

06/21/23 BCC AGENDA SHEET

DORMITORY/OFFICE/RETAIL/
CONVENIENCE STORE
(TITLE 30)

MARYLAND PKWY/HARMON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0267-CAMPUS VILLAGE GROUP, LLC:

USE PERMITS for the following: **1)** dormitory; **2)** eliminate portions of the pedestrian realms; and **3)** eliminate portions of the development standards of the Midtown Maryland Parkway District.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** increase building heights; **3)** reduce landscaping; and **4)** alternative driveway geometrics.

DESIGN REVIEWS for the following: **1)** commercial complex; and **2)** finished grade on 3.4 acres in a C-2 (General Commercial) (AE-60) Zone in the Midtown Maryland Parkway District.

Generally located on the east side of Maryland Parkway, the north side of Harmon Avenue, and the south side of University Avenue within Paradise. TS/bb/syp (For possible action)

RELATED INFORMATION:

APN:

162-23-204-001; 162-23-204-003 through 162-23-204-004

USE PERMITS:

1. Dormitory.
2.
 - a. Eliminate the pedestrian realm for a portion of street frontage along Maryland Parkway where a 20 foot wide pedestrian realm is required per Section 30.48.1870.
 - b. Eliminate the pedestrian realm along Harmon Avenue where a 20 foot wide pedestrian realm is required per Section 30.48.1870.
3.
 - a. Allow the minimum front setback for Building B to not be adjacent to the pedestrian realm per Section 30.48.1880.
 - b. Allow Building B with a 92 foot front setback where 30 feet is the maximum allowed from the front property line per Section 30.48.1880.
 - c. Eliminate transparent glass on non-street-facing facades where 35% of the ground floor of non-street-facing facades is required per Section 30.48.1880.
 - d. Eliminate windows or secondary entrances on building facades adjacent to shared driveways per Section 30.48.1880.
 - e. Allow for an open and unscreened ramp (east side of the parking garage) where an enclosed or screened ramp is required per Section 30.48.1880.
 - f. Allow for parking areas and/or drive aisles between streets and front building facades for Building B where not allowed per Section 30.48.1180.

- g. Allow parking outside the required parking and service zone for Building B per Section 30.48.1880.
- h. Allow vehicular access to surface parking west of the convenience store where rear alleys or side roadway access is required per Section 30.48.1880.

WAIVERS OF DEVELOPMENT STANDARDS:

- 1.
 - a. Reduce the rear setback along the east property line to 1 foot where 10 feet is required per Table 30.40-4 (a 90% reduction).
 - b. Reduce the height setback from an arterial street (Maryland Parkway) to 16 feet where 57 feet is required per Figure 30.56-4 (a 28% decrease).
- 2.
 - a. Increase the height of north building A to 175 feet where 50 feet is the maximum per Table 30.40-4 (a 250% increase).
 - b. Increase the height of south building B to 113 feet where 50 feet is the maximum per Table 30.40-4 (a 126% increase).
- 3.
 - a. Reduce landscaping along a portion of Maryland Parkway where landscaping per Figure 30.64-17 is required.
 - b. Eliminate landscaping to a less intense use to the east where 1 tree per 20 feet is required per Figure 30.64-11.
 - c. Reduce landscaping along Harmon Avenue to 5 feet where 15 feet is required per Section 30.64.030. (a 66% reduction).
 - d. Reduce landscaping along University Avenue to 3 feet where 15 feet is required per Section 30.64.030 (a 80% reduction).
- 4.
 - a. Reduce the throat depth of the University Avenue driveway to 92 feet where 150 feet is required by Uniform Standard Drawing 222.1 (a 39% reduction).
 - b. Reduce the throat depth for the Maryland Parkway driveway to 13 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (a 44% reduction).
 - c. Reduce the throat depth for the Harmon Avenue driveway to 105 feet where 150 feet is the minimum per Uniform Standard Drawings 222.1 (a 30% reduction).
 - d. Reduce the departure distance on University Avenue to 138 feet where 190 feet is the minimum per Uniform Standard Design Drawings 222.1 (a 27% reduction).
 - e. Reduce the departure distance on Maryland Parkway to 80 feet where 190 feet is the minimum per Uniform Standard Drawing 222.1 (a 58% reduction).
 - f. Reduce the approach distance on Harmon Avenue to 36 feet where 150 feet is the minimum per Uniform Standard Drawings 222.1 (a 76% reduction).
 - g. Reduce the width of the main driveway on University Avenue to 21 feet where 36 feet (lip to lip) is required per Chapter 30.52.

