

RACETRACK
(TITLE 30)

KOVAL LN/HARMON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0556-LV DIAMOND PROPERTY I, LLC:

USE PERMITS for the following: **1)** racetrack with accessory uses including, but not limited to shops, snack bars, lounges, and restaurants, and temporary parking for recreational vehicles during special events; **2)** recreational facility with accessory uses including, but not limited to shops, snack bars, lounges, and restaurants; **3)** fairground with accessory uses including, but not limited to shops, snack bars, lounges, and restaurants; **4)** live entertainment; **5)** on-premises consumption of alcohol; **6)** allow the primary means of access to an outside dining, drinking, and cooking area from the interior of the site; **7)** eliminate the protective barrier between the outside dining/drinking area and parking area; **8)** eliminate the pedestrian access around the perimeter of the outside dining/drinking area; **9)** permit outside dining, drinking, and cooking in conjunction with a racetrack, recreational facility, and fairground; and **10)** reduce the separation between outside dining, drinking, and cooking and a residential use.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce the separation between live entertainment and a residential use; **2)** reduce the separation between on-premises consumption of alcohol and a residential use; **3)** allow construction and/or demolition activities beyond daytime hours; **4)** permit lighting to project upward; **5)** waive noise standards; **6)** waive lighting standards; **7)** waive vibration standards; **8)** allow a roof sign; **9)** eliminate striping from parking areas; **10)** eliminate street landscaping; **11)** eliminate parking lot landscaping; **12)** eliminate landscaping adjacent to a less intensive use; **13)** reduce setbacks; **14)** increase fence and wall height; **15)** eliminate the pedestrian walkway from the adjacent sidewalks to the principal building; **16)** allow modified driveway design standards; **17)** waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving); and **18)** allow non-standard improvements within the right-of-way.

DESIGN REVIEWS for the following: **1)** racetrack with accessory uses; **2)** recreational facility with accessory uses; **3)** fairground with accessory uses; **4)** signage; and **5)** finished grade on 37.6 acres in an H-1 (Limited Resort and Apartment) (AE-60) Zone.

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

RELATED INFORMATION:

APN:

162-21-510-038 through 162-21-510-040; 162-21-601-001; 162-21-601-005; 162-21-601-007;
162-21-613-001 through 162-21-613-011

USE PERMITS:

1. Racetrack with accessory uses including, but not limited to shops, snack bars, lounges, restaurants, and temporary parking for recreational vehicles during special events.
2. Recreational facility with accessory uses including, but not limited to shops, snack bars, lounges, and restaurants.
3. Fairground with accessory uses including, but not limited to shops, snack bars, lounges, and restaurants.
4. Live entertainment.
5. On-premises consumption of alcohol.
6. Allow the primary means of access to an outside dining, drinking, and cooking area from the interior of the site where the primary means of access is required through the interior of a supper club, tourist club, mixed-use development, or restaurant where required per Table 30.44-1.
7. Eliminate the protective barrier between the outside dining/drinking area and parking area where required per Table 30.44-1.
8. Eliminate the 48 inch wide pedestrian access around the perimeter of the outside dining/drinking area where required per Table 30.44-1.
9. Permit outside dining, drinking, and cooking in conjunction with a racetrack, recreational facility, and fairground where required to be in conjunction with a supper club, tourist club, mixed-use development or restaurant.
10. Reduce the separation between outside dining, drinking, and cooking and a residential use (multiple family) to zero feet where a minimum separation of 200 feet is required per Table 30.44-1 (a 100% reduction).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the separation between live entertainment and a residential use (multiple family) when conducted outdoors to zero feet where a minimum separation of 500 feet is required per Table 30.44-1 (a 100% reduction).
2. Reduce the separation between on-premises consumption of alcohol and a residential use to zero feet where a minimum separation of 200 feet is required by a collector or arterial street or buffered from the residential use by a building per Table 30.44-1 (a 100% reduction).
3. Allow construction and/or demolition activities beyond daytime hours per Section 30.68.020.
4. Permit lighting to project upward where all lighting shall be hooded and project downward per Section 30.56-135.
5. Waive noise standards where required per Section 30.68.020.
6. Waive lighting standards where required per Section 30.68.030.
7. Waive vibration standards where required per Section 30.68.040.
8. Allow a roof sign where not permitted per Chapter 30.72.
9. Eliminate striping from parking areas where required per Section 30.60.020.
10. Eliminate street landscaping, including detached sidewalks, where required per Table 30.64-2 and Figure 30.64-17.
11. Eliminate parking lot landscaping where required per Figure 30.64-14.
12. Eliminate landscaping adjacent to a less intensive use (multiple family) where required per Table 30.64-2 and Figure 30.64-11.

