

05/20/26 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-26-40027 (UC-22-0556)-LV DIAMOND PROPERTY I, LLC:

WAIVER OF DEVELOPMENT STANDARDS SECOND APPLICATION FOR REVIEW

to eliminate street landscaping for an existing racetrack, recreational facility, and fairgrounds on 37.6 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60) Overlay.

Generally located east of Koval Lane and north of Harmon Avenue within Paradise. JG/md/cv
(For possible action)

RELATED INFORMATION:

APN:

162-21-510-038 through 162-21-510-040; 162-21-601-009; 162-21-613-001 through 162-21-613-011

WAIVER OF DEVELOPMENT STANDARDS:

Eliminate street landscaping, including detached sidewalks, where required per Table 30.64-2 and Figure 30.64-17.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 200 to 260 E. Harmon Avenue, 4230 to 4280 Charlotte Drive, 305 E. Rochelle Avenue to 4265 E. Rochelle Avenue
- Site Acreage: 37.6
- Project Type: Racetrack
- Number of Stories: 4
- Building Height (feet): 74
- Square Feet: 300,000
- Parking Required/Provided: 1,200/1,200

History & Request

UC-22-0556 was approved in November 2022 for a racetrack, recreational facility, and fairgrounds located on a 37.6 acre site. Waiver of development standards number 10 from the original application was approved to eliminate street landscaping, including the detached sidewalk, along Rochelle Avenue, Harmon Avenue, and Koval Lane. In order to assess the future street landscaping needs for the site, a 4 year review was added for the subject waiver of development standards. This application for review is only to address the status of street

landscaping, including the detached sidewalks, along Rochelle avenue, Harmon Avenue, and Koval Lane.

Previous Conditions of Approval

Listed below are the approved conditions for AR-24-400125 (UC-22-0556):

Comprehensive Planning

- Tree fee-in-lieu for waived parking lot trees is required to be paid within 180 days.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-22-0556:

Current Planning

- Expunge UC-19-0667;
- 2 years to review the waivers of development standards for all on-site landscaping (not including street landscaping);
- 4 years to review the waiver of development standards for street landscaping including the detached sidewalks;
- Residents of the abutting residential development and the County staff to be notified a minimum of 30 days prior to each outdoor special event planned providing details of the proposed event activities and timeline, excluding the Formula 1 race;
- A temporary commercial permit must be submitted and approved for every outdoor special event, excluding the Formula 1 race;
- Generally, the operating hours for all outdoor events, excluding the Formula 1 race, will end at midnight, Sunday through Thursday. Outdoor events that include hours of operation ending after midnight Sunday through Thursday, will be requested through the temporary commercial permit application;
- 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; 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; the installation and use of cooling systems that consumptively use water will be prohibited; 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

- 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 to include 10 feet for Harmon Avenue and 10 feet for Koval Lane;
- Applicant/owner to either construct full off-site improvements on Harmon Avenue and Koval Lane within 4 years or, within 30 days of the County's opening bid for the Harmon Avenue and Koval Lane improvement projects, pay a contribution for local roadway, drainage, or trail-related improvements in lieu of constructing full off-site improvements on Harmon Avenue and Koval Lane as determined by Public Works;
- The installation of full off-site improvements on Rochelle Avenue is deferred for up to 4 years, or sooner if Clark County has an improvement project;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Execute a Restrictive Covenant Agreement (deed restrictions) for Rochelle Avenue;
- Within 30 days of the BCC approval of the Howard Hughes Parkway alignment, dedicate right-of-way for said alignment, which will not require any portion of APN 162-21-601-007;
- Within 30 days of the BCC approval of the Howard Hughes Parkway alignment, provide such additional dedication of portions of APNs 162-21-510-038 through 162-21-510-040 and 162-21-613-001 through 162-21-613-011 to accommodate additional property needed based on solutions developed by Clark County for the Howard Hughes Parkway Alignment, other than on APN 162-21-601-007;
- Within 6 months of the BCC approval of the Howard Hughes Parkway, all public and private improvements on and adjacent to APNs 162-21-510-038 through 040 and 162-21-613-001 through 011 shall be removed by the applicant/owner;
- 30 days to coordinate with Public Works - Design Division for the Howard Hughes Parkway, Harmon Avenue, and Koval Lane improvement projects;
- Vacate any unnecessary rights-of-way and/or easements determined by Public Works.
- 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, 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.