DESIGN REVIEWS:

- 1. Commercial complex consisting of dormitory, office, retail, and convenience store.
- 2. Increase finished grade to 84 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 233% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4440 & 4482 S. Maryland Parkway & 1220 E. Harmon Avenue
- Site Acreage: 3.4
- Number of Dormitory Beds: 706
- Project Type: Dormitory, office, retail, & convenience store
- Number of Stories: 15
- Building Height (feet): 175 (Building A)/113 (Building B)
- Square Feet: 404,786 (Building A)/103,724 (Building B)
- Open Space Required/Provided: 7,340/12,200 (6,100 shaded)
- Parking Required/Provided: 712/728

Overview

The Board of County Commissioners approved ZC-21-0451 in October of 2021 for a similar project. Since then, the applicant has revised the plan for the project. The proposed redevelopment will consist of dormitory, office, and retail uses as well as a new convenience store without a gasoline station. In this case the existing convenience store and gasoline station will be demolished. The dormitory use is in conjunction with the University of Nevada, Las Vegas (UNLV).

Site Plan

The plan depicts a commercial complex with 2 buildings. Setbacks for the northern building (Building A), which includes commercial suites, podium parking, and a dormitory, includes a varying setback of a minimum of 20 feet to the east property line adjacent to a multiple family residential complex and 20 feet to the north property line along University Avenue. Along Maryland Parkway to the west of the site, the northern building is set back 20 feet along the first floor for the pedestrian realm, and the floors above are set back 16 feet, which creates an overhang over the pedestrian realm. The 1:3 height setback ratio from an arterial street (Maryland Parkway) is also 16 feet where 67 feet is required.

The southern building (Building B), which consists of commercial suites, a new convenience store, podium parking, and office uses, is set back 1 foot from the east property line adjacent to a multiple family residential development for the first floor, 10 feet from the south property line along Harmon Avenue, and 92 feet from the west property line along Maryland Parkway. Surface parking is located near the corner of Maryland Parkway and Harmon Avenue, which is set back about 40 feet from the south property line along Harmon Avenue and about 30 feet from the west property line along Maryland Parkway.

Access is provided by a driveway from University Avenue on the north side of the site, a driveway from Maryland Parkway on the southwest side of the site, and 2 driveways from Harmon Avenue on the south side of the site. Both the driveway from University Avenue and the eastern driveway from Harmon Avenue provide north/south access through the site and to the podium level parking spaces in both buildings. The driveway from Maryland Parkway and the

western driveway from Harmon Avenue both provide access to the convenience store, and surface level parking spaces for the commercial suites in the southern building.

Internal trash enclosures are located on the first floors of parking/service area both the northern and southern buildings. There are no ventilation openings on the east side of the trash enclosure areas. Instead, the ventilation is directed north to University Avenue and south to Harmon Avenue.

Public Art

A requirement of the Midtown Maryland Parkway District is to provide a public art installation. The proposed art component of this project consists of a future pedestal area for art competition and installation.

Landscaping

West of the University Avenue driveway on the north side of the site, landscaping includes a 3 foot to 20 foot wide landscape strip and a 5 foot wide attached sidewalk. Additional hardscape and pedestrian areas are located near the corner of University Avenue and Maryland Parkway. East of the University Avenue driveway, a 5 foot attached sidewalk continues to the east. A 40 foot section of the University Avenue street frontage will have no landscaping for a utility area.

