

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0801-RK VEGAS CIRCLE, LLC:**

**AMENDED HOLDOVER USE PERMITS** for the following: **1)** place of worship; **2)** on-premises consumption of alcohol (service bars, supper clubs, and tavern) with outside dining and drinking (no longer needed); **3)** allow outside dining and drinking in conjunction with a tavern (no longer needed); **4)** alcohol sales (beer and wine - packaged only) (no longer needed); **5)** alcohol sales (liquor - packaged only) (no longer needed); **6)** restaurants with outside dining and drinking (no longer needed); **7)** day spa (no longer needed); **8)** banquet facility with outside uses; **9)** retail sales and service (no longer needed); and **10)** convention facilities/exposition halls (no longer needed).

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increased building height (no longer needed); **2)** permit encroachment into airspace (no longer needed); **3)** reduced setbacks (no longer needed); **4)** reduced parking (no longer needed); **5)** reduced loading spaces; **6)** allow alternative street landscaping (no longer needed); **7)** reduce EV capable parking spaces (previously not notified) **8)** allow modified street standards; **9)** allow modified driveway design standards; **10)** allow non-standard improvements within the right-of-way (no longer needed); and **11)** reduce right-of-way width (previously not notified).

**DESIGN REVIEWS** for the following: **1)** hotel; **2)** place of worship; **3)** shopping center including the following: day spa, retail sales and services, and restaurants; **4)** on-premises consumption of alcohol (service bars, supper clubs, and tavern) (no longer needed); **5)** convention facilities/exposition halls (no longer needed); **6)** parking garage with subterranean levels; and **7)** outdoor deck with pool area on 0.6 acres in a CR (Commercial Resort) Zone.

Generally located on the south side of Black Canyon Avenue and the west side of Vegas Plaza Drive within Paradise. TS/md/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-17-610-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 648 feet where a maximum height of 100 feet is permitted per Table 30.40-7 (a 548% increase) **(no longer needed)**.
2. Permit encroachment into airspace **(no longer needed)**.
3.
  - a. Reduce the front setback along Vegas Plaza Drive to zero feet where 10 feet is required per Table 30.40-7 (a 100% reduction) **(no longer needed)**.
  - b. Reduce the side street (corner) setback along Black Canyon Avenue to zero feet where 10 feet is required per Table 30.40-7 (a 100% reduction) **(no longer needed)**.