13.
 - a. Reduce the front and side street (corner) setbacks for non-decorative fences and/or walls to zero feet where 10 feet is required per Table 30.40-6 (a 100% reduction).
 - b. Reduce the front setback for trash enclosures to zero feet where 10 feet is required per Table 30.40-6 (a 100% reduction).
 - c. Reduce the interior side yard setback for trash enclosures to 8 feet where 10 feet is required per Table 30.40-6 (a 20% reduction).
 - d. Reduce the setback from the right-of-way for trash enclosures, non-decorative fences and/or walls to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
14.
 - a. Increase the height of a non-decorative security fence (welded wire mesh fencing) to 8 feet within the required zoning district setbacks where a maximum fence or wall height of 3 feet is permitted per Section 30.64.020 (a 166.7% increase).
 - b. Increase the height of a combination screen wall/retaining wall to 27 feet (11 foot screen wall/security fence with a 16 foot high retaining wall) where a maximum height of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 200% increase).
15. Eliminate the pedestrian walkway from the adjacent public sidewalks to the principal building entrance where a 5 foot wide walkway is required to connect the adjacent sidewalks to the principal building entrance per Section 30.60.050.
16.
 - a. Reduce throat depth to zero feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
 - b. Increase the width of a commercial driveway along Koval Lane to 41 feet where a maximum width of 40 feet is permitted per Uniform Standard Drawing 222.1 (a 2.5% increase).
 - c. Allow a non-standard commercial driveway where commercial driveway standards are required per Uniform Standard Drawing 222.1.
17. Waive full off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) along Harmon Avenue, Koval Lane, Rochelle Avenue, Debbie Way, and Charlotte Drive where required per Chapter 30.52.
18. Allow non-standard improvements (temporary barriers, landscaping, fences, and walls) within the right-of-way (Harmon Avenue, Koval Lane, Rochelle Avenue) where not permitted per Chapter 30.52.

DESIGN REVIEWS:

1. Racetrack with accessory uses including, but not limited to shops, snack bars, lounges, restaurants, and temporary parking for recreational vehicles during special events.
2. Recreational facility with accessory uses including, but not limited to shops, snack bars, lounges, and restaurants.
3. Fairground with accessory uses including, but not limited to shops, snack bars, lounges, and restaurants.
4.
 - a. Wall signs.
 - b. Increase area of animated (freestanding and roof) signs to 37,032 square feet where a maximum of 150 square feet is permitted per Table 30.72-1.
 - c. Roof sign.

5. Increase finished grade to 216 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 500% increase).

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

Site Plans

The plans depict a proposed racetrack, recreational facility, and fairgrounds located on a 37.6 acre site. A 4 story Paddock building is centrally located within the project site and has the following setbacks: 1) 208 feet from the west property line adjacent to Koval Lane; 2) 100 feet from the north property line along Rochelle Avenue; 3) 337 feet from the east property line adjacent to the existing multiple family development; and 4) 215 feet from the south property line adjacent to Harmon Avenue. The racetrack will enter the site onto private property from the right-of-way at the southwest corner of Koval Lane and Harmon Avenue and will exit at the northwest corner of the site adjacent to Koval Lane. A waiver of development standards for off-site improvements is requested within these areas along Koval Lane and Harmon Avenue. Thirteen team pits are located along the southeast side of the Paddock building, adjacent to pit lane. Temporary spectator/grandstand areas will be located within the interior of the site, surrounding the racetrack. An asphalt parking area is located to the southeast of the Paddock building and racetrack, with access to the parking lot from 2 driveways adjacent to Harmon Avenue. The parking lot will not be striped necessitating a waiver of development standards. To the west of the building, adjacent to Koval Lane, is a circular, one-way driveway featuring 2 lanes measuring 24 feet in width. The aforementioned driveway will be utilized for spectator drop-off and pick-up and as a hospitality area. Access to the site is granted via 2 driveways along Harmon Avenue, 1 circular one-way driveway adjacent to Koval Lane, and a single driveway along Rochelle Avenue. A waiver of development standards is requested to reduce the throat depth to zero feet for the driveways. Non-standard improvements, including temporary barriers, landscaping, fences, and walls will be constructed within the right-of-way with the development of the racetrack. The racetrack, recreational facility, and fairgrounds require 1,200 parking spaces where a minimum of 1,200 parking spaces are provided. The parking lot area, located to the east of the Paddock building and racetrack, is designed to accommodate up to 1,987 standard parking spaces. The refuse disposal and trash enclosure area for the racetrack is located at the northeast corner of the site, adjacent to Debbie Way, a dedicated public right-of-way. Waivers of development standards are required to reduce setbacks from the front yard, side

