



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: DECEMBER 21, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LLC

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-43012	Staff recommends DENIAL, if approved subject to conditions:	

**** CONDITIONS ****

SDR-43012 CONDITIONS

Planning

1. The approval for this temporary parking lot shall be valid for a period of 36 months from the completion of the construction work and the date of the final off-site inspection, in accordance with the requirements of the Downtown Centennial Plan. Any request to extend this approval shall be by means of an Extension of Time application, submitted in accordance with the requirements of the LVMC Title 19.
2. A Waiver from the Downtown Centennial Plan, Section VII.B.4.b is hereby approved, to allow no streetscaping along Las Vegas Boulevard.
3. A Waiver from the Downtown Centennial Plan, Section VII.B.4.c is hereby approved, to allow no streetscaping along Ogden Avenue.
4. All development shall be in conformance with the combined site and landscape plan date stamped 9/08/11, except as amended by conditions herein.
5. All commercial signage requires approval by the Downtown Design Review Committee (DDRC) prior to the issuance of any signage permits.

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6. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 9/08/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.
7. Prior to occupancy, 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.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
9. Revised elevations shall be submitted to and approved by the Department of Planning Department prior to the time application is made for a building permit to reflect the appropriate Downtown Centennial Parking Lot Screen in place of the existing wire fence.
10. Revised plans shall be submitted to and approved by the Department of Planning Department prior to the time application is made for a building permit to reflect bumpers or tire stops for all parking stalls.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Las Vegas Boulevard and dedicate a 10 foot radius on the northeast corner of Las Vegas Boulevard and Ogden Avenue adjacent to this site prior to the issuance of any permits.
14. Remove all substandard sidewalk improvements and unused driveway cuts, including sidewalk ramps adjacent to this site, if any, and replace with new improvements meeting current City Standards as amended herein concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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15. Landscape and maintain all unimproved rights-of-way adjacent to this site. 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.
16. Submit an Encroachment Agreement for all landscaping and private improvements, if any, in the Las Vegas Boulevard and Ogden Avenue public rights-of-way prior to this issuance of a permit for constructing these improvements in the Las Vegas Boulevard and Ogden Avenue rights-of-way. The applicant must carry an insurance policy for the term of the encroachment agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove landscaping and private improvements encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's encroachment agreement. The installation and maintenance of all private structures in the public right-of-way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement.
17. 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Site Development Plan Review for a proposed 0.65 acre, 75-space Commercial Parking Lot at the southeast corner of Las Vegas Boulevard and Ogden Avenue. The parking lot will operate from 8:00 am to midnight and employ an onsite parking attendant. The applicant is requesting to limit the entitlement of the proposed parking lot to thirty-six (36) months. As such, the applicant has requested Waivers of the Downtown Centennial Plan Streetscape standards.

ISSUES

- The request is for the temporary use of a Commercial Parking Lot for no more than 36 months (three years).
- A Waiver from all streetscape improvements has been requested.
- Conditions of approval have been placed requiring revised plans showing the required parking lot screening and tire stops to be in place.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
10/11/11	The Planning Commission voted (6-0) to recommend DENIAL (PC Agenda Item #33/mh).
11/16/11	The City Council voted to hold this item in abeyance to the December 21, 2011 meeting.

<i>Most Recent Change of Ownership</i>	
07/30/03	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses associated with this property.	

<i>Pre-Application Meeting</i>	
08/11/11	A pre-application meeting was held to discuss the development of a Commercial Parking Lot. The applicant requested that the entitlement for the parking lot be limited to three years and that no offsite improvements be included with this review. The applicant was informed of the Downtown Centennial Plan Development Standards and that a Waiver request would be required in order to not complete the required streetscapes along Las Vegas Boulevard and Ogden Avenue.

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

Field Check	
09/01/11	A field check was conducted by staff. The subject site is an undeveloped lot enclosed by a 6-foot tall wire fence. There is some trash and debris, but the site is in overall good condition.