- c. Reduce the side street (corner) setback along Pershing Avenue to zero feet where 10 feet is required per Table 30.40-7 (a 100% reduction) (**no longer needed**).
  - d. Reduce the setback from the right-of-way (Vegas Plaza Drive) to zero feet where a minimum setback of 10 feet shall be maintained between a street or future right-of-way line and a structure per Section 30.56.040 (a 100% reduction) (**no longer needed**).
  - e. Reduce the setback from the right-of-way (Black Canyon Avenue) to zero feet where a minimum setback of 10 feet shall be maintained between a street or future right-of-way line and a structure per Section 30.56.040 (a 100% reduction) (**no longer needed**).
  - f. Reduce the setback from the right-of-way (Pershing Avenue) to zero feet where a minimum setback of 10 feet shall be maintained between a street or future right-of-way line and a structure per Section 30.56.040 (a 100% reduction) (**no longer needed**).
- 4. Reduce parking to 531 parking spaces where 854 parking spaces are required per Section 30.60.035 and Table 30.60-3 (a 37.9% reduction) (**no longer needed**).
  - 5. Reduce the number of loading space to 3 spaces where **36 spaces (previously notified as 8 spaces)** are required per **Section 30.04.04I and Table 30.04-7** (a **91.7%** reduction).
  - 6. Allow alternative street landscaping, including an attached sidewalk, along Vegas Plaza Drive, Black Canyon Avenue, and Pershing Avenue where landscaping and detached sidewalks are required per Figure 30.64-17(**no longer needed**).
  - 7. Reduce EV capable parking to 125 parking spaces where 153 EV capable parking spaces are required per Section 30.04.04 and Table 30.04-5 (an 18.3% reduction) (**previously not notified**).
- 8.
    - a. Reduce the approach distance to the intersection of Black Canyon Avenue and Vegas Plaza Drive to **109 feet (previously notified as zero feet)** where a minimum of 150 feet is required per **Section 30.04.08 and** Uniform Standard Drawing 222.1 (a **27.4%** reduction).
    - b. Reduce the departure distance from the intersection of Vegas Plaza Drive and Pershing Avenue to zero feet where a minimum of 190 feet is required per **Section 30.04.08 and** Uniform Standard Drawing 222.1 (a 100% reduction).
  - 9.
    - a. Reduce throat depth to 51 feet for the loading area on Black Canyon Avenue where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 and Chapter 30.52 (a 66% reduction) (**no longer needed**).
    - b. Reduce throat depth to **9 feet (previously notified as 103 feet)** for the **driveway** on Black Canyon Avenue where a minimum of 150 feet is required per **Section 30.04.08 and** Uniform Standard Drawing 222.1 (a **94%** reduction).
    - c. Reduce throat depth to **8 feet (previously notified as 20 feet)** for the **easternmost driveway on** Pershing Avenue where a minimum of 150 feet is required per **Section 30.04.08 and** Uniform Standard Drawing 222.1 (a **94.7%** reduction).
    - d. **Reduce throat depth to 59 feet for the westernmost driveway on Pershing Avenue where a minimum of 150 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 60.7% reduction).**
    - e. Reduce the ingress back of curb radius to **15 feet (previously notified as 18 feet)** for the **south** side of the western drive aisle where a minimum radius of 25 feet is

- required per **Section 30.04.08 and** Uniform Standard Drawing 222.1 (a **40%** reduction).
- f. Reduce the ingress back of curb radius to 15 feet for the west side of the eastern drive aisle where a minimum radius of 25 feet is required per **Section 30.04.08 and** Uniform Standard Drawing 222.1 (a 40% reduction).
  - g. Reduce the width for a 2 way driveway to 24 feet where a minimum width of 32 feet is required per **Section 30.04.08 and** Uniform Standard Drawing 222.1 (a 25% reduction).
10. Allow non-standard improvements (landscaping) within the right-of-way where not permitted per Chapter 30.52 (**no longer needed**).
  11. **Reduce right-of-way width for a public street (Pershing Avenue) to 33 feet where a minimum width of 60 feet is required per Section 30.04.08D and Table 30.04-14 (a 45% reduction).**

## **LAND USE PLAN:**

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: 3601 Vegas Plaza Drive
- Site Acreage: 0.6
- Project Type: Hotel, place of worship, **and shopping center**
- Number of Stories: **48**
- Number of Rooms: 486
- Building Height (feet): 648
- Square Feet: **906,534**
- Parking Required/Provided: **610/530**
- **Sustainability Points Required/Provided: 7/9**

#### Site Plans

**The proposed hotel has been redesigned utilizing the requirements set forth within the Development Code that became effective in January 2024.** The revised plans depict a proposed 46 story hotel consisting of 486 rooms with an overall area measuring **906,534** square feet **where 955,831 square feet was previously depicted.** The hotel will also contain a place of worship (synagogue), located on levels **47 and 48**, with **a shopping center consisting** of on-premises consumption of alcohol, alcohol sales, restaurants with outside dining and drinking, day spa, banquet facility, **and** retail sales and service. The hotel is located at the northwest corner of Pershing Avenue and Vegas Plaza Drive, immediately north of the Mirage Resort Hotel and west of the Treasure Island Hotel. The hotel is set back **10 feet** from Black Canyon Avenue, Vegas Plaza Drive, and Pershing Avenue. A one-way only **exit** (north/south), measuring 18 feet in width, is located at the northwest corner of the site, adjacent to Black Canyon Avenue requiring a waiver of development standards to reduce the throat depth to **59** feet. The hotel porte-cochere with drop-off/valet service is situated on the **southeast** side of the hotel with a one-way only entrance (north/south), measuring a minimum of 24 feet in width, located adjacent to Pershing Avenue. Vehicles exit the valet service area from the one-way drive aisle onto Black Canyon

