

**AGENDA MEMO****CITY COUNCIL MEETING DATE: APRIL 21, 2010****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: APPLICANT/OWNER: HARRISON PROPERTIES, LTD**

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the conditions of approval for Special Use Permit (SUP-37327), if approved.
2. 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.
3. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the existing parcels so that no lot line passes through any structure. The mapping action shall be completed and recorded prior to issuance of a building permit.
4. Pursuant to Title 19.10.010 (H), an off-site parking agreement shall be submitted to the Planning and Development Department and approved by the City Attorney's office prior to issuance of a building permit.
5. All development shall be in conformance with the site plan, landscape plan, building elevations and floor plans date stamped 03/02/10, except as amended by conditions herein.
6. A Waiver from the Downtown Centennial Plan Streetscape Requirements is hereby approved to allow a zero-foot amenity zone and a five-foot sidewalk adjacent to Las Vegas Boulevard, where a five-foot amenity zone and a ten-foot sidewalk are the minimum required.
7. A Waiver from the Downtown Centennial Plan Parking Lot Landscape Standards is hereby approved to allow no additional landscaping where an additional 350 square-feet and six trees is the minimum required.
8. All signage shall be reviewed by the Downtown Design Review Committee and must adhere to the standards of the Las Vegas Scenic Byway Overlay District prior to issuance of building permits for any signage.

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9. 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. The technical landscape plan shall include the following changes from the conceptual landscape plan: the Mexican Fan Palms shall be a minimum height of 25 feet.
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. 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).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. 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.
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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. Dedicate an additional five feet of right-of-way for a total half-street width of 45 feet on Las Vegas Boulevard adjacent to the parking lot for this site (APN #139-34-410-177) prior to the issuance of any permits or in conjunction with the recordation of a Map, whichever may occur first.

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18. Coordinate with the Building and Safety Department to determine if existing lot lines are in conflict with existing or the new proposed structures. If it is determined that a mapping or other lot consolidation is required, coordinate with the City Surveyor to determine the most appropriate lot consolidation method.
19. Landscape and maintain all unimproved right-of-way, if any, on Las Vegas Boulevard adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements, if any, in the Las Vegas Boulevard public right-of-way adjacent to this site prior to occupancy of this site.
21. 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.
22. Prior to the approval of Construction drawings for this site, sign a Covenant Running with Land agreement for the possible future installation of half-street improvements (including undergrounding overhead utility lines and Downtown Centennial Plan Streetscape standards) on Las Vegas Boulevard and the public alley adjacent to this site. The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City prior to the issuance of building permits for this site.
23. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
24. Meet with the Traffic Engineering Representative for assistance in redesigning the existing parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.
25. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The current site consists of an existing 9,019 square-foot commercial building on 0.64 acres at 713 South Las Vegas Boulevard. The applicant is proposing to expand the existing commercial building to 14,623 square feet with a 5,604 square-foot addition. The proposed addition will provide employee offices and additional storage. The addition includes 2,976 square feet on the first floor and 2,628 square feet on a new second floor. The applicant is requesting Waivers of the Downtown Centennial Plan Streetscape Standards for sidewalk and amenity zone widths, as well as parking lot landscaping requirements. A condition of approval has been added by Public Works requiring the applicant to sign and record a Covenant Running with Land agreement for the possible future installation of all underground power lines and Downtown Centennial Plan Streetscape Standards on Las Vegas Boulevard and the public alley adjacent to this site prior to the issuance of any permits.

Currently, the commercial building is utilized as a Pawn Shop. An associated request has been submitted for a Special Use Permit (SUP-37327) to expand the Pawn Shop use. The proposed development is consistent with the Downtown Centennial Plan and Title 19 requirements, as conditioned; therefore staff recommends approval of this request. If denied, the site would remain as a 9,019 square-foot commercial building and a new Site Development Plan Review would be required prior to any additional development of the site.

