, GABRIEL GOMES JR. REV LIV TR & SAIA, GABRIEL GOMES JR. TRS:

USE PERMIT for a proposed daycare (children) facility within an existing retail and office/warehouse on a portion of 9.1 acres in an M-1 (Light Manufacturing) (Adult Use Overlay) Zone.

Generally located on the north side of Desert Inn Road and the east side of Highland Drive within Winchester. TS/sd/jo (For possible action)

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RELATED INFORMATION:

**APN:**

162-08-805-009 ptn

**LAND USE PLAN:**

WINCHESTER/PARADISE - INDUSTRIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2548 W. Desert Inn Road
- Site Acreage: 9.1 (portion)
- Project Type: Daycare
- Number of Stories: 1
- Building Height (feet): 23
- Square Feet: 3,400
- Parking Required/Provided: 306 (entire complex - 5 for daycare)/633 (complex)

Site Plans

The plans depict a proposed daycare facility in conjunction with an existing retail and office/warehouse complex on a portion of 9.1 acres. The daycare use will operate out of a detached commercial building located within the northeast corner of the parcel. An outdoor play area will be enclosed, per the site plan, with a 6 foot solid decorative masonry wall to the south and east of the building, next to the Union Pacific Railroad right-of-way. The existing commercial development consists of a banquet facility, supper club, cannabis establishment (production) facility, cannabis establishment (retail cannabis store and dispensary), and office/warehouse space in an existing office/warehouse building. All the uses are in the

office/warehouse building on the east side of the site. Access to the site is granted via existing commercial driveways located along Desert Inn Road and Highland Drive. The other building on the property is located near the southwest corner of the property that is not a part of this request. Parking is located throughout the site, including to the north within a Nevada Department of Transportation lot, underneath Wilbur Clark Road, which was approved by WS-20-0082.

#### Landscaping

All site and street landscaping exists, and no additional landscaping is proposed or required.

#### Elevations

The plans depict a single story commercial building that will be rehabilitated from its current condition and serve as a daycare facility. The maximum height is 23 feet with a flat roofline and parapet wall on top. The exterior will be made of concrete masonry units that will be painted with storefront windows and children's play areas surrounded by a 6 foot high solid concrete masonry security wall.

#### Floor Plans

The plans depict a 3,400 square foot commercial building with office, lobby, restrooms, breakroom, corridor and play areas and infant's room.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The property can be accessed from Highland Drive. As shown on the site plan, patrons of the daycare facility would be encouraged to enter and exit the property off Highland Drive at the entrance closest to the proposed daycare facility. Patrons will be provided a map that directs them to use this route, as well as the location of the appropriate parking, during registration. Despite the fact that the cannabis dispensary is an adult related use, this location is still appropriate given the large size of the property and the fact the entrance to the dispensary is located on the farthest side of the building from the proposed daycare. The orientation of the front of the dispensary coupled with the fact the daycare can be accessed from Highland Drive, allowing on-site access without crossing the front of the dispensary, makes the proposed location appropriate. Parents must park and walk their children to the lobby of the daycare building. A total of 42 children are proposed for this daycare.

Further, many operating daycare facilities in Clark County are currently located on the same parcel or adjacent parcels with common drives, as other adult related uses. Specifically, the daycare center located at 5447 S. Rainbow Boulevard, Las Vegas, NV 89118, is located not only on the same parcel as retail and restaurant uses but is located across the parking lot and facing the National Bartender's School. The daycare center located at 7625 S. Rainbow Boulevard, #105, Las Vegas, NV 89139, is in the same shopping center as numerous retail and restaurant uses, as well as a licensed title lending business. The daycare center located at 8060 Blue Diamond Road, #140, Las Vegas, NV 89113 is located on the same parcel as a licensed tavern with gaming, and adult use. There is a daycare center located in Town Square on the same parcel as numerous retail and restaurant uses, with approved bars.



