



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 7, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-26709 - APPLICANT: SMITH CENTER FOR THE PERFORMING ARTS - OWNER: CITY PARKWAY V, INC

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. 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.
2. All development shall be in conformance with the site plan and building elevations, date stamped 02/04/08, and the landscape plan, date stamped 3/14/08, except as amended by conditions herein.
3. The following Waivers from the Union Park Design Standards are hereby approved as follows:
 - a. A Waiver from Subsections 1.5.2A, 3.5.1 and 3.5.2 is hereby approved, to allow less than 70% glazing at the ground floor level of the Discovery Avenue and Union Park Promenade frontages.
 - b. A Waiver from Subsection 1.7 is hereby approved, to allow a service access driveway on West Clark Avenue in conformance with the submitted plans.
 - c. A Waiver from Subsections 2.2.6 and 3.17.4 is hereby approved, to allow pole mounted exterior light fixtures to illuminate the façade of the building at levels greater than 0.20 footcandles.
 - d. A Waiver from Subsection 2.6 is hereby approved, to allow a sidewalk width of 17-6 on the City Parkway frontage as shown on the submitted plans.
 - e. A Waiver from Subsection 2.8 is hereby approved, to allow a sidewalk width of 22-0 on the Union Park Promenade frontage as shown on the submitted plans.
 - f. A Waiver from Subsection 2.9 is hereby approved, to allow sidewalk widths of 14-6 and 17-0 on the Discovery Avenue frontages as shown on the submitted plans.

- g. A Waiver from Subsection 3.1 is hereby approved, to eliminate the required building stepback at 35-40 height level above the sidewalk. The stepbacks for the building shall be in accordance with the submitted plans.
 - h. A Waiver from Subsections 3.4.2 and 3.4.3 is hereby approved, to allow building canopies that project less than six feet from the façade of the building, and have a clearance of less than 16 feet above the grade of the sidewalk, as shown on the submitted elevations.
 - i. A Waiver from Subsection 3.10.3 is hereby approved, to allow portions of the buildings to have flat roofs in accordance with the submitted plans.
 - j. A Waiver from Subsection 3.17.1 is hereby approved, to allow a first floor height of less than 18 feet for the Education Center building.
 - k. A Waiver from Sheet L1-15 of the Union Park Schematic Streetscape Design document is hereby approved, to allow the use of Medjool Date palm trees along the Discovery Avenue frontage in accordance with the submitted landscape plans.
 - l. A Waiver from Sheet L1-15 of the Union Park Schematic Streetscape Design document is hereby approved, to allow the trees along the Discovery Avenue frontage to be spaced at 20-foot intervals in accordance with the submitted landscape plans.
4. As part of the building permit/construction document submittal process as outlined in the Union Park Design Standards, the completed project LEED checklist and a letter from the commissioning agent confirming preparation of documents for submission to the USGBC shall be submitted to the UP-DRC for review and approval prior to the issuance of a certificate of occupancy.
 5. Construction documents shall be submitted to the UP-DRC for review and approval prior to the issuance of a building permit in accordance with Section 5 of the Union Park Design Standards. The review shall be limited to the conditions of approval placed upon the project by the City of Las Vegas. A letter of approval from the UP-DRC must be submitted with the building permit application.
 6. Civil drawings shall be corrected to conform to the Union Park Design Standards, and shall be reviewed and approved by the UP-DRC prior to submittal of the construction document submittal.
 7. 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, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

8. The following corrections to the landscape drawings shall be made prior to submittal of the construction documents to the UP-DRC:
 - a. The landscape drawings shall include all street and pedestrian lighting per the Union Park Design Standards and Schematic Streetscape Design document.
 - b. Curb layouts and sidewalk clearances shall conform to the Union Park Schematic Streetscape Design document.
 - c. Paving patterns shall conform to the Union Park Schematic Streetscape Design document.
 - d. Street furniture, streetscape materials, planters, and public art shall be specified on the landscape drawings. Specific public art projects as required by the Union Park Design Standards shall be submitted to the UP-DRC for review and approval.
 - e. All trees and plant species, trenching and planting areas shall conform to the Union Park Design Standards, except as otherwise waived herein.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. Approval of this Site Development Plan Review application does not constitute approval of the signage. A detailed master sign package and tenant design criteria shall be submitted to the UP-DRC for review and approval prior to the issuance of any sign permits in accordance with Subsection 3.16 of the Union Park Design Standards.

15. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department 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.
16. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department 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.
17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. Contact the City Engineers Office at 229-6272 to coordinate the development of this project with the Downtown Bus Rapid Transit Connector project, the Union Park project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
19. Civil improvement plans for this site shall be coordinated with the final approved Union Park Phase II civil improvement plans.
20. 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.
21. Site development to comply with all applicable conditions of approval for SDR-16267 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for Site Development Plan Review for a performing arts center including a 2,100 seat auditorium and an education center with Waivers of the Union Park streetscape standards, lighting standards, architectural standards and access requirements on a portion of 53.6 acres generally located at the northeast corner of Bonneville Avenue and Grand Central Parkway.

The proposed site plan request is for the buildings identified as the Large Hall and the Education Center only; a separate Site Development Plan Review application will be required for the subsequent development phase(s). Despite the number of waivers requested, the proposed application is generally consistent with the Union Park design standards, and approval is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/15/06	The City Council approved a Site Development Plan Review application (SDR -16267), detailing the master site plan for the Union Park Development. The Planning Commission recommended approval of the request on 5 October 2006.
01/03/07	The Union Park Design Standards manual (TXT-16302) was adopted by City Council, which establishes the development standards for the site and the Union Park Design Review Committee (UP-DRC). The Planning Commission recommended approval of the document on 5 October 2006.
02/20/08	The City Council approved minor revisions to the Union Park Design Standards manual (TXT-23991), and incorporated the Union Park Schematic Streetscape Design document by reference. The Planning Commission recommended approval of the revisions on 27 September 2007.
03/07/08	The UP-DRC recommended approval of the proposed development, subject to conditions. The conditions of the UP-DRC have been incorporated into the conditions of approval.
03/27/08	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #17/ff).
<i>Related Building Permits/Business Licenses</i>	
No applicable permits or licenses have been issued relative to this development site.	

Pre-Application Meeting	
01/10/08	At the pre-application conference, it was noted that the project would require an approval letter from the UP-DRC prior to acceptance of the application package. It was also noted that a separate Site Development Plan Review application would be required for the small performance hall, as it was not to be included in the current submittal.

Neighborhood Meeting
A neighborhood meeting was not held, nor was one required.

Details of Application Request	
Site Area	
Net Acres	53.6 acres (actual development site is approximately 4.75 acres)

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MXU (Mixed-Use)	PD (Planned Deveopment)
North	Undeveloped	MXU (Mixed-Use)	PD (Planned Deveopment)
South	Undeveloped	MXU (Mixed-Use)	PD (Planned Deveopment)
East	Undeveloped	MXU (Mixed-Use)	PD (Planned Deveopment)
West	Undeveloped	MXU (Mixed-Use)	PD (Planned Deveopment)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Downtown Centennial Plan	X		Y
PD Planned Development District	X		Y
Redevelopment Plan Area	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
PD Planned Development District	X		Y
Downtown Overlay District	X		Y
G-O Gaming Enterprise Overlay District	X		Y
A-O Airport Overlay District	X		Y
Trails		X	N/A
Development Impact Notification Assessment	X		Y*
Project of Regional Significance	X		Y

*A DINA/PRS form was submitted with the master site plan (SDR-16267) for the Union Park development. A copy of the form is included in the case file for reference.

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	Approx. 5.2 acres	N/A
Min. Setbacks	Not to exceed 10 along frontages	0*	Y
Max. Lot Coverage	N/A	65%	Y
Max. Building Height	N/A	170	Y
Trash Enclosure	Not visible from public rights-of-way	Interior	Y
Mech. Equipment	Screened	Screened	Y

*In certain areas, portions of the façade elements extend past the setback line. The UP-DRC has recommended approval of this Waiver request.

Existing Zoning	Permitted Density	Units Allowed
PD (Planned Development)	N/A	N/A
General Plan	Permitted Density	Units Allowed
MXU (Mixed-Use)		

In accordance with the Union Park Design Standards, the following landscape and streetscape standards shall apply:

<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Union Park Promenade	14	23	Y
Discovery Avenue	18	17	N*
City Parkway	18	18	Y
West Clark Avenue	10	14	Y

*A Waiver from the Union Park Schematic Streetscape document has been recommended by the committee, so that the tree spacing aligns with the architectural elements of the structure.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement Parking Ratio	Provided		Compliance		
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Large Hall	2,100 Seats	1 space/4 seats	525		0		
Studio Theater	150 Seats	1 space/4 seats	38		0		
Cabaret Theater	299 Seats	1 space/4 seats	75		0		
Office	9,120 SF	1/300	31		0		
Retail	5,048 SF	1/250	21		0		
Subtotal			690	14	0	0	
TOTAL (Including handicap)			690 Spaces		0 Spaces		

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. Per the approval of the master site plan for the Union Park Development (SDR-16267), a parking district will be formed to allow for shared parking to address the needs of the performing arts complex.

Signs:
Note: All signage is subject to review and approval by the UP-DRC.

Waivers		
Request	Requirement	Staff Recommendation
Less than 70% glazing at the ground level facing Discovery Avenue and Union Park Promenade	70% Glazing required (Subsection 1.5.2A, 3.5.1 and 3.5.2)	Approval the UP-DRC found that the civic nature of building allowed for less glazing than required by the standards.
Allow service access on West Clark Avenue	Service access allowed on Union Park Promenade (Subsection 1.7)	Approval the alternate service access location is needed based on the program requirements of the building, and will not be detrimental to the pedestrian character of West Clark Avenue

Allow pole-mounted exterior light fixtures to illuminate the façade at levels greater than the 0.20 foot-candle maximum	All exterior luminaires limited to a maximum illuminance value no greater than 0.20 horizontal and vertical footcandles, and shall not be pole mounted (Subsection 2.2.6 and 3.17.4)	Approval the UP-DRC found that the civic nature of the building warrants additional lighting and will not impact other uses within Union Park.
Allow sidewalk width to be reduced to 17-6 in two small areas along City Parkway	20 sidewalk width required (Subsection 2.6)	Approval the encroachment is minimal and will not impact pedestrian circulation.
Allow sidewalk width to be reduced to 22 along Union Park Promenade	24 sidewalk width required (Subsection 2.8)	Approval the encroachment is minimal and will not impact pedestrian circulation.
Allow sidewalk width to be reduced to 14-6 and 17-0 along Discovery Avenue	20 sidewalk width required (Subsection 2.9)	Approval the areas of encroachment are minimal and will not impact pedestrian circulation.
Eliminate the required building stepback at the 35-40 height level	Building stepback required at the 35-40 height above the sidewalk (Subsection 3.1)	Approval the UP-DRC found that as a civic building, an alternative massing scheme for the structure was acceptable.
Allow building canopies to have a clearance of 14 above the sidewalk and a projection of approximately 5	Minimum 16 clearance and 6 projection (Subsections 3.4.2 and 3.4.3)	Approval based on the architectural expression of the building, the size and location of the canopies are appropriate for the use.
Allow portions of the building to utilize a flat roof	Flat roofs shall be avoided except for rooftop open space or where required by code (Subsection 3.10.3)	Approval the flat-roofed portions of the building will not be visible from the street level, and do not detract from the architectural character of the complex.
Allow a first floor height of approximately 15 along Union Park Promenade frontage	Minimum height of 18 required (Subsection 3.17.1)	Approval the height of the first floor of the Education Center is based on the elements of the principal structure, and warrants an exception from the design standards.

Allow Medjool Date palm trees as accents along Discovery Avenue	Accent trees not permitted (Sheet L1-15: Schematic Streetscape document)	Approval the accent trees will not detract from the streetscape plan for Discovery Avenue.
Allow tree spacing of approximately 20 on center	24 on-center spacing requirement (Sheet L1-15: Schematic Streetscape document)	Approval the reduced spacing complements the architecture of the building, and will not noticeable affect the street tree pattern along Discovery Avenue.

ANALYSIS

The proposed development includes the construction of the Large Hall building, which will house a 2,100 seat auditorium, support spaces and administrative functions, and an Education Center, which will house two smaller auditoria and lease space. Later phases of the performing arts complex will ultimately include the construction of a Small Hall auditorium building and additional retail and office space, which will be addressed under a separate Site Development Plan Review application.

The design of the complex utilizes Art Deco detailing, recalling architectural details utilized on elements of the Hoover Dam structures and other WPA projects constructed in the area. A tower element is located at the northeast corner of the structure, signaling the principal entrance to the Large Hall building; the main lobby for the Large Hall will overlook the proposed park across Discovery Avenue. A plaza space at the public sidewalk separates the Large Hall from the Education Center building, and will lead to an interior courtyard which will serve as the entrance to the future Small Hall building. The Education Center includes limited retail space along Union Park Promenade, which supports the intent of the Union Park Design Standards to have continuous commercial frontage along that street.

Exterior materials to be utilized on the structures primarily include stone veneer, cement plaster, and brushed stainless steel. The principal stone used on the exterior of the building will be a rose-colored Nevada metaquartzite, which will be taken from a local quarry. Granite veneer will be used along the base of the structure for durability. Brushed stainless steel will be utilized for decorative elements, including the entrance doors, canopies, and the roof cap on the tower element. The sloped roof elements will be sheathed with a standing seam metal roof to match the brushed stainless steel elements.

As the development is located within Union Park, the project is required to be reviewed by the Union Park Design Review Committee (UP-DRC). The UP-DRC reviewed the proposed development plans and has forwarded a recommendation of conditional approval, including approval of the requested waivers from the Union Park Design Standards.

The project generally complies with the Union Park development standards, including building placement, design and exterior materials, fenestration treatment, and streetscape treatment. The development standards specifically identify the subject site for the arts center use, and identify that the principal entry shall face Symphony Park/Discovery Avenue. The standards also mandate active retail frontages along Union Park Promenade, which is shown on the submitted plan, and identifies the need for sidewalk-oriented open space along the Discovery Avenue frontage, which is also provided. In addition, the massing of the building is generally in conformance with the diagram for the block shown in subsection 4.7 of the design standards.

The requested waivers listed above have been recommended for approval by the UP-DRC. While there are a significant number of waivers requested, it should be noted that the performing arts center is a civic structure, and as such, does not merit the rigorous application of the design standards as do commercial and residential structures. The waivers from the architectural standards are fairly minor in nature and will not compromise the overall design ethic intended for Union Park. The variations in the streetscape design will result in reduced sidewalk widths in some areas along the block frontages, but in no case will the reductions hamper pedestrian access. The UP-DRC reviewed each waiver request individually, and worked with the applicant in reducing impacts or eliminating unnecessary waiver requests.

As previously noted, no parking spaces will be provided on the performing arts center block. As a condition of approval of the master site plan (SDR-16267) for the Union Park development, a parking district with provisions for shared parking must be established. As outlined in the design standards, it is intended that patrons of the performing arts center will be able to utilize parking spaces located on other blocks of the development. With the mixed-use nature of the development, shared parking arrangements for complementary uses results in a more efficient provision of parking spaces, and ultimately reduces the amount of parking required for the development. In this instance, parking spaces provided for the office and medical businesses located on the southern half of the Union Park site can be utilized by their clientele during the day, and then utilized by performing arts center patrons in the evening. Until such time as the adjacent blocks are developed, temporary surface parking will be utilized to address the parking needs for the center. In its agreement with the Smith Center for the Performing Arts, the city of Las Vegas will make available 1,800 parking spaces until the parking district is formed.

It should be noted that any signage for the development will required review and approval by the UP-DRC in accordance with subsection 3.16 of the Union Park Design Standards manual. No signage areas have been shown on the plans submitted with this application package.

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 proposed arts center is compatible with the other uses that are proposed for the Union Park development site, and is consistent with existing development in the area.

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 adopted Union Park design standards and the Downtown Centennial Plan, and is in conformance with the General Plan.

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

While the development will increase the amount of traffic utilizing the adjacent roadways, a transit line is being constructed within the Grand Central Parkway right-of-way, which will assist in mitigating some of the traffic impacts.

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

The proposed exterior building materials and landscape materials are consistent with the Union Park standards and are appropriate for the City.

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;

The building elevations are consistent with the Union Park design standards, and are harmonious and compatible with development in the area.

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

The development will be subject to permit review and inspections, and appropriate measures will be taken to protect the general welfare of the public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 86 by Planning Department

APPROVALS 2

PROTESTS 0