

09/20/23 BCC AGENDA SHEET

COMPREHENSIVE SIGN PACKAGE/  
BUILDING HEIGHT  
(TITLE 30)

KOVAL LN/HARMON AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-23-0484-LV DIAMOND PROPERTY I, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to allow roof signs.

**DESIGN REVIEWS** for the following: 1) amend a previously approved comprehensive sign package; and 2) increase building height in conjunction with a previously approved racetrack, recreational facility, and fairground with accessory uses 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/syp (For possible action)

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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 162-21-613-010; 162-26-613-011

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase the number of roof signs to 4 where 1 roof sign was previously approved and where roof signs are not permitted per Chapter 30.72 (a 300% increase).

**DESIGN REVIEWS:**

1.
  - a. Three roof signs.
  - b. Increase area of animated (roof) signs to 39,837 square feet where 37,032 square feet of animated signs were previously approved (a 7.6% increase) and where a maximum of 150 square feet is permitted per Table 30.72-1.
2. Increase building height (Paddock Building) to 85 feet where a building height of 74 feet was previously approved (a 14.9% increase) and a maximum building height of 100 feet is permitted per Table 30.40-7.

**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, and 305 E. Rochelle Avenue to 4265 E. Rochelle Avenue
- Site Acreage: 37.6
- Project Type: Racetrack
- Number of Stories: 4
- Building Height (feet): 74 (previously approved)/85 (requested)
- Square Feet: 300,000
- Parking Required/Provided: 1,200/1,200

#### History & Request

Use permits for a racetrack, recreational facility, and fairground with accessory uses in conjunction with a 300,000 square foot Paddock Building were approved via UC-22-0556 by the Board in November 2022. Multiple waivers of development standards were also part of that request which included a single roof sign flush mounted to the roof canopy of the Paddock Building. A design review for signage was also part of that request which included wall signs, a single roof sign, and an increase to the permissible area of animated signs. The applicant is now requesting a waiver of development standards to permit 3 additional roof signs with design reviews to further increase animated sign area and increase the height of the Paddock Building.

#### Site Plan

The approved 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. 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. 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. 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.

### Landscaping

Waivers of development standards to eliminate street and interior parking lot landscaping were previously approved via UC-22-0556.

### Elevations

The previously approved plans depict a Paddock Building with varying rooflines measuring between 54 feet to a maximum of 74 feet in height. The applicant is now requesting to increase building height up to a maximum of 85 feet to the top of the proposed roof signs, located on the south elevation of the Paddock Building. 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.

### Signage

The approved plans depicted 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 applicant is now proposing to construct 3 additional roof signs, measuring 27 feet in overall height, located at the rooftop terrace along the south elevation of the Paddock Building. The 3 proposed roof signs each measure 935 square feet in area, with a minimum separation of 250 linear feet between signs.

The following table is a summary of the proposed signage:

Type of Sign	Previously approved (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	Percent Increase	# of Previously Approved Signs	# of Proposed Signs	Total # of Signs
Wall	452	-	452	24,640	-	4	-	4
Freestanding *	1,867	-	1,867	6,440	-	1	-	1
Roof**	35,165	2,805	37,970	-	7.6%	1	3	4
Overall Total	37,484	2,805	40,289	31,080	7.5%	6	3	9

\*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	Previously approved (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)	Allowed per Title 30 (sq. ft.)	Percent Increase	# of Previously Approved Signs	# of Proposed Signs	Total # of Signs
Animated	37,032	2,805	39,837	150	26,558%	2	3	5

### Applicant's Justification

The site was previously approved for 1 roof sign and now an additional 3 roof signs are proposed on top of the Paddock Building, each measuring 935 square feet. The height at the top of the signs are 85 feet. The building was previously approved at a height of 74 feet, and no other changes to the building are proposed. Design reviews are also being requested to increase the total area of animated signage to 37,970 square feet and for an amended sign plan as it relates to the 3 additional requested roof signs.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADR-23-900303	Underground pedestrian tunnel	Approved by ZA	July 2023
UC-22-0556	Racetrack, recreational facility, and fairground with accessory uses including, but not limited to shops, snack bars, lounges, restaurants, and temporary parking for recreational vehicles during special events; allowed modified driveway design standards; waived full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving); and allowed non-standard improvements within the right-of-way; and design reviews for a racetrack with accessory uses; recreational facility with accessory uses; fairground with accessory uses; signage, and finished grade	Approved by BCC	November 2022
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 the 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 the 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

### Prior Land Use Requests

Application Number	Request	Action	Date
UC-0813-02 (ET-0010-17)	Fifth extension of time to redesign the resort hotel on the western portion of the site - subject to the 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
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 2003
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 & Casino, Ellis Island Casino & Hotel
South	Entertainment Mixed-Use	H-1 & R-5	Multiple family developments, including the Marie Antoinette & hotel/timeshare

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
East	Entertainment Mixed-Use	H-1	Multiple family residential & undeveloped
West	Entertainment Mixed-Use	H-1	Undeveloped

### **Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-23-0460	A vacation and abandonment for rights-of-way and easements is companion item on this agenda.

### **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Comprehensive Planning**

#### **Waiver 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.

#### **Waiver of Development Standards & Design Reviews**

The proposed roof signs are compatible with the theme of the racetrack and building and are also compatible with the design and style of signs associated with resort hotels along Las Vegas Boulevard South. The increase in building height, up to 85 feet, where Code allows a maximum building height of 100 feet, is necessary to accommodate the proposed roof signs. 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 these requests.

### **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:**

### **Comprehensive Planning**

- Applicant is advised that 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; 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**

- No comment.

### **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.

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

- No comment.

**TAB/CAC:** Paradise - approval (not to be used as off-premises signage).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** LIBERTY MEDIA CORPORATION

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