

PARKING GARAGE
(TITLE 30)

BELL DR/PARADISE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0417-LAS VEGAS AIRPORT CENTER LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increased building height; **2)** reduced setbacks; **3)** reduced setbacks from the right-of-way; **4)** eliminate street landscaping; **5)** eliminate parking lot landscaping; **6)** eliminate trash enclosure; **7)** allow modified driveway design standards; **8)** allow modified street standards; and **9)** allow existing non-standard commercial driveways where commercial curb return driveways are required.

DESIGN REVIEWS for the following: **1)** site modifications to an existing commercial complex; and **2)** parking garage in conjunction with an existing commercial complex on 3.0 acres in a C-2 (General Commercial) (AE-65 &AE-70) Zone.

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

RELATED INFORMATION:

APN:

162-27-101-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 72 feet where a maximum height of 50 feet is permitted per Table 30.40-4 (a 44% increase).
2.
 - a. Reduce the rear yard setback along Palo Verde Road to 1 foot where a minimum setback of 10 feet is required per Table 30.40-4 (a 90% reduction).
 - b. Reduce the side street (corner) yard setback along Bell Drive to 5 feet where a minimum setback of 10 feet is required per Table 30.40-4 (a 50% reduction).
3.
 - a. Reduce the setback from a street (Palo Verde Road) or future right-of-way line to 1 foot where a minimum setback of 10 feet is required.
 - b. Reduce the setback from a street (Bell Drive) or future right-of-way line to 5 feet where a minimum setback of 10 feet is required.
4.
 - a. Eliminate street landscaping along Palo Verde Road where street landscaping is required per Figure 30.64-17.
 - b. Eliminate street landscaping along Bell Drive where street landscaping is required per Figure 30.64-17.
5. Eliminate parking lot landscaping where landscaping is required per Figure 30.64-14.
6. Eliminate trash enclosure where required per Section 30.56.120.

7.
 - 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 (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 (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 (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 (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 (a 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 (a 66.7% reduction).
8. 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 (a 63.4% reduction).
9. Allow existing non-standard commercial driveways along Paradise Road where commercial curb return driveways are required per Uniform Standard Drawing 222.1.

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 5030 Paradise Road
- Site Acreage: 3
- Project Type: Parking garage in conjunction with a commercial complex
- Number of Stories: 2 (Buildings A through C)/6 (parking garage)
- Building Height (feet): 58 to 72 (parking garage)
- Square Feet: 15,570 (Building A)/14,400 (Building B)/19,840 (Building C)/259,119 (parking garage)
- Parking Required/Provided: 200/842

History and Request

The subject property was reclassified to a C-2 zoning district via ZC-151-82 by the Board of County Commissioners (BCC) in October 1982. 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 6 story parking garage, ranging between 58 feet to 72 feet in height, 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 3 acres featuring 3 existing commercial and office buildings, A through C, that are oriented in a north/south direction on the west portion of the site, along Paradise Road. A 6 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	1	19	174

A waiver of development standards is required to reduce the rear yard and side street (corner) setbacks for the parking garage from Bell Drive and Palo Verde Road, respectively. Furthermore, a waiver of development standards is required to reduce the setback from the right-of-way for the parking garage from Bell Drive and Palo Verde Road. Additional 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 200 parking spaces where 842 parking spaces are provided. 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 19 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. No increase to finished grade is associated with the development proposal.

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 eliminate the 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 6 story parking garage ranging between 58 feet to 72 feet in height. The parking garage measures 58 feet in height to the top of the parapet wall, while the maximum height of 72 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	185
2	44,695	142
3	44,695	144
4	44,695	144
5	44,695	144
6 (top)	26,719	83
Total	259,119	842

*Each floor contains multiple electric vehicle charging stations.

**The ground level includes 26 surface level parking spaces located between Buildings A through C.

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.

Signage

Signage is not a part of this request.

