

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0240-PHO, LLC:

USE PERMITS for the following: **1)** a proposed hotel; **2)** personal services (beauty salon); **3)** outdoor dining, drinking, and cooking; **4)** live entertainment; and **5)** restaurant and related facilities.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** reduce parking; **3)** reduce and eliminate street landscaping; **4)** reduce drive aisle width; **5)** allow an existing attached sidewalk; and **6)** alternative driveway geometrics.

DESIGN REVIEW for a proposed hotel on 3.74 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60 & AE-65) Overlay.

Generally located south of Quail Avenue and west of Valley View Boulevard within Paradise. MN/md/cv (For possible action)

RELATED INFORMATION:

APN:

162-31-505-003; 162-31-505-006; 162-31-505-008

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 115 feet where a maximum height of 50 feet is permitted per Section 30.02.18 (a 130% increase).
2. Reduce parking to 161 parking spaces where 179 parking spaces are required per Section 30.04.04D and Table 30.04-2 (a 10% reduction).
3.
 - a. Reduce street landscaping along Valley View Boulevard to one, 5 foot wide landscaping strip where two, 5 foot wide landscaping strips are required on both sides of a detached sidewalk per Section 30.04.01D7.
 - b. Eliminate street landscaping (shrubs) along a portion of the northeast corner of the site adjacent to Quail Avenue and Valley View Boulevard where 3 shrubs shall be provided every 30 linear feet of street frontage per Section 30.04.01D7.
 - c. Eliminate street landscaping (shrubs) along a portion of the southeast corner of the site adjacent to Valley View Boulevard and Oquendo Road where 3 shrubs shall be provided every 30 linear feet of street frontage per Section 30.04.01D7.
4. Reduce drive aisle width to 18 feet where a minimum width of 24 feet is required for a 90 degree parking angle per Section 30.04.04H and Table 30.04-3 (a 25% reduction).
5. Allow an existing attached sidewalk along Valley View Boulevard to remain where a detached sidewalk is required per Section 30.04.08.
6.
 - a. Reduce the departure distance from the intersection of Quail Avenue and Valley View Boulevard to 184 feet where a minimum distance of 190 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 3.2% reduction).

- b. Reduce the departure distance from the intersection of Valley View Boulevard and Oquendo Road to 188 feet where a minimum distance of 190 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 1.1% reduction).
- c. Reduce the ingress throat depth for a proposed driveway along Valley View Boulevard to 16 feet where a minimum depth of 75 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 78.7% reduction).
- d. Reduce the egress throat depth for a proposed driveway along Valley View Boulevard to 26 feet where a minimum depth of 75 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 65.4% reduction).
- e. Reduce the ingress throat depth for a proposed driveway along Quail Avenue to 21 feet where a minimum depth of 75 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 72% reduction).
- f. Reduce the egress throat depth for a proposed driveway along Quail Avenue to 17 feet where a minimum depth of 75 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 77.4% reduction).
- g. Reduce the ingress throat depth for a proposed driveway along Oquendo Road to 32 feet where a minimum depth of 75 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 57.3% reduction).
- h. Reduce the egress throat depth for a proposed driveway along Oquendo Road to 28 feet where a minimum depth of 75 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 62.7% reduction).
- i. Reduce the back of curb ingress radius to 8 feet for a proposed driveway along Valley View Boulevard where a minimum radius of 25 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 68% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.74
- Project Type: Hotel
- Number of Rooms: 220
- Number of Stories: 8
- Building Height (feet): 115
- Square Feet: 146,533
- Parking Required/Provided: 171/161
- Sustainability Required/Provided: 7/7

Site Plans

The plans depict a proposed 8 story hotel located on the north portion of the 3.74 acre project site, at the southwest corner of Quail Avenue and Valley View Boulevard. The multi-story hotel is designed with the following setbacks: 1) 59 feet from the north property line adjacent to Quail Avenue; 2) 55 feet from the east property line along Valley View Boulevard; 3) 47 feet and 255