ISSUES

- The site currently consists of multiple parcels and must be remapped to combine these lots so that no lot line extends through any structure prior to issuance of building permits.
- The applicant must submit a parking agreement outlining the terms and conditions of the proposed off-site parking prior to issuance of building permits.
- The applicant must record a Covenant Running with Land agreement for the possible future installation of underground power lines and Downtown Centennial Plan Streetscape Standards.
- The applicant is requesting a Waiver from the Downtown Centennial Plan Streetscape Standards to allow a zero-foot amenity zone and a five-foot sidewalk adjacent to Las Vegas Boulevard, where a five-foot amenity zone and a ten-foot sidewalk are the minimum required.
- The applicant is requesting a Waiver from the Downtown Centennial Plan Parking Lot Landscaping Standards to allow no additional landscaping where an additional 350 square feet and six trees is the minimum required.
- A Special Use Permit is required to expand the Pawn Shop use into the proposed addition.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
09/21/88	The City Council approved a request for a Special Use Permit (U-0111-88) for a Class III Secondhand Dealership for the buying and selling of used jewelry, precious metals and gems at 713 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended approval on 08/25/88.
02/15/89	The City Council approved a request for a Variance (V-0162-88) to allow a Secondhand Store at 713 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended approval on 01/26/89.
08/16/89	The City Council approved a request for a Special Use Permit (U-0110-89) for a Pawn Shop in conjunction with an existing Secondhand Dealership (Gold and Silver Coin Shop) at 713 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended approval.
04/20/94	The City Council approved a request for a Special Use Permit (U-0045-94) to allow an expansion of an existing Pawn Shop; and to allow an Auto Pawn dealership on property located at 709-715 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended approval on 03/22/94.
12/05/94	A deed was recorded for a change in ownership.
03/25/10	The Planning Commission recommended APPROVAL of companion item SUP-37327 concurrently with this application. The Planning Commission (7-0 vote) recommended APPROVAL (PC Agenda Item #23/gk).
<i>Related Building Permits/Business Licenses</i>	
05/05/99	A building permit (#99008631) was issued for a sign at 713 South Las Vegas Boulevard. The permit was finalized on 05/13/99.
05/25/00	A building permit (#10182) was issued for exterior wall signs with electric at 713 South Las Vegas Boulevard. The permit was finalized on 06/28/00.
06/02/03	A business license (F03-00039) was issued for pistol/handgun permit sales at 713 South Las Vegas Boulevard. The license is still active.
06/02/03	A business license (P04-00020) was issued for a Pawnbroker at 713 South Las Vegas Boulevard. The license is still active.
06/02/03	A business license (P08-00009) was issued for an Auto Pawnbroker at 713 South Las Vegas Boulevard. The license is still active.
07/07/03	A business license (S25-00011) was issued for a Secondhand Dealer, Class II at 713 South Las Vegas Boulevard. The license is still active.
07/09/08	A business license (M18-04439) was issued for a Management/Marketing Consultant at 713 South Las Vegas Boulevard. The license is still active.
02/10/10	A building permit (#156383) was issued to reroof approximately 9,019 square feet at 713 South Las Vegas Boulevard. The building permit was finalized on 02/16/10.

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02/16/10	A building permit (#156692) was approved by staff for interior tenant improvements at 713 South Las Vegas Boulevard. The building permit has not been issued.
<i>Pre-Application Meeting</i>	
01/27/10	A pre-application meeting was held on the indicated date. The following items were discussed at the meeting: • A Site Development Plan Review application is required, as the existing building will be expanding by over 5,000 square feet. The requirements for a Site Development Plan Review were discussed. • A Special Use Permit application is required, as the existing use is being expanded. The requirements for a Special Use Permit were discussed. • A mapping action will be required to eliminate the property line that currently divides the existing building.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
02/18/10	Staff conducted a field check on the indicated date. The following items were noted. • A well maintained commercial lot free of trash and debris.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.64

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Pawn Shop	MXU (Mixed Use)	C-2 (General Commercial)
North	Parking Lot	C (Commercial)	C-2 (General Commercial)
South	Repair Service, Bailbond Service, Tattoo Parlor	MXU (Mixed Use)	C-2 (General Commercial)
East	Office, Other than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
	Parking Lot	C (Commercial)	C-1 (Limited Commercial)
West	Parking Lot, Office (Government Facility)	PF (Public Facility)	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	X		Y
Downtown Centennial Plan	X		N
Las Vegas Redevelopment Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
Downtown Centennial Plan Overlay District (Las Vegas Boulevard)	X		N
Live/Work Overlay District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails – Scenic Byway	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

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

<i>Standard</i>	<i>Provided</i>	<i>Compliance</i>
Lot Size	14,000 SF	Y
Building Size	14,971 SF	Y
Min. Setbacks		
• Front	Zero Feet	Y
• Side (East)	Zero Feet	Y
• Side (West)	Zero Feet	Y
• Rear	Zero Feet	Y
Lot Coverage	86%	Y
Building Height	36 Feet	Y

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Pursuant to the Downtown Centennial Plan, the following Streetscape Standards are required:

<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
North/South Street (Las Vegas Boulevard)	Five-foot amenity zone and a 10-foot sidewalk; One 25-foot tall palm tree spaced every 30-feet	Zero-foot amenity zone and a five-foot sidewalk; Zero Trees	N
Parking Lot Development Standards	Surface parking lots shall provide one tree for every six spaces - (6 Trees); A minimum of ten square feet of landscape surface area must be provided for each parking space – (350 SF)	Zero Trees; No parking lot landscaping provided	N
Parking Lot Screening	Ornamental screens shall be provided for parking lots that face public streets	Screened adjacent to Las Vegas Boulevard	Y

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Pawn Shop	14,623 SF	1:250	56	3	34	1	
TOTAL			59		35		Y

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. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

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Waivers		
Requirement	Request	Staff Recommendation
Las Vegas Boulevard – Five-foot amenity zone and a 10-foot sidewalk	Zero-foot amenity zone and a five-foot sidewalk	Approval
Surface parking lots shall provide one tree for every six spaces (6 Trees)	Zero Trees	Approval
A minimum of ten square feet of landscape surface area must be provided for each parking space (350 SF)	No parking lot landscaping provided	Approval

ANALYSIS

The current site consists of three parcels (or 8 lots) with an existing 9,019 square-foot commercial building on 0.64 acres at 713 South Las Vegas Boulevard. A condition of approval has been added requiring a mapping action to consolidate the multiple parcels. The applicant is proposing to expand the existing commercial building to 14,623 square feet with a 5,604 square-foot addition. The proposed addition will provide employee offices and additional storage. The addition includes 2,976 square feet on the first floor and 2,628 square feet on a new second floor. Currently, the commercial building is utilized as a Pawn Shop. An associated request has been submitted for a Special Use Permit (SUP-37327) to expand the existing Pawn Shop use.