**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-20-0082	Eliminated parking lot landscaping; alternative parking design standards, and reduced throat depth for a parking lot expansion located on leased Nevada Department of Transportation parcel to the north, under Wilbur Clark Road	Approved by BCC	May 2020
UC-19-0381	Retail sales, restaurants, service bar, and banquet facility with waivers to reduce parking and allowed alternative landscaping and parking lot design for an existing office/warehouse complex	Approved by BCC	July 2019
UC-19-0380	Cannabis establishment (production) in conjunction with an existing office/warehouse complex consisting of 2 buildings with dispensary and retail cannabis store	Approved by BCC	July 2019
WS-18-0850	Signage for cannabis establishment (dispensary) roof signs and electronic graffiti wall	Approved by BCC	December 2018
ADR-18-900699	Operation of a water feature in conjunction with an approved dispensary and retail cannabis facility	Approved by ZA	October 2018
UC-18-0703	Increased wall sign area, allowed a cannabis dispensary as the only business advertising on a freestanding sign, roof signs where not permitted, electronic or animated sign where not permitted, and retail cannabis facility (roof sign and electronic graffiti wall were withdrawn)	Approved by BCC	October 2018
VS-18-0570	Vacated and abandoned right-of-way (portion of Desert Inn Road)	Approved by BCC	September 2018
UC-18-0122	Cannabis establishment (dispensary) in conjunction with an approved retail cannabis store, and design review for modifications to an existing office/warehouse complex consisting of 2 buildings	Approved by BCC	April 2018
UC-1076-17	Cannabis establishment (retail cannabis store) with a waiver to reduce parking and modified an existing office/warehouse complex	Approved by BCC	February 2018
UC-0722-06	Sales center in conjunction with an approved mixed-use development, and waivers for reduced parking and sign requirements - expired	Approved by BCC	July 2006

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-1697-04	Reclassified the property from M-1 to H-1 zoning for a mixed-use highrise development - expired	Approved by BCC	February 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Business and Design/Research Park	M-1	Office/warehouse development
South & East	Business and Design/Research Park & Commercial General	M-1	Office/warehouse development

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

Staff finds that the proposed location of the daycare facility within this commercial/industrial complex is not an appropriate location for this use. This area is located within the Adult Use Overlay District, which includes regulation and standards for adult uses, to establish safe and appropriate locations for adult uses, to minimize the possible adverse effects of adult uses on nearby public and private property, and to protect existing communities from incompatible uses. There is also an existing cannabis establishment (Planet 13) located on the property, which is another business catering to adults. It has been determined that cannabis establishments are not compatible uses with facilities for children; therefore, the proposed use does not comply with Urban Policy 7, which, in part, encourages compatible land uses.

Currently, there are other uses that involve high pedestrian and vehicular traffic within the complex, including Planet 13, an approved supper club, retail sales and sporting goods and firearm sales. The addition of a daycare, while often provides a viable use for the community, will also have considerable vehicular and pedestrian traffic for this parcel. While the applicants have stated that they will direct their customers to use a different access point from Highland Drive there is the possibility customers from the other established uses may also utilize this access point. Likewise, there is a possibility that customers of the daycare could use a different access from Desert Inn Road, which takes them directly by the cannabis establishment and supper club. Staff is concerned about vehicular and pedestrian traffic safety conflicts on the same parcel and parking lot, especially when it involves parents having to park and drop-off their children at the daycare. Staff cannot support this request.

**Staff Recommendation**  
Denial.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- 1 year to review;
- 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 and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- Traffic study and compliance.

**Building Department - Fire Prevention**

- Applicant is advised to contact the Building Department at (702) 455-3000 regarding a potential change in occupancy classification; and that any changes in occupancy classification may have impacts on both the site plan and construction.

**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:** BLC MANAGEMENT COMPANY, LLC

**CONTACT:** ARGENTUM LAW, 6037 S. FORT APACHE RD., SUITE 130, LAS VEGAS, NV 89148

HOTEL  
(TITLE 30)

CONVENTION CENTER DR/DEBBIE REYNOLDS DR

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ET-21-400036 (UC-18-0753)-305CCD, LLC:**

**USE PERMIT FIRST EXTENSION OF TIME** to commence the following: 1) a High Impact Project; 2) day spa with medical offices; 3) offices; 4) retail sales and service; 5) restaurants and taverns with outside dining and drinking; 6) alcohol sales (beer and wine – packaged only); 7) alcohol sales (liquor – packaged only) 8) on-premises consumption of alcohol (service bars, supper clubs and taverns); 9) convention facilities and meeting rooms with kitchens; and 10) reduce separation between on-premises consumption of alcohol to a residential use (multiple family).

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increased building height; 2) reduce height/setback ratio; 3) permit encroachment into airspace; 4) reduced setbacks; 5) reduce setback from the right-of-way; 6) reduced parking; 7) reduced loading spaces; 8) allow modified street standards; and 9) allow modified driveway design standards.