feet from the south property lines adjacent to APN 162-31-505-007; and 4) 70 feet from the west property line. Access to the project site is granted via proposed driveways along Quail Avenue (northwest corner), Valley View Boulevard (centrally located along the east property line), and Oquendo Road (southwest corner). Alternative driveway geometrics are requested, via a waiver of development standards, consisting of reduced throat depth for the driveways along Quail Avenue, Valley View Boulevard (also includes back of curb radius), and Oquendo Road. Furthermore, waivers to reduce the departure distances from the intersections of Quail Avenue and Valley View Boulevard and Valley View Boulevard and Oquendo Road are also requested. The hotel and associated uses require 189 parking spaces. Parking may be reduced by up to 10% from Code requirements for development within 1,000 feet, measured along a legal pedestrian route, of a fixed transit stop. A fixed transit stop (Route #104) is located to the northeast of the project site, along Russell Road. That reduces the number of required parking to 171 spaces. However, the number of parking spaces is being further reduced beyond the 10% exemption allowed per Code (161 spaces), necessitating a waiver of development standards. Parking spaces are located along the perimeter and to the south of the hotel. Five EV-installed and 40 EV-capable spaces are provided for the development. A two-way vehicle drive aisle width of 18 feet is proposed at the southeast corner of the site, adjacent to a single row of parking spaces angled at 90 degrees along Valley View Boulevard, which requires a waiver of development standards.

Landscaping

The plans depict proposed 15 foot wide landscape areas, with 5 foot wide detached sidewalks along Quail Avenue and Oquendo Road. Trees, shrubs, and groundcover are planted within these street landscape areas. However, a waiver of development standards is required to eliminate the required shrubs and groundcover within the street landscaping, at the northeast and southeast corners of the site, adjacent to Quail Avenue and Oquendo Road, respectively. The waiver is necessary due to the existing drop-inlet and the proposed detached and existing attached sidewalks along Quail Avenue and Oquendo Road. An existing 5 foot wide attached sidewalk will remain adjacent to Valley View Boulevard, requiring a waiver of development standards. A 10 foot wide detached sidewalk will also be provided along Valley View Boulevard, located between a 5 foot wide landscaping strip and the existing attached sidewalk. The single landscaping strip requires a waiver of development standards. Trees, shrubs and groundcover are provided within the street landscape area adjacent to Valley View Boulevard.

An alternative landscape plan is proposed for the project site due to the modified tree placement within the street and parking lot landscaping areas. More specifically, a combination of medium and small trees are planted 10 feet on center at the southeast corner of the site, adjacent to Valley View Boulevard and Oquendo Road. Nineteen trees are required where 19 trees are provided within this segment of the landscaping strip along Valley View Boulevard. Five trees are required where 5 trees are provided within the landscaping strip along Oquendo Road. Parking lot trees are required to be provided at a rate 1 tree per every 6 spaces or 1 tree per every 12 spaces when adjacent to an 8 foot wide planting strip. The planting strip located along the west property line of the site measures 7 feet, 4 inches in width and requires the alternative landscape plan. Twenty-seven trees are required where 51 trees are provided within the parking lot. A total of 61 trees are required for the proposed development where 87 trees are being provided.

Elevations

The plans depict an 8 story hotel with a maximum height of 115 feet to the top of the parapet wall. Varying rooflines are depicted on all building elevations with exterior materials consisting of EIFS, cultured stone and brick veneer, decorative metal elements, and an aluminum storefront window system. The hotel will be painted with neutral, earth tone colors and all roof mounted equipment will be screened from public view by parapet walls.

Floor Plans

The first floor plan depicts a hotel registration area, ballroom/banquet facility, atrium, fitness center, spa and nail salon, laundry room, sushi bar, employee breakroom, mechanical and electrical rooms, bar, kitchen and various other rooms. The second floor plan depicts king and queen size suites, storage and miscellaneous rooms, and a conference and training room. The typical plan for Floors 3 through 7 illustrates king and queen size suites. The plan for Floor 8 depicts an outdoor swimming pool, a hot tub, an outdoor event area for live entertainment, outside dining, drinking, and cooking, a bar area, king and queen size suites, kitchen, pool storage and equipment rooms, and restroom facilities.

Signage

Signage is not a part of this request.