On the northern portion of the Maryland Parkway street frontage, the plans depict a 20 foot wide pedestrian realm consisting of an 8 foot wide landscape and amenity zone, a 5 foot wide clear zone, and a 7 foot wide supplemental pedestrian area. Due to the grade changes, up to a 2 foot high retaining wall will be in the landscape and amenity zone. Therefore, the pedestrian clear zone will be above street level. Within the central portion of the Maryland Parkway street frontage, an approximately 40 foot wide pedestrian courtyard area extends from the street eastward, providing pedestrian access into the site. A waiver of development standards to not provide street landscaping is included for this section of Maryland Parkway street frontage. On the southern portion of the Maryland Parkway street frontage, which is in front of the convenience store, street landscaping will include a 5 foot wide landscape area, a 5 foot wide detached sidewalk, and an 11 foot to 42 foot wide landscape area adjacent to surface parking. A use permit is included to not provide a 20 foot wide pedestrian realm on this portion of the site.

Along the western side of the Harmon Avenue street frontage, landscaping includes a 5 foot wide attached sidewalk, and a 5 foot to 30 foot wide landscape area. The eastern portion of the Harmon Avenue street frontage includes a 5 foot wide attached sidewalk and a 11 foot to 25 foot wide landscape area. A waiver of development standards is necessary to not provide at least 15 feet of landscaping, and a use permit is necessary to not provide a 20 foot wide pedestrian realm.

Along the east property line, a waiver of development standards is necessary to not provide landscaping to a less intense use (multiple family residential complex). Landscaping is provided within the central pedestrian courtyard area and within the parking lot in front of the convenience store.

Elevations

The northern building is 175 feet high and the southern building is 113 feet high. Both buildings consist of storefront glass on the first floor, several levels of podium parking, and floors above consisting of glass windows, metal panels, and smooth painted EIFS. Decorative horizontal concrete panels on both buildings help to visually obscure the podium parking levels from all street frontages; however, not the east elevation adjacent to the residential development.

The first level through the 4th level of the residential building is set back 20 feet from Maryland Parkway, as well as the pedestrian open space on the 5th level. The 5th level through 11th level of the residential portion of the north building, is set back 16 feet, and includes the pool area. The remainder of the north building wraps around the 5th level open space up to the 15th level.

This design reduces the apparent mass of the overall building along Maryland Parkway. On the north, south, and east sides of the northern building, vertical off-set surface planes create shadows to help reduce the visual mass.

The 1st level of Building B is set back 3 feet, and the 2nd through 4th levels are set back more than 10 feet, and the 5th level overhangs the parking garage at an angle, continuing to the rooftop. Horizontal overhangs create shadows and reduce the visual mass of the building, and the south facing angled overhang creates visual interest.

Floor Plans

Building A, the first floor retail and pedestrian courtyard area are 19 feet in height. The parking lot interior access ramps and levels 2 through 4 are parking areas in both buildings. The 5th floor includes dormitory housing units and an open space area called the Yard. The northern building is 404,786 square feet and includes commercial suites, a dormitory, and accessory uses such as a student lobby. Commercial suites, the student lobby, and back of house spaces are located on the first floor, and podium level parking is located on levels 2 through 4. Dormitory rooms are located on levels 5 through 15, and dormitory rooms and a pool with outdoor amenities are located on a podium deck on level 11. The dormitory includes 236 studio units, 45, two bedroom units, and 95, four bedroom units for a total of 376 units or 706 beds. The 2 and 4 bedroom units share a common living room and kitchen.

Building B is 103,724 square feet. On the first level, the building includes commercial suites, a convenience store, and back of house areas. Levels 2 through 4 are podium level parking, and levels 5 through 7 are designated for office uses.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed development is appropriate for the area, and the scale of the project is similar to the mixed-use UNLV Gateway development located 1,300 feet south of this site along Maryland Parkway. Although the project incorporates several design alternatives to Title 30 standards, the alternatives are appropriate for the site and will not create any negative impacts.

