

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400188 (WS-18-0789)-CAI LAS VEGAS HOTEL PARTNERS, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS THIRD EXTENSION OF TIME for the following: **1)** increase building height; **2)** reduce the height setback to an arterial street for a proposed hotel; **3)** reduce parking; **4)** increase the number of tandem spaces; **5)** alternative parking layout; and **6)** alternative driveway geometrics and design.

DESIGN REVIEW for modifications to an approved hotel on 0.6 acres in a CR (Commercial Resort) Zone.

Generally located on the northwest corner of Nevso Drive and Valley View Boulevard within Paradise. MN/nai/ng (For possible action)

RELATED INFORMATION:

APN:

162-19-512-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height for a proposed hotel to 236 feet where 186 feet was previously approved and where 100 feet is the standard per Table 30.40-7 (a 26.9% increase from previous and an 136% increase from standard).
2. Reduce the height setback for a proposed hotel adjacent to an arterial street (Valley View Boulevard) to 10 feet where a minimum of 75.3 feet is required per Figure 30.56-4 (an 86.7% reduction).
3. Reduce parking for a proposed hotel to 215 spaces where a minimum of 314 spaces are required per Table 30.60-1 (a 33.7% reduction).
4. Increase the number of tandem parking spaces to 66 spaces where a maximum of 64 spaces are permitted per section 30.60.050 (a 3.1% increase).
5. Permit an alternative parking layout with spaces a minimum of 8 feet wide and 16.5 feet in length with 20 foot wide drive aisles where a parking lot layout per Table 30.60-4 and Figure 30.60-1 are required.
6.
 - a. Reduce the departure distance from an intersection to a driveway to zero feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1.
 - b. Reduce throat depth to a minimum of 18 feet where throat depth per Uniform Standard Drawing 222.1 is required.
 - c. Reduce the driveway width to 22 feet where a driveway width per Uniform Standard Drawing 222.1 is required.

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4175 S. Valley View Boulevard
- Site Acreage: 0.5
- Project Type: Hotel
- Number of Rooms: 284
- Number of Stories: 21
- Building Height (feet): 236
- Square Feet: 222,297
- Parking Required/Provided: 314/215

History & Request

UC-0703-16 was approved by the Board of County Commissioners (BCC) in January 2017 for 3 separate developments on the property including a shopping center, a hotel, and a multiple family residential development. The property has since been subdivided and a shopping center and the multiple family residential developments are on separate parcels. The plans approved for the hotel by UC-0703-16 depicted 250 rooms with a height of 177 feet. In May 2018, the BCC approved WS-18-0261 with modifications to the approved hotel, which included the following: an increase to 260 rooms, a building height of 186 feet, reductions in setbacks, alternative landscaping and reduced parking. The application, WS-18-0261, is now complete because more than 50% of the buildings are complete, landscaping and off-sites are complete adjacent to development (the fully developed portion of the site), and off-sites were approved to be phased.

The subject application WS-18-0789 requested 6 waivers and a design review that was approved by the Board of County Commissioners on December 19, 2018. The design review is for a modification for the hotel. The waivers include building height, height setback for a hotel adjacent to an arterial street, reduce parking spaces, increase tandem parking spaces, and alternative parking layout.

Site Plan

The approved hotel site has frontage along Nevso Drive and Valley View Boulevard and is set back a minimum of 10 feet from these streets. The hotel was originally approved in conjunction with a shopping center and multiple family residential development. Shared drive aisles with the shopping center and the residential development provide access to the hotel from Hugh Hefner Drive and Valley View Boulevard. The hotel is set back zero feet from the common property line (west side) with the residential development. A waiver of development standards was approved with WS-18-0261 to reduce the setback to this property line. The plans depict an access driveway from Nevso Drive for delivery trucks for the hotel.

Landscaping

Alternative landscaping was approved with previous land use applications for this site. A minimum 10 foot wide landscape area with a detached sidewalk consisting of trees, shrubs, and groundcover is being provided along Valley View Boulevard. The landscape area adjacent to

Nevso Drive has attached sidewalks with minimum 10 foot wide landscape areas consisting of trees, shrubs, and groundcover.

Elevations

The approved plans show maximum height of 236 feet for the hotel. The plan indicates the building will be 233 feet in height and the extra height is to allow for necessary lighting, antennas, or screening. The building has a flat roof behind a parapet wall with a combination stucco finish, decorative metal panels, and a rooftop deck and pool area.