Avenue. Waivers of development standards are requested to reduce the approach and departure distances to the intersection of Black Canyon Avenue and Vegas Plaza Drive, and from the intersection of Vegas Plaza Drive and Pershing Avenue, respectively. Additional waivers are requested to reduce the width and ingress radii for the commercial driveways. The hotel is designed with 5 levels of subterranean parking and 7 above ground levels designated for parking. The mix of commercial and institutional uses within the hotel require **610** parking spaces where **530** parking spaces are provided. **Per the Development Code, a parking demand study may be submitted demonstrating the need for a lower quantity of parking than required by Table 30.04-2. The applicant has submitted a parking demand study prepared by a traffic engineer estimating the parking demand for the proposed uses based on the recommendations of the Institute of Traffic Engineers (ITE). Parking may not be reduced by more than 20 percent, and the required number of parking spaces for the proposed use is reduced by 80 spaces, or 13.2 percent. The proposed development requires 19 EV installed and 153 EV capable parking spaces where 21 EV installed and 125 EV capable spaces are provided. A waiver of development standards is required to reduce the required number of EV capable parking spaces. Thirty-six loading spaces are required for the development where 3 loading spaces are provided, necessitating a waiver of development standards. The loading spaces are located on west side of the hotel, accessed from the western one-way vehicle drive aisle. Detached sidewalks measuring 5 feet in width are located along the perimeter of the hotel, adjacent to Black Canyon Avenue, Vegas Plaza Drive, and Pershing Avenue.**

#### Landscaping

**The plans depict an alternative street landscape area measuring 15 feet in width, including a 5 foot wide detached sidewalk, along Black Canyon Avenue, Vegas Plaza Drive, and Pershing Avenue. Raised planter boxes, measuring 3 feet in height, are located behind the detached sidewalks adjacent to the 3 public streets. A combination of medium and small trees are provided within the planter boxes within the 5 foot wide landscape strip behind the detached sidewalk. Shrubs and groundcover not exceeding 2 feet in height will be planted between the back of curb and landscape strip adjacent to the streets due to the height limitations within the sight zones.**

#### Elevations

The plans depict a proposed hotel with a place of worship measuring up to 648 feet in height to the top of the roof and screened mechanical areas. The exterior building materials consist of concrete columns, iron/steel columns, blue tinted glass, limestone, and decorative metal screens. The structure will be clad with aluminum panels and limestone and a diagrid non-reflective window system. A metal porte-cochere will cover the drop-off area along the frontage. The first grade level, lobby, and the check-in level from levels 11 through 14 show a metal screen enclosed area with metal beams and columns with architectural detailing that is different from the other portions of the tower.

#### Floor Plans

The plans depict variety of hotel room sizes measuring between **527** square feet and **1,625** square feet located between levels **16** through **42**. Levels **47** through **48** feature the place of worship, with a cumulative area measuring 28,754 square feet. The place of worship consists of a

synagogue, interstitial space, a mikveh, kitchen, and supporting offices. Below is a table reflecting the gross floor area for each level of the building:

