

07/03/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0205-SUNSET AND DURANGO PARTNERS PHASE 2, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to increase building height.

**DESIGN REVIEW** for canopies in conjunction with an approved parking garage on 9.65 acres in a CG (Commercial General) Zone.

Generally located on the north side of Sunset Road, 280 feet west of Durango Drive within Spring Valley. JJ/rr/ng (For possible action)

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RELATED INFORMATION:

**APN:**

163-32-814-002; 163-32-814-003

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase building height to 74 feet where 59 feet was allowed by an approved waiver and where a maximum of 50 feet is allowed per Section 30.02.14 (a 48% increase and a 25.4% increase from the previous approval).

**LAND USE PLAN:**

SPRING VALLEY - CORRIDOR MIXED-USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Acreage: 9.65
- Project Type: Parking garage canopies
- Number of Stories: Up to 3 (recreational/restaurant/retail/office)/6 levels (garage)
- Building Height (feet): Up to 74
- Parking Required/Provided: 600/712

Site Plans

The plans indicate the location of a previously entitled multi-level parking garage on the northwest corner of the site. The parking garage is the subject of a waiver request to increase the overall height by adding parking canopies and an elevator shaft on the roof level. The structure has 6 levels with 34,476 square feet per level and a total square footage of 183,496 square feet. The garage is set back 34 feet 2 inches from the rear property line. The parking garage will serve a previously entitled shopping center which is currently under construction. The shopping center is proposed to feature a mix of uses including retail, offices, restaurants, and an indoor recreational area.

### Landscaping

Landscape plans were submitted and approved with previous land use applications. No changes to the approved plans are proposed.

### Elevations

The plans depict a multi-level parking garage which was previously approved to be 59 feet in height. The overall proposed height is 74 feet to the top of the proposed shade canopies on the roof level of the garage. Additionally, an elevator shaft is proposed with a maximum parapet height of 67 feet above the ground level. Other than the canopies and elevator shaft, no changes are being made to the garage.

### Applicant's Justification

The applicant states that they are requesting the rooftop parking level of the proposed parking garage to be covered by canopies to provide shade for cars that park in the direct sunlight. The applicant further states that the canopy is professionally custom designed and will not negatively impact any of the adjacent uses.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
SDR-23-0381	Signage in conjunction with an approved shopping center	Approved by PC	February 2024
UC-22-0433	Request for a recreational facility, retail, and office use	Approved by BCC	September 2022
ET-21-400037 (VS-19-0025)	Extension of time for the vacation and abandonment of right-of-way for portions of Durango Drive and Sunset Road	Approved by PC	May 2021
ET-20-400084 (VS-18-0435)	Extension of time for the vacation and abandonment of easements	Approved by PC	September 2020
WS-19-0371	Comprehensive sign plan - expired	Approved by PC	July 2019
VS-19-0025	Vacated and abandoned right-of-way for portions of Durango Drive and Sunset Road - recorded	Approved by PC	March 2019
VS-18-0435	Vacated and abandoned easements - recorded	Approved by PC	July 2018
TM-18-500094	1 lot commercial subdivision	Approved by PC	July 2018
WS-18-0093	Shopping center consisting of multiple buildings, a movie theater, and subterranean parking garage	Approved by BCC	March 2018
ZC-0081-17	Reclassified the site to C-2 zoning for future commercial development	Approved by BCC	March 2017

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Urban Neighborhood (greater than 18 du/ac)	RM32	Multi-family residential
East	Corridor Mixed-Use	CG	Retail center
West	Corridor Mixed-Use	CG	Undeveloped
South	Entertainment Mixed-Use	CG	Retail

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

### **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**

##### Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

A waiver to increase the height of the parking garage from 50 feet to 59 feet was previously approved with UC-22-0433 to accommodate a parapet. The additional increase of 15 feet is to accommodate proposed canopies on the parking garage roof and is not for any habitable area. Staff does not have an objection to the increased building height as it should have minimal to no impact on the surrounding land uses. In addition, the proposed building heights and building design are consistent and compatible with the approved building heights on the adjacent development. Therefore, staff does not anticipate any adverse impacts from the increased height and can support this waiver.

##### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed design indicates tensile canopy structures with shades that have a sail-like appearance. This modern design compliments the appearance of the parking garage and does not appear to be unsightly or undesirable and should be harmonious and compatible with the overall site development. The addition of shading on the parking garage rooftop will also assist in reducing the potential heat island effects that would be otherwise unabated from having the entire rooftop exposed to the sun; therefore, staff can support this design review.

**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 within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** STARR MERMEJO

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