



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 15, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-33087 APPLICANT: CMS MISSION ARTS, LLC, ET AL -
OWNER: CMS MISSION ARTS, LLC, ET AL.**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. 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.
2. A Comprehensive Sign Plan shall be submitted for review at a public hearing of the Planning Commission prior to issuance of permits for exterior signage.
3. Conformance to the conditions for Rezoning (ZON-33088), if approved.
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. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 01/16/09, except as amended by conditions herein.
6. A Waiver from the Las Vegas Downtown Centennial Plan Streetscape Standards is hereby approved, to allow:
 - a. An eight-foot wide sidewalk where a 10-foot wide sidewalk is required along a 10-foot portion of the southwest corner of the Coolidge Avenue and Casino Center Boulevard.
 - b. An eight-foot wide sidewalk where a 10-foot wide sidewalk is required along a 5-foot portion of Casino Center Boulevard (shown as Arts Way) located approximately 150-feet northeast from the southeast property line.
 - c. A seven-foot wide sidewalk without the additional amenity zone where a 10-foot wide sidewalk with a five-foot wide amenity zone is required along a 20-foot portion

of the northwest corner of the Boulder Avenue Pedestrian Plaza and Casino Center Boulevard (shown as Arts Way).

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. 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.
9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. 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.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
16. The affected parcels on the subject site shall be remapped, creating a single-lot commercial subdivision, prior to the issuance of any building permits.

Public Works

17. Prior to the issuance of any permits, submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.
18. Dedicate a 10 foot radius on the southeast corner of 1st Street and Coolidge Avenue, a 10 foot radius on the southwest corner of Casino Center Boulevard and Coolidge Avenue, and a 10 foot radius at the northeast corner of 1st Street and Boulder Avenue prior to the issuance of any permits.
19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting Downtown Centennial Standards concurrent with development of this site except as amended by conditions herein or through approved waivers.
20. Re-route the public sewers within sewer easement 20040813:00085 and vacate said easement prior to the issuance of any building permits. No landscaping or other improvements which may limit maintenance vehicle access are allowed within the proposed 20' public sewer easement to be reserved by VAC-26443 located within the existing alley. Upon mapping of this site as a commercial subdivision or other acceptable merger of parcels, VAC-26443 may completely vacate all public sewer easements in the existing alley.
21. Contact the City Engineers Office at 229-6272 to coordinate the development of this project with the First Street Beautification project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
22. 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rightsofway required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of onsite development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rightsofway are not required and Traffic Control devices are or may be proposed at this site outside of the public rightsofway, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this 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.

23. 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.
24. Approval of this site plan in conjunction with the approved site plan submitted with SDR-32544 constitutes fulfillment of the portion of Condition of Approval #12 of VAC-26443 which required submittal and approval of a site plan showing how the vacated rightsof-way will be incorporated into the overall development.
25. Site development to comply with all applicable conditions of approval for SDR-32544, SDR29021, SDR15035, VAC-26443 and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review for a proposed office and retail development consisting of a two-story 43,110 square-foot building, a two-story 51,630 square-foot building and a eight-story, 540-space parking garage with 78,280 square-feet of commercial space on 2.87 acres at the southwest corner of Casino Center Boulevard and Coolidge Avenue. The applicant has requested a Waiver of the Downtown Centennial Streetscape Standards for portions of the North-South Streetscape Standards along Casino Center Boulevard.

Staff recommends approval of this request as it will provide a positive contribution to the future development of 18b The Arts District and the surrounding downtown area.

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 ZON-33088 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #20/mh).
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Related Building Permits/Business Licenses

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 1st Street. NOTE: The active license holder is no longer the property owner at this location.

Pre-Application Meeting

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.
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Neighborhood Meeting

A neighborhood meeting is not required for this type of request nor was one held.

Field Check

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.
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Details of Application Request

Site Area

Gross Acres	2.87 acres
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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)
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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.

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.060, the Downtown Centennial Plan area exempts properties from the automatic application of building height limitations, setbacks, lot coverage, and standard parking requirements. The following development standards apply to this subject proposal:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	
Min. Setbacks • Front (Coolidge) • Corner Side (First Street) • Corner Side (Casino Center Boulevard) • Rear (Boulder Avenue - Vacated)	0-6 2-0 2-0 40-0
Max. Building Height 120 A-O Overlay	116
Mech. Equipment	Located within garage with additional screening

Pursuant to Title 19.06.060, the Downtown Centennial Plan area exempts properties from the automatic application of standard landscaping requirements

<i>Standards</i>	<i>Required</i>	<i>Provided</i>
Min. Buffer Width for Parking Structure	10-foot landscaped setback with landscaping to provide sufficient screening at pedestrian level	10-foot wide buffer along Coolidge Avenue with

Pursuant to Title 19.06.060, properties within the Downtown Centennial Plan area are exempt from the automatic application of standard parking requirements. Listed below is the off street parking provided for this subject proposal.