Details of Application Request	
Site Area	
Net Acres	0.65

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	C (Commercial)	C-2 (General Commercial)
North	Car Wash	C (Commercial)	C-2 (General Commercial)
South	Mixed-Use Multi-Family Residential	C (Commercial)	C-2 (General Commercial)
East	Undeveloped	C (Commercial)	C-2 (General Commercial)
West	Gaming Establishment, Non-restricted	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	Yes	No	Compliance
Master Plan Area			
Downtown Centennial Plan	X		N
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
Downtown Centennial Plan - Downtown Gateway District	X		N
A-O (Airport Overlay) District - 220 Feet	X		Y
Downtown Casino Overlay District	X		N
Live/Work Overlay District	X		N/A
Las Vegas Boulevard Scenic Byway Overlay District	X		N
Trails			N/A
Rural Preservation Overlay District			N/A
Las Vegas Redevelopment Plan Area			N/A
Development Impact Notification Assessment			N/A
Project of Regional Significance			N/A

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DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Las Vegas Boulevard	Primary Arterial	Master Plan of Streets and Highways	85	N
Ogden Avenue	Secondary Collector	Master Plan of Streets and Highways	80	N

Downtown Centennial Plan Streetscape Requirements

<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Las Vegas Boulevard	A ten-foot wide sidewalk with a five-foot amenity zone to include 25-foot tall Deglet-Noor Date Palms planted in 30-foot intervals on center.	A five-foot wide sidewalk with no amenity zones or trees.	N
Ogden Avenue	A ten-foot wide sidewalk with a five-foot amenity zone to include 36"-box sized shade trees planted in 15-20-foot intervals on center.	A five-foot wide sidewalk with no amenity zones or trees.	N

<i>Waivers</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
A 10-foot wide sidewalk with 5-foot streetscape along Las Vegas Boulevard	A five-foot wide sidewalk with no amenity zones or trees.	Denial
A 10-foot wide sidewalk with 5-foot streetscape along Ogden Avenue.	A five-foot wide sidewalk with no amenity zones or trees.	Denial

ANALYSIS

The proposed development is for a Commercial Parking Lot use with an entitlement limited to thirty-six (36) months of operation at the applicant's request. The Downtown Centennial Plan allows temporary parking lots for up to 36 months typically as parking for multi-phased projects with ongoing construction. The Centennial Plan allows the applicant to request a waiver of the interior landscaping requirements for temporary parking lots; however, a solid parking surface and streetscape amenities are still required. Conditions of approval have been added to this request to install the appropriate parking lot screen and to show the location of tire stops in the parking aisles.

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The north perimeter is adjacent to the nationally designated Scenic Byway. It is important that this lot be developed to the minimum Downtown Centennial Plan standards, given the high visibility of the proposed parking lot and the anticipated redevelopment of City Hall and surrounding properties. The 3,200 square feet of proposed interior landscaping meets the minimum requirement for 750 square feet of parking lot landscaping; however, the lack of the required Downtown Centennial Streetscape and Parking Lot Screening does not contribute to the necessary pedestrian amenities needed along Las Vegas Boulevard and Ogden Avenue. The provided site plans specify that the existing wire fence is to remain, but a formal request for a waiver to allow the use of the existing 6-foot high wire fence in place of the required 42-inch high ornamental parking lot screen has not been made. The existing fence is in poor condition and greatly detracts from the pedestrian experience along Las Vegas Boulevard.

The applicant's states that the proposed parking lot will provide needed parking spaces for the growing popularity of the Fremont East District and the nearby casinos. It is the intent of the Downtown Gateway District to be developed as an intense tourist commercial district. In order for this proposal to meet that intent, the design should focus heavily on improving the pedestrian environment at every opportunity.

If approved as proposed without the required streetscape improvements, the development would have a negative effect on the Las Vegas Boulevard Scenic Byway and the Downtown Gateway District; therefore, staff recommends denial. If denied, the site will remain as is.

FINDINGS (SDR-43012)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 Commercial Parking Lot is compatible in use with the adjacent development; however, the proposed design, with its lack of required streetscape improvements, is not compatible with the Downtown Centennial Plan 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 parking lot fails to meet Objective 1.2 of the 2020 Master Plan by not providing the minimum design and landscape standards established by the Downtown Centennial Plan.

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

Vehicular access to the parking lot is from an alley way off of Ogden Avenue, which is capable of handling low traffic demand project. The onsite circulation is clear with

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

The landscape materials provided onsite within the parking lot is appropriate for the downtown area of the City; however, the lack of required landscaping along the streetscape is inappropriate for the Downtown Centennial Plan area.

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;

This project is not aesthetically pleasing for the area due to the lack of minimum landscape being installed. It will not be harmonious or compatible with development in the area.

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

All development will require permits and inspections prior the completion of the development and a business license will be required prior to operations in order to maintain the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED

101 (By City Clerk)

APPROVALS

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PROTESTS

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