yard, and right-of-way. The increase to finished grade occurs throughout the interior of the project site. The existing grade and topography of the site drops significantly from south to north and west to east requiring excess fill to level the site and drain away from the Paddock building. Due to the topography of the site and increase in finished grade, a waiver of development standards is required to increase the height of retaining walls to a maximum of 16 feet along Rochelle Avenue. An additional waiver of development standards is also requested to allow an 8 foot high non-decorative security fence around the perimeter of the site, adjacent to Harmon Avenue, Koval Lane, and Rochelle Avenue. Additional use permits and waivers of development standards are requested to facilitate the development of the racetrack and the supporting infrastructure.

Landscaping

The applicant is requesting a waiver of development standards to waive interior parking lot landscaping. A waiver is also requested to temporarily waive street landscaping, which will be installed at a later date in conjunction with the required off-site improvements. Therefore, landscaping is not proposed with this request.

Elevations

The plans depict a Paddock building with varying rooflines measuring between 54 feet to a maximum of 74 feet in height. The building features a contemporary design that includes white and dark gray panels with concrete, stone and red metal accents. Clear glass windows will extend the length of each level facing north for optimal views of the racetrack. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls.

Floor Plans

The plans depict a 4 story Paddock building with an overall area measuring 300,000 square feet, with each floor consisting of 125,000 square feet. The first floor of the building features 13 team pits for the racecars. The second and third levels of the building consist of Paddock club levels for spectators, while the fourth level features a rooftop terrace.

Signage

The plans depict a total of 6 signs within the project site: 4 wall signs, 1 freestanding sign, and 1 roof sign. The wall signs are equal in area and display the F1 logo in red lit acrylic panels. The roof sign, flush mounted to the roof canopy of the Paddock building, consists of an LED (animated) video sign. The freestanding sign, also consisting of an LED (animated) video unit, is located facing west on Koval Lane at the entrance to the site, is set back 139 feet from the west property line and measures 29 feet in height. A second freestanding sign is proposed at the corner of Harmon Avenue and Koval Lane, but the details are yet to be determined. A land use application will be required for the second freestanding sign if the sign does not conform to Code.

The following table is a summary of the proposed signage:

Type of Sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	Percent Increase	# of Existing Signs	# of Proposed Signs	Total # of Signs
Wall	0	452	452	24,640	-	0	4	4
Freestanding*	0	1,867	1,867	6,440	-	0	1	1
Roof**	0	35,165	35,165	-	-	0	1	1
Overall Total	0	37,484	37,484	31,080	-	0	6	6

*Signage for the freestanding sign includes the request for an increase in animated signage.