**DESIGN REVIEWS** for the following 1) a High Impact Project; 2) hotel; 3) day spa with medical offices; 4) retail sales and service; 5) restaurants and taverns with outside dining and drinking; 6) on-premises consumption of alcohol (service bars, supper clubs and taverns); 7) convention facilities and meeting rooms with kitchens; 8) parking garage with subterranean levels; and 9) pool areas with landscaping at the top level of the hotel podium on 6.1 acres in an H-1 (Limited Resort and Apartment) Zone.

Generally located on the south side of Convention Center Drive and the west side of Debbie Reynolds Drive within Winchester (description on file). TS/jgh/jo (For possible action)

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**RELATED INFORMATION:**

**APN:**  
162-09-805-015; 162-09-805-016

**USE PERMITS:**

1. High Impact Project.
2. Day spa with medical offices.
3. Offices.
4. Retail sales and service.
5. Restaurants and taverns with outside dining and drinking.
6. Alcohol sales (beer and wine – packaged only).
7. Alcohol sales (liquor – packaged only).
8. On-premises consumption of alcohol (service bars, supper clubs and taverns).
9. Convention facilities and meeting rooms with kitchens.

10. Reduce the required separation between on-premises consumption of alcohol (supper clubs and taverns) to a residential use (multiple family) to 39 feet where a minimum distance of 200 feet is required per Table 30.44-1 (an 80.5% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 620 feet where a maximum height of 100 feet is permitted per Table 30.40-7 (a 520% increase).
2. Reduce height/setback ratio for a proposed day spa and medical office to 18 feet where 31 feet is required per Figure 30.56-4 (a 42% reduction).
3. Permit encroachment into airspace.
4. Reduce the side street (corner) setback along Debbie Reynolds Drive to zero feet where 20 feet is required per Table 30.40-3 (a 100% reduction).
5. Reduce the setback from a right-of-way (Debbie Reynolds Drive) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
6. Reduce parking to 1,285 parking spaces where 2,265 parking spaces are required per Chapter 30.60 and Table 30.60-1 (a 43.3% reduction).
7. Reduce the number of loading spaces to 8 spaces where 20 spaces are required per Table 30.60-6.
8.
  - a. Reduce the approach distance for a proposed driveway on Convention Center Drive to 47 feet where a distance of 150 feet is required to Debbie Reynolds Drive is required per Uniform Standard Drawing 222.1 (a 68.7% reduction) (no longer needed).
  - b. Reduce the approach distance for a proposed driveway on Convention Center Drive to 143 feet where a distance of 150 feet is required to Debbie Reynolds Drive is required per Uniform Standard Drawing 222.1 (a 4.7% reduction) (no longer needed).
  - c. Reduce the approach distance for a proposed driveway on Debbie Reynolds Drive to 132 feet where a distance of 150 feet is required to Desert Inn Road (a 12% reduction).
9.
  - a. Reduce the throat depth for proposed driveways along Convention Center Drive to 5 feet where a minimum of 150 feet is the standard per Uniform Standard Drawing 222.1 (a 96.7% reduction).
  - b. Reduce the throat depth for proposed driveways along Debbie Reynolds Drive to 10 feet where a minimum of 150 feet is the standard per Uniform Standard Drawing 222.1 (a 93.4% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 305 Convention Center Drive
- Site Acreage: 6.1
- Project Type: Hotel
- Number of Stories: 45

- Number of Rooms: 720 (hotels rooms)/40 (private convention/meeting rooms)
- Building Height (feet): Up to 620
- Square Feet: 1,353,066 (hotel)/58,845(restaurants)/9,765 (outside dining)/52,245 (day spa/medical office)/612,190 (upper level and basement parking)
- Parking Required/Provided: 2,265/1,373

