

P. K. THISTLE ARCHITECT
7383 Atacama Avenue
Las Vegas, Nevada 89179
PH: 702-435-1814
pkthistlearchitect@yahoo.com

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THE JACKSON HOTEL & HARLEM NIGHTS CASINO

JUSTIFICATION LETTER FOR ZONE CHANGE, VACATIONMENT, VARIANCE, SPECIAL USE PERMITS & SITE DEVELOPMENT REVIEW APPLICATIONS

25-0110-SDR1 - SITE DEVELOPMENT PLAN REVIEW

We hereby request a Site Design Review for a proposed 22 story building with waivers of Title 19.09 Form Based Code Development Standards.

The proposed project consists of a 22 story Hotel which includes 207 rooms and 60 condominium units. The project also includes a 838 seat Performing Arts Theater, Restaurants, Convention Space, A 7,000 S.F. Casino (& future 3500 s.f. Casino) located on the second floor) A Beauty Spa, Health Spa, Nightclub, Lounges, a Rooftop Pool Deck and Retail Shops. Valet parking will be provided adjacent to to Hotel lobby. A 479 space Parking Garage will be constructed on the adjacent parcel which is also owned by this applicant.

The proposed project is located on at (600, 606, 608, 612 & 620 Jackson Avenue). The 600 Jackson Avenue parcel holds a Nonrestrictive Gaming use, along with a grandfather Tavern use. These allowable uses make this property very unique in Las Vegas and as such increases the value of the property. In order to make the best use of this property, it is imperative that the maximum use of the property be developed. The owner of this property has acquired the remainder of the properties bounded by Jackson Avenue on the south, Van Buren Avenue on the north, F Street on the east and G Street on the west.

This property is located in the Historic Westside and is part of a Revitalization Zone. A portion of the "Hundred Plan" calls for the "Revitalization of Historic Jackson Street". The Hundred Plan recommends establishing a walkable community with amenities to serve the residents. The Hundred Plan also recommends a "Catalyst Project" at a key intersection of Jackson Street and D Street or F Street with neighborhood coffee shops along with other support facilities. The Hundred Plan recommends repurposing buildings to celebrate the history of Jackson Street. The Plan recommends developing existing empty lots with mixed-use buildings and plazas including positive street life generators such as interactive shop fronts, cafes and music venues and a boutique hotel. The plan calls for a plan to reactivate Jackson Street to become a landmark destination. All of these recommended uses are intended to support the local economy. In addition to this, the (SAS) Southern Nevada Strong report stresses the critical need in this community to develop the vacant land located in the Historic Westside neighborhood and to address the lack of available housing.

In conjunction with the Site Development Plan Review, we hereby request the following waivers

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1- We hereby request a Waiver of Development Standards Section 19.09.E.020 Figure 31 as follows:

- **MAIN BUILDING BODY**

- Dimension A Main building body width: Allowed: 100% of lot (max.)
Provided: 96%
- Dimension B: Main building body Depth: Allowed: 175' (max.)
Provided: 154'
- Dimension C: Secondary Wing width: Allowed: 70' (max.)
Provided: 290'
- Dimension D: Secondary Wing depth: Allowed: 70' (max.)
Provided: 0'

From the Basement level to level 3A the building extends from the Jackson property line to the rear property line. From Level 4 through level 22, the tower is set back 82' from the Jackson property and the tower depth is 69' which is within the allowable limit of 70' for a secondary wing width. The levels below Level 3A include the commercial areas of the building including: the Hotel Lobby, Performing arts Theater, Convention spaces, Retail spaces along with the other Hotel amenities. The ground level has a porte-cochere including a valet parking area that is set back 44' from the Jackson property line.

The dimensions indicated above are a bit misleading due to the fact that the levels from the basement up to level 3A extend from the front property line (or 10' back from the front property line) to the rear property line. The levels above level 3A (the tower) is only 69' deep and is set back 73' from the Jackson Property line.

25-0110-ZON1 - REZONING FROM T4-MS TO T5-MS

We hereby request that the subject property (13927110076, 13927110072, 13927110073, 13927110074, 13927110075) be changed from its current zoning of T4-MS to a T5-MS zone.