**Signage for the roof sign includes the request for an increase in animated signage

Type of Sign	Existing (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	Percent Increase	# of Existing Signs	# of Proposed Signs	Total # of Signs
Animated	0	37,032	37,032	150	24,600%	0	2	2

Applicant's Justification

The site is master planned Entertainment Mixed-Use and zoned H-1, making this site the perfect location for the hub of the F1 race. The site is located in the center of Clark County's most intense gaming, resort, and entertainment corridor with Las Vegas Boulevard to the west, Tropicana Avenue to the south, Flamingo Road to the north, and Paradise Road to the east. The overall racetrack will be a street circuit race with its headquarters on the site. The F1 event is an annual event for sport and entertainment, along with other year-round related activities on the site. The existing grade on the site drops significantly from south to north and west to east requiring fill to level the site and drain appropriately away from the permanent Paddock building. Even with the added fill, the finished floor for the proposed Paddock building will be close to the existing grade on Koval Lane and approximately 3 to 4 feet higher than the existing grade on Harmon Avenue, so it will not adversely impact the surrounding properties. The overall proposed height of the buildings on the site will be much lower than prior approved uses on the site. The site is separated from the residential to the south by Harmon Avenue. The live entertainment, on-premises consumption of alcohol, and outdoor dining, drinking, and cooking uses are appropriate and consistent with other uses within the resort corridor. The applicant will communicate with the residents in the area regularly to notify them of outdoor construction beyond the hours allowed by Clark County since it is necessary to construct beyond the allowed hours. Also, lighting and vibration will exceed the County standards under the Development Code as lighting will be seen from the adjacent and abutting residential and vibration may be periodically felt on the adjacent and abutting residential. All of the perimeter street landscaping will be installed at a later date in conjunction with the off-sites. The waiver of the parking lot landscaping is necessary to allow flexibility with the annual F1 Race and any supplemental uses on the site. There will be ample on-site landscaping in the permanent areas of the site such as the entry area to the Paddock building and around the perimeter of the site. Any parking lot landscaping would likely be destroyed as a result of the annual F1 event. An increase in retaining wall height is necessary due to the site topography and drainage and would likely be along Rochelle Avenue. Temporary barriers will be used when the racetrack is not active and there will be accessibility provided via alternate means. Additional alternative improvements will include asphalt paving, fencing and potential future landscaping in the right-of-way. To allow the

2 unique driveways where the racetrack will enter and exit the site, a waiver is needed to allow the nonstandard commercial driveways. The site is unique in that the racetrack will enter the site at the southwest corner of Koval Lane and Harmon Avenue and exit the site at the northwest corner of the site on Koval Lane. In those areas, the applicant is requesting a permanent waiver of the typical off-site requirements because the curb, gutter, sidewalk and landscaping will not be installed in a small area. The site will need a waiver of throat depths at each entry to zero feet where 150 feet is required since there are no parking spaces delineated on the site to allow flexibility with the F1 Race event planning and other temporary events on the site. The timing of the completion of all of the required off-site improvements may need to be extended with the 2023 F1 Race rapidly approaching, so the applicant is requesting a deferral as needed, and as acceptable to Clark County, to commence all of the required off-site improvements on Koval Lane, Harmon Avenue, Rochelle Avenue, the unnamed alley in the northeast corner of the site, Debbie Way, and Charlotte Drive within 4 years of approval. The deferral request includes pavement, sidewalks, curb, gutter, streetlights, landscaping, and any necessary reconstruction of driveways.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0667	High Impact Project for a resort hotel and an expansion to the Gaming Enterprise District; design review for a resort hotel, 3 high-rise towers, and a shopping center	Approved by BCC	November 2019
UC-19-0574	High Impact Project for a multiple family residential development on the northwest portion of this site adjacent to Rochelle Avenue and Koval Lane - expired	Approved by BCC	September 2019
UC-1100-08 (ET-0011-17)	Third extension of time for a high impact project (resort hotel) - subject to applicant to file a design review application to include the Gaming Enterprise District expansion and associated special use permits - expired	Approved by BCC	March 2017
UC-1584-06 (ET-0009-17)	Fourth extension of time for a resort hotel with deviations and a design review - subject to applicant to file a design review application to include the Gaming Enterprise District expansion and associated special use permits - expired	Approved by BCC	March 2017
UC-0813-02 (ET-0010-17)	Fifth extension of time to redesign the resort hotel on the western portion of the site - subject to applicant to file a design review application to include the GED expansion and associated special use permits - expired	Approved by BCC	March 2017
UC-1584-06 (ET-0008-14)	Third extension of time for a resort hotel with deviations and a design review - expired	Approved by BCC	March 2014
UC-0813-02 (ET-0079-13)	Fourth extension of time to redesign the resort hotel on the western portion of the site - expired	Approved by BCC	October 2013