Applicant's Justification

Adjacent uses on the east side of Valley View Boulevard are master planned Commercial Tourist; therefore, this use permit request does not indicate a spot zoning scenario, but rather an appropriate transition between mixed-use and entertainment uses and the nearby UPRR and industrial uses within 2,000 feet to the west. The hotel offers a salon for guests and the general public. A restaurant is standard in hotel facilities and can exist in a compatible manner with surrounding properties. Plans indicate a rooftop recreation feature with a pool, area for outdoor entertainment, bar structure and outdoor seating. This area is intended primarily for guests and is a common hotel amenity. The requested building height will allow the hotel to yield a total of 220 guest rooms, and the development is sufficiently parked and served by roadway infrastructure. The increase in height more closely aligns with the intent of the Stadium District yet does not negatively impact neighboring properties. The 10 space parking deficit can primarily be attributed to the roof top common area that is focused as an amenity for guests of the hotel versus the public. Also, the personal services and restaurant area is calculated for the general public whereas the majority of patrons will be hotel guests. The site is within the Stadium District Plan which recommends cross sections which have numerous different configurations as shown. Each option has a minimum 10 foot wide sidewalk set away from the curb. Some of the proposed cross sections have both an existing 5 foot sidewalk at the back of curb and a new 10 foot sidewalk with a tree canopy placed in between. Therefore, the waiver requests for street landscaping are consistent with the intent of County standards. The Valley View Boulevard entrance is the primary entrance to the property. It incorporates an approximate 150 foot long deceleration lane. The deceleration lane is designed to mitigate the reduced throat depth and, once on-site, the entrance is atypical in that it leads to a porte-cochere entry feature that is intersected with 2 drive aisles. The drive aisles do not provide parking spaces, which reduces the likelihood of ingress congestion. The driveway along Quail Avenue is located at the westernmost point of the north side of the site. This northern entrance is a tertiary ingress/egress

option intended mainly for loading vehicles. The configuration can exist without impacting Quail Avenue as the spaces are used for longer term employee parking and the area is primarily used for receiving. The access from Oquendo Road is as far west as site constraints will allow and is favorable as it yields better on-site circulation as well as an alternative access for motorists that overlooked the Valley View Boulevard entrance. As the access point leads to only 1 drive aisle with parking, points of conflict are lessened as is potential for overflow onto the right-of-way. The attached sidewalk will remain along Valley View Boulevard as pedestrians will have the choice between 2 different walkways as each one is better shaded at different times of the day. The northernmost 30 feet of the Valley View Boulevard frontage cannot accommodate shrubs as the existing 30 feet of curbing and sidewalk must remain integrated into the existing drop inlet design. The area beside the deceleration lane at the southeast corner of the site incorporates a 5 foot curbside landscape planter that is intended to separate pedestrians from ingress traffic.

Prior Land Use Requests APN 162-31-505-003

Application Number	Request	Action	Date
ADR-18-900473	Office/warehouse building addition with street landscape improvements along Valley View Boulevard - expired	Approved by ZA	September 2018
DR-0417-97	2 metal canopies in conjunction with an outdoor storage yard	Approved by PC	April 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	IL (AE-60)	Gas station, vehicle wash, & industrial building with outdoor storage
South	Business Employment	IL (AE-65)	Warehouse complex
East	Entertainment Mixed-Use	IL (AE-60 & AE-65)	Warehouse & manufacturing buildings
West	Business Employment	IL (AE-60 & AE-65)	Warehouse buildings with outdoor storage

Related Applications

Application Number	Request
ZC-25-0238	A zone change to reclassify the project site from IL to IP is a companion item on this agenda.
VS-25-0239	A request to vacate and abandon right-of-way and patent easements is a companion item on this agenda.

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.

The proposed uses, which include a hotel and typical amenities are appropriate for the area surrounding Allegiant Stadium. The uses will provide overnight accommodations for visitors, with additional amenities for patrons before and after events at the stadium. In addition, the uses will help transform the existing industrial area to an entertainment district, which is consistent with the goals of the Stadium District Plan. Furthermore, staff finds the proposed uses comply with Policy 5.1.4 of the Master Plan which encourages supporting land use patterns and other efforts that help advance Regional Opportunity Sites and other major efforts, such as the Stadium District Plan. The proposed uses are contemplated within the Stadium District Plan and are consistent and compatible with other land uses in the surrounding area. Therefore, staff recommends approval of these requests.

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

Policy 6.2.1 of the Master Plan aims to ensure the design and intensity of new development is compatible with the surrounding area and uses in terms of height, scale, and the overall mix of uses. The requested height increase is similar to, and consistent with, previously approved height increases within the immediate area, specifically Allegiant Stadium. Varying building height, breaking-up the mass of the building, and shifting building placement can provide appropriate transitions between differing building scales and intensities. Therefore, staff has no objection to this request.

Waiver of Development Standards #2

Staff finds the parking reduction should have minimal to no impact on the hotel and surrounding properties. Patrons of the hotel, including out-of-town visitors, may utilize alternative modes of transportation such as ride-share programs, taxis, and public transit thereby reducing the demand for parking spaces. Staff finds the request to reduce parking should have minimal to no impact to the hotel operations, and can therefore support this request.

