

City of Las Vegas

STAFF REPORT

HISTORIC PRESERVATION COMMISSION MEETING DATE: 10/26/11

DEPARTMENT: PLANNING

ITEM DESCRIPTION: For possible action regarding a plan for digitizing the historic Las Vegas Age newspaper and installation of interpretive elements at the site of the former Pop Squires house, located at 400 S. Seventh Street (APN 139-34-701-009), C-1 (Limited Commercial) Zone, Ward 3 (Coffin).

BACKGROUND

- 12/01/10 The City Council approved the request for a Site Development Plan Review (SDR-39121) for a proposed five-story, 120-foot tall, 55,132 square-foot Office building with Waivers of the perimeter landscape buffer width requirements to allow zero-foot buffers where 15 feet is required on the north and east perimeters and eight feet is required on the south and west perimeters and a related Variance (VAR-39122) to allow zero-foot setbacks where a 10-foot side yard, 15-foot corner side yard, and 20-foot front and rear yard setbacks are required, and to allow 86% lot coverage where 50% lot coverage is the maximum allowed on 0.65 acres at 400 South 7th Street. The Planning Commission recommended approval on 10/21/10 with staff recommending denial.
- 07/20/11 The City Council approved a request for a Major Amendment to a Site Development Plan Review (SDR-41047) to eliminate one level of required parking consisting of 24 spaces from an underground garage, a related Variance (VAR-41051) to allow an eight-foot corner side yard setback where 15 feet is required, a six-foot side yard setback where 10 feet is required, a one-foot rear yard setback where 20 feet is required and to allow 87% lot coverage where 50% is the maximum allowed, and an additional related Variance (VAR-41054) to allow 160 parking spaces where 184 spaces are required on .65 acres at 400 South 7th Street. The Planning Commission recommended approval on 06/14/11 with staff recommending denial.

ANALYSIS

The Pop Squires House is located at 408 S. Seventh Street in the Las Vegas High School Historic District. The house was constructed in 1931 for engineer R.B. Griffith, former Las Vegas postmaster who helped establish Las Vegas' first airstrip as well as what is now Nellis Air Force Base and McCarran Airport.

The house was later the residence of Pop Squires, who was the publisher of *The Las Vegas Age* for forty years. Mr. Squires was also known for his work in establishing the First State Bank in Las Vegas in 1905, getting electricity to Las Vegas, and helping establish the legal foundation for the construction of the Boulder Dam.

On December 1, 2010, the Las Vegas City Council approved (SDR-39121) an application to construct a five-story building at 408 S. Seventh Street, the site of the former Pop Squires home. The above-referenced SDR-39121 included the following conditions of approval:

The owner shall fund the digitizing of the historic Las Vegas Age newspaper for online accessibility. The Historic Preservation Commission shall provide assistance and/or guidance to facilitate the completion of this task. The owner shall fund an interpretive bronze plaque and other interpretive elements to be placed at the exterior and within the interior of the new building. The Historic Preservation Commission will approve the language and images for

interpretive elements. The owner and the Historic Preservation Commission will approve the language and images for interpretive elements. The owner and the Historic Preservation Commission shall work with interested parties to salvage significant architectural elements from both buildings to be demolished, 408 and 400 South 7th. The Historic Preservation Commission will approve a salvage plan. The total cost of all actions is not to exceed \$25,000.

The HPC has been asked to approve the final plan for implementing the conditions of approval, and provide assistance with elements within the plan. Since the approval of SDR-39121, certain conditions have changed based on new information.

Four revisions have been made to the original agreement:

Salvage plan

Scott Brown, HPC Commissioner David Millman and Ward 3 Councilman Bob Coffin toured the building in July 2011. Per Commissioner David Millman, no historic artifacts were found worthy of salvage. Due to this discovery, the salvage plan has been eliminated from the agreement.

Exterior interpretive plaque

The property owner would like to replace the original state historical marker that is now missing from the site #190. The property owner, contractor and HPO are working with the State Historic Preservation on drafting the final text for the marker. A draft is attached to this staff report for commissioner review and comment. A not-to-exceed amount of \$3,000.00 for this portion of the agreement was added.

