



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 24, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-26129 - APPLICANT: LANDRY'S RESTAURANTS, INC. -

OWNER: L G E INC. ET AL.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/19/07, except as amended by conditions herein.
2. All conditions of approval of Site Development Plan Review SDR-11705 except Conditions 2 and 5 shall remain in effect unless superseded herein. In the case of a conflict, the most specific shall take effect. In case of any other conflict, the most restrictive shall apply.
3. The casino area must be located entirely within the vacated right-of-way of the east half of First Street. A survey shall be submitted prior to a request for a final inspection.
4. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. A Waiver from the Downtown Centennial Plan Streetscape Standards is hereby approved, to allow a three-foot wide amenity zone and a seven-foot wide sidewalk on the north side of Carson Avenue where a five-foot wide amenity zone and 10-foot wide sidewalk are required.
6. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

7. Coordinate with the City Surveyor to determine if a Reversionary Map or other acceptable mapping method is required; comply with the recommendations of the City Surveyor.
8. Petition of Vacation VAC 24282 shall record prior to the issuance of any construction permits overlying or abutting the area(s) to be vacated.

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9. Dedicate a 10 foot radius on the northeast corner of Bridger Avenue and 1st Street and a 10 foot radius on the northwest corner of Bridger Avenue and Casino Center Boulevard prior to the issuance of any permits unless otherwise allowed by the City Engineer.
10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City and Downtown Standards concurrent with development of this site. All new or proposed modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a unless otherwise allowed by the City Traffic Engineer.
11. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
12. All private improvements and landscaping 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.
13. 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, submittal of any construction drawings or the submittal of a Map subdividing this site, 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. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
14. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Major Amendment to a Site Development Plan Review (SDR-11705) approved 04/19/06 to relocate a proposed hotel tower, to reduce the tower height to 272 feet, to reduce the number of guest rooms to 505, and to include three additional parcels that were not part of the original approval. The request also includes a Waiver of the Downtown Centennial Plan Standards to provide a three-foot wide amenity zone and a seven-foot wide sidewalk along Carson Avenue where a five-foot wide amenity zone and a ten-foot wide sidewalk are required. The full project is on 6.38 acres at 129 Fremont Street.

The Site Development Plan Review is required pursuant to Title 19.18.050.H(1), as the reduction in size is greater than 10 percent and the orientation of the project is changing from Fremont Street to Carson Avenue.

The three additional properties were purchased 11/05/07 by LGE, Inc., Houston, Texas. The buildings on the three additional lots have been demolished.

Staff recommends approval of the amendment request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved a request for rezoning from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic), to C-2 (General Commercial) on 230 acres on property bounded by Main Street to the west, Bonanza Road to the north, Las Vegas Boulevard to the east, and Charleston Boulevard to the south. The Planning Commission approved this request on 12/10/64. Staff recommended approval.
11/04/04	The Planning Commission heard a request for a Site Development Plan Review for a 12-story mixed-use development at 116 South First Street. This request was tabled at the request of the applicant.
11/02/05	The City Council approved a Petition to Vacate (VAC-8589) First Street from Fremont Street to approximately 150 feet north of Carson Avenue. The Planning Commission recommended approval. Staff recommended denial.

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04/19/06	The City Council approved a Special Use Permit (SUP-11711) for a proposed 12,000 square foot expansion of a non-restricted gaming use; a Special Use Permit (SUP-11713) for a proposed 407-foot high building within the 200-foot restriction of the North Las Vegas Airport Overlay District; a Petition to Vacate (VAC-11715) a portion of First Street from Carson Avenue, extending approximately 150 feet to the north; and a Site Development Plan Review (SDR-11705) for a proposed 35-story, 116,094 square foot hotel/casino expansion and 647-space parking garage with Waivers of Downtown Centennial Plan Streetscape Standards, Stepback Standards, and Waivers to allow reflective glazing and above-ground utilities on 5.83 acres at 129 Fremont Street. The Planning Commission and staff recommended approval of all items.
Related Building Permits/Business Licenses	
03/26/07	A building permit (#07001025) was issued for the demolition of four buildings at 126 and 128 South First Street. A final inspection was completed 04/19/07.
04/23/07	A building permit (#07001388, Plan check C-23-07) was issued for an expansion to the hotel and casino at 129 Fremont Street. A temporary certificate of occupancy was issued 01/08/08 to expire 02/06/08.
07/02/07	A building permit (ELEC-93156) was issued for a temporary power pole at 132 South First Street. A final inspection was completed 07/05/07.
Pre-Application Meeting	
12/11/07	Submittal requirements for a Site Development Plan Review were discussed with the applicant. The review is required by Title 19, since the reduction in floor area exceeds 10 percent.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	6.38

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Hotel/Casino and Vacant	C (Commercial)	C-2 (General Commercial)
North	Casino and retail	C (Commercial)	C-2 (General Commercial)
South	Parking and Hotel/Casino	C (Commercial)	C-2 (General Commercial)
East	Hotel/Casino	C (Commercial)	C-2 (General Commercial)
West	Parking lot	C (Commercial)	C-2 (General Commercial)

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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District (Central Casino Core)	X		Y
A-O Airport Overlay District (200 Feet)	X		N*
Downtown Casino Overlay District	X		Y
Live/Work Overlay District	X		N/A
Trails (Art Trail)	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

*Approval of SUP-11713 on 04/19/06 allowed a 407-foot high building within the 200-foot height restriction of the North Las Vegas Airport Overlay District.

