

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0169-OBJECT DASH, LLC:

AMENDED USE PERMITS for the following: **1)** a proposed multi-family development; and **2)** a proposed monorail (station).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback; **2)** reduce parking lot landscaping (no longer needed); **3)** reduce parking; and **4)** allow alternative driveway geometrics.

DESIGN REVIEWS for the following: **1)** a proposed multi-family development with accessory commercial (retail and restaurant) uses; and **2)** a proposed monorail (station) on 1.33 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the east side of Paradise Road, 900 feet north of Harmon Avenue within Paradise. JG/mh/kh (For possible action)

RELATED INFORMATION:

APN:

162-22-202-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the front setback to 6 feet where a minimum of 10 feet is required per Section 30.02.17B (a 40% reduction).
2. Reduce parking lot landscape islands and trees where a landscape island shall be provided every 6 parking spaces and at the end of each row of parking per Section 30.04.01D (no longer needed).
3. Reduce the number of required parking spaces to 24 spaces where 184 spaces are required per Section 30.04.04D (an 87% reduction).
4.
 - a. Increase the width of a commercial driveway along Paradise Road to 48 feet where 40 feet is the maximum per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 20% increase).
 - b. Reduce the ingress throat depth for a driveway along Paradise Road to 12 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 52% reduction).
 - c. Reduce the egress throat depth for a driveway along Paradise Road to 11 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 56% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 4300 Paradise Road
- Site Acreage: 1.33
- Project Type: Multi-family residential development with accessory commercial uses and a monorail station
- Number of Lots/Units: 132
- Density (du/ac): 99.25
- Number of Stories: 6
- Building Height (feet): 75
- Square Feet: 153,300 (multi-family building)/18,588 (monorail station)
- Open Space Required/Provided: 11,578/24,330
- Parking Required/Provided: 24/184
- Sustainability Required/Provided: 7/7

Site Plans

The plans depict a proposed multi-family development located on a 1.33 acre site consisting of 132 dwelling units with a density of 99.25 dwelling units per acre. The proposed development also features accessory retail and restaurant uses, and a monorail station. The multi-family building is 153,300 square feet, including 10,950 square foot of retail space and 28,750 square feet of office space and amenities, while the monorail station is 18,588 square feet. The site has 2 driveways accessed via Paradise Road to the west, with a 48 foot wide commercial driveway where 40 feet is the maximum driveway width, and a throat depth of 11 feet where 25 feet is the minimum, necessitating waivers of development standards for alternative driveway geometrics. A 5 foot wide detached sidewalk is also provided along Paradise Road, with pedestrian pathways provided along the west property line. The drive aisle is located on the west side of the site and wraps around the south side of the building with cross access with the property to the south and east (APN 162-22-202-002), which features an existing hotel. The multi-family building is set back 10 feet from the north property line, 25 feet from the east and south property lines, and 6 feet from the west property line, the last of which requires a waiver to reduce the front setback. The trash and recycling enclosure is located on the east side of the multi-family building. The monorail station is located on the north side of the site and features ramps to and from the subterranean tunnel and a perimeter drive-thru lane that passes a pick-up window that is part of the commercial portion of the multi-family building. Parking is located on the east, west, and south sides of the site, with a loading space located along the east property line. The overall development requires 184 parking spaces where 24 parking spaces are provided, requiring a waiver for reduced parking. The parking includes 7 EV capable parking spaces and 1 EV installed parking space.

Landscaping

The plans depict a proposed 5 foot wide detached sidewalks with two, 5 foot wide landscape strips on the side of the sidewalk along Paradise Road. The landscaping consists of large trees, shrubs, and groundcover, with the trees planted closer than 30 feet on center. Additional trees are provided along the north property line, spaced 20 feet apart on center, and around the parking area. A “green wall” is provided in lieu of trees along the north property line. The multi-family

development requires 11,578 square feet of open space where 24,330 square feet of open space has been provided. The open space consists of interior landscaping (does not include street landscaping), lobby lounge, pool, courtyard area, bar, lounge, game room, and fitness center.

Elevations

The plans depict a 6 story, 75 foot high multi-family building with a flat, variable roofline. The exterior of the building consists of stainless steel, concrete, corrugated steel, corten steel accents, galvanized steel façade cladding, smooth stucco, and wooden slats. The base level features the accessory retail portion of the building, along with the monorail station's drive-thru, ramps, and subterranean tunnel.

Floor Plans

The plans depict a multi-family building with accessory commercial uses and amenities. The first level features retail, while the second level features a courtyard, pool, workspaces, conference room, bar, lounge, kitchen, storage room, game room, elevators, and staircase. There are a total of 132 dwelling units consisting of 104 studio units, 24 one bedroom units, and 4 two bedroom units, which are evenly distributed between the third and sixth floors.