#### Site Plans

The previously approved plans depict a proposed 45 story hotel consisting of 720 rooms with an overall area measuring 1,353,066 square feet. In addition to the 720 hotel rooms, 40 private convention/meeting rooms with kitchens (corporate suites) are dispersed among the remaining top 10 floors of the hotel. The hotel is located on the northeastern portion of the project site and continues south along the Debbie Reynolds Drive frontage. The revised plans depict a 1-way valet lane with a minimum width of 24 feet located along the north side of the hotel. A valet area consisting of 21 parking spaces is located along the east side of the hotel, adjacent to Debbie Reynolds Drive. The hotel porte-cochere, as depicted on the revised plans, is located on the northeast side of the hotel with a 15 foot setback from Debbie Reynolds Drive. Immediately to the west of the hotel is a proposed 58,845 square foot restaurant district featuring outside dining and drinking areas. Six restaurants are proposed on the first level of the restaurant district and 4 restaurants are proposed on the second level of the district. The outside dining and drinking area, measuring 9,765 square feet, is located within a central courtyard area in the restaurant district, and is buffered from the multiple family development to the south by the restaurant buildings. Immediately to the south of the proposed hotel, adjacent to Desert Inn Road, is a proposed day spa with medical offices with an overall area measuring 52,245 square feet. The day spa with medical offices, with an overall height of 98 feet, is set back 20 feet from the property line along Desert Inn Road. The height/setback ratio requires 31 feet from Desert Inn Road where 18 feet is provided. Subterranean parking is featured on 2 levels below the proposed hotel, consisting of 334,090 square feet, located underneath the hotel, restaurant district, day spa and medical offices. An above ground parking garage, consisting of 7 levels with an overall area of 332,500 square feet, is located along the south side of the hotel tower. The hotel also features a pool deck area consisting of 45,170 square feet that is located above the multi-tiered parking garage (affixed to the hotel), between the hotel tower and the day spa with medical offices. A restaurant is also featured within the pool deck area. The parking and pool deck area of the podium level is cantilevered at a height of 76 feet over the landscape area along Debbie Reynolds Drive, necessitating the request for a zero foot side street (corner) setback and zero foot setback from the public right-of-way. The portion of the garage below 76 feet is set back a minimum of 8.5 feet from Debbie Reynolds Drive. The project requires 2,265 parking spaces where 1,373 parking spaces are provided within the garage, except for the valet spaces. Revised plans have been submitted to add a total of 400 tandem parking spaces, 200 spaces per floor, are located on levels 4 and 5 of the parking garage (29.2% of the total number of parking spaces). Twenty loading spaces are required for the proposed development where 8 loading spaces are provided. Five loading spaces are located within the subterranean parking garage, immediately below the above ground restaurant district. Three loading spaces are provided immediately adjacent to the first floor storage area located at south end of the hotel. Bicycle parking spaces are provided at the northwest corner of the restaurant district, along Convention Center Drive. Access to the project site, per the revised plans, is provided via 2 proposed commercial driveways along Convention Center Drive. Driveway #3 has been removed from Convention Center Drive, and

has been eliminated from the revised plans. Driveway #4, previously located along Convention Center Drive, has now been relocated along Debbie Reynolds Drive and will be utilized as an exit only. Driveway #2, as depicted along Convention Center Drive, features a throat depth measuring 36 feet. Per the revised plans, additional access to the proposed development is granted via 3 proposed commercial driveways along Debbie Reynolds Drive. Decorative paving is featured along the proposed commercial driveways adjacent to Convention Center Drive and Debbie Reynolds Drive.

#### Landscaping

The previously approved revised plans depict a landscape area ranging between 20 feet to 38 feet in width, with a 10 foot wide detached sidewalk, located along Convention Center Drive. The northeast corner of Convention Center Drive and Debbie Reynolds Drive features a landscape area measuring 20 feet in width, with a 10 foot wide detached sidewalk. Per the revised plan, the southeast portion depicts an 8.5 foot wide landscape area with a 5 foot wide attached sidewalk provided along Debbie Reynolds Drive. A proposed 20 foot wide landscape area is located behind an existing 5 foot wide attached sidewalk adjacent to Desert Inn Road. Trees are evenly dispersed within the landscape areas along Convention Center Drive, Debbie Reynolds Drive, and Desert Inn Road. A 10 foot wide intense landscape buffer with large evergreen trees, including a 6 foot high decorative block wall, is located along the south and west property lines of the project site. A landscape buffer ranging between 3.5 feet to 9 feet is located along the northwest property line of the project site.

#### Elevations

The previously approved plans depict a proposed hotel with a maximum height up to 620 feet. The design of the hotel features an exterior composed of a non-reflective glass curtainwall system, accented with painted white stucco, aluminum panels, and recessed LED lighting. The day spa and medical office mid-rise building is 98 feet high. The mid-rise commercial area containing retail areas, restaurants, and offices, is 55 feet high. The parking podium is 97 feet high with subterranean levels and back of house areas. The parking and pool deck cantilevers at a height of 76 feet over the landscape area along Debbie Reynolds Drive. The building materials for the high-rise portion of the hotel in this area consist of white stucco with stone, wood, glass, metal materials with complementary architectural features, and accents. The porte-cochere is 55 feet in height and is positioned at an angle at the intersection of Convention Center Drive and Debbie Reynolds Drive. The porte-cochere consists of painted white stucco, stone, wood, and metal to replicate the design elements of the tower and mid-rise portions of the building. Various water features and a wide landscape area featuring trees growing out of the structure are depicted on the elevation.