<i>Use</i>	<i>Gross Floor Area</i>	<i>Base Parking Requirement</i>			<i>Provided</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>	
			Regular	Handi-capped	Regular	Handi-capped
Office, Retail, and Restaurant, Bldg A	43,110 SF	3 / 1000 SF			0	0
Office, Retail, and Restaurant, Bldg B	51,630 SF	3/1000 SF			0	0
Office, Retail, and Restaurant, Garage	78,280 SF	3/1000 SF			528	12

TOTAL (including handicap)	173,020 SF*	3/1000 SF**	520 spaces	540 spaces
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* See analysis section for a brief explanation of the gross floor area calculation used for parking counts.

**The 3/1000 parking ratio is taken from the equivalent parking provisions provided by projects that have been recently approved in the vicinity of the Las Vegas Downtown Centennial Plan.

Pursuant to the Downtown Centennial Plan, the following streetscape standards apply:

Streetscape Standards	Required	Provided	Compliance
East/West Street (Coolidge Avenue)	1 Shade Tree @ 15-20 O.C. Maximum (min. 36 box) Shade Trees	11 Shade Trees (36 box)	Y
North/South Street (1st Street)	1 Palm Tree @ 30 O.C. Maximum (min. 25 height) Palm Trees	9 Palm Trees (24 box; no height listed)	Y
North/South Street (Casino Center Boulevard)	1 Palm Tree @ 30 O.C. Maximum (min. 25 height) Palm Trees	5 Palm Trees (36 box; no height listed)	N*
Right-of Way Improvements:	10 Sidewalk with 5 Amenity Zone (Per Graphics 11 & 12, Downtown Centennial Plan)	10 Sidewalk and Amenity Zones (Per Graphics 11 & 12, Downtown Centennial Plan)	N*

* A Waiver has been recommended for approval to allow minor deviations from the North-South Centennial Streetscape Design Standards. Please refer to the table below for detailed information regarding the request.

Waivers		
Request	Requirement	Staff Recommendation
A seven-foot wide sidewalk without the additional amenity zone along a 20-foot portion of the northwest corner of the Boulder Avenue Pedestrian Plaza and Casino Center Boulevard (shown as Arts Way).	10-foot wide sidewalk with a five-foot wide amenity zone	Approval
An eight-foot wide sidewalk along a 5-foot portion of Casino Center Boulevard (shown as Arts Way)	10-foot wide sidewalk	Approval
An eight-foot wide sidewalk along a 10-foot portion of the southwest corner of the Coolidge Avenue and Casino Center Boulevard.	10-foot wide sidewalk	Approval

ANALYSIS

The subject property is located within the boundaries of the Las Vegas Redevelopment District of the Southeast Sector Plan of the General Plan, and has a C (Commercial) land use designation, which allows uses comparable to the following land use categories: O (Office), SC (Service Commercial), and GC (General Commercial). The proposed office, retail, and restaurant uses are in compliance with the underlying C (Commercial) land use designation and are in conformance with Redevelopment Plan policies that encourage innovative, mixed use projects in this area of the City. There is an associated request for Rezoning (ZON-33088) to change the zoning of the subject site to the C-2 (General Commercial) zoning district. The existing and proposed uses established at this location are permissible in a C-2 (General Commercial) zoning district.

Although this site is within the Live/Work Overlay district and the A-O Airport Overlay (200-foot height limit) there are no live/work units and the maximum proposed height is at 116-feet. Thus, the proposal is not affected by the requirements of these additional overlay districts.

The subject site is also located in the 18b The Las Vegas and is within the boundaries of the Las Vegas Downtown Centennial Plan. Pursuant to Title 19.06.060 properties within the Downtown Centennial Plan area are exempt from the automatic application of development standards for building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Arts District is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment with its own unique design standards.

The site encompasses seven parcels and major portions of a vacated alleyway with three proposed buildings that will be built across existing lot lines. The applicant has stated the intent to create a single-lot commercial subdivision, which typically requires a tentative map review and final map technical review prior to any building permits being issued. A condition of approval has been placed by staff on this request to meet this initial requirement prior to submitting for building permits.

