

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0756-LAS VEGAS AIRPORT CENTER, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** reduce setbacks; **3)** increase lot coverage; **4)** eliminate street landscaping; **5)** eliminate parking lot landscaping; **6)** allow modified driveway design standards; **7)** allow modified street standards; and **8)** allow non-standard commercial driveways to remain.

DESIGN REVIEW for a parking garage addition in conjunction with an existing shopping center on 2.76 acres in a CG (Commercial General) Zone within the Airport Environs (AE-65 & AE-70) Overlay.

Generally located on the east side of Paradise Road and the south side of Bell Drive within Paradise. JG/hw/kh (For possible action)

RELATED INFORMATION:

APN:

162-27-101-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 114 feet where a maximum height of 50 feet is permitted per Section 30.02.14B (a 128% increase).
2.
 - a. Reduce the side street setback of a building to Bell Drive to 5 feet where 10 feet is the minimum permitted by Section 30.02.14B (a 50% reduction).
 - b. Reduce the side street setback of a building to Palo Verde Road to 2 feet where 10 feet is the minimum permitted per Section 30.02.14B (an 80% reduction).
3. Increase the building lot coverage of the site to 83% where 60% is the maximum permitted per Section 30.02.14B (a 38% increase).
4.
 - a. Eliminate street landscaping along Bell Drive where a 10 foot wide landscape strip consisting of large trees every 30 feet is required behind attached sidewalks per Section 30.04.01D.
 - b. Eliminate street landscaping along Palo Verde Road where a 10 foot wide landscape strip consisting of large trees every 30 feet is required behind attached sidewalks per Section 30.04.01D.
5. Eliminate parking lot landscaping where 1 tree within landscape finger islands is required every 6 spaces per Section 30.04.01D.
6.
 - a. Reduce throat depth to 26 feet for a driveway located along Bell Drive where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08C (an 82.7% reduction).
 - b. Reduce throat depth to 79 feet for a driveway located along Palo Verde Road where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08C (a 47.4% reduction).

- c. Reduce the ingress radius for a commercial curb return driveway along Bell Drive to 15 feet where a minimum radius of 25 feet is required for a commercial curb return driveway per Uniform Standard Drawing 222.1 and Section 30.04.08C (a 40% reduction).
 - d. Reduce the egress radius for a commercial curb return driveway along Bell Drive to 10 feet where a minimum radius of 15 feet is required for a commercial curb return driveway per Uniform Standard Drawing 222.1 and Section 30.04.08C (a 33.4% reduction).
 - e. Reduce the ingress radius for a commercial curb return driveway along Palo Verde Road to 5 feet where a minimum radius of 25 feet is required for a commercial curb return driveway per Uniform Standard Drawing 222.1 and Section 30.04.08C (an 80% reduction).
 - f. Reduce the egress radius for a commercial curb return driveway along Palo Verde Road to 5 feet where a minimum radius of 15 feet is required for a commercial curb return driveway per Uniform Standard Drawing 222.1 and Section 30.04.08C (a 66.7% reduction).
7. Reduce the approach distance to the intersection of Bell Drive and Palo Verde Road for a driveway located along Bell Drive to 55 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08C (a 63.4% reduction).
 8. Allow existing non-standard commercial driveways along Paradise Road where commercial curb return driveways are required per Uniform Standard Drawing 222.1 and Section 30.04.08C.

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 5030 Paradise Road
- Site Acreage: 2.76
- Project Type: Parking garage addition
- Number of Stories: 9
- Building Height (feet): 114
- Square Feet: 375,228 (proposed parking garage)/49,810 (existing commercial buildings)
- Parking Required/Provided: 143/1,271
- Sustainability Required/Provided: 7/5.5

History & Request

The subject property was reclassified to a C-2 (now CG) zoning district via ZC-151-82 by the Board of County Commissioners (BCC) in October 1982. Additionally, a nearly identical parking garage was proposed with WS-23-0417, except the height of that parking garage was 72 feet with a maximum of 6 stories. Given the significant increase in height a new land use application was required for the proposed parking garage. The project site presently consists of 4 existing office and commercial buildings. Buildings A through C will remain on-site while the fourth building, located at the northeast corner of the property adjacent to Bell Drive and Palo

Verde Road, will be demolished to accommodate a proposed 9 story parking garage, with a maximum height of 114 feet, located on the east portion of the site. The proposed plans also include site modifications consisting of surface level parking spaces and providing a fire lane located between Buildings A through C.