#### Floor Plans

The previously approved plans depict a variety of hotel room sizes measuring between 570 square feet to 685 square feet in area. The hotel suites range between 870 square feet to 1,070 square feet. The remaining top 10 floors of the hotel consist of private convention/meeting rooms measuring 4,635 square feet each. The floor plans for the podium level of the hotel consist of 20,540 square feet for restaurant space, 39,600 square feet for convention/meeting facilities, and 94,051 square feet for lobby areas, offices, and back of house operations. The day spa and medical office building consists of 2 floors with a total area of 52,245 square feet. The

first floor of the building features a retail area, reception area, 2 salons, and a back of house operations area. The second floor of the building features 3 day spa areas, an office, and miscellaneous rooms. The restaurant district totals 58,845 square feet and features 2 levels. Six restaurants are proposed on the first level of the restaurant district and 4 restaurants are proposed on the second level of the district. The outside dining and drinking area, measuring 9,765 square feet, is located within a central courtyard area in the restaurant district. Subterranean parking is featured on 2 levels below the proposed hotel, consisting of 334,090 square feet. An above ground parking garage, consisting of 7 levels with an overall area of 332,500 square feet, is located along the south side of the hotel tower.

#### Previous Conditions of Approval

Listed below are the approved conditions for UC-18-0753:

#### Current Planning

- Per revised plans on file dated 04/03/19;
- Enter into a Development Agreement with Clark County to mitigate impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners;
- As part of the Development Agreement or as a separate agreement, applicant shall enter into a Performance Agreement with Clark County, Performance Agreement to include a Decommissioning Plan, acceptable to the County, which specifies the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned with said plan to be submitted and approved prior to grading or building permits;
- Allow the following permits prior to the adoption of the Development Agreement and Performance Agreement: all grading including excavation and underground utilities, construction below grade level, and structural first lift with initial foundation work and structures above grade;
- Bond or other form of security, acceptable to Clark County, shall be provided for the Performance Agreement and prior to approval of the grading permit;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; water features must comply with Chapter 30.64 and must be approved by an administrative design review; 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;
- Full off-site improvements;



- Right-of-way dedication to include the necessary right-of-way to accommodate a 55 foot wide street section for Debbie Reynolds Drive from back of sidewalk to back of sidewalk and associated spandrels;
- Commercial curb return driveways per Uniform Standard Drawings 222.1 and 225.
- Applicant is advised that the installation of detached sidewalks may 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.

Department of Aviation

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewelocation@cleanwaterteam.com](mailto:sewelocation@cleanwaterteam.com) and reference POC Tracking #0575-2018 to obtain your POC exhibit; flow contributions exceeding CCWRD estimates may require another POC analysis; and that if any tiebacks that extend into the public right-of-way are proposed for use during construction, then no tiebacks shall be allowed to be placed over CCWRD public sewers located in the right-of-way.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates an extension of time is needed to allow time for construction to commence on this project. The applicant has experienced delays due to the COVID-19 Pandemic; therefore, the applicant is requesting a 3 year extension to complete the project.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-20-0328	Vacated a portion of right-of-way being Convention Center Drive	Approved by PC	September 2020
SC-19-0473	Street name change from Debbie Reynolds Drive to Majestic Plaza Place	Withdrawn	April 2020
TM-19-500172	Commercial subdivision	Approved by PC	October 2019
UC-18-0753	High Impact project/ hotel & Spa	Approved by BCC	May 2019
UC-1434-07 (ET-0352-09)	First extension of time for a Resort hotel/casino	Approved by BCC	February 2010
UC-1434-07	Resort hotel/casino - expired	Approved by BCC	January 2008

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities & Commercial Tourist	H-1 & P-F	Undeveloped, convention facilities & parking lot
South, & West	Commercial Tourist	H-1	Multiple family development, golf course, & office complex
East	Commercial Tourist	H-1	Multiple family development, hotels, & undeveloped

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

CE21-04109 is an active case on this subject property regarding a Vagrant Camp.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

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

The applicant has made progress toward commencing this project. The technical studies (PW20-12064) and drainage studies (PW20-10197) are complete and the off-site permits are in the review process; therefore, staff has no objections to this request.