Floor Plans

The proposed hotel has 21 stories and a basement level. The basement level consists of back of house areas (laundry, employee locker areas, and storage). The ground floor consists of a lobby area and the entrance to the parking garage: which includes parking for guests checking in and loading spaces for deliveries. The next 5 levels are a parking garage, which depict an alternative parking layout for all of the spaces within the parking garage. The seventh floor consists of conference rooms, offices and storage areas. The eighth floor consists of the front desk/lobby, a restaurant, and offices. Floors 9 through 20 consist of the guest rooms and the 21st floor consists of a fitness center with a rooftop pool and deck.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for ET-22-400063 (WS-18-0789):

Current Planning

- Until December 19, 2023 to commence.
- 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 may warrant denial or added conditions to an extension of time; and that 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.

Public Works – Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ADET-20-900586 (WS-18-0789):

Current Planning

- Until December 19, 2021 to commence.
- Applicant is advised that 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.

Listed below are the approved conditions for WS-18-0789:

Current Planning

- Applicant is advised that 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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Nevso Drive and associated spandrels; Nevso Drive entrance will be emergency access only;
- Gates or another controlled access device will be required and to be approved by Public Works and Fire Prevention;
- Additional right-of-way dedications as required by the traffic study to accommodate any physical improvements and pedestrian volumes generated by this project;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Nevada Department of Transportation approval
- Applicant is advised that the installation of detached sidewalks may require the vacation of excess right-of-way or the dedication of right-of-way to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

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;
- 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.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD is unable to verify sewer capacity based on this zoning application; to find instruction for submitting a Point of Connection (POC) request on the CCWRD website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

Applicant’s Justification

The applicant is requesting a third extension of time for WS-18-0789. The applicant states that the dewatering on-site has been completed for the site, the crane is on-site for work, and the steel has been delivered. The applicant is requesting a 2 year extension to commence the project.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0481	Reduced separation of monument signs in conjunction with an approved shopping center	Approved by PC	October 2023
ET-22-400063 (WS-18-0789)	Second extension of time for a waiver of development standards to increase building height, alternative parking, and reduced setback for a proposed hotel	Approved by BCC	June 2022
ADET-20-900586 (WS-18-0789)	Administrative extension for a waiver to increase building height, alternative parking, and reduced setback for a proposed hotel	Approved by ZA	May 2022
UC-18-0787	Tavern in conjunction with a shopping center	Approved by BCC	December 2018
WS-18-0789	Increased building height, alternative parking, and reduced setback for a proposed hotel	Approved by BCC	December 2018
WS-18-0261	Modifications to an approved shopping center and hotel	Approved by BCC	May 2018
WS-18-0112	Increased the number of animated signs and a design review for signage in conjunction with an approved shopping center	Approved by BCC	April 2018
WS-18-0030	Alternative street landscaping and a design review for revisions to an approved multiple family residential development	Approved by BCC	March 2018
TM-0009-17	Commercial lot and a residential lot with 290 multiple family residential units	Approved by PC	March 2017
VS-0054-17	Vacated and abandoned a 5 foot wide portion of right-of-way being Valley View Boulevard	Approved by PC	March 2017

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0703-16	Increased density and building height, waivers to reduce setback from an arterial street and reduced parking for a multiple family residential development, and design reviews for a multiple family residential development, hotel, and shopping center	Approved by BCC	January 2017
UC-0314-08	Resort hotel and expansion of the Gaming Enterprise District - expired	Approved by BCC	August 2008
UC-1253-05	Shopping center - expired	Approved by BCC	October 2005
UC-0884-04	Planned unit development consisting of 542 residential units - expired	Approved by BCC	August 2004
ZC-1404-94	Reclassified the subject site to H-1 zoning	Approved by BCC	September 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	CR	Shopping center
South	Entertainment Mixed-Use	IL	Parking lot
East	Entertainment Mixed-Use	CR	Undeveloped
West	Entertainment Mixed-Use	CR	Multiple family residential development

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that in the second extension of time application, ET-22-400063 (WS-18-0789), staff stated that since 5 years had elapsed from the original approval date, the application would be the last extension staff will support. Additionally, since approval of the last extension of time, the

Title 30 rewrite was adopted and there are no valid building permits for the development. For these reasons, staff cannot support this application.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time. However, since Planning is recommending denial of the application, staff cannot support this request.

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:

- Until December 19, 2025 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTEST: 1 card

COUNTY COMMISSION ACTION: May 22, 2024 – HELD – To 06/05/24 – per the applicant.

COUNTY COMMISSION ACTION: June 5, 2024 – HELD – To 07/03/24 – per the applicant.

APPLICANT: CAI LAS VEGAS HOTEL PARTNERS, LLC

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