<b>Building Gross Area (square feet)</b>		
<b>Level</b>	<b>Use</b>	<b>Square Feet</b>
B5 to B1	Lower parking	<b>107,260</b>
<b>Building Gross Area (square feet)</b>		
<b>Level</b>	<b>Use</b>	<b>Square Feet</b>
Level 1	<b>Back of house</b>	<b>22,398</b>
Level 2	<b>Back of house</b>	<b>17,810</b>
Levels 3 to 11	<b>Back of house</b>	<b>160,290</b>
Level 12	<b>Back of house</b>	<b>17,810</b>
Level 13*	<b>Shopping center</b>	<b>17,810</b>
Level 14	<b>Lobby</b>	<b>14,234</b>
Level 15	<b>Shopping center</b>	<b>13,836</b>
Levels 16 through 42	<b>Hotel</b>	<b>449,280</b>
Level 43	<b>Back of house</b>	<b>15,269</b>
Level 44	<b>Shopping center</b>	<b>15,269</b>
Level 45	<b>Shopping center</b>	<b>15,269</b>
Level 46	<b>Shopping center</b>	<b>14,378</b>
<b>Level 47</b>	<b>Place of worship (synagogue)</b>	<b>14,378</b>
<b>Level 48</b>	<b>Place of worship (synagogue)</b>	<b>11,243</b>
<b>Total</b>		<b>906,534</b>

\*An outdoor swimming pool measuring 900 square feet in area is located on Level 13 of the hotel.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states the proposed uses, including the place of worship, are appropriate within the proposed hotel and are appropriate for the area which is in close proximity to the Resort Corridor. These requests and the proposed hotel are actually less intense than the surrounding resort hotels adjacent to this project. The parcel is 0.6 acres, therefore, any building on the site will have a small footprint. The proposed height of the tower will allow a viable project in the area. Additionally, the proposed height is similar to the height of the resort hotels in the area on large acres of land including Treasure Island, the Mirage, and the recently approved tower in conjunction with the Mirage Resort.

This project is embedded in the middle of the existing hotels, and even with the proposed height, will be appropriate for the area and compatible with existing uses in the area. The site is half an acre in size and is adjacent to 3 rights-of-way and a private drive which is an inherent constraint of the site. **A minimum 15 foot wide landscape area with detached sidewalks is depicted along all three (3) street frontages; Black Canyon Avenue, Vegas Plaza Drive, and Pershing Avenue. Due to the size of the lot the first 5 foot wide landscaping area along all the street frontages are located within the sight visibility zone and therefore, only groundcover is**

**provided in that area. An alternative landscape design is proposed due to the size of the lot as well as lot depth and width. Optimum landscaping is provided along Pershing Avenue, Black Canyon Avenue, and Vegas Plaza Drive. The landscaping provided in the second 5 foot wide area complies as close to Code as possible, therefore, a request for an alternative standard is necessary.**

**Although the banquet facility does not have direct access on an arterial or collector the hotel is located in close proximity to Spring Mountain Road to the north, Sammy Davis Junior Drive to the west and Las Vegas Boulevard South to the east which all provide access to site via either shared private access drives/streets with the adjacent resorts or directly from Vegas Plaza Drive via Sammy Davis Junior Drive and other public streets immediately adjacent to the site. The location is appropriate to serve this niche hotel and use.**

Due to the lot size, size of the building, and uses proposed, 3 loading areas are adequate for the use and site. The loading areas are located in the most accessible area of the site for loading and unloading. The reduced number of loading zones will not impact the proposed hotel and uses. The loading zones are located on the east side of the property on a single drive aisle for seamless maneuvering through the site. The approach to the hotel is immediately to the valet area and the garage. The size of the lot will not allow the required distance. This is the same condition as the existing development on the site. The width of the lot is 125 feet. The design allows for no stacking or stalling and allows easy access in and out of the proposed development. The off-site circulation in the area exists based on the development on the site with the adjacent existing developments which makes for an easier integration of the proposed development into the area without changing the circulation patterns. The departure from the hotel is immediately to Black Canyon Avenue or Pershing Avenue. The size of the lot will not allow the required distance. This is the same condition as the existing development on the site. The width of the lot is 190 feet. The design allows for no stacking or stalling in the design and allows easy access in and out of the proposed development. The site circulation proposed exists and is established with the adjacent existing developments which makes for an easier integration of the proposed development.

