

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-25-400023 (UC-23-0031)-MIRAGE PROPCO, LLC:

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

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

WAIVER OF DEVELOPMENT STANDARDS for modified driveway geometrics.

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

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

RELATED INFORMATION:**APN:**

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

DEVIATIONS:

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

WAIVER OF DEVELOPMENT STANDARDS:

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

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3400 Las Vegas Boulevard South
- Site Acreage: 69.8
- Project Type: Resort hotel
- Number of Stories: 43 (including podium)
- Building Height (feet): 542 (top of guitar)/660 (additional architectural features)
- Square Feet: 1,208,301 (approved with UC-23-0031)/45,261 (pool surface area)/70,000 (addition live theater)/60,000 (ballroom addition)/110,000 (low rise expansion)/6,500 (retail addition)/6,300 (north valet remodel)/1,794,654 (total)
- **Parking Required/Provided: 5,592/6,166 (per UC-23-0593)**

History & Site Plan

The original request was for a new hotel tower to be built on the site currently branded as The Mirage where the volcano attraction currently sits adjacent to Las Vegas Boulevard. Per the approved plans with UC-23-0031, the new hotel tower and buildings for a new casino area, retail spaces, restaurants with outside dining, a night club, day club, offices, live entertainment, recreation areas, entertainment areas, back of house areas, and other related accessory uses. The new hotel tower and buildings will consist of 1,208,301 square feet of total area.

The square footage breakdown is more fully described below:

- **48,234 square feet of casino.**
- **96,668 square feet at street level to include restaurants and retail.**
- **156,634 square feet for check in/pool level.**
- **66,673 square foot spa, fitness center and salon.**
- **804,282 square feet of floor area associated with the hotel rooms.**

The new Hard Rock hotel tower will be in the shape of a guitar and will contain 600 hotel rooms. There will be approximately 36 occupied room levels within the tower which will be built on top of a 105 foot tall podium. The total height of the project will be 542 feet to the top of the guitar and a maximum height of 660 feet for additional architectural features to mimic the neck of the guitar. The height/setback ratio requires 218 feet from Las Vegas Boulevard South where 59 feet is provided, necessitating a deviation. The porte-cochere for the project is accessed via existing driveways off Las Vegas Boulevard South. A valet drop-off area is provided at the porte-cochere for use by patrons of the resort hotel. All parking will be provided through existing adjacent parking garages (total of 3). Based upon the parking totals submitted with UC-23-0031, a total of 6,166 parking spaces are provided between the Mirage Property and Treasure Island.

With the addition of the new hotel tower and uses as well as the other existing uses, a total of 4,634 parking spaces were required, however additional parking is required per UC-23-0593 described below.

The approved plans with UC-23-0031 also depict the location of multiple “potential” pedestrian bridges. Two of the proposed bridges are located on the west side of Las Vegas Boulevard South and would span across the existing vehicular driveways off Las Vegas Boulevard South. Access to the project site is granted via 2 existing commercial driveways adjacent to Las Vegas Boulevard South. The existing driveways along Las Vegas Boulevard are not being modified with this project, though it is noted that these driveways do not meet current uniform standard drawing dimensions for entry/exit driveway radii, driveway widths, and throat depths. The intent of the original request was to maintain the existing driveways.

In 2023, WS-23-0593 was approved by the Board of County Commissioners for further modifications to the project. The approved plans focus on areas associated with The Mirage along the south property line, and the valet drop-off area within a private drive located within the northern porte-cochere (in between the self-parking garage and the valet garage). Per the applicant, the proposal is to remove and add structures on the site, and to remodel some existing structures.

Landscaping

The approved plans depict a pedestrian realm and landscaping along Las Vegas Boulevard South consisting of 36 inch box trees, shrubs, and groundcover. The pedestrian realm adjacent to Las Vegas Boulevard South measuring approximately 18 feet to maximum 29.5 in width, with a detached sidewalk measuring 18 feet with no landscaping, necessitating deviations for alternative landscaping and a pedestrian realm. Additional landscaping is featured around the perimeter of the buildings and entry driveways throughout the project site.

In 2023, WS-23-0593 was approved by the BCC for further modifications to the project. The approved plans plan focus on the southwest corner of the site. Plant types listed on the plans comply with the Southern Nevada Water Authority Plant List. Proposed landscaping primarily face interior to the site adjacent to the pool areas, also within the private drive aisle adjacent to the existing villas (north side). The northeastern valet area and porte-cochere will be remodeled with new landscaping which will still face internally to the site and is not within view of Las Vegas Boulevard South.

Elevations

The approved plans with UC-23-0031 depict a proposed resort hotel with a total height of 542 feet to the top of the guitar and a maximum height of 660 feet for additional architectural features to mimic the neck of the guitar. The design of the hotel features an exterior composed of a glazed aluminum window wall system, EIFS applications, and aluminum composite panels. The lower-level podium areas involve the use of pre-cast concrete panels, and aluminum composite. The approved plans with WS-25-0593 have been filed with the Federal Aviation Administration (FAA).