DEVELOPMENT STANDARDS

Project comparison:

Standards	SDR-11705 (Approved 04/19/06)	SDR-26129 (proposed)
Site	5.83 acres	6.38 acres
APNs	139-34-210-032; 139-34-111-039 through 041	Remove 139-34-210-045 Add 139-34-111-042 through 044
Height	35 stories, 405 feet	25 stories, 272 feet
Streetscape	Approved waivers allowing 9-foot sidewalk on Casino Center Boulevard	3-foot amenity zone 7-foot sidewalk on Carson Avenue
Parking	229 spaces on 6 levels	Valet parking garage; 188 spaces on 3 levels
Floor area expansion		
Casino	11,624 SF	27,093 SF (lobby/casino/aquarium)
Restaurant	5,514 SF	3,042 SF
Conference/Multi-purpose Rooms	11,483 SF	N/A
Nightclub	10,918 SF	7,705 SF (pool/deck/bar)
Retail	4,454 SF	2,245 SF
TOTAL EXPANSION AREA	43,993 SF	39,455 SF
Hotel Rooms	600	505

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Pursuant to the Downtown Centennial Plan, the following standards are required for this project:

Standard	Required/Allowed	Provided	Compliance
Min. Setbacks			
• Front	0 feet	0 feet	Y
• Side	0 feet	0 feet	Y
• Corner	0 feet	10 feet	Y
• Rear	N/A	N/A	N/A

Streetscape Standards	Required	Provided	Compliance
Amenity Zone (Carson Ave)	5 feet	3 feet	N*
Sidewalk (Carson Ave)	10 feet	7 feet	N*

*A Waiver of Downtown Centennial Streetscape standards is requested to allow the provided amenity zone and sidewalk widths.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units per this proposal	Base Parking Requirement			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Hotel	505 guest rooms	1 per guest room	505				
Gaming (non-restricted)	5,248 SF	1 per 90 SF	302				
Restaurant	3,042 SF	1 per 50 SF	61				
Kitchen	2,628 SF	1 per 200 SF	14				
Nightclub	7,075 SF	1 per 50 SF	142				
Retail	2,245 SF	1 per 175 SF	13				
Aquarium/Lobby	21,845 SF	1 per 250 SF	88				
SubTotal	39,455 SF		1125	22	188	0	
TOTAL			1103		188 (valet only)		Y

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*Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. As a result of the reduced size of the expansion from the previously approved project, the number of spaces required was reduced.

Waivers		
Request	Requirement	Staff Recommendation
To allow a 3-foot wide amenity zone and a 7-foot wide sidewalk on the north side of Carson Avenue	5-foot wide amenity zone and 10-foot wide sidewalk	Approval. Project generally meets goals and objectives of Downtown Centennial Plan.

ANALYSIS

The Site Development Plan Review is required pursuant to Title 19.18.050.H(1), as the reduction in size is greater than 10 percent and the orientation of the project is changing from Fremont Street to Carson Avenue. In addition, three parcels were added to the project that were not part of the original approval. The other related approvals for this project remain in effect.

The project is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed uses are in conformance with the Redevelopment Plan.

The project is also located within the Las Vegas Downtown Centennial Plan boundaries, in the Central Casino Core District. The district is intended to accommodate a variety of commercial, hotel, casino, and mixed-use uses within a dense, urban environment. The project is consistent with the goals and objectives of the Downtown Centennial Plan.

The project is shorter and smaller than what was previously approved. The proposed First Street cul-de-sac is no longer necessary. First Street and Carson Avenue will be an L-intersection. The alley between Carson Avenue and Fremont Street east of Main Street will remain. A porte cochere will be located on the north side of Carson Avenue with a lobby, retail, restaurant and aquarium area on the ground floor. The expanded casino area is included on the ground floor, which must be limited to the area of the vacated street so as to not be part of an expanded parcel.

While the site has expanded from the original approval, this major amendment is a reduction in size. A full traffic and parking study was done for the expansion in 2006. Eighteen percent (18%) less parking is being provided for 16 percent (16%) fewer rooms and 10 percent (10%) less square footage than indicated on the original parking study. As part of the Downtown Centennial Area, the automatic application of parking development standards is not required.

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A new streetscape waiver is required for the reduced amenity zone and sidewalk along the north side of Carson Avenue. The Downtown Centennial Plan Streetscape Standards require a minimum of five feet for the amenity zone and 10 feet for the sidewalk; the applicant will provide a three-foot amenity zone and a seven-foot sidewalk. This will allow for an efficient entry drive to the expansion.

FINDINGS

The following findings must be made for an SDR:

1. The proposed development is compatible with adjacent development and development in the area;

The amended expansion area is compatible with the existing hotel, casino and parking facilities on adjacent parcels and will be reduced in size and height from the previously approved hotel expansion.

2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

The proposed development is generally consistent with the Downtown Centennial Plan, Title 19 and the General Plan for this area. A Waiver of the Centennial Plan Streetscape Standards is necessary to allow for the flow of traffic into the expansion area.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

Access to the site is from three driveways on Carson Avenue and one from First Street, both 80-foot wide local streets. However, the roadways are reduced to meet Downtown Centennial Plan vehicular transportation and access standards. Parking will be assisted by valet.

4. Building and landscape materials are appropriate for the area and for the City;

The building materials will be of comparable design and color as the existing adjacent buildings and are therefore appropriate for the area. Landscape materials are compliant with Downtown Centennial Plan requirements.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

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The proposed buildings create an orderly environment in keeping with the design theme of the existing hotel and casino.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed expansion structures are subject to regular building inspections and therefore should not compromise the public health, safety or welfare.

<u>ASSEMBLY DISTRICT</u>	2
<u>SENATE DISTRICT</u>	14
<u>NOTICES MAILED</u>	132
<u>APPROVALS</u>	1
<u>PROTESTS</u>	0