Applicant's Justification

The proposed development is compatible with other resort hotels and condominium towers in the surrounding area, and the proximity to UNLV makes the site suitable as an additional housing option. Additional street landscaping and trees in the northwest corner of the site are being provided. Most residents will not have personal vehicles to park on-site and will instead utilize alternative transportation options, including the Vegas Loop monorail station that is a part of this development. This will reduce surface traffic congestion and living expenses for residents. Waivers for increased driveway width and reduced throat depth are also being requested. The wider driveway will allow for safer ingress and egress, while the reduced throat depth will not create any on-site problems due to the minimal vehicle access and circulation on-site.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0010-12	Waiver to allow an overheard communication line on existing utility structures along public rights-of-way	Approved by PC	March 2012
ADR-900315-10	Conversion of the south face of an off-premise sign (billboard) to a digital face	Approved by ZA	April 2010
ADR-900277-09	Conversion of the north face of an off-premise sign (billboard) to a digital face	Approved by ZA	March 2009

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1979-04	Use permits for kitchens in hotel rooms, shopping center uses, increased building height, and on-premise alcohol consumption, waivers for encroachment into airport airspace, reduced parking and loading spaces, reduced building setback, and to permit landscaping in the right-of-way, and design review of a timeshare hotel condominium development with a commercial component - expired	Approved by PC	December 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	CR (AE-60 &AE-65)	Multi-family residential
South & East	Entertainment Mixed-Use	CG (AE-60 &AE-65)	Hotel
West	Entertainment Mixed-Use	CR (AE-60 &AE-65)	Virgin Hotels Las Vegas

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

Use Permits

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Multi-family residential developments and monorails both require the approval of a use permit in the CR (Commercial Resort) zoning district to permit the uses and demonstrate the development is appropriate for the given location. The proposed development complies with Goal 1.1 of the Master Plan that encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. The project also complies with Policy 1.1.2, which encourages the concentration of higher-density housing in areas with access to existing or planned high-frequency transit, major employment centers, existing infrastructure, and other services. Per the Master Plan, multi-family residential uses are encouraged as a supporting use in the Entertainment Mixed-Use category to support the expansion of housing options within close proximity of services, amenities, and jobs. However, since staff cannot support the associated waivers of development standards and design reviews, staff cannot support the use permits.

Waivers 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.

Waiver of Development Standards #1

Setbacks are important to maintain a safe and cohesive built environment, minimizing potential site conflicts and adverse effects. Staff finds that since this a new development on an undeveloped site, the front setback reduction along Paradise Road is a self-imposed hardship that could be resolved through minor site modifications that would provide the required 10 foot front setback. Therefore, staff cannot support this request.

Waiver of Development Standards #2

No longer required.

Waiver of Development Standards #3

Staff can understand that the significant reduction in parking is due to the monorail station providing an alternative transportation option to residents, rather than relying on their own personal vehicles. The accessory commercial uses will also provide residents with on-site restaurant and retail options. However, staff remains concerned that the minimal parking provided will be inadequate for the proposed residential and commercial uses. While staff can appreciate the monorail as an alternative transportation option, it is unlikely to be feasible for residents to rely on as a single transportation option to traverse Clark County and reach their regular destinations.

Design Reviews

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.

Staff finds that the multi-family and monorail uses are suitable for this site, providing new housing and transportation options for potential residents. The site is located in an area with heavy traffic and substantial development, offering a variety of uses and amenities that could serve residents of the proposed development. The architectural style of the multi-family building is compatible with the surrounding area, while providing several sustainability features consistent with Title 30 standards. However, staff is concerned about the site design and the Title 30 standards that are not being met. Staff finds that minor modifications to the overall site design would eliminate or reduce the requested waivers. For these reasons, staff cannot support these requests.

Public Works - Development Review

Waiver of Development Standards #4

Staff cannot support the request to the increase in driveway width and reduction of throat depth for the commercial driveway on Paradise Road. Although the applicant is asking to increase driveway width, the design does not allow for vehicles to safely enter and exit the site without the potential for conflicts. Vehicles trying to enter the site will have to nearly come to a stop to negotiate a turn into the site creating stacking within Paradise Road. A site redesign would allow for the commercial driveway to meet the minimum standards.

Department of Aviation

The currently planned land use designation is EM - Entertainment Mixed-Use , and the current zoning is CR - Commercial Resort, which permits many airport-compatible uses. As such, any additional residential or long-term stay use in this area, is incompatible with current and future noise levels present at this location. 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, and the subject property lies beneath flight paths that have been used since the 1960s. Clark County intends to continue to upgrade Harry Reid International Airport facilities to meet future air traffic demand. Due to these facts, this project is incompatible with current and future noise levels at this location. Staff recommends denial.

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 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance, and payment of the tree fee-in-lieu is required for any required trees waived.
- 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

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Paradise Road improvement project;
- 90 days to record said separate document for the Paradise Road improvement project;
- 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 devices.

Department of Aviation

- If approved, 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;
- If approved, 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;
- If approved, 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;
- If approved, 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 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 30.02.26B 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; 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.

Fire Prevention Bureau

- No comment.

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 #0093-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: OBJECT DASH, LLC

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