For example, the design review to increase finished grade is necessary since the site slopes from west to east, away from Maryland Parkway. One of the previous buildings on the site included a floor below street level, and this building experienced significant flooding as a result. The grade will need to be raised above street level to prevent future flooding.

Similarly, the use permit for a dormitory is appropriate in the C-2 zone, and this project will be utilized by students attending UNLV. The use permits to not provide a pedestrian realm are necessary adjacent to the convenience store along Maryland Parkway and along Harmon Avenue. Instead of providing a pedestrian realm along the street frontage in this portion of the site, a 10 foot wide sidewalk is provided in front of the convenience store and commercial storefronts for the southern building.

The waivers of development standards to reduce the rear setback and not provide landscaping to a less intense use are intended to eliminate an area behind the property that may encourage homeless encampments. Above the first floor, the building steps back to meet the minimum 10 foot setback requirements from the east property line. Along the west property line, adjacent to Maryland Parkway, the reduced height setback from an arterial street, as well as the overall increased height, is similar to the design of the University Gateway project to the south.

The applicant also states that eliminating portions of the street landscaping is necessary to accommodate utility areas and to allow for the central courtyard to connect to Maryland Parkway. Regarding the reduced setback for the trash enclosures, the applicant indicates that this will not create any negative impacts for the adjacent residential complex since the trash enclosures are fully enclosed within the buildings, and the ventilation is directed north to University Avenue and south to Harmon Avenue.

Lastly, the applicant indicates that the alternative standards to Uniform Standard Drawing 222.1 will not create any queuing or safety issues in the right-of-way. The project is primarily pedestrian oriented, and the alternative driveway geometrics are necessary to accommodate the scale of this development on the subject property. Similarly, the non-standard improvements in Maryland Parkway will help ensure that customers and students have safe pedestrian access between the project and the main campus of UNLV.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-21-0451	Reclassified from C-1 to C-2 zoning for a dormitory and commercial mixed-uses	Approved by BCC	October 2021
TM-21-500134	1 lot commercial subdivision - withdrawn	Approved by BCC	October 2021
VS-21-0452	Vacated and abandoned right-of-way	Approved by BCC	October 2021
ZC-0189-63	Reclassified the southwestern parcel to C-1 zoning for a service station	Approved by BCC	January 1964

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-27-75	Reclassified the northern and the eastern parcels to C-2 zoning for a shopping center	Approved by BCC	May 1975

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	R-1	Place of worship
South	Corridor Mixed-Use	C-1	UNLV buildings
East	Urban Neighborhood (greater than 18 du/ac)	R-4	Multiple family residential
West	Public Use	P-F	UNLV campus

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive 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 Permit #1

A dormitory is an appropriate use of the property since the site is located directly across Maryland Parkway from the main campus of UNLV. Students living in the dormitory will have a direct pedestrian connection to the university, and the project will provide students with another living option. However, since staff cannot support the building design, staff also cannot support the use permit for a dormitory.

Use Permit #2a & #2b

This project incorporates both pedestrian oriented uses, such as ground-floor commercial suites, as well as a vehicular oriented use of the convenience store. A pedestrian realm is located along Maryland Parkway on the northern portion of the site adjacent to ground-floor commercial suites with the dormitory above. Even though the pedestrian realm is not located along the southern portion of the site along Maryland Parkway adjacent to the convenience store or along Harmon Avenue, the project incorporates a 10 foot wide walkway along the front of the convenience store. Also, an attached sidewalk is included in front of the convenience store along Maryland Parkway and along a portion of Harmon Avenue. As a result, there will be adequate accommodations for pedestrians incorporated on all street frontages and throughout the site. This is consistent with the intent of the pedestrian realm requirement in the Midtown Maryland Parkway District. However, since staff cannot support the design for the building, staff also

cannot support the use permits for alternative pedestrian realms associated with the building design.

Use Permit #3

The “Opt-In” standards are now a required element for development since the previous approval of the proposed dormitory and commercial complex. The Midtown Maryland Parkway District encourages development with access on the opposite side of the building as fronting Maryland Parkway, including parking spaces and building setbacks that minimize front setback areas. The surface parking is limited in area and the setback is contained to the southwest corner of the property. The absence of transparent windows on the non-street facing areas of the building should not have an impact to this project, however, the unscreened parking garage on the east facing elevation is of concern to staff; therefore, staff does not support this request.