The reductions in the throat depths for the entries into the garage and the valet drop-off lane will not impact the streets adjacent to the proposed development. The depth of the lot is 150 feet; therefore, the standard throat depths cannot be met based on the design for the project. The streets and areas surrounding the site have limited traffic, circulation, and traffic patterns with the existing developments in the area and on the site, therefore, the proposed project will not impact the area because the patterns will remain the same. The mitigating factor for this request is that this is a specialized hotel that will not have large volumes of traffic entering or exiting the site at the same time. The design allows for vehicular traffic to circulate on one-way only driveways within the garage efficiently when guests access the garage to park. As designed with a valet drop-off as the main access to the hotel, most guests are likely to use the valet area for drop-offs and pick-ups.

Based on the size of the lot the reduced driveway width is necessary to accommodate the design of the project. The lot is not only small but is also shallow; therefore, impossible to comply with

typical off-site standards. Additionally, the site is surrounded on 3 sides by public streets, which is not a typical situation for most projects. Attempting to comply with all off-site standards will reduce the developable area of the lot. Additionally, because of the specialized nature of the project, which serves a niche, most guests will use the valet drop-off once they arrive at the hotel and are not likely to use their cars during most of their stay on the property. The entries will be used mostly by valet who will know how to navigate the driveway entries.

**This reduction to the right-of-way width is necessitated because of the redesign of the project to comply with the detached sidewalk requirements. The proposed street width will not impact access to the project, the street network and or circulation in the area because Pershing Avenue is not a through street and ends in an existing cul-de-sac which prevents vehicular traffic from accessing the adjacent parcels. The radius of the existing cul-de-sac is larger than is required by the Fire Prevention Bureau and can handle vehicular traffic in the area since the vast majority, if not all of the traffic on this street, is to specifically access the project and no other parcels in the area. Additionally, the street is wider than a 24 foot wide drive aisle with no parking on both sides, can typically handle both traffic and Fire Department equipment to the area and project and other similar projects especially in this instance because the subject street ends in a cul-de-sac.**

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-1170-04 (ET-0217-06)	First extension of time to commence a 9 story, 100 foot high, 148 room hotel/timeshare	Denied by BCC	September 2006
DR-1170-04	9 story, 100 foot high, 148 room hotel/timeshare - expired	Approved by BCC	August 2004
UC-0305-03	Off-premises advertising sign with waivers to increase sign height and area	Denied by BCC	April 2003
DR-1295-97 (ET-0289-99)	Second extension of time to commence a 9 story, 100 foot high, 150 room timeshare hotel	Denied by BCC	September 1999
DR-1295-97 (ET-0228-98)	First extension of time to commence a 9 story, 100 foot high, 150 room timeshare hotel - expired	Approved by BCC	August 1998
DR-1295-97	9 story, 100 foot high, 150 room timeshare hotel - expired	Approved by BCC	August 1997

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	<b>CR</b>	Outside storage/employee break area
South	Entertainment Mixed-Use	<b>CR</b>	Mirage resort hotel
East	Entertainment Mixed-Use	<b>CR</b>	Treasure Island parking garage
West	Entertainment Mixed-Use	<b>CR</b>	Mirage/Treasure Island employee parking garage

### Related Applications

Application Number	Request
VS-24-0644	A request to vacate and abandon right-of-way is a companion item on this agenda.

### 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

##### Use Permits

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

##### Use Permit #1

With appropriate building siting, proper building massing and scale, required parking, and appropriate buffering, a place of worship can be consistent and compatible with neighborhoods in accordance with Title 30 and the Master Plan. Other places of worship have been approved and developed in non-residential areas with little to no impact on surrounding land uses and properties. Staff does not object to the proposed use and can therefore support the request.

