

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-24-0222-VENETO PARADISE LLC & VENETO PARADISE II LLC:

USE PERMIT for a multi-family development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** reduce and eliminate landscaping; and **3)** modified driveway design standards.

DESIGN REVIEW for a multi-family development on 5.21 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60) Overlay.

Generally located on the west side of Palos Verdes Street and the south side of Albert Avenue within Paradise. TS/JG/md/syp (For possible action)

RELATED INFORMATION:

APN:

162-15-416-001; 162-15-416-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 81 feet where a maximum structure height of 75 feet is allowed per Section 30.02.11 (an 8% increase).
2. Reduce the number of parking lot landscape finger islands where a landscape finger island shall be provided every 6 parking spaces and at the end of each row of parking per Section 30.04.01D.
3.
 - a. Reduce throat depth to the visitor call box to 70 feet where a minimum of 100 feet is required to the visitor call box per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 30% reduction).
 - b. Reduce the driveway departure distance from the intersection of Albert Avenue and Palos Verdes Street to 182 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 4.3% reduction).
 - c. Increase the width of a multi-family driveway to 60 feet where a maximum driveway width of 48 feet is allowed per Uniform Standard Drawing 222.1 and Section 30.04.08 (a 25% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.21
- Project Type: Multi-family development

- Number of Units: 339
- Density (du/ac): 65.07
- Number of Stories: 6
- Building Height (feet): 81
- Open Space Required/Provided: 33,900/72,142
- Parking Required/Provided: 533/537
- Sustainability Required/Provided: 5/5

Site Plans

The plans depict a proposed multi-family development located on a 5.21 acre site consisting of 339 dwelling units with a density of 65.07 dwelling units per acre. The proposed development consists of 2, seven story multi-family buildings separated by an east/west parking lot with a 24 foot wide vehicle drive aisle. Building 1 is located on the north portion of the project site with the following setbacks: 1) 20 feet from the north and east property lines, adjacent to Albert Avenue and Palos Verdes Street, respectively; 2) 80.5 feet from the south property line; and 3) 153 feet from the west property line along Paradise Road. Building 2 is located on the southwest portion of the site with the following setbacks: 1) 23 feet and 102 feet from the north property line, adjacent to Paradise Road and Albert Avenue, respectively; 2) 323 feet and 56 feet from the east (Palos Verdes Street) and southeast property lines, respectively; 3) 93 feet and 20 feet from the southeast and southwest property lines, respectively; and 4) 46 feet from the west property line. The multi-family development requires 533 parking spaces where 537 parking spaces are provided. Sixty-nine surface level parking spaces are provided, with 321 parking spaces and 147 parking spaces provided within the garage levels within Buildings 1 and 2, respectively. Ten EV installed and 85 EV capable parking spaces are provided for the multi-family development. Access to the project site is granted via a single point gated access entry from Paradise Road. Waivers of development standards are required to increase the width of the access driveway to 60 feet, in addition to a reduced throat depth to 70 feet. An exit only gate is located along the southeast portion of the site along Palos Verdes Street. A third waiver of development standards is required to reduce the departure distance to 182 feet from the intersection of Albert Avenue and Palo Verdes Street to the exit only gate. Five foot wide detached sidewalks are proposed along Paradise Road, Albert Avenue, and Palos Verdes Street.

Landscaping

The plans depict a proposed 15 foot wide landscape area, with 5 foot wide detached sidewalks, located along Paradise Way, Albert Avenue, and Palos Verdes Street. The street landscape area consists of large trees planted 30 feet on center, shrubs, and groundcover. A single row of large trees, planted **60** feet on center, are located within a landscape area behind a proposed 6 foot high tubular steel fence, set back 15 feet from Albert Avenue and Palos Verdes Street. A waiver is requested to reduce the number of landscape finger islands by 2, specifically along the southwest side of Building 1. The landscape plan notes a total of 196 trees required along the street and within the interior of the site where a combination of 245 large and medium trees are provided for the multi-family development. The multi-family development requires 33,900 square feet of open space where 72,142 square feet of open space has been provided. The open space consists of a clubhouse, located on the west side of building 1, interior landscaping (does not include street landscaping), barbecue area, dog park, pool and courtyard area (level 3 of Building 1), and a sky lounge (level 7 of Building 1).

Elevations

The plans depict 2, seven story multi-family buildings ranging between 75 feet to 81 feet in height. The buildings consist of varying rooflines that include parapet walls for architectural design and to screen the rooftop mounted equipment from public view. Two enclosed parking levels are located on the first and second floors of the multi-family buildings. The exterior of the buildings consist of stucco and fiber cement board with wood lattice panels and a faux living wall to screen the 2 parking levels.

Floor Plans

The plans depict a total of 339 dwelling units consisting of 171, one bedroom and 168, two bedroom units.