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 58 feet to the top of the parapet wall. The proposed throat depth is on the ingress side of the driveway and therefore will not have any adverse impact on vehicles that could queue in

the right-of-way. The proposed approach distance is due to the general location of the existing driveway; however, the driveway is wider with a commercial curb return driveway to meet current standards. Bell Drive is a short roadway with limited traffic, and the smaller radius will not have a significant impact. For Palo Verde Road, there is an ingress radius of 5 feet where a minimum of 25 feet is required and an egress radius of 5 feet where a minimum of 15 feet is required. Palo Verde Road is a secondary driveway and also has limited traffic. The vehicle queue for 7 cars, from Bell Drive to the gate of the garage, is 150 feet. Additionally, the technology used for this garage where license plates are read as you go in, so there isn't a back-up of cars or a delay in getting cars into the garage. The waiver requests are needed since the development site is irregularly shaped. This is an in-fill redevelopment, there is no adjacent residential (only across Palo Verde Road), and the proposed use will enhance the area, will provide a public benefit, and will have a substantial number of charging facilities for electric vehicles. 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. The architectural detailing is provided on all sides consistent with the primary/front elevation. The applicant intends to place PTFE mesh screens as a decorative enhancement to the west and north facing sides of the garage. Furthermore, these screens are public art and not advertising. Alongside the proposed 6 story, 842 parking space garage, currently there are 3, two story office buildings. Two of 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. The renovation for the third building should be completed by the fall of 2023.

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, this proposed parking garage will provide 72 Tesla Supercharging Stations (with additional up to 104 charging facilities for electric vehicle) on the first floor.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-21-0427	Increased sign area, increased animated sign area, and reduced setback for a freestanding sign in conjunction with a commercial complex	Approved by PC	October 2021
UC-0408-14	Cannabis dispensary	Denied by BCC	December 2014
UC-1337-94	Minor training facility - expired	Approved by PC	September 1994
VC-0535-94	Allowed a 52 square foot electronic message panel on a freestanding sign in conjunction with a vehicle rental facility	Approved by PC	May 1994

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-151-82	Reclassified the site from C-1 to C-2 zoning and allowed additional commercial uses within the complex	Approved by BCC	October 1982

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed-Use	C-2	Transportation service
South	Corridor Mixed-Use	M-D	Vehicle rental facility
East	Corridor Mixed-Use	R-4 & C-2	Liquor store, transportation and tour guide service, & multiple family residential
West	Public Use	P-F	Harry Reid International Airport

Related Applications

Application Number	Request
VS-23-0418	A request to vacate an existing drainage easement is a companion item on this agenda.
TM-23-500087	A tentative map for a 1 lot commercial subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of 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. Therefore, staff recommends denial.

Waivers of Development Standards #2 & #3

The requests to reduce the required yard setbacks and setbacks from the right-of-way 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 these requests.

Waiver of Development Standards #4

The intent of street landscaping is to enhance the perimeter of the project site, improve the aesthetics of the site 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 that 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.

Waiver of Development Standards #6

Staff is concerned the lack of a trash enclosure will encourage littering within the project site. Staff finds there is adequate room within the boundaries of the project site to construct the required trash enclosure; therefore, cannot support this request.

Design Review #1

The intent of the site modifications, which consist of restriping and reconfiguring 19 parking spaces and adding a fire lane located between buildings A through C, are necessary to accommodate the proposed parking garage. However, since staff is not supporting the waiver to eliminate the required parking lot landscaping, staff cannot support this request.

Design Review #2

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-ups of the vehicle queuing lane are prevented. However, 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 #7

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 #8

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 #9

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 30.48.120 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 contours 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:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water are 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 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 4 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements 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 30.48 Part B 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; 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 owners wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Paradise - approval (design review as a public hearing for signage).

APPROVALS:

PROTESTS:

APPLICANT: DAPPER DEVELOPMENT

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