



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JUNE 15, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: IKE GAMING, INC.

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-41257	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

SDR-41257 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. 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, landscape plan, and building elevations, date stamped 05/27/11, except as amended by conditions herein.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Conditions Page Two
June 15, 2011 - City Council Meeting

Public Works

6. An encroachment for the gate, non-asphaltic surface, and any landscaping in the public right-of-way as shown on the approved Site Plan is hereby approved and staff is directed to process an encroachment application that is in conformance with this approved Site Plan. The installation and maintenance of all landscaping and private improvements in the public right-of-way shall be the responsibility of the adjacent property owners and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement.
7. The gate shall meet the requirements of the Fire Department as adopted with ordinance #6124 and clearly be labeled to both pedestrians and vehicles that ingress and egress is fully permitted and shall not be key coded or otherwise locked to the public.
8. Maintain drivable access to the existing sanitary sewer manhole located within the encroachment area.
9. 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 drainage ways as recommended.

Staff Report Page One
June 15, 2011 - City Council Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to enhance the area around the entrance to a hotel. The enhancements covered by this request include the addition of three landscape planters, two on the west side of the alley and one on the east side and a new screening wall for the mechanical equipment. Other enhancements proposed with this project are all located within the public alley right-of-way. These include the addition of colored stamped concrete and pavers and a decorative automatic shell frame and sheet metal gate. The gate will allow access to all vehicles and pedestrians. Staff recommends denial, as the project will provide the appearance of an alley that is closed to the public without being vacated.

ISSUE

- An Encroachment Agreement from Public Works to install a gate within the alley right-of-way is required.
- This alley has not been vacated, and will remain public right-of-way.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
07/18/08	The Planning & Development Department staff administratively approved Site Development Plan Review (SDR-24758) for exterior façade, landscape and streetscape improvements for 201 North 7 th Street.
05/10/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 46/yk).

<i>Most Recent Change of Ownership</i>	
06/01/67	A deed was recorded for a change in ownership for 139-34-612-003.
11/21/86	A deed was recorded for a change in ownership for 139-34-512-027.

<i>Related Building Permits/Business Licenses</i>	
No related permits are on file.	

<i>Pre-Application Meeting</i>	
03/09/11	Staff reviewed the requirements for a Site Development Plan Review application with the applicant.

Staff Report Page Two
June 15, 2011 - City Council Meeting

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
03/31/11	Staff visited the site and found a clean, well maintained parking lot and motel.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres (139-34-612-003)	.16
Net Acres (139-34-512-027)	1.29

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property 139-34-612-003	Hotel	C (Commercial)	C-2 (General Commercial)
North	Hotel	C (Commercial)	C-2 (General Commercial)
South	Hotel/Casino	C (Commercial)	C-2 (General Commercial)
East	Parking Garage	MXU (Mixed-Use)	C-2 (General Commercial)
West	Parking Lot	C (Commercial)	C-2 (General Commercial)

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property 139-34-512-027	Parking Lot	C (Commercial)	C-2 (General Commercial)
North	Maintenance Plant	MXU (Mixed-Use)	C-2 (General Commercial)
South	Hotel/Casino	C (Commercial)	C-2 (General Commercial)
East	Hotels	C (Commercial)	C-2 (General Commercial)
West	Auto Repair (Major)	C (Commercial)	C-2 (General Commercial)
	Undeveloped		

Staff Report Page Three
June 15, 2011 - City Council Meeting

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Downtown Centennial Plan	X		Y
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Live/Work Overlay District	X		N/A

Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Ogden Avenue	Secondary Collector	Master Plan of Streets and Highways	80	Y

ANALYSIS

This project is located in the Downtown Gateway District of the Downtown Centennial Plan. The Live/Work Overlay also covers the project area but is not impacted by the proposal. The project will also contribute to the Redevelopment Plan for the area.

The Las Vegas Valley Water District (LVVWD) reports that the existing 3/4' meters (4) and 2" meter has no backflow at 608 Stewart Avenue. Backflow prevention addition and/or retrofit may be required depending upon proposed landscape and existing fire protection. Civil plans will need to be submitted to LVVWD.

The Fire Department initially had concerns regarding the proposed gate on the alley. However, the applicant redesigned the gate to roll to the west onto their parking lot. When the gate is open, it provides for complete access to the entire nineteen-foot width of the alley. Although the 2009 International Fire Code § 503.2 & Appendix "L" with the Southern Nevada Fire Code Amendment#6124 requires all alleys to be a minimum of twenty feet in width, this alley is exempt as it was constructed prior to the code being adopted.

Staff Report Page Four
June 15, 2011 - City Council Meeting

The Department of Public Works has concerns regarding the request for a Site Development Plan Review, as a gate across a public right-of-way, such as an alley, gives the impression that the area behind the gate is private property, and not open to the public. This may result in reduced access to other businesses served by this alley. Since the alley has not been vacated to date, this is not the case.

This project will improve the aesthetics around the hotel located on the north side of Ogden Avenue in downtown. The enhanced landscape and the addition of a screening wall to shield mechanical equipment from public view are welcome improvements. However, staff recommends denial of the project due to the concerns expressed by Public Works regarding the proposed gate.

FINDINGS (SDR-41257)

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

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

The proposed renovation is aesthetically compatible with the adjacent development, but may result in reduced access to other businesses served by the alley as a result of the appearance of a gated access.

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 the General Plan, applicable Title 19 requirements, and the Downtown Centennial Plan.

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

No modifications are proposed to the existing driveway configuration on Ogden Avenue or the on-site circulation pattern.

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

The proposed landscape materials are appropriate for the area and for the City.

Staff Report Page Five
June 15, 2011 - City Council Meeting

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 minor elevation addition is compatible with the existing building and will enhance the appearance of the property.

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

The proposed alley gate could create a hazard to the public health, safety and general welfare of the community due to the appearance of a closed alley.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

38

NOTICES MAILED

130 (By City Clerk)

APPROVALS

0

PROTESTS

0