- **Site Plan**

The 2.48 acre site is located on the south side of Coolidge Avenue, between Casino Center Boulevard and 1st Street, continuing south towards Boulder Avenue. The site plan is in compliance with the standards of the proposed C-2 (General Commercial) zoning district and the Downtown Centennial Plan - 18b The Las Vegas Arts District standards. A proposed pedestrian plaza (SDR-32544) shown to the south of the subject property provide a public space accessible from the ground level commercial activities and is integrated into the pedestrian circulation central of the site. The site plan shows an eight-story parking garage located at the north property line adjacent to the Coolidge Avenue. The Gross Floor Area calculated for the Parking Garage takes into account the first floor retail, the approximate 2,800 SF storage space on each level (two through seven), and the event space located on the top floor. This differs from the 118,280 net floor area provided on the floor plans. Of the 540 off-street parking spaces provided, 110 of those spaces less than one-third as allowed by Title 19.10 - are a compact design.

- **Landscape Plan**

The provided landscape plan for the proposed commercial development shows a thoughtful integration of the on site open spaces with the pedestrian plaza located just south of the subject property. Within the interior of the property is additional landscaping showing multiple plant species providing for an interesting internal pedestrian area. There is streetscape landscaping provided along all required rights-of-way with the exception of a 20-foot portion located at the southeast corner of the property. A Waiver has been requested to allow for minor adjustments which stems from an irregular lot configuration along Casino Center Boulevard. Since the applicant has made efforts to stay within the intent of the Las Vegas Downtown Centennial Plan, staff recommends approval of the Waiver request.

- **Elevations**

The elevations depict three separate buildings. The most prominent building is an eight-story parking garage located along Coolidge Avenue. This structure features ground level commercial spaces, parking spaces located on levels two through seven, and an event space located on the top floor. Buildings A and B, as labeled on the site plan and elevations, are two stories and provide an adequate transition in massing to the eight-story parking garage. The elevations depict alternate materials consisting of cast concrete grays, blue-tinted glass, preformed exterior cementations panels, corrugated metal panels and screening, and aluminum storefronts to help breakup the solid massing of the buildings above ground façade.

- **Floor Plan**

The floor plans show that there will be a mix of retail, restaurant, and office space. The garage will offer a banquet facility, on the 8th Floor. The primary site circulation is provided by outdoor pedestrian corridors that directly connect to Casino Center Boulevard to the east and the Boulder Pedestrian Plaza to the south. Within each of the three buildings commercial space, is an open floor plan to provide maximum flexibility for future tenant improvements. Buildings A and B both provide elevators and stairwells at the center of each building with the parking garage providing two freight elevators at the southwest corner that directly accesses a 2,800 square-foot storage area on levels two through seven. The parking structure also provides three elevators for primary access at the center of the south face and the necessary emergency stairwells at the northwest, northeast, and southeast corners.

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 commercial development will be compatible with existing and proposed development in the immediate 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;**

With the approval of the related Rezoning (ZON-33088) request to the C-2 (General Commercial) zoning district, the proposed commercial development will be consistent with all code requirements.

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

The principal vehicular access point for the development is provided off of 1st Street, with a secondary commercial access provided at Casino Center Boulevard. Site circulation is predominately pedestrian-oriented with excellent access to public transportation by means of with a proposed bus turnout adjacent to the southeast property line. In addition to this bus stop, there are six additional stops within less than a quarter of a mile from the site which will assist in reducing the number of vehicle trips generated by the development.

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

The proposed structure and landscape materials are within the context of the surrounding neighborhood. Additionally, the landscape materials meet the types required for this area under the Downtown Centennial Plan.

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 proposed commercial development will provide retail and restaurant opportunities as well as offer office space that are all pedestrian accessible from. The design emphasizes pedestrian access by arranging the buildings around a central axis that ties into the Boulder Pedestrian Plaza. The proposed massing of the structures are in balance and the materials are harmonious and in context with the industrial aesthetic of the surrounding area.

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

The proposed commercial development will be subject to City inspections during construction of the building as well as routine business license inspections for the tenant commercial spaces.

PLANNING COMMISSION ACTION

Conditions 1 and 2 were added at the Planning Commission Meeting to which the applicant agreed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

ASSEMBLY DISTRICT 6

SENATE DISTRICT 3

NOTICES MAILED 361 by City Clerk

APPROVALS 0

PROTESTS 0