The Downtown Centennial Plan requires a five-foot amenity zone and a 10-foot sidewalk along Las Vegas Boulevard. The applicant is requesting a waiver to allow a zero-foot amenity zone and five-foot wide sidewalk along Las Vegas Boulevard. Staff supports the requested waiver as the existing configuration of the sidewalk on adjacent sites, combined with the location of utilities along Las Vegas Boulevard prohibit the applicant from providing the required amenity zone and sidewalk. As the adjacent properties to the north and south do not provide the required amenity zone and sidewalk, a uniform streetscape will be maintained with the approval of this requested waiver.

The Downtown Centennial Plan Parking Lot Landscape Standards require a minimum of ten square feet of landscape surface area for each parking space provided and one tree for every six parking spaces provided. In this case, the applicant is providing 35 parking spaces and is required to provide 350 square feet of landscaped area and six trees. The applicant is requesting a waiver to allow no additional landscaping throughout the existing parking lot.

The applicant is not providing the required streetscape or parking lot landscaping per the Downtown Centennial Plan. However, in an attempt to meet the overall intent of the Downtown Centennial Plan, the applicant has dedicated an additional five-foot of right-of-way behind the existing five-foot wide sidewalk. Within this dedicated five-foot right-of-way, the applicant is providing the standard 42-inch tall Downtown Centennial parking lot ornamental screen fence

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and three Mexican Fan Palm Trees at 30-foot increments. A condition of approval has been added requiring the palm trees to be at least 25 feet in height. The additional trees, landscape area, and screening cannot be considered as part of the streetscape requirements, as it is not located within an amenity zone, nor can it be considered part of the parking lot requirements, as it is located within the right-of-way; however, the landscaping will enhance the streetscape along Las Vegas Boulevard and provide screening for the parking lot.

The Downtown Centennial Plan requires that all power lines be located underground from the nearest street access to the project site. The existing utilities are located adjacent to the west side of the subject site and in the alley way along the east side. The Department of Public Works has added a condition which requires a covenant on the property as it relates to the existing utilities for the possible future installation of all underground utilities and Downtown Centennial Plan Streetscape Standards.

The existing commercial building is accessed by two 24-foot wide driveways fronting Las Vegas Boulevard, designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways. The site currently provides 42 parking spaces. The proposed site plan depicts a loss of seven parking spaces due to the addition of a handicap accessible parking space and the dedicated five-foot wide landscaped right-of-way for a new total of 35 parking spaces. Title 19.060.060 exempts properties within the Downtown Centennial Plan area from the automatic application of standard parking requirements. The applicant has agreed to enter into an off-site parking agreement to ensure that parking will be provided for the development. A condition has been added requiring the applicant submit a parking agreement, approved by the City Attorney, detailing the terms and conditions of the proposed off-site parking prior to issuance of building permits. The provided access and circulation will be adequate for pedestrians and vehicles.

The site as proposed will not meet the minimum requirements in the Downtown Centennial Plan. Although the applicant is requesting Waivers of the streetscape and parking lot landscaping standards, the applicant is providing an enhanced site through the addition of the Downtown Centennial parking lot ornamental screen fence, a restriped parking surface, the addition of a new handicap accessible space, additional landscaping area, and three Mexican Fan Palm Trees; for these reasons, staff recommends approval.

FINDINGS

The following findings must be made for a Site Development Plan Review:

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

The proposed development is compatible with the adjacent commercial development to the north, south, and west. The proposed development is consistent with adjacent development and within the Downtown Centennial Plan Area.

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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 consistent with Title 19 and General Plan requirements, but is not consistent with the Downtown Centennial Plan. Staff can support the requests for Waivers of the Downtown Centennial Streetscape and Parking Lot Landscape Standards, as the applicant is providing an enhanced site through the addition of the Downtown Centennial parking lot screen fence, a restriped parking surface, the addition of a new handicap accessible space, additional landscaping area, and three Mexican Fan Palm Trees.

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

The site is accessed from Las Vegas Boulevard, designated as a 100-foot Primary Arterial by the Master Plan of Streets and Highways. The street will provide adequate access to the site. Site access and circulation will not negatively impact adjacent roadways and neighborhood traffic.

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

The building materials are appropriate for the area and the city. Landscape materials are also appropriate for the area and 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 not unsightly or obnoxious, and will be compatible with development in the area.

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

The proposed plan will not impact public health, safety or welfare since the development will be subject to the International Building Code and City inspections during construction.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 338 (By City Clerk)

APPROVALS 3

PROTESTS 6