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

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

### **Department of Aviation**

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

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

### **Staff Recommendation**

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**

- Until May 18, 2024 to complete.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

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

- Compliance with previous conditions.

#### **Department of Aviation**

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

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid;
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** LORENZO DOUMANI

**CONTACT:** LEBENE OHENE, BROWN, BROWN & PREMSRIRUT, 520 SOUTH FOURTH STREET, LAS VEGAS, NV 89101



# ARGENTUM LAW

Stacie T. Michaels  
Attorney for Client  
Phone: (702) 496-4546  
Email: stacie@argentumnv.com

Law Offices  
Las Vegas: (702) 997-0066  
Reno: (775) 473-3995

February 25, 2021

UC-21-0126

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

**Re: *Justification Letter - REVISED***  
***Special Use Permit Application - 162-08-805-009***

To Whom It May Concern:

This application submitted on behalf of BLC Management Company, LLC (the "Applicant") is for a special use permit for a day care facility at the property located at the northeast corner of Highland Drive and West Desert Inn Road, identified as APN 162-08-805-009 (the "Property").

The Property consists of approximately 9.14 acres of land zoned M-1. The Applicant proposes to develop a day care facility within an approximately 3,378 sq/ft existing building on the north end of the Property. The building will be rehabilitated and renovated to operate a day care and an outdoor play area will be enclosed, per the site plan with a 6-foot solid decorative masonry wall. This will ensure that any children playing in the play area are secured from the adjacent parking area and the adjacent railroad tracks. Once renovated, the building will allow for approximately 42 children at the day care.

The Property can be accessed from Highland Drive. As shown on the site plan, patrons of the day care facility would be encouraged to enter and exit the property off Highland Drive at the entrance closest to the proposed day care facility. Patrons will be provided a map that directs them to use this route, as well as the location of the appropriate parking, during registration. As per the enclosed Parking Analysis on the site plan, the Property has adequate parking for this use.

The Property, which is approximately 9.14 acres, currently has an existing marijuana dispensary, retail uses and restaurant. Despite the fact that the marijuana dispensary is an adult use, this location is still appropriate given the large size of the Property and the fact the entrance to the dispensary is located on the farthest side of the building from the proposed day care. The orientation of the front of the dispensary coupled with the fact the day care can be accessed from Highland Drive, allowing on Property access without crossing the front of the dispensary, makes the proposed location appropriate.

## ARGENTUM LAW

Justification Letter

BLC Management Company, LLC

February 25, 2021

Page 2

Further, many operating day care facilities in Clark County are currently located on the same parcel, or adjacent parcels with common drives, as other adult uses. Specifically:

- The day care center located at 5447 S. Rainbow Blvd., Las Vegas, NV 89118, is located not only on the same parcel as retail and restaurant uses, but is located across the parking lot and facing the National Bartender's School.
- The day care center located at 7625 S. Rainbow Blvd., #105, Las Vegas, NV 89139, is located in the same shopping center as numerous retail and restaurant uses, as well as a licensed title lending business.
- The day care center located at 8060 Blue Diamond Road, #140, Las Vegas, NV 89113 is located on the same parcel as a licensed tavern with gaming, an adult use.
- There is a day care center located in Town Square on the same parcel as numerous retail and restaurant uses, with approved bars.

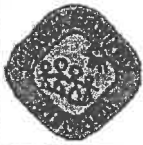
There have even been day care centers located inside resort casinos on Las Vegas Blvd. in the past.

We feel this use is compatible with the surrounding area that is home to a diversity of businesses that employ thousands of workers, many with childcare needs, and respectfully request your approval.

Very truly yours,

ARGENTUM LAW

Stacie T. Michaels, Esq.