##### Use Permit #8

The Entertainment Mixed-Use category encourages a mix of retail, entertainment, gaming, lodging, and other tourist-oriented services. The purpose of the **CR** zoning district is to provide for the development of gaming enterprises, compatible commercial, and mixed commercial and residential uses, and to prohibit the development of incompatible uses that are detrimental to gaming enterprises. Policy 5.1.3 of the Master Plan emphasizes tourism, conventions, trade shows, and gaming as one of the region's economic pillars. Retail uses, restaurants with outside dining and drinking, on-premises consumption of alcohol, and convention facilities are common amenities associated with both gaming and non-gaming hotels located within the Resort Corridor. Staff finds the proposed uses comply with the aforementioned policy from the Master Plan and should not have a negative or detrimental impact on the surrounding land uses or properties. **Therefore, staff recommends approval of this request.**

##### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the



proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

No longer needed.

Waiver of Development Standards #3

No longer needed.

Waiver of Development Standards #4

No longer needed.

Waiver of Development Standards #5

Staff finds the reduction to the number of loading spaces should have minimal to no impact on the proposed hotel development. Three loading spaces are located on west side of the hotel, between the one-way drive aisle and the refuse/loading dock area. The proposed number of loading spaces should adequately serve the hotel and the associated commercial uses. **Therefore, staff recommends approval of this request.**

Waiver of Development Standards #6

No longer needed.

Waiver of Development Standards #7

**Staff finds the reduction to the required number of EV capable parking spaces should have minimal to no impact on the proposed development. The proposed number of EV capable parking spaces should adequately serve the future demand for any additional EV installed spaces necessary to serve the development. Therefore, staff recommends approval.**

Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Design Reviews #1 through #7

**Although the proposed development is not a resort hotel since there is not any gaming, it is similar to a resort hotel regarding the numerous amenities. The proposed design of the hotel consists of contemporary architecture that is aesthetically pleasing and architecturally diverse, which is appropriate for the immediate area. Policy 6.2.1 of the Master Plan aims to ensure the design and intensity of new development is compatible with the surrounding area and uses in terms of height, scale, and the overall mix of uses. The proposed height of the hotel is similar to, and consistent with, other resort hotel requests that have been approved within the immediate area. The alternative landscape design includes multiple raised planters to provide additional landscaping that will enhance the street frontages along sides of the site. The design is appropriate based on the area, the**

**adjacent development, and the size of the lot. Staff finds the project is appropriate for the area and is compatible with the surrounding land uses; therefore, recommends approval.**

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

#### **Waivers of Development Standards #8 & #9**

Staff needs the technical studies to further address the circulation concerns that may be caused by the reduction in throat depth, back of curb radii, driveway width, approach and departure distances.

#### **Waiver of Development Standards #11**

**Staff has no objection to the right-of-way width reduction for Pershing Avenue. The street terminates to the west of the site and will only serve traffic accessing the parking garage.**

### **Department of Aviation**

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

More importantly, the development will penetrate 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 and the Department of Aviation has reviewed the determination. (Note that Section 30.16.210(12)(D) requires that the FAA Determination of No Hazard shall be submitted 2 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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire 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; 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; changes to the approved project will require a new land use application;

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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- Drainage study and compliance;
- Traffic study and compliance;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Install "No parking" signs on all public streets adjacent to the site.
- Applicant is advised that off-site improvement permits may be required.

#### **Department of Aviation**

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

#### **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 #0436-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC: Paradise - approval.**

**APPROVALS: 4 cards**

**PROTESTS: 3 cards**

**COUNTY COMMISSION ACTION:** January 17, 2024 – HELD – To 04/03/24 – per the applicant.

**COUNTY COMMISSION ACTION:** April 3, 2024 – HELD – To 06/05/24 – per the applicant.

**COUNTY COMMISSION ACTION:** June 5, 2024 – HELD – No Date – per the applicant.

**COUNTY COMMISSION ACTION:** January 8, 2025 – HELD – No Date – per the applicant.

**APPLICANT:** RAY KOROGHLI

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