The original zoning for this site consisted of C-2 & R-3 zones. The City of Las Vegas rezoned this property to T4-C which is the current zoning. The City rezoned the properties fronting on Jackson Avenue to T4-C and the properties fronting on Van Buren Avenue to T4-N. It is our belief that the 600 Jackson Avenue parcel which had a prior zoning of C-2 which allowed a tall commercial building was the appropriate zoning for a property with a non-restrictive gaming use. The current property owner has been involved with this property for the past 10 years and has always intended to fully develop the property including building a facility that could accommodate the minimum 200 room hotel requirement. Due to the lengthy legal proceedings with this property, the current owner was not involved with the city when they changed the zoning from C-2 to T4-C. After extensive analysis, the current owner has determined that developing this property in compliance with the Form-Based code for T4-C zone would not be financially feasible. He further believes that developing this project with the 24 floors would provide the catalyst project recommended in the Hundred Plan, not to mention the great number of jobs that it would generate, not only during construction but also for many years to come. He also believes that this project would provide the revitalization that the Historic Westside neighborhood has needed for a long time.

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25-0110-VAC1 – PETITION TO VACATE

We hereby request the vacation of the 20 foot wide alley located on the property adjacent to 139-27-110 between F Street and G Street. The proposed development includes the entire property with the bounds of Jackson Avenue, G Street, Van Buren Avenue & F Street. A single owner will develop the entire property. All utilities currently located in the alley will be relocated around this block.

25-0110-SUP1 - SPECIAL USE PERMIT– AIRPORT OVERLAY

We hereby request a Special Use Permit to allow a 22 story building with a maximum height of 351' where 140' is the maximum allowable height.

It is our opinion that in order to have a hotel with non-restrictive gaming and alcohol throughout, a minimum of 200 hotel rooms are required per State regulations. It is not possible to design a facility that can accommodate a casino and hotel along with all of the parking required and other amenities on this site with the 5 story limitation established in the form based code. The owner's intention is to develop a project that will revitalize the Historic Westside and provide the housing that is critically needed in this area. In order to do so, we need to exceed the height restrictions provided in the code. It is our intent to file an application with the FAA to request the approval to construct a 351' building. It is also our request that this be indicated as a condition of approval. At this time we have received a preliminary determination from the FAAQ that a 479' building will be acceptable.

25-0110-VAR1 – VARIANCE – BUILDING HEIGHT

We hereby request a Variance to allow the construction of a building with a maximum height of 22 stories where 7 stories is the maximum allowed.

The subject site is extremely unique in the City of Las Vegas and Clark County in that it has a grandfathered non-restrictive gaming use permitted on this site. As a result of this condition, the gaming aspect impacts the value of this property and thus has an impact on its overall design. In order to comply with regulations governing on site alcohol use, (which goes along with the casino use) we need to provide a minimum of 200 hotel rooms. In addition to this, the Hundred Plan calls for providing additional housing units. We are proposing 60 condominium units along with 336 apartments (on the adjacent site) . In meeting these design requests, it is not possible to do so within the limitations of a 7 story building. The Hundred plan recommends a "Catalyst Project" at the key intersections of Jackson and "D" or "F" Streets. It is our opinion the by constructing the proposed 60 story building, this request will be met and that it will initiate development in this neighborhood. In addition to this, the City of Las Vegas has provided "Incentives " for "Affordable Housing Units". It is our intention to provide affordable housing units in this project. We understand that the published "Incentives" allows for a 1-6 story building height bonus for providing "Affordable Housing Units. We further understand that this bonus is currently limited to the following Code Districts: TOD-1, TOC-1, TOD-2, TOC-2 AND NMUX Zoning Districts. We are requesting a T5-MS Zoning change, but would like to have consideration for the building height bonus since we will be building 60 condominium units on this site and 336 apartment units on the adjacent parcel.

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It is our belief that this project will provide all of the listed recommendations of the “Hundred Plan” and will be the catalyst for the revitalization of Jackson Street and the Historic Westside including The Hotel, café’s, neighborhood coffee shops and music venues. This project will generate not only employment opportunities during construction but provide many quality jobs far into the future.

We believe that this project will be a great attribute to the Historic Westside neighborhood and to the City of Las Vegas.