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> 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 checked="" type="checkbox"/> EXTENSION OF TIME (ET) UC-18-0753 (ORIGINAL APPLICATION #)  <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>ET-21-400036</u> DATE FILED: <u>3/10/21</u> PLANNER ASSIGNED: <u>JGH</u> TAB/CAC: <u>Winchester</u> TAB/CAC DATE: <u>4/13/21</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>5/5/21</u> <u>6pm</u> FEE: <u>\$ 900</u>
	<b>PROPERTY OWNER</b>  NAME: <u>305CCD, LLC A Nevada Limited Liability Company</u> ADDRESS: <u>6245 West Post Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-749-3360</u> CELL: <u>310-849-5756</u> E-MAIL: <u>lorenzo@majesticvegas.com</u>
	<b>APPLICANT</b>  NAME: <u>Lorenzo Doumani</u> ADDRESS: <u>6245 West Post Road</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702-749-3360</u> CELL: <u>310-849-5756</u> E-MAIL: <u>lorenzodoumani@gmail.com</u> REF CONTACT ID #: <u>N/A</u>
	<b>CORRESPONDENT</b>  NAME: <u>Jay Brown/Lebene Ohene</u> ADDRESS: <u>520 South Fourth Street</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-598-1429</u> CELL: <u>702-561-7070</u> E-MAIL: <u>Lohene@brownlawlv.com</u> REF CONTACT ID #: <u>173835</u>

ASSESSOR'S PARCEL NUMBER(S): 162-09-805-015 & 162-09-805-016

PROPERTY ADDRESS and/or CROSS STREETS: 305 Convention Center Drive

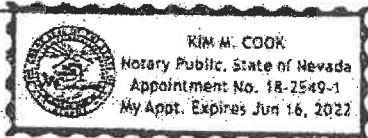
PROJECT DESCRIPTION: Extension of Time on resolution of Intent data on May 08, 2021

(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.

Lorenzo Doumani  
Property Owner (Signature)\*

Lorenzo Doumani  
Property Owner (Print)

STATE OF NEVADA  
COUNTY OF CLARK



SUBSCRIBED AND SWORN BEFORE ME ON February 18, 2021 (DATE)  
By Lorenzo Doumani

NOTARY PUBLIC: Kim M. Cook

\*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.



LAW OFFICE

*Brown, Brown & Premsirut*

JAY H. BROWN  
DAVID T. BROWN  
RUDYK PREMSIRUT

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

TELEPHONE: (702) 384-5563  
FACSIMILE: (702) 388-1022  
EMAIL: jbrown@brownlawlv.com

ET- 21 -400036

February 24, 2021

Clark County Comprehensive Planning  
Current Planning Division  
500 Grand Central Parkway  
Las Vegas, Nevada 89155

**PLANNER  
COPY**

**Re: Majestic Hotel – Spa  
Justification Letter - Extension of Time  
Application Number: UC-18-0753  
Assessor's Parcel Number: 162-09-805-015, 162-09-805-016**

**To Whom It May Concern:**

On behalf of our client, 305CCD, LLC, please accept this letter for a request for an extension of time on UC-18-0753, for an approved Majestic Hotel & spa project on 6.1 acres in an H-1 Zone. The project is located on the southwest corner of Convention Center Drive and Debbie Reynolds Drive. This extension of time request is required because the construction has not yet commenced on the project. The main delay is due to the Pandemic. This request is for a three (3) year extension of time to execute all required Agreements, obtain all required building permits, commence, and complete the project. The application (UC-18-0753) was originally approved on May 08, 2019 with two (2) years to complete being May 08, 2021.

The Technical Studies (T/S PW20-12064) (D/S PW20-10197) are completed for the project. The off-site permits are in the review process.

The required Development and Performance Agreements as conditioned are not yet submitted to Staff and are currently in process by the Developer.

LAW OFFICE

*Brown, Brown & Premsrirut*

(AN ASSOCIATION OF PROFESSIONAL CORPORATIONS)

**PLANNER  
COPY**

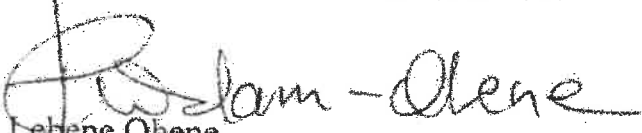
The information provided above demonstrates that the Applicant is diligently pursuing permits and working on the required Agreements to commence construction of the project as soon as possible. The request for a three (3) year extension of time is to ensure that there is enough time to allow for the completion of the off-site plans, mapping process, Development Agreements; the building plans review/permitting process and the issuance of the buildings permits to commence construction and completion of the project.

We appreciate your review and approval of the application as requested.

Please contact me if you have questions or concerns with the application.

Sincerely,

BROWN, BROWN & PREMSRIRUT

  
Lebene Ohene  
Land Use and Development Consultant