Applicant's Justification

Since the original approval, the County has identified several roadway improvements for the area. Of note in the CCPW Design Projects list from March 4, 2026: 1) Koval Lane Widening, Harmon Avenue to Sands Avenue. this project is in the design Phase at 60% complete design (Project Numbers: S160824, S160121); and 2) Harmon Avenue, Audrie St to La Mar Circle, this project is in the design phase at 90% complete design (Project Number: S003203). At this time and due to ongoing improvement projects on the adjacent roadways, the applicant requests additional time be provided for this review.

Prior Land Use Requests

Application Number	Request	Action	Date
AR-24-400125 (UC-22-0556)	First application for review to eliminate parking lot landscaping and eliminate landscaping adjacent to a less intensive use	Approved by BCC	February 2025
AR-24-400123 (UC-23-0599)	Application for review for use permits for caterer, temporary construction activities, and for temporary construction storage with waivers of development standards to allow a catering facility, eliminate parking and loading spaces, eliminate landscaping and screening, allow site design standards and waive noise standards with a design review	Approved by BCC	January 2025
AR-24-400124 (UC-23-0592)	Application for review for use permits for temporary construction storage and parking lot with waiver of development standards to waive noise and design review for temporary construction storage, staging, and parking lot	Approved by BCC	September 2023
WS-23-0484	Waiver of development standards and design reviews for a comprehensive sign package	Approved by BCC	September 2023
VS-23-0460	Vacated and abandoned easements and portions of right-of-way	Approved by BCC	September 2023
UC-22-0556	Use permits, waivers of development standards, and design reviews for a racetrack	Approved by BCC	November 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	CR (AE-60)	Tuscany Suites & Casino, Ellis Island casino & hotel
South	Entertainment Mixed-Use	CR & RM50 (AE-60)	Multi-family developments, including the Marie Antoinette, & hotel/timeshare
East	Entertainment Mixed-Use	CR (AE-60)	Multi-family development & undeveloped
West	Entertainment Mixed-Use	CR (AE-60)	Undeveloped

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

A review was required for UC-22-0556 regarding the previously approved waiver of development standards to eliminate street landscaping, including detached sidewalks, along Rochelle Avenue, Harmon Avenue, and Koval Lane. The Department of Public Works currently has ongoing capital improvement projects along Harmon Avenue and Koval Lane. There is existing street landscaping consisting of large palm trees, located behind the attached sidewalk, adjacent to Koval Lane. This street landscape area measures roughly 1,000 linear feet in length with a landscape width measuring between 20 feet to 24 feet. Based on an aerial photograph from January 2026, there are 24 large palm trees within this street landscape area. Furthermore, based on the same aerial photograph from January 2026, there is not any existing street landscaping along Koval Lane or Rochelle Avenue. Staff recommends a 2 year review period to further evaluate the previously approved request to waive street landscaping, including the detached sidewalks, and the status of the capital improvement projects along Harmon Avenue and Koval Lane.

Public Works - Development Review

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

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 November 2, 2028 to review the waiver of development standards for street landscaping including the detached sidewalks.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an application for review; the application for review may be denied if the project has not demonstrated compliance with conditions of approval; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study shall be required with future development as determined by Public Works - Development Review;
- After the Board of County Commissioners award approval of the bid for the Harmon Avenue and Koval Lane improvement projects, the applicant has thirty (30) days to pay the cost contribution for their portion of the off-site improvements;
- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTEST:

APPLICANT: FORMULA 1 LAS VEGAS GRAND PRIX

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