Floor Plans

The previously approved plans depict a variety of hotel room sizes measuring between 460 square feet to 5,60 square feet in area. The floor plans of the resort hotel consist of the following: 1) 48,234 square feet of casino; 2) 96,668 square feet at street level to include restaurants and retail; 3) 156,634 square feet for check in/pool level; 4) 66,673 square foot spa, fitness center and salon; and 5) 804,282 square feet consisting of 600 hotel suites.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-23-0031:

Comprehensive Planning

- Prior to the issuance of building permits, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Allow the following permits prior to the adoption of the Development Agreement: all grading, including excavation and underground utilities, construction below grade level, and structural first lift with initial foundation work;
- Prior to the issuance of building and grading permits, enter into a Performance Agreement with Clark County which includes a Decommissioning Plan specifying the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned;
- Bond or other form of financial security, acceptable to Clark County shall be provided with the Performance Agreement as security of the full and complete fulfillment of the decommissioning actions identified in the Decommissioning Plan;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; water features must comply with Chapter 30.64; the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;

- Right-of-way dedication per RS-22-500123;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- 30 days to coordinate with Public Works - Design Division & Construction Management Division and to dedicate any necessary right-of-way and easements for the Las Vegas Boulevard South improvement project;
- Grant necessary easements including, but not limited to pedestrian access for sidewalks and bridges.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

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

Fire Prevention Bureau

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0246-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant requests additional time to complete the construction of the hotel. Furthermore, the applicant has entered into a Development Agreement which recorded in January 2024. Lastly, the applicant states that there are active permits for the following: on-site grading, footings and foundations for the guitar podium and the guitar tower, and for guitar tower superstructure. This is the applicant's first request for an extension of time.

Prior Land Use Requests

Application Number	Request	Action	Date
PA-24-700028	Plan amendment of the transportation map between Sahara and Flamingo along Las Vegas Boulevard	Approved by BCC	January 2025
VS-24-0140	Vacated and abandoned easements	Approved by PC	June 2024
WS-23-0593	Waiver of development standards and design review for modifications to Hard Rock	Approved by BCC	November 2023
UC-23-0031	Use permit, waiver of development standards, and design review for Hard Rock hotel	Approved by BCC	March 2023
DR-21-0443	Comprehensive sign package	Approved by BCC	October 2021
ADR-21-900297	Outdoor patio	Approved by ZA	July 2021
UC-19-0859	Temporary commercial outdoor events	Approved by BCC	December 2019
DR-18-0647	Façade changes to existing outdoor sales structure/booth	Approved by BCC	October 2018
AR-18-400147 (UC-0283-17)	First application for review of an outdoor sales structure/booth subject to removing the time limit	Approved by BCC	July 2018
UC-0283-17	Allowed an outdoor sales structure/booth for Mirage and signage subject to a 1 year review after ticket sales begin	Approved by BCC	June 2017
UC-0200-17	Allowed an outdoor sales structure/booth for Treasure Island and a use permit for deviations to development standards for a Resort Hotel	Approved by BCC	May 2017
DR-0596-12	Comprehensive sign package	Approved by BCC	November 2012
TM-0221-08	1 lot commercial subdivision	Approved by PC	February 2009
UC-2055-04	Remodel and expansion of the existing Mirage Resort Hotel including signage	Approved by PC	January 2005
DR-1047-03	67 foot high pedestrian bridge connection to a proposed public pedestrian bridge on the north side of the Treasure Island Resort Hotel	Approved by BCC	August 2003
VC-2030-98	Pedestrian bridge to connect the Treasure Island and The Mirage Resort Hotel properties to the Venetian Resort Hotel	Approved by BCC	August 1998
VC-894-92	37,000 square feet of signs	Approved by PC	December 1992

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	CR	Treasure Island Resort Hotel
South	Entertainment Mixed-Use	CR	Caesars Palace Resort Hotel & Forum Shops
East	Entertainment Mixed-Use	CR	Venetian/Palazzo Resort Hotel Complex, Casino Royale, & Harrah's Resort Hotel
West	Business Employment	IL	Office/warehouse buildings

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis**Comprehensive Planning**

Title 30 standards of approval for an extension of time state an application may be denied 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, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that the applicant has approved demolition and grading permits by the Building and Public Works Departments. Additionally, this is the first request for an extension of time. As such, staff can support this request.

Public Works - Development Review

Staff has no objection to this extension of time.

Department of Aviation

The development still penetrates the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) 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 30.02.26B.2(i) of the Clark County Unified Development Code. Therefore, as required by Section 30.06.03D.7(iv) 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 30.06.03D.7(iv) 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 30.02.26B].)

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Until March 22, 2027 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised that WS-23-0593 will expire on November 8, 2025 unless extended with approval of an extension of time; 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- 30 days to coordinate with Public Works - Traffic Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Frank Sinatra Drive/Sammy Davis Jr. Drive improvement project;
- 90 days to record said separate document for the Frank Sinatra Drive/Sammy Davis Jr. Drive improvement project;
- 6 month review for the Frank Sinatra Drive/Sammy Davis Jr. Drive improvement project.
- **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, 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 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid; 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS: 1 card, 3 letters

PROTEST: 1 card

COUNTY COMMISSION ACTION: April 16, 2025 – HELD – To 05/21/25 – per the applicant.

APPLICANT: MIRAGE PROPCO, LLC

CONTACT: ANN PIERCE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135