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.

Waiver of Development Standards #1a

The reduced setback only applies to the first floor of Building B, and a 10 foot setback is maintained above the first level. Above the first level, horizontal concrete screening will help visually obscure the podium level parking spaces; however, other vertical and horizontal design elements will help reduce the visual mass of both buildings above the podium parking levels. The overall height, bulk, and scale of the buildings are dramatically more intense than the 2 story multiple family complex to the east. The 175 foot building (15 stories) will create drastic visual changes, including affecting the light and sun patterns, for the residents to the east. Therefore, staff does not support this request.

Waiver of Development Standards #1b

Staff also cannot support the reduced height setback ratio along Maryland Parkway due to the mass of the building with a 16 foot setback. This does not match the surrounding area and will still create a dramatic visual impact along Maryland Parkway. As a result, staff cannot support the request.

Waiver of Development Standards #2a & #2b

The immediate buildings around the site are single and 2 stories, and the proposed 175 foot high and 113 foot tall buildings are not compatible with these existing buildings. While multiple story buildings are located farther from the site along Maryland Parkway, the proposed buildings are significantly taller than the existing multiple story buildings in the area. For example, the University Gateway project was developed at 109 feet in height (7 stories with rooftop amenities), and several buildings on the UNLV campus are similar in height and the UNLV Greenspun Building at the northwest corner of Maryland Parkway and University Road is 5 stories. North of the Greenspun Building, the student union is 3 stories, and north of the student

union, the Flora Dungan Humanities building is 7 stories tall. Additionally, a UNLV student housing project on the northwest corner of Maryland Parkway and Cottage Grove Avenue was developed at 66 feet in height (5 stories). Although multiple story buildings are consistent with the development trend along this section of Maryland Parkway, 175 feet (15 stories) is dramatically taller than any other building in the area. In addition, the reduced setbacks and lack of design components to reduce the visual mass of the buildings will intensify the impact of the increased height. As a result, staff cannot support the request.

Waiver of Development Standards #3a

Areas less than 15 feet wide are limited to the courtyard entrance and adjacent to the driveway. A 42 foot wide landscaping area at the corner of Harmon Avenue and Maryland Parkway will compensate for the lack of landscaping in other areas along Maryland Parkway. However, since staff is not supporting the other waivers of development standards and design review, staff cannot support this request.

Waiver of Development Standards #3b

Staff also cannot support the elimination of landscaping to a less intense use (multiple family residential complex) along the east property line. The elimination of the landscaping further intensifies the overall impacts of the development on the adjacent multiple family complex. Additional design considerations should be incorporated into the project to reduce the visual impacts on existing properties. As a result, staff cannot support the request.

Waiver of Development Standards #3c & #3d

The reduction in street landscaping may be necessary to accommodate utility areas as well as a pedestrian connection to the courtyard. Although abundant landscaping is provided along other portions of the street frontages, staff is concerned with attached sidewalks and pedestrian safety. As a result, staff also cannot support the reduction in street landscaping.

Design Review #1

The overall commercial complex complies with several goals in the Master Plan. For example, Policy WP-3.4 in part encourages student housing, professional and educational offices, commercial uses, and other developments that serve a university population. Here, the project combines commercial, office, dormitory, and convenience store uses that are vertically integrated. Master Plan Policy WP-2.2 encourages transit supportive development patterns along Maryland Parkway. Here, the project creates a pedestrian and transit oriented development that will provide access to existing bus service and future bus rapid transit service along Maryland Parkway. Lastly, Master Plan Policy WP-1.1 supports transit supportive development along major corridors at densities that support pedestrian activity. Here, the project will further the development of a student oriented commercial district along Maryland Parkway that creates synergy with UNLV operations.