Site Plans

The plans depict a project site consisting of 2.76 acres featuring 3 existing commercial and office buildings (Buildings A through C), that are oriented in a north/south direction on the west portion of the site, along Paradise Road. A 9 story parking garage is proposed along the east portion of the site, adjacent to Palo Verde Road. Below is a table reflecting the building setbacks from the north, south, east, and west property lines of the site:

Building Setbacks from Property Lines (in feet)				
Building	Property Line			
	North	East	South	West
A	20	178	289	18.5
B	161	160	166	19
C	282	144.5	5.5	15
Parking garage	5	2	15	185

A waiver of development standards is required to reduce the side street setbacks for the parking garage from Bell Drive and Palo Verde Road, respectively. Furthermore, waivers of development standards are required to reduce the throat depth, ingress and egress radii for the commercial driveways adjacent to Bell Drive and Palo Verde Road. A reduction to the approach distance to the intersection of Bell Drive and Palo Verde Road is also part of this request, in addition to permitting existing non-standard commercial driveways along Paradise Road. The proposed development requires 143 parking spaces where 1,271 parking spaces are provided, however due to 1,244 parking spaces being provided within the parking garage, the site is not considered to be overparked. Access to the project site is granted via 2 existing commercial driveways along Paradise Road; 1 proposed driveway adjacent Bell Drive, and 1 proposed driveway along Palo Verde Road. The parking garage will be serviced by interior gated access, with a vehicle queue line measuring 150 feet from the access gate to the main entrance to the garage from Bell Drive. Furthermore, the technology utilized for the parking garage reads the license plates of vehicles upon entering the structure; therefore, back-ups of the vehicle queuing lane are prevented. No cross access is provided between the 3 existing commercial buildings to the west and the proposed parking garage to the east. Additional modifications to the site include the restriping and reconfiguration of 27 parking spaces located between Buildings A through C. Existing 5 foot wide attached sidewalks are located along Paradise Road, Bell Drive, and Palo Verde Road.

Landscaping

The plans depict an existing street landscape area, measuring between 15 feet to 37 feet in width, located behind an existing 5 foot wide attached sidewalk along Paradise Road. Trees, shrubs, and groundcover are located within the street landscape area. A waiver of development standards is requested to not install the required street landscaping along Bell Drive and Palo Verde Road, in addition to the parking lot landscaping located between Buildings A through C. However, landscaping consisting of trees, shrubs, and groundcover is proposed along the southeast corner

of the site, between the parking garage and the vehicle rental facility to the south. Additional trees, shrubs and groundcover are provided between Building C and the southwest corner of the garage. Shrubs, groundcover, and a single tree are provided at the northeast corner of the site, between Bell Drive and the parking garage.

Elevations

The plans depict a proposed 9 story parking garage with a maximum height of 114 feet. The parking garage measures 94 feet in height to the top of the parapet wall, while the maximum height of 114 feet is necessary to accommodate the highest point of the elevator shafts. The parking garage will be constructed of concrete and will include PTFE mesh screens on portions of the north, south, east, and west elevations. The perforated PTFE mesh screens will feature artwork, consisting of vintage Las Vegas photographs that will be determined at a future date. The perforated metal screens will not contain any commercial advertisements.

Floor Plans

Below is a table reflecting the floor area for each level of the garage, including the corresponding number of parking spaces:

Parking Garage		
Floor Level*	Floor Area (square feet)	Quantity of Parking Spaces
1 (ground)**	53,620	186
2	44,695	141
3	44,695	143
4	44,695	143
5	44,695	143
6	44,695	144
7	44,695	144
8	44,695	144
9 (top)	26,719	83
Total	393,204	1,271

*Floors 1 through 5 contain 23 ADA accessible spaces.

**The ground level includes 104 electric vehicle charging stations.

The northwest corner, ground level, of the parking garage includes a lounge area for motorists measuring 1,010 square feet in area. The lounge area includes an office for the garage manager, lobby area, and restroom facilities.

Applicant's Justification

The applicant states the increase in building height is only for a minor portion of the overall garage and is necessitated by the elevator shaft. The majority of the parking structure is at a height of 94 feet to the top of the parapet wall. The scale and intensity of the development at this location is appropriate and compatible with existing and planned land uses in the area. The project is well designed and functionally and aesthetically integrated with the surrounding development and land uses through the site design. The elevations for the proposed parking garage will consist of multiple surface plane variations to give both vertical and horizontal articulation along with various materials and elements as depicted on the submitted renderings and materials sheet. Alongside the proposed 9 story parking garage, currently there are 3, two

story office buildings. The 3 buildings were recently renovated with major aesthetic improvements, that include all new windows, paint, standing seam metal exteriors, railings, and major landscaping upgrades. This additional parking will provide more than ample parking for the current and future office tenants in this project, and due to the limited number of parking spaces that Harry Reid Airport provides at Terminal 1. The applicant also states that the currently proposed parking garage is similar in footprint and elevation to the previously approved parking garage except for the increase in height.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-24-0231	New monorail (underground people mover system) station	Approved by BCC	July 2024
TM-23-500087	1 lot commercial subdivision map	Approved by PC	September 2023
VS-23-0418	Vacated and abandoned a public flood control and drainage easement	Approved by PC	September 2023
WS-23-0417	Permitted the addition of a 72 foot high parking garage structure to the existing commercial complex	Approved by PC	September 2023
WS-21-0427	Allowed a 36 foot tall, 540 square foot freestanding sign	Approved by PC	October 2021
UC-3-83	Relocated an existing 50 foot tall off-premises sign	Approved by BCC	November 1983
ZC-151-82	Reclassified the site from C-1 to C-2 zoning for additional commercial uses within an existing commercial complex	Approved by BCC	November 1982
ZC-27-74	Reclassified the site from R-4 to C-1 zoning for a 26,700 square foot office/retail complex	Approved by BCC	April 1974