Interior interpretive elements

A not-to-exceed amount of \$2,000.00 for this portion of the agreement was added.

Digitizing of the *Las Vegas Age*

Per Jeffrey Kintop, State Archivist for the Nevada State Library and Archives, has provided the following information about the current project to digitize the *Las Vegas Age*:

Currently, the Clark County Library District (CCLD) has digital images of the *Las Vegas Age* – 1905-1915, 1917-1922 and 1924. It is missing the issues listed in the attached document. There are 33 rolls of microfilm in the State Library, dating from 1905 to 1947. Each roll has about 1,000 individual pages on it, which means there are about 33,000 pages of the *Las Vegas Age*. The CCLD has the equivalent of almost 5 rolls of film scanned, which leaves about 28,000 to be scanned. The scanning rate for newspapers is \$2.29 per page (image). There are also charges for set-up, indexing and transferring data to UNLV.

Due to this information, the agreement has been revised to request the remaining funds (after the bronze plaque and the interior interpretive elements) to be spent on picking up where the current project has left off.

The final agreement will read as follows:

1. The owner shall fund an interpretive bronze plaque and other interpretive elements to be placed at the exterior and within the interior of the new building. The exterior bronze plaque will replace the missing State Historical Marker #190. The cost of the exterior bronze plaque will not exceed \$3,000.00. The State Historic Preservation Office will approve the language for the exterior bronze plaque. Interior interpretive elements will consist of historical images to be placed in the lobby or conference room of the new building. The total cost of interior

- interpretive elements will not exceed \$2,000.00. The Historic Preservation Commission shall provide assistance and/or guidance to facilitate the completion of these tasks.
2. The owner shall fund the digitizing of the historic *Las Vegas Age* newspaper for online accessibility, beginning where the current digitizing project of the Clark County Library District for the *Las Vegas Age* newspaper has left off.
 3. The total cost of all actions will be equal to and will not exceed \$25,000.00.

STAFF RECOMMENDATION

APPROVAL with the condition that the applicant continue to coordinate with the HPC, HPO and SHPO as necessary on the language and images for the interpretive elements, as well as guidance on the digitizing of the *Las Vegas Age*.

BACKUP DOCUMENTS

- Draft text for State Historic Marker #190
- *Las Vegas Age* missing volumes from Clark County Library District
- Staff report, VAR-39122 and SDR-39121, December 1, 2010 City Council
- Minutes for VAR-39122, December 1, 2010 City Council
- Approval letter for VAR-39122 and SDR-39121 with conditions of approval, December 16, 2010

PRELIMINARY SIGN DESIGN

FONT: Calibri


 REVISION #
10-11-11
REVISED

ORIGINAL HOMESITE OF PIONEER LAS VEGAS
'POP' SQUIRES
1865-1958

Charles "Pop" Squires (1865-1958), often referred to as "The Father of Las Vegas," lived at this location, with his wife Delphine, from 1931 until his death in 1958.*

Squires first arrived in the Las Vegas valley in February 1905 with the new railroad line being constructed between Los Angeles and Salt Lake City. He and his partners established a lumberyard, a tent hotel, a real estate firm, and the First State Bank. In March 1906, "Pop" assisted in the formation of the Consolidated Power & Telephone Company, bringing electricity and phone service to the new town. A few months later, he finished building his first home, not far from this location, at 4th and Fremont.**

In 1908, Squires and his wife purchased the community's only newspaper, the Las Vegas Age. By the 1930s, the couple had turned the weekly into a daily paper. Squires was among the Southern Nevada leaders who helped separate Lincoln County into two sections, creating Clark County in 1909. Once the county was completed, Squires worked on turning the town of Las Vegas into an incorporated city and helped elect its first mayor in 1911.

Perhaps his greatest contribution was as a member of the League of the Southwest and the Colorado River Commission, which eventually led to the construction of Boulder Dam.

Upon "Pop's" passing, Las Vegas Sun reporter Bob Faiss wrote, "It seems strange that Las Vegas, a modern boomtown. . . established as one of the vacation centers of the world, should owe so much to the foresight of one man. But there is little we have today that wasn't given an initial shove by 'Pop' Squires."