Regarding the design of the site and buildings, the project complies with policies in the Master Plan as well. Master Plan Policy 4.1.6 encourages context-sensitive connectivity to create visual continuity, reinforce the pedestrian character, and provide outdoor use areas along public walkways. Here, the project includes pedestrian amenities along a portion of Maryland Parkway, and an extensive pedestrian courtyard with a future public art installation. However, detached

sidewalks along University Avenue and Harmon Avenue are more appropriate for this type of pedestrian oriented development. In addition, varying building height and breaking-up the mass of the buildings to reduce visual dominance is an important consideration during design review. The increased height and reduced setbacks will create an oppressive impact for pedestrians and motorists along Maryland Parkway. Also, the increased height will dramatically alter the skyline and could negatively impact the residents to the east. The overall building design could include additional design elements such as off-set surface planes, unique building elements, various building placements and heights to maintain visual interest while reducing the perceived mass of the buildings. As a result, staff cannot support this design review.

Public Works - Development Review

Waiver of Development Standards #4a & #4c

Staff has no objection to the reduction in throat depth for the University Avenue driveway and the eastern Harmon Avenue driveway. The driveways should see equal use, mitigating the impact of the reduced throat depth. However, since Planning is not supporting the application in its entirety, staff cannot support this request.

Waiver of Development Standards #4b

Staff has no objection to the reduction in throat depth for the Maryland Parkway driveway. The driveway, together with the western driveway on Harmon Avenue, only serves 26 parking spaces. Due to the limited number of vehicles using the driveway, there should be no impact from the reduced throat depth. However, since Planning is not supporting the application in its entirety, staff cannot support this request.

Waiver of Development Standards #4d

Staff has no objection to the driveway location on University Avenue since the driveway is as far east on the property as possible. However, since Planning is not supporting the application in its entirety, staff cannot support this request.

Waiver of Development Standards #4e & #4f

Staff has no objection to the reduced departure distance for the Maryland Parkway driveway and the reduced approach distance for the western driveway on Harmon Avenue. With only 26 parking spaces served by the 2 driveways, there should be no impact from the reductions. However, since Planning is not supporting the application in its entirety, staff cannot support this request.

Waiver of Development Standards #4g

Staff has no objection to the reduction in driveway width for the existing University Avenue driveway. All though the driveway width does not meet standards, the applicant will upgrade the driveway to a commercial curb return driveway, helping to mitigate traffic concerns caused by narrower driveways. However, since Planning is not supporting the application in its entirety, staff cannot support this request.

Design Review #2

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. However, since Planning is not supporting the application in its entirety, staff cannot support this request.

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.

The property lies within the AE-60 (60 - 65 DNL) noise contour for Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade Harry Reid International facilities to meet future air traffic demand.

Staff Recommendation

Denial.

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

If approved:

- Expunge the use permits, waivers of development standards, and design reviews associated with ZC-21-0451;
- Coordinate future bus stop with Regional Transportation Commission (RTC) and any modification to the site design, sidewalk width will require additional land use through public hearing;
- Any modifications to approved design beyond providing additional landscaping will require additional land use through public hearing;
- Decorative screening to be provided for the east elevations of the podium parking levels for both buildings;
- Appropriate land use application is required for the art plan, and art shall be installed prior to Certificate of Completion;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has

been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Comply with approved drainage study PW22-18770;
- 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 a 54 foot property line radius at the southwest corner of the site;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Harmon Avenue improvement project;
- 30 days to coordinate with Public Works and the Regional Transportation Commission and to dedicate any necessary right-of-way and easements for the Maryland Parkway BRT project;
- Reconstruct the back of curb radii on the southwest and northwest corner of the site to meet the minimum requirements per Uniform Standard Drawing 201.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; that offsite improvement permits may be required; and 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; and that the VS-21-0452 expires in October 2023.

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 must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;

- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- 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; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0018-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CAMPUS VILLAGE GROUP, LLC

CONTACT: CLARK HILL, 3800 HOWARD HUGHES PARKWAY, SUITE 500, LAS VEGAS, NV 89169