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	CG	Transportation service facility
South	Corridor Mixed-Use	IP	Vehicle rental facility
East	Corridor Mixed-Use	CG & RM32	Office & retail buildings & multi-family residential
West	Public Use	PF	Harry Reid International Airport

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

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 #1

Staff finds the request to increase building height is inconsistent and incompatible with the development surrounding the project site, as the surrounding buildings do not exceed 2 stories. Additionally, the surrounding area has several residential buildings abutting the site that would be negatively impacted by such a building. As a result, staff recommends denial.

Waiver of Development Standards #2

The requests to reduce the required setbacks are a self-imposed burden. The intent of the required setbacks is to provide adequate separation between the public right-of-way and non-residential development. Staff finds the footprint and design of the parking garage can be reconfigured to meet the required setbacks. Therefore, staff recommends denial of this request.

Waiver of Development Standards #3

The intent of limiting the amount of the lot covered by structures is to prevent the crowding of structures in an unsafe way and to prevent an incompatible massing and intensity of structures in an area. Although the surrounding area is a relatively high intensity area, most of the surrounding lots consists of small footprint buildings that are relatively spread out. Most of the surrounding lots also maintain a large amount of open area on the lots. As a result, the proposed massing and intensity of proposed garage when combined with the other buildings on the lot would be and appear out of place with the surrounding neighborhood. In addition, given the parking garage is a new addition to the site, the request for increased lot coverage is a self-imposed hardship as the garage could be configured to reduce the overall coverage of the lot. Therefore, staff recommends denial.

Waiver of Development Standards #4

The intent of street landscaping is to enhance the perimeter of the project site, reduce the possible effects of the heat island effect along public rights-of-way, and to provide a buffer between parking areas and the adjacent streets. Although some landscaping in the form of shrubs and groundcover is provided at the northeast corner of the site along Bell Drive, staff finds additional landscaping can be provided along Bell Drive and Palo Verde Road by reconfiguring the footprint and design of the parking garage. Therefore, staff cannot support this request.

Waiver of Development Standards #5

The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying,

intensity. The request to waive the required landscaping is a self-imposed burden. Therefore, cannot support this request.

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 intent of the site modifications, which consist of restriping and reconfiguring 27 parking spaces and adding a fire lane located between Buildings A through C, are necessary to accommodate the proposed parking garage. Staff recognizes the intent of the proposed development is to provide additional parking in proximity to Harry Reid International Airport. The parking garage will be serviced by interior gated access, with a vehicle queue line measuring 150 feet from the access gate to the main entrance to the garage from Bell Drive. Furthermore, the technology utilized for the parking garage reads the license plates of vehicles upon entering the structure; therefore, back-up of the vehicle queuing lane is prevented. Additionally, there are several other uses in the area that support the operation of the airport as well. However, the request does not comply with Master Plan Policy 1.4.4 and Winchester/Paradise Specific Policy WP-3.1, which encourage in-fill and redevelopment of existing sites which are compatible in scale and features to the surrounding area. Due to the totality of the waiver of development standard requests, and the lack of cross access between the parking garage and commercial complex, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #6

Staff has no objection to the reduction in throat depth and curb return radii for the Bell Drive and Palo Verde Road commercial driveways. Both streets should see minimal traffic as Bell Drive ends to both the east and west, and Palo Verde Road ends south of the site. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Waiver of Development Standards #7

Staff has no objection to the reduction in the approach distance for the Bell Drive commercial driveway. Bell Drive only serves 2 commercial lots and should see minimal usage. Although the approach distance does not comply with the minimum standards, staff finds the location allows vehicles to safely access the site. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Waiver of Development Standards #8

Staff has no objection to allowing the existing pan driveways on Paradise Road. The driveways should see minimal use as the access to the parking garage is on Bell Drive and Palo Verde Road. However, since Planning is recommending denial of the application, staff cannot support this waiver.

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

The property lies within the AE-70 (70-75 DNL) and AE-65 (65-70 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 Airport 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 WS-23-0417;
- 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

- 30 days to coordinate with Public Works - Construction Division and to dedicate any necessary right-of-way and easements for the Tropicana and University Center DDI improvement project;
- 90 days to record said separate document for the Tropicana and University Center DDI improvement project.

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 30.02.26B 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;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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 owners wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features;
- Applicant to show fire hydrant locations on-site and within 750 feet.

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 #0319-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: PIERE BURTON

CONTACT: PIERE BURTON, 5030 PARADISE ROAD #C-214, LAS VEGAS, NV 89119