



**LAS VEGAS
CITY COUNCIL**

CAROLYN G. GOODMAN
Mayor

STAVROS S. ANTHONY
Mayor Pro Tem

MICHELE FIORE

CEDRIC CREAR

BRIAN KNUDSEN

VICTORIA SEAMAN

OLIVIA DIAZ

JORGE CERVANTES
City Manager

February 9, 2022

Mr. Alex Woodin
Vegas Arts Owner, LLC
1225 17th Street, Ste. 2420
Denver, CO 80202

**RE: 21-0827-ZON1, 21-0827-SUP1 AND 21-0827-SDR1
PLANNING COMMISSION MEETING OF FEBRUARY 8, 2022**

Dear Applicant:

The Planning Commission at a regular meeting held on *February 8, 2022* voted to recommend **APPROVAL** of the following Land Use Entitlement project requests on 2.66 acres at the intersection of California Avenue and 3rd Street (APNs 162-03-110-005 through 010 and 162-03-110-029 through 033), Ward 3 (Diaz).

21-0827-ZON1 - REZONING - FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) [APNs 162-03-110-005 through 010 and 029]

21-0827-SUP1 - SPECIAL USE PERMIT - FOR A MIXED-USE DEVELOPMENT

21-0827-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF 335 MULTI-FAMILY RESIDENTIAL UNITS AND 10,884 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS

This approval is subject to the following conditions:

21-0827-SUP1 CONDITIONS

Planning

1. Approval of a Rezoning (21-0827-ZON1) and approval of and conformance to the Conditions of Approval for Site Development Plan Review (21-0827-SDR1) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

DEPARTMENT OF PLANNING

SETH T. FLOYD

DIRECTOR OF
COMMUNITY DEVELOPMENT

CITY HALL

495 S. MAIN ST.
3RD FLOOR
LAS VEGAS, NV 89101
702.229.6301 | VOICE
702.464.2545 | FAX
711 | TTY



cityoflasvegas
lasvegasnevada.gov

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

21-0827-SDR1 CONDITIONS

Planning

1. Approval of a Rezoning (21-0827-ZON1) and approval of and conformance to the Conditions of Approval for Special Use Permit (21-0827-SUP1) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/23/21, except as amended by conditions herein.
4. A Waiver from Title 19 Appendix F Interim Downtown Las Vegas Development Standards Subsection C.1.a.i is hereby approved, to allow less than 70 percent build-to line along California Avenue for Buildings 2 and 3, and to allow a seven-foot setback along 3rd Street where five feet is required.
5. A Waiver from Title 19 Appendix F Interim Downtown Las Vegas Development Standards Subsection C.1.a.v is hereby approved, to allow above-ground utility appurtenances where such is prohibited.
6. A Waiver from Title 19 Appendix F Interim Downtown Las Vegas Development Standards Subsection C.1.c.iii is hereby approved, to allow a zero-foot parking garage setback along portions of California Avenue and five to seven-foot parking garage setbacks along 3rd Street, with two-foot landscape planters along 3rd Street where five feet is required.

7. A Waiver from Title 19 Appendix F Interim Downtown Las Vegas Development Standards Subsection C.1.d.i is hereby approved, to allow an eight-foot sidewalk along the east side of 3rd Street where a 10-foot sidewalk is required.
8. A Waiver from Title 19 Appendix F Interim Downtown Las Vegas Development Standards Subsection C.1.d.ii is hereby approved, to allow varying patterns and numbers of date palm trees and shade trees along 3rd Street where only minimum 25-foot tall date palm trees are allowed in 30-foot increments.
9. A Waiver from Title 19 Appendix F Interim Downtown Las Vegas Development Standards Subsection C.1.e is hereby approved, to allow more than 10 feet of blank, expressionless walls at the street level where such is prohibited and to allow flat rooflines with no cornices where articulated rooflines and/or articulated cornices are required.
10. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
11. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
12. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
13. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall clearly differentiate between shade tree species.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

16. A Comprehensive Construction Staging Plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
17. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
18. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC&Rs.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

20. Dedicate a 25-foot radius corner at the northwest and southwest corners of California Avenue and 3rd Street prior to the issuance of any permits or with the recordation of a map, whichever may occur first.
21. The sidewalks on California Avenue, 3rd Street, and 4th Street adjacent to this site shall meet Public Right of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement, if any, needed to complete this requirement.
22. Coordinate with the Traffic Engineering Division to determine the necessary modifications to the roadway median and adjacent public street section improvements to support this site prior to the submittal of a Traffic Impact Analysis, or construction plans for this site. Comply with the recommendations of the Traffic Engineering Division.
23. Relocate proposed grease interceptors in Alleys west of Buildings 2 and 3. Grease interceptors are not permitted within Public Right of Way. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptors, sand/oil interceptors, or separator mitigation in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-2338 or emailed at ece@lasvegasnevada.gov.

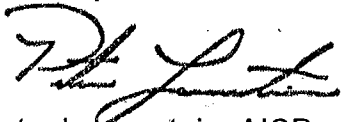
24. Prior to construction, coordinate a point of connection to the public sewer system at a size and location acceptable to the Sanitary Sewer Section of the Department of Public Works; the preliminary sewer point of connection will be located at the intersection of Colorado Avenue and Casino Center Boulevard, to the public sewer main being constructed with the Casino Center Boulevard Capital Improvement Project. The existing onsite public sewer running along the eastern boundary of the parcel is to remain public within the existing limited 10-foot public sewer easement; no additional easement width will be required, nor diversion of upstream flows. However, to mitigate the City's potential need to gain access over this sewer in the future, remove and replace the existing sewer within the easement and provide a manhole at the south edge of the development which can be readily accessed for cleaning the line.
25. Landscape and maintain all unimproved rights-of-way adjacent to this site, if any. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
26. Submit a License Agreement for landscaping and private improvements in the California Avenue, 3rd Street, and 4th Street public right-of-way, if any, prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property within the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).
27. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. The Traffic Impact Analysis shall include a section addressing Standard Drawings #201.1, #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for exclusive right turn lanes, dual left turn lanes, and bus turnouts adjacent to this site, if any. All required additional rights-of-way shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. The Traffic Impact Analysis shall also include a pedestrian circulation/access plan to identify nearby pedestrian attractors and recommend measures to accommodate pedestrians, such as but not limited to pedestrian

access, crosswalk, pedestrian activated flashers and temporary sidewalks. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

28. Prior to the submittal of any construction drawings, coordinate with the City of Las Vegas Flood Control Section of the Department of Public Works regarding the Charleston/Maryland Parkway storm drain project. See sheets SD14 and SD64 of Plans Library Drawing #107V7367 for proposed storm drain drop inlets that may affect the site.
29. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

This item will be considered by the City Council on March 16, 2022. This meeting will be held at 9:00 A.M. at the Council Chambers of City Hall, 495 South Main Street, Las Vegas, Nevada. ***The Council requires that you or your representative be present at this meeting.*** If you or your representative chooses not to attend, the City Council may act in your absence without your input.

Sincerely,



Peter Lowenstein, AICP
Deputy Planning Director
Department of Planning

PL:nl

cc:

Mr. Scott Bryans
KTTY
820 16th Street Mall #500
Denver, CO 80202