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1100-08 (ET-0010-13)	Second extension of time for a high impact project (resort hotel) - expired	Approved by BCC	March 2013
UC-1584-06 (ET-0004-12)	Second extension of time for a resort hotel with deviations and a design review - expired	Approved by BCC	March 2012
UC-0813-02 (ET-0084-11)	Third extension of time to redesign the resort hotel on the western portion of the site - expired	Approved by BCC	November 2011
UC-1100-08 (ET-0012-11)	First extension of time for a high impact project (resort hotel) - subject to maintaining the site free of trash and weeds - expired	Approved by BCC	March 2011
UC-1584-06 (ET-0014-09)	First extension of time for a resort hotel with deviations and a design review - expired	Approved by BCC	February 2009
UC-1100-08	Original application with a waiver of conditions of a use permit (UC-0207-06), waived standards to reduce parking, and design review - expired	Approved by BCC	February 2009
UC-0813-02 (ET-0215-08)	Second extension of time to redesign the resort hotel on the western portion of the site - expired	Approved by BCC	September 2008
UC-1584-06	Expansion of the GED and a resort hotel with deviations and a design review - expired	Approved by BCC	January 2007
UC-0813-02 (ET-0204-03)	First extension of time to redesign the resort hotel on the western portion of the site - expired	Approved by BCC	June 2005
UC-0813-02	Redesigned the resort hotel on the western portion of the site - expired	Approved by BCC	August 2002
UC-0645-98	2,500 room resort hotel and an expansion of the GED for the western portion of the site - expired	Approved by BCC	July 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Entertainment Mixed-Use	H-1	Tuscany Suites and Casino, Ellis Island casino & hotel
South	Entertainment Mixed-Use	H-1 and R-5	Multiple family developments, including the Marie Antoinette, & hotel/timeshare
East	Entertainment Mixed-Use	H-1	Multiple family development & undeveloped
West	Entertainment Mixed-Use	H-1	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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

Use Permits #1 through #10 & Design Reviews #1 through #3

The purpose of the Limited Resort and Apartment District (H-1) 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. Staff finds the request for the racetrack, recreational facility, and fairground with all associated accessory uses complies with the aforementioned policy. Furthermore, the development is appropriate based on the site's proximity to Las Vegas Boulevard South, the H-1 zoning designation, and the Las Vegas Boulevard Gaming Corridor. The use permits are necessary to facilitate the development of the racetrack, and to maintain a satisfactory level of guest accommodations and site operations. The proposed design of the Paddock building consists of a contemporary design that is aesthetically pleasing and architecturally diverse, which is appropriate for the surrounding area. The racetrack has been designed in accordance with the protocol and standards necessary to conduct this type of venue and sporting event. Staff finds the proposed racetrack is appropriate for the area, is compatible with the surrounding land uses, and complies with the goals and policies from the Master Plan; therefore, recommends approval of these requests.

Waivers of Development Standards

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

Waivers of Development Standard #1 & #2

The waivers of development standards to reduce the separation requirements for live entertainment and on-premises consumption of alcohol are necessary due to the existing multiple family developments to the east and to the south of the project site, across Harmon Avenue. Staff typically does not support requests to significantly reduce the required separations to a residential use. However, due to the unique nature of the development that predominantly consists of an outdoor spectator event, staff can support the requests to reduce the separation requirements to a residential use.

Waivers of Development Standard #3 through #7

Staff finds the requests to allow construction and/or demolition activities beyond daytime hours, to permit lighting to project upward, and to waive noise, lighting, and vibration standards are all

necessary to facilitate the development of the racetrack and Paddock building. Furthermore, the requested waivers are also necessary to permit the function of all outdoor events associated with future outdoor events, including racing and fairground activities. Staff recognizes the racetrack, recreational facility, and fairground have the potential to generate loud noises; however, these uses are temporary in nature. Therefore, staff recommends approval of this request.

Waiver of Development Standard #8

The proposed roof sign is unique in that it does not extend beyond the height of the parapet wall but is rather flush mounted to the roof canopy of the Paddock building. The roof sign will feature video animation and is visible only to aircraft and surrounding buildings exceeding 74 feet in height. The roof sign is compatible with the theme of the racetrack and building and is also compatible with the design and style of signs associated with resort hotels along Las Vegas Boulevard South. Therefore, staff recommends approval.