Applicant's Justification

The applicant states the reduction to the driveway departure distance will not impact the driving public as the driveway departs to a cul-de-sac where there is another 450 feet to Paradise Road. The applicant indicates the reduced throat depth along the Paradise Road cul-de-sac only serves the proposed community so there will not be an impact to the driving public beyond the residents. Additionally, the 24 foot wide ingress driveway will give residents the ability to drive around visitors at the call box, thereby reducing the queue at the call box. The increase to the driveway width along Paradise Way is necessary to accommodate a 12 foot wide median island to allow for landscape beautification to present a grand entrance to the project. The applicant states the waiver to increase building height will not be visually obvious to the surrounding properties and that a previous application on this site approved a building height of 100 feet. Landscaping is provided around the entrance to the site and around Paradise Way. The applicant states there is little room to accommodate the 2 additional landscape islands at the southwest corner of building 1, due to the ADA paths and parking.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400147 (UC-0581-14)	Third extension of time for resort condominiums with kitchens and increased building height and design review for condominium building - expired	Approved by BCC	December 2021
ET-18-400236 (UC-0581-14)	Second extension of time for resort condominiums with kitchens and increased building height and design review for condominium building - expired	Approved by BCC	December 2018
SC-0540-17	Street name change to rename Tony Bennett Way to Paradise Road	Approved by PC	August 2017
VS-0084-17	Vacated and abandoned easements located between Palos Verdes Street and Paradise Road, and between Flamingo Road and Albert Avenue - recorded	Approved by PC	March 2017
UC-0581-14 (ET-0126-16)	First extension of time for resort condominiums with kitchens and increased building height and design review for condominium building - expired	Approved by BCC	November 2016

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0582-14	Vacated a portion of right-of-way being Tony Bennett Way located between Palos Verdes Street and Paradise Road - recorded	Approved by BCC	November 2014
UC-0581-14	Resort condominiums with kitchens and increased building height - expired	Approved by BCC	November 2014
VS-0125-08	Vacated excess portions of Tony Bennett Way - recorded	Approved by PC	March 2008
UC-0620-07	Resort condominiums with 268 units - expired	Approved by PC	July 2007
ZC-1777-06	Reclassified the property to H-1 zoning for a hotel and restaurant	Approved by BCC	February 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Entertainment Mixed-Use	CR	Multi-family buildings & hotel
South	Entertainment Mixed-Use	CR (AE-60)	Hotels & parking lot
East	Entertainment Mixed-Use	CR, RM32 & RM50 (AE-60)	Multi-family buildings, clubhouse building with pool, & hotel
West	Entertainment Mixed-Use	CR (AE-60)	Hotel

Related Applications

Application Number	Request
VS-24-0223	A request to vacate and abandon portions of right-of-way being Albert Avenue and Palos Verdes Street 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 Permit

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 require the approval of a use permit in the CR (Commercial Resort) zoning district to permit the use 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 1.3.2 that encourages a mix of housing options, both product types and unit sizes, within larger neighborhoods and multi-family developments. 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. The proposed use complies with several goals and policies of the Master Plan; therefore, staff recommends approval.

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

Staff does not object to the increased building height as it assists in creating a varying roofline, in addition to screening the mechanical units with parapet walls. Furthermore, the increased building height is not for habitable space but rather for architectural enhancement. Therefore, staff recommends approval.

Waiver of Development Standards #2

The intent of street and parking lot landscaping is to assist in reducing the impacts of higher intensity land uses and activities on neighboring properties, reduce the heat island effect, and mitigate stormwater runoff. Staff typically does not support requests to reduce parking lot landscaping; however, the applicant has provided 49 additional trees, exceeding Code requirements, along the perimeter and within the interior of the site. Therefore, staff recommends approval of 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.

Staff finds the proposed multi-family residential development complies with several goals and policies within the Master Plan. Policy 6.2.1 encourages the design and intensity of new development to be compatible with established neighborhoods and uses in terms of its height, scale, and overall mix of uses. Furthermore, the buildings include off-set surface planes, a

contrasting color palette, and parapet walls along the roofline at various heights. Policy 6.2.2 encourages the use of sustainable site design and development practices in new construction projects. The landscape plan incorporates multiple species of recommended trees, shrubs, and groundcover from the Southern Nevada Water Authority Regional Plant List. Therefore, staff recommends approval.

Public Works - Development Review

Waiver of Development Standards #3a

Staff has no objection to the reduction in throat depth for the Paradise Way (Tony Bennett Way) commercial driveway. Paradise Way should see minimal traffic as it terminates and only serves this site.

Waiver of Development Standards #3b

Staff has no objection to the increased driveway width for the Paradise Way commercial driveway. Paradise Way only accesses this site; pedestrian traffic should be minimal, reducing the conflicts caused by increased driveway width.

Waiver of Development Standards #3c

The staff has no objection to the reduction in the departure distance for the exit-only driveway on Palos Verdes Street. The applicant placed the driveway as far south as the site will allow.

Department of Aviation

A portion 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. Clark County intends to continue to upgrade Harry Reid International facilities to meet future air traffic demand.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Expunge the Use Permits, Waivers of Development Standards, and Design Reviews associated with ZC-1777-06;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- 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 - Construction Management Division and to dedicate any necessary right-of-way and easements for the Flamingo Wash improvement project;
- Gates not open in to the right-of-way.
- Applicant is advised that 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.

Department of Aviation

- For that portion of the property located within the AE-60, the 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;
- For that portion of the property located within the AE-60, the 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;
- For that portion of the property located within the AE-60, the 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;
- For that portion of the property located within the AE-60, Incorporate an exterior to interior noise level reduction of 30/35 decibels into the building construction for the habitable space that exceeds 35 feet in height or 30 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised 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

- 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 is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions; and that fire/emergency access must comply with the Fire Code as amended

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0257-2024 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: VENETO PARADISE LLC

CONTACT: BAUGHMAN & TURNER INC, 1210 HINSON ST, LAS VEGAS, NV 89102