Waiver of Development Standards #3a

The applicant has designed the proposed street landscaping strip along Valley View Boulevard to meet the intent of the Stadium District Development Plan by providing a 10 foot wide detached sidewalk adjacent to a 5 foot wide landscaping strip adjacent to an existing 5 foot wide attached sidewalk along the street. Staff is concerned with the proximity of the existing attached sidewalk adjacent to Valley View Boulevard, a designated arterial street. More specifically, the potential for pedestrian and vehicular conflict arises when attached sidewalks are located adjacent to streets with high traffic volumes. Staff is also cognizant of the previously approved detached sidewalk and landscaping configuration at the southwest corner of Dewey Drive and Polaris Avenue, which permitted an existing attached sidewalk to remain along Polaris Avenue. The proposed configuration of the attached sidewalk pedestrian realm meets the intent of the Stadium District Plan. However, since staff is not supporting several waivers associated with this project, staff recommends denial of this request.

Waiver of Development Standards #3b & #3c

The lack of street landscaping at the northeast and southeast corners of the site is proposed to allow the transition from the detached sidewalks along Quail Avenue and Oquendo Road to the existing attached and proposed detached sidewalks along Valley View Boulevard. However, staff finds these portions of the site can be redesigned to accommodate the required number of shrubs. Therefore, staff recommends denial.

Waiver of Development Standards #4

The intent of requiring a 24 foot wide vehicle drive aisle for parking spaces angled at 90 degrees is to ensure there is adequate width within the aisle for vehicles to pass that are traveling in opposite directions. Staff finds this request is a self-imposed burden and can be rectified through a redesign of the interior parking lot; therefore, recommends denial.

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 hotel features a color palette consisting of neutral, earth tone colors, and parapet walls along the roofline at various heights, breaking-up the mass on portions of the hotel. The hotel is complementary to the existing and future land uses contemplated for the surrounding area. Policy 6.2.2 encourages the use of sustainable site design and development practices in new construction projects. The landscape plan for the site has been designed to incorporate multiple species of recommended trees, shrubs, and groundcover from the Southern Nevada Water Authority Regional Plant List. The layout of the project site and parking lot is functional, with the exception of the reduce drive aisle width which staff is not supporting. However, since staff is not supporting multiple waivers of development standards requests with this application, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #5

Staff cannot support the request to not install detached sidewalks along Valley View Boulevard. Detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic and with the redevelopment, staff finds that it is imperative to provide the detached sidewalks.

Waiver of Development Standards #6a, #6c, #6d, & #6i

Staff cannot support the request to reduce throat depth, curb radii and departure distance for Valley View Boulevard as the reductions would essentially create pan driveways, requiring vehicles to nearly come to a stop to negotiate a turn into the site, resulting in on street stacking of vehicles. Since Valley View Boulevard is an arterial street, it is important that traffic can flow without the impediment of vehicles attempting to access the site. Additionally, the proposed site is within the Stadium District and must meet development standards.

Waiver of Development Standards #6e & #6f

A site redesign would allow for a commercial driveway on Quail Avenue, to meet the minimum throat depth standards; therefore staff cannot support these self-imposed hardships. Additionally, the proposed site is within the Stadium District and must meet development standards.

Waiver of Development Standards #6b, #6g, & #6h

Staff cannot support the request to reduce throat depth and departure distance on Oquendo Road as the reductions would create on street stacking of vehicles. Additionally, the proposed site is within the Stadium District and must meet development standards.

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.

More importantly, the development will penetrate the Part 77 airspace surface (Airport Airspace Overlay District), as defined by Section 30.02.26B.2(i) of the Clark County Unified Development Code. Therefore, as required by Section 30.06.03D.7(iv) of the Clark County Unified Development Code, final action cannot occur until the FAA has issued an airspace Determination of No Hazard and the Department of Aviation has reviewed the determination. (Note that section 30.06.03D.7(iv) requires that the FAA Determination of No Hazard shall be submitted two weeks prior to final approval for any proposed structure that intrudes into Airport Airspace Overlay District [see chapter 30.02.26B]).

Staff Recommendation

Approval of the use permits and waivers of development standards #1 and #2; denial of waivers of development standards #3 through #6 and the design review.

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; approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval; 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;
- Reconstruct any unused driveways with full off-site improvements;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.
- Applicant is advised that off-site improvement permits may be required.

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.

- 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.

TAB/CAC: Paradise - approval of use permits; denial of waivers of development standards and design review.

APPROVALS:

PROTESTS:

APPLICANT: PRIMA DONNA DEVELOPMENT

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