Waiver of Development Standard #9

Staff does not object to eliminating the required striping from parking areas, given the unique nature of the development. The applicant will provide on-site personnel to ensure proper direction and flow of vehicular traffic within the project site during event days. Therefore, staff can support this request.

Waivers of Development Standard #10 through #12

The intent of street landscaping is to enhance the perimeter of the project site, improve the aesthetics of the site along public rights-of-way, and to provide a buffer between parking areas and the adjacent streets. Staff typically does not support requests to waive street landscaping; however, given the unique nature of the development, this request is necessary to facilitate the construction of the racetrack and surrounding infrastructure. The applicant has indicated a request to temporarily waive the installation of street landscaping for up to 4 years; therefore, staff recommends a condition to review landscaping.

The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. Staff is concerned with the request to eliminate the required parking lot landscaping. However, staff also recognizes that it may be impractical to install the required landscaping as the finger islands may potentially interfere with the vehicular circulation within the parking lot and future outdoor events in the parking area. Therefore, staff recommends approval.

Staff typically does not support requests to eliminate landscaping adjacent to a less intensive use, especially residential uses. The existing multiple family buildings immediately adjacent to the development are located a minimum of 115 feet to the east of the project site, and a minimum of 340 feet from the racetrack. Eliminating the required landscaping should have minimal impact on the adjacent multiple family development; therefore, staff recommends approval.

Waivers of Development Standard #13 & #14

Staff finds the request to increase the combined height of the perimeter screen walls/retaining walls reasonable due to the existing grade and topography of the site. Furthermore, the increase

to fence height along the perimeter of the site, adjacent to Harmon Avenue, Koval Lane, and Rochelle Avenue, is necessary to maintain security of the site in accordance with the standard operating procedures established for racing events. Reducing the required setbacks for the walls, fences, and trash enclosures from the respective property lines and right-of-way should have minimal to no impact on the surrounding properties and land uses. Therefore, staff can support these requests.

Waiver of Development Standards #15

Staff typically does not support requests to waive the pedestrian walkway from adjacent public sidewalks to the principal building entrance. However, due to the design of the project site, including the location of the racetrack and Paddock building, staff finds the pedestrian walkway connection is impractical. Therefore, staff can support this request.

Design Review #4

Code allows alternative sign standards for development within the H-1 zoning district if the alternative results in the development having a visual character compatible with adjacent developments. The proposed signage is compatible with the previously approved sign package. Additionally, the proposed signs are consistent in style and design with signage for resort hotels within the immediate area and along Las Vegas Boulevard South. The proposed signs consist of compatible architectural design, style, and color with the Paddock building. Therefore, staff recommends approval of the design review.

Public Works - Development Review

Waiver of Development Standards #16

Staff has no objection to the reduction in throat depth for all of the driveways, the 41 foot wide driveway on Koval Lane, and the non-standard driveways where the race course enters and exists the site. When the site is not being used, ADA access and vehicular barriers will provide the needed pedestrian connectivity. When being used, the site will have a special event permit to address pedestrian and vehicular traffic on the site and on the streets in the area.

Waiver of Development Standards #17

Staff has no objection to the off-site improvement waivers since the applicant will provide a cost contribution for improvements on both Harmon Avenue and Koval Lane, and improvements on Rochelle Avenue are to be completed by the applicant/owner within 4 years.

Waiver of Development Standards #18

The applicant/owner is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any non-standard improvements placed in the right-of-way. Staff can support waiver of development standards #18, but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Design Review #5

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application.

Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

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.

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:

Current Planning

- Expunge UC-19-0667;
- 4 years to review the waiver of development standards for street landscaping including the detached sidewalks;
- 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 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;

- 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 040 and 162-21-613-001 through 011 as needed to accommodate additional property needed to mitigate the loss of parking on the property east of APN 162-21-601-007 in consideration of the Howard Hughes Parkway alignment, avoiding 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.

Fire Prevention Bureau

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LIBERTY MEDIA CORPORATION

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