25-0110-SUP2-SPECIAL USE PERMIT-MASSAGE ESTABLISHMENT

The proposed project includes a 7,000 s.f. Health Club located on the 6th floor. The Health Club includes an 800 s.f. massage area with (2) two massage rooms. The Health Club is considered one of the amenities of the Hotel & Condominium portion of the building. The massage facility will be operated from 6:00 am to 10:00 pm, per City of Las Vegas regulations. It is our understanding that a Waiver will be required for the message establishment to be located within 400 ft. of a Church, House of Worship, School, City Park, Individual Care Center for more than 12 children or any parcel zoned for Residential use. It is our belief that the proposed Health Club will be an important amenity supporting not only the Hotel, but also the residents of the Condominiums as well.

In conjunction with the Special Use Permit we hereby request the following Waivers:

- 1- We hereby request a Waiver to allow a Message Establishment with a floor area of 800 s.f. where 150 s.f. is the maximum allowed.
- 2- We hereby request a Waiver to allow a Message Establishment to be located less than 400 ft. from any Church, House of Worship, School, City Park, Individual Care Center licensed for more than 12 children, or any parcel zoned for Residential Use.

Please be advised that the proposed Message Establishment is located within the Health Club which is located on the 6th floor and is intended to be used for the Hotel guests along with the Condominium residents.

25-0110-SUP3 NIGHTCLUB SPECIAL USE PERMIT

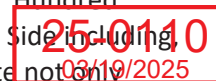
We hereby request a Special Use Permit for a proposed Nightclub. The proposed project includes a 7,000 s.f. Nightclub located on the seventh floor. The “Hundred Plan” recommends revitalizing Jackson Street and providing small music venues that are unique to the Westside.

25-0110-SUP4 ALCOHOL ON-PREMISE FULL USE

We hereby request a Special Use Permit to allow Alcohol Full Use with waivers to allow a 99-foot distance separation from a Church/House of Worship and a 394-foot distance separation from a parcel zoned for Residential use where 400 feet is required.

CONCLUSION

It is our belief that this project will provide all of the listed recommendations listed in the “Hundred Plan” and will be the catalyst for the revitalization of Jackson Street and the Historic West Side including the Hotel, Café’s, Neighborhood Coffee shops and Music Venues. This project will generate not only



employment opportunities during construction but will provide many quality jobs far into the future. In accordance with the Form Based Code, it is the owner's vision is to encourage employees to provide opportunities to also both live and work at this location, reducing the vehicle and traffic impact in the neighborhood.

The owner is committed to preserve the heritage of the Historic Westside community. With this project it is his intention to name portions of the project after key figureheads in the history of the Historic Westside. These include the Wedding Chapel, Convention Center and Theater.

The owner of this project has committed to a Community Benefit Package which includes allocating 10% of all net profits to benefit the Historic Westside Community. He is also committed to create a destination that fosters economic growth and celebrates black culture in Las Vegas. This project is poised to be a cornerstone of Las Vegas's Historic Westside blending ambience with cultural significance, and serving as a prime destination for those seeking a one-of-a-kind experience in the heart of Las Vegas.

The owner has worked closely with the Bishops and Pastors in the community and has received their strong endorsement. He has also worked with and received the support of the Southern Nevada Building and Construction Union and Culinary Unions. In addition to this local residents, businesses and stakeholders have expressed their strong support, recognizing the project's potential drive economic growth, creating housing and employment opportunities which will revitalize the Historic Westside. It is estimated that this project will generate approximately 1000 new jobs for this community which is currently experiencing an 18% unemployment rate. In addition to this, this project will increase the property tax from \$6,000 per year to \$4,800,000 per year. It is also estimated that this project will generate \$12,000,000 per year in sales tax.

With the 60 condominium units proposed for this site, this project will help to address the critical housing needs in the City of Las Vegas. By building this project, the Historic Westside will be receiving a critical catalyst which has been identified as a key driver in revitalizing this community in the Hundred Plan. In accordance with the vision of the Form Base Code, this project provides opportunities for Live / Work spaces. The Westside Residence will provide designated live/work units, allowing entrepreneurs and remote professionals to seamlessly integrate their living and working environments. These units are designed to support business owners, creatives and telecommuters within the community. This development is also committed to sustainability. The development will feature multiple EV charging stations to encourage the adoption of electric vehicles, reduce carbon emissions and support residents and visitors who prioritize green transportation.

This owner is committed to developing a project that will enhance the quality of life. He is dedicated to addressing homelessness, promoting security and safety and enhancing the overall quality of life.

P. K. Thistle
Architect

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