STATE HISTORICAL MARKER #190
STATE HISTORIC PRESERVATION OFFICE

36"

KORTE

Contact: Josh Turley
Ph: 228-9551 Cell: 378-8206 Fx: 228-5852
Address: 9225 W. Flamingo Rd., St.100, LVNV 89147
email: josh.turley@korteco.com

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PO#

Las Vegas Age missing volumes as of September 1, 2004

Quick search by date:

1905

January

search

Quick search by key word:

enter search terms

search

Las Vegas Age missing volumes as of September 1, 2004

Las Vegas Age started on April 7, 1905 with Vol.1, Number 1.

Missing issue:

#13, July 1, 1905

1910, Vol VI

Missing issue:

#36, Sept. 3, 1910

1910 -1912, Vol. VII

Missing issues:

#7, February 11, 1911

#9, February 25, 1911

#16, April 15, 1911

#23, June 3, 1911

#42, October 14, 1911

1910 -1912, Vol. VIII

Missing issues:

#19, May 11, 1912

#24, June 15, 1912

#31, August 3, 1912

1913-1914, Vol. IX

Missing issues:

#40, October 4, 1913

#41, Oct. 11, 1913

1913-1914, Vol. X

Missing issues:

#29, July 18, 1914

#31, August 1, 1914

#48, November 28, 1914

1915-1917, Vol. XI

Missing issue:

#19, May 8, 1915

1915-1917, Vol. XIII

Missing issues:

#16, April 21, 1917

#20, May 19, 1917

1918-1921, Vol. XIV

Missing issues:

#17, April 27, 1918

#22, June 1, 1918

#23, June 8, 1918

#24, June 15, 1918

#25, June 22, 1918

#26, June 29, 1918

#27, July 6, 1918

#28, July 13, 1918

#29, July 20, 1918

#30, July 27, 1918

#31, August 3, 1918

#32, August 10, 1918

#33, August 17, 1918

#34, August 24, 1918

#35, August 31, 1918

#36, September 7, 1918

#37, September 14, 1918

#38, September 20, 1918

#39, September 28, 1918

#40, October 5, 1918

#41, October 12, 1918

#42, October 19, 1918

#43, October 26, 1918

#44, November 2, 1918

#45, November 9, 1918

#46, November 16, 1918

#47, November 23, 1918

#48, November 30, 1918

#49, December 7, 1918

#50, December 14, 1918

#51, December 21, 1918

#52, December 28, 1918

1918-1921, Vol. XV

Missing issues:

#1, January 4, 1919

#2, January 11, 1919

#3, January 18, 1919

#4, January 25, 1919

#5, February 1, 1919

#6, February 8, 1919

#7, February 15, 1919

#8, February 22, 1919

#9, March 1, 1919

#10, March 8, 1919

#11, March 15, 1919

#12, March 22, 1919

#13, March 29, 1919

#14, April 5, 1919

#15, April 12, 1919

#16, April 19, 1919

#17, April 26, 1919

#18, May 3, 1919

#19, May 10, 1919

#20, May 17, 1919

#21, May 24, 1919

#22, May 31, 1919

#23, June 7, 1919

#24, June 14, 1919

#25, June 21, 1919

#26, June 28, 1919

#27, July 5, 1919

#28, July 12, 1919

#29, July 19, 1919

#30, July 26, 1919

#31, August 2, 1919

#32, August 9, 1919

#33, August 16, 1919

#34, August 23, 1919

#35, August 30, 1919

#36, September 6, 1919

#37, September 13, 1919

#39, September 27, 1919

#40, October 4, 1919

#41, October 11, 1919

#42, October 18, 1919

1918-1921, Vol. XVI

Missing issues:

#3, January 17, 1920

#10, March 6, 1920

#13, March 27, 1920

#26, June 26, 1920

#27, July 3, 1920

#29, July 17, 1920

#39, September 25, 1920

#43, October 23, 1920

#44, October 30, 1920

#34, November 6, 1920

1918-1921, Vol. XVII

Missing issues:

#10, March 5, 1921

#25, April 16, 1921

#27, April 30, 1921

#44, October 29, 1921

1922, Vol. XVIII

Missing issues:

#2, January 14, 1922

#11, March 18, 1922

#23, June 10, 1922

#39, September 30, 1922

#43, October 28, 1922

1924, Vol. XX

Missing issues:

#2, January 12, 1924

#4, January 26, 1924

#7, February 16, 1924

#9, March 1, 1924

#20, May 17, 1924

#26, July 5, 1924

#27, July 12, 1924

#28, July 19, 1924

#29, July 26, 1924

#36, September 20, 1924

#38, October 4, 1924

#49, December 13, 1924

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2010
 DEPARTMENT: PLANNING AND DEVELOPMENT
 ITEM DESCRIPTION: APPLICANT/OWNER: EVAPS, LLC

THESE ITEMS WERE HELD IN ABEYANCE FROM THE NOVEMBER 17, 2010 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN REESE

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
VAR-39122	Staff recommends DENIAL, if approved subject to conditions:	SDR-39121
SDR-39121	Staff recommends DENIAL, if approved subject to conditions:	VAR-39122

**** CONDITIONS ****

VAR-39122 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-39121) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for new construction. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. 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 Building and Safety Department.
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.

MH

Conditions Page Two
December 1, 2010 - City Council Meeting

SDR-39121 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-39122) shall be required, 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. All development shall be in conformance with the site plan and landscape plan date stamped 08/09/2010, and building elevations date stamped 09/01/2010, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow a zero-foot landscape buffer where an eight-foot buffer is required along the west and south property lines and to allow a zero-foot landscape buffer where a 15-foot buffer is required along the east and north property lines.
5. The Reversionary Parcel Map (PMP-38638) shall be completed and recorded prior to the issuance of any building permits.
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 08/09/2010. 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 Building and Safety Department.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
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).

Conditions Page Three
December 1, 2010 - City Council Meeting

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. 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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Dedicate a ten-foot radius at the southwest corner of 7th Street and Chef Andre Rochat Place.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards 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.
17. Landscape and maintain all unimproved rights-of-way on 7th Street and Chef Andre Rochat Place 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.
18. Submit an Encroachment Agreement for all landscaping and private improvements, including the proposed balconies, located in the 7th Street and Chef Andre Rochat Place public rights-of-way adjacent to this site prior to issuance of permits for this site.
19. Site development to comply with all applicable conditions of approval for ZON-15045 and all other site-related actions.

Staff Report Page One
December 1, 2010 - City Council Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The requested Site Development Plan Review and Variance are for a proposed five-story, 120-foot tall, 55,132 square-foot Office building to be located on 0.65 acres on the southwest corner of 7th Street and Chef Andre Rochat Place. Included with the Site Development Plan Review are requested Waivers of the perimeter landscape buffer width requirements. The related Variance (VAR-39122) is to allow zero-foot setbacks where a 10-foot side yard, 15-foot corner side yard, and 20-foot front and rear yard setback is required, and to allow 86% lot coverage where 50% lot coverage is the maximum allowed. Staff recommends denial of this request as the Site Development Plan Review (SDR-39121) does not meet the development standards as required by Title 19 for the C-1 (Limited Commercial) zoning district and the site, as proposed, will be overbuilt. In addition, the applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070 that substantiate the requested Variance (VAR-39122). If denied, the property will remain in its current configuration with the southern half of the subject property undeveloped and the remaining northern half with two buildings.

ISSUES

- A Variance (VAR-39122) is required to allow a zero-foot front and rear yard setback where 20 feet is required; a zero-foot corner side yard setback where 15 feet is required; a zero-foot side yard setback where 10 feet is required; and 86% lot coverage where 50% is allowed.
- Waivers of Title 19.12.040 are required to allow no landscape buffer along the east, west and north perimeters where a 15-foot wide buffer is required and no landscape buffer along the south perimeter where eight feet is required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
09/20/06	The City Council approved a Rezoning (ZON-15045) from R-3 (Medium Residential) to C-1 (Limited Commercial); a Site Development Plan Review (SDR-15043) for a proposed 23,613 square-foot Office building with a Waiver of perimeter landscape buffer width requirements; a Waiver of the street tree planting requirements; a Variance (VAR-15048) to allow 55 percent lot coverage where 50 percent is the maximum lot coverage allowed; a Variance (VAR-15596) to reduce the front yard setback of 10 feet where 20 feet is the minimum setback required; and a Variance (VAR-15049) to allow 58 parking spaces where 79 spaces is the minimum required on 0.64 acres at the subject site. The Planning Commission had no recommendation; staff recommended denial.

MH

Staff Report Page Two
December 1, 2010 - City Council Meeting

09/25/08	The Planning Commission heard the requests for a Site Development Plan Review (SDR-29051) for a five-story Mixed Use development with 52,498 square feet of commercial space and seven residential units; a Special Use Permit (SUP-29306) for a Mixed Use development; and a Variance (VAR-29730) to allow 100% lot coverage where 50% is allowed and to allow no setbacks where a 10-foot front yard setback, a 15-foot corner side yard setback, a 10-foot side yard setback, and a 20-foot rear yard setback are required. These items were forwarded to the City Council with no recommendation. Staff recommended denial. NOTE: These items were tabled at the 11/05/2008 City Council.
10/15/08	The City Council approved the request for an Extension of Time (EOT-29831) of an approved Rezoning (ZON-15045) from R-3 (Medium Density Residential) and R-3 (Medium Density Residential) under Resolution of Intent to P-R (Professional Office and Parking) to C-1 (Limited Commercial) on 0.64 acres at the southwest corner of Seventh Street and Chef Andre Rochat Place. Staff recommended approval.
07/23/10	The technical review for a Reversionary Map (PMP-38638) was approved by Planning and Development staff for a reversion to acreage for four lots, approximately .65 acres. The map has not been recorded.
10/21/10	The Planning Commission voted (6-1/se) to recommend APPROVAL of companion items VAR-39122 and SDR-39121 (PC Agenda Items #36-37/mh).

Most Recent Change of Ownership

03/02/10	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

There are no active building permits or business licenses associated with this request.	
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Pre-Application Meeting

07/28/2010	A pre-application meeting was held with staff to discuss the applicant's request to develop a five-story Office building covering four adjacent lots located at the southwest corner of 7 th Street and Chef Andre Rochat Place. Due to the chosen design path, an approved Variance for building setbacks was determined to be necessary prior to the issuance of building permits.
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Neighborhood Meeting

A neighborhood meeting is not required nor was one held.	
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Staff Report Page Three
December 1, 2010 - City Council Meeting

Field Check	
08/19/10	A field check was conducted by staff with the following observations: • There are two vacant single-family homes and a two undeveloped lots on the proposed site. • The site is located across the street from the historic Las Vegas Academy High School campus.

Details of Application Request	
Site Area	
Gross Acres	0.65

Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Offices/Undeveloped Lots	C (Commercial)	C-1 (Limited Commercial)
North	Apartments	C (Commercial)	C-1 (Limited Commercial)
South	Parking Lot	C (Commercial)	C-1 (Limited Commercial)
East	High School	PF (Public Facilities)	C-V (Civic)
West	Restaurant/Offices/Parking Lots	C (Commercial)	C-1 (Limited Commercial)

Master Plan Areas	Yes	No	Compliance
Master Plan Area		X	NA
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
H (Historic Designation)	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	NA
Las Vegas Redevelopment Plan Area		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

Staff Report Page Four
December 1, 2010 - City Council Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	205 Feet	Y
Min. Setbacks			
• Front	20 Feet	0 Feet	N
• Side	10 Feet	0 Feet	N
• Corner	15 Feet	0 Feet	N
• Rear	20 Feet	0 Feet	N
Max. Lot Coverage	50 %	86 %	N
Max. Building Height	NA	120 Feet	Y
Trash Enclosure	Screened, w/ a Roof or Trellis	Internally located	Y
Mech. Equipment	Screened	Internally located	Y

Pursuant to Title 19.12.040, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	5 Trees	0 Trees	N
• South	1 Tree / 30 Linear Feet	3 Trees	0 Trees	N
• East	1 Tree / 20 Linear Feet	10 Trees	0 Trees	N
• West	1 Tree / 30 Linear Feet	7 Trees	0 Trees	N
TOTAL PERIMETER TREES		25 Trees	0 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		0 Feet	N
• South	8 Feet		0 Feet	N
• East	15 Feet		0 Feet	N
• West	8 Feet		0 Feet	N

Functional Classification of Street(s)	Governing Document	Street Width (Feet)	Compliance with Street Section
7th Street: Local	N/A	45	N/A
Chef Andre Rochat Place: Local	N/A	45	N/A

Staff Report Page Five
December 1, 2010 - City Council Meeting

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	55,132 SF	1:300 SF	184		184		
TOTAL SPACES REQUIRED			184		184		Y
Regular and Handicap Spaces Required			178	6	178	6	Y

Waivers		
Requirement	Request	Staff Recommendation
A 15-foot wide landscape buffer adjacent to right-of-way.	To allow no landscape buffer along 7 th Street and Chef Andre Rochat Place.	Denial
An eight-foot wide landscape buffer along the interior perimeter.	To allow no landscape buffer along the west and west perimeter.	Denial

ANALYSIS

Although the subject site is located within close proximity of the Downtown Centennial Master Plan and would meet or exceed those Design Standards, it is important to note that this proposal is bound to the standard Title 19.08.050 Commercial and Industrial Development Standards and the Title 19.12.040 Perimeter Landscape Buffering requirements. As such, the proposed scope of development exceeds the limitations in required setbacks and lot coverage as required by Title 19.08.050 for the C-1 (Limited Commercial) zoning district.

In relation to the zero-foot setbacks, there are insufficient landscape buffers widths provided adjacent to the public rights-of-way or the interior perimeter. Per Title 19.12, the applicant is required to provide a 15-foot wide landscape buffer inside the property line with a 24-inch box tree spaced 20 feet apart along 7th Street and Chef Andre Rochat Place and an eight-foot wide landscape buffer with 24-inch box trees along the south and west perimeters.

In order to address the deficiency of on-site landscaping that stems from the proposed zero-foot build-to line, the applicant is proposing enhanced streetscaping along the existing detached sidewalks on 7th Street and Chef Andre Rochat Place, with 24-inch box trees spaced 14-feet, six-inches apart within the existing landscape planter. No landscaping has been proposed along the public alley or southern property line.

Staff Report Page Six
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The materials specified on the landscape plan are acceptable for the surrounding area. Although ineligible for consideration as perimeter buffer trees, the applicant proposes to install 20 24-inch box trees within the detached sidewalk planter along 7th Street and Chef Andre Rochat Place. In addition to the proposed streetscape trees, an additional 14 trees are proposed on the third floor roof garden along the southern and eastern building edge.

Considering the dark appearance of the brick building, a darker broad-leafed street tree, such as the proposed Raywood Ash, would be acceptable for the site. However, if Raywood Ash trees are utilized, the spacing between each tree should be revised from 14 feet to a minimum of 20 feet on-center. Consideration should be given to providing pathways, sidewalk extensions or other similar allowances within the amenity zones adjacent to Seventh Street and Chef Andre Rochat Place in order to reduce the loss of landscape due to pedestrian traffic and soil compaction.

Provided that 14% of the tree population in Downtown Las Vegas consists of Ash trees, consideration should be given to the possibility of utilizing other species in order to better prevent monocultures. The following alternative tree species could be considered for the proposed building:

Seventh Street:

- *Gleditsia triacanthos* (Thornless Honey Locust and related cultivars, including 'Imperial', 'Shademaster', 'Skyline' or 'Trueshade') spaced at a minimum of 20-feet on center.
- *Pistachia chinensis* (Chinese Pistache and related cultivars, including 'Red Push') spaced a minimum of 20-feet on center.

Chef Andre Rochat Place (*Due to the anticipated shade that Chef Andre Rochat Place will receive due to the northern exposure and 50-foot adjacent building, the following species should be considered*):

- *Arbutus unedo* (Strawberry Tree) spaced 20 to 25 feet on center.
- *Elaeocarpus decipiens* (Japanese Blueberry Tree) 18 to 20 feet on center.

The subject property is located within the Las Vegas High School Historic District, which is not on the local City of Las Vegas historic property register. Two structures located on the proposed site have a substantial historic interest as they are greater than 70 years old, but are also not on the City of Las Vegas historic property register. One of those structures, located at 408 South 7th Street, is a Spanish Revival home constructed in 1931 for R.B. Griffith. This house was later the residence of Pop Squires, who was the publisher of *The Las Vegas Age* for forty years. Most of the single-family homes in the district have been converted to professional office space over the past decade. An off-street Multi-Use Transportation Trail is shown along the 7th Street right-of-way. This trail will be installed along the east side of the street and thus does not apply to this project.

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December 1, 2010 - City Council Meeting**

Staff recommends denial of this Site Development Plan Review (SDR-39121), as the proposed development does not meet the development standards as required by Title 19 for the C-1 (Limited Commercial) zoning district, and the site, as proposed, will be overbuilt, as is evidenced by the requested Variance and Waivers.

FINDINGS (VAR-39122)

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.18.070(L) states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by placing the building adjacent to the property line. Even with an alternative design showing the required 20-foot front setback, 15-foot corner side setback, 10-foot side setback, and 20-foot rear setback, the applicant would need to further reduce the building’s footprint by approximately 4,400 square feet in order to meet the 50% lot coverage requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SDR-39121)

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:

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

The proposed development is contextually compatible with the neighboring four-story apartment building to the north, the three-story office building to the southwest, and the high school campus to the east; however, the proposed development does not meet the minimum requirements of the C-1 (Limited Commercial) zoning district development standards and is not compatible in scale with the residential and commercial development to the south.

- 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 applicable Objectives listed for the Neighborhood Revitalization Area as stated in the Master Plan and the stated objective of the Redevelopment Plan. However, the streetscape alternative to the required landscape buffers along with the zero-foot building setbacks do not meet the development standards as required by Title 19.

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

The proposed primary public access to the Office building is through the subterranean parking garage located off of 7th Street. A secondary, private access is provided via the public alley that runs west along the rear side of the building. Staff finds that the proposed access should not negatively impact the traffic flow of the area.

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

Although staff is recommending denial based upon the scope of the proposed development, the provided brick façade and tree-lined sidewalks are appropriate for the area and the 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 proposed building elevations and aesthetic features are not unsightly, undesirable, or obnoxious in appearance. The proposed tree-lined sidewalks along the east and north sides of the building create an orderly and aesthetically pleasing environment and are harmonious and compatible with development in the area.

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

If approved, the proposed development will be subject to inspection during both building construction and business licensing and will therefore not compromise the public health, safety and general welfare.

PLANNING COMMISSION ACTION

The Planning Commission discussed the need to allow time for relocation, prior to the demolition of 408.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

NOTICES MAILED 126 (By City Clerk)

APPROVALS 1

PROTESTS 0

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 1, 2010

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE ITEM - VAR-39122 - VARIANCE - PUBLIC HEARING -
 APPLICANT/OWNER: EVAPS, LLC - Request for a Variance TO ALLOW ZERO-FOOT
 SETBACKS WHERE A 10-FOOT SIDE YARD, 15-FOOT CORNER SIDE YARD, AND 20-
 FOOT FRONT AND REAR YARD SETBACKS ARE REQUIRED, AND TO ALLOW 86%
 LOT COVERAGE WHERE 50% LOT COVERAGE IS THE MAXIMUM ALLOWED on 0.65
 acres at 400 South 7th Street (APNs 139-34-710-030, 031, 032, 033), C-1 (Limited Commercial)
 Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-1 vote)
 recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL,
 subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - VAR-39122 and SDR-39121
2. Conditions and Staff Report - VAR-39122 and SDR-39121
3. