



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 15, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-33088 - APPLICANT: CMS NEVADA, LLC - OWNER:
CMS MISSION ARTS, LLC, ET AL.

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Rezoning of 1.28 acres of property from the C-M (Commercial/Industrial) and C2 (General Commercial) zoning districts to the C2 (General Commercial) zoning district. The subject site is located at the southwest corner of Coolidge Avenue and Casino Center Avenue.

Staff recommends approval as this action will allow for the elimination of one-split zoned property and for the entire subject property to be consistent with the C (Commercial) land use designation.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/26/63	The Board of Zoning Adjustment approved a request for a Variance (V-0026-63) to enlarge the existing linen supply business
09/25/63	A request to Rezone (Z-0104-63) from R-4 (High Density Residential) to C-2 (General Commercial) was approved by the Board of City Commissioners after being amended from the original request to the C-M (Light Industrial) zoning district.
08/25/92	The Board of Zoning Adjustment approved a Plot Plan Review V-26-63(1) to allow a waste water pre-treatment system in conjunction with an existing commercial laundry facility located at 1001 South First Street. Staff recommendation was for approval.
06/04/08	The City Council approved a request for a Waiver (WVR-26441) of Title 18.12.130 to allow 1st Street to terminate in a dead end street where a cul-de-sac is required at the southeast corner of 1st Street and Boulder Avenue. A Vacation (VAC-26443) was also approved to vacate Boulder Avenue between 1st Street and Casino Center Boulevard, the alley generally located at the northwest corner of Boulder Avenue and Casino Center Boulevard, and a portion of the west side of Casino Center Boulevard located between Coolidge Avenue and Boulder Avenue. The Planning Commission recommended denial with staff recommending approval on 03/27/08.
01/22/09	The Planning Commission approved a request for a Major Amendment to an approved Site Development Plan Review (SDR-29021) to add a pedestrian plaza with a Waiver to the Downtown Centennial Plan Streetscape Standards on property adjacent to the south of the subject property. Staff recommended approval. This item was final action.
03/12/09	The Planning Commission recommended approval of companion item SDR-33087 concurrently with this application.

	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #19/mh).
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<i>Related Building Permits/Business Licenses</i>	
10/15/07	Inactive Business License #G03-01815 marked as empty for 1017 South 1st Street.
09/18/08	Business License #A48-00188 issued for a Retail Art Business located at 1025 South 1 st Street. NOTE: The active license holder is no longer the property owner at this location.
<i>Pre-Application Meeting</i>	
11/19/08	A pre-application meeting was held with staff to discuss the requirements for a proposed commercial development on multiple lots within 18b The Arts District. Staff determined that a single rezoning request would be necessary prior to merging the lots and remapping them into a single commercial subdivision. Staff also reviewed the proposed plans and determined that a Waiver of the North-South Centennial Streetscape would be required for portions of Casino Center Boulevard.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of request nor was one held.	
<i>Field Check</i>	
01/21/09	A field check was carried out by staff with the following observations: • There are existing four buildings currently on the site; one that will that require considerable demolition planning as it is three stories and located at the build-to line along Coolidge Avenue. • The proposed site surrounds the sides and rear of a Utility Substation currently in operation. • There was no business operating within any of the existing buildings.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.87 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Industrial Laundry Facilities	MXU (Mixed Use)	C-2 (Limited Commercial)/ C-M Commercial/Industrial/ R-4 (High Density Residential) Under a Resolution of Intent to C-2 (General Commercial)
North	Undeveloped/ Office	MXU (Mixed Use)	C-M (Light Industrial)/ C-2 (General Commercial)

South	Art Galleries/ Restaurant	C (Commercial)	C-2 (General Commercial)
East	Apartments/ Undeveloped lots	MXU (Mixed Use)	R-4 (High Density Residential) Under a Resolution of Intent to C-2 (General Commercial)
West	Industrial/ Commercial shops	MXU (Mixed Use)	C-M (Light Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan 18b The Arts District	X		N*
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
A-O Airport Overlay District 200	X		Y
Live/Work Overlay District	X		N/A
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

Downtown Centennial Plan - 18b The Las Vegas Arts District

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the 18b The Las Vegas Arts District. This area is as a mix of residential, commercial and cultural uses that will continue to develop as the hub for the arts. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan, but the applicant has requested a Waiver from the Streetscape Standards for minor portions along Casino Center Boulevard.

A-O Airport Overlay District

The project is located within the 200-foot high area of the A-O Airport Overlay District. The highest area of the project, the top of the eight-level parking garage, is 116-feet tall and is not affected by the overlay requirements.

Live/Work Overlay District

This site is within the Live/Work Overlay district. As the proposed pedestrian plaza does not offer any housing options the project is not impacted by the Live/Work standards as outlined in Title 19.06.130.

ANALYSIS

This request for the rezoning of 1.28 acres of property from the C-M (Commercial/Industrial) and C2 (General Commercial) zoning districts to the C2 (General Commercial) zoning district is being made in conjunction with a proposed Site Development Plan Review (SDR-33087) to develop a commercial development with office, retail, and restaurant uses and an eight-story garage. The proposed C-2 (General Commercial) zoning district is consistent with the General Plan and the Downtown Las Vegas Centennial Plan.

Staff recommends approval as this action will allow for the elimination of one split-zoned property and will allow the entire subject property to be in conformance with the C (Commercial) land use designation. This is necessary for the anticipated remapping the subject site into a single commercial subdivision.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

The proposed rezoning of property to the C-2 (General Commercial) zoning district conforms to the C (Commercial) land use category, which permits a broad spectrum of commercial uses, including the office, retail and restaurant uses proposed for the site

2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The proposal seeks to add 173,020 square-feet of office, retail and restaurant use to the area, which are compatible with the surrounding uses and zoning districts, and are specifically anticipated as part of the adopted plan for 18b The Arts District.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

The proposed development will enhance the downtown area and will provide a positive economic impact. In addition, the rezoning is preliminary step required before remapping the entire property into a single commercial subdivision.

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

Measures are in place to provide adequate street and highway access to the proposed development. Furthermore, a BRT (Bus Rapid Transit) line is being developed adjacent to the southeast corner of the subject site to serve the needs of 18b The Arts District.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

ASSEMBLY DISTRICT 6

SENATE DISTRICT 3

NOTICES MAILED 361 by City Clerk

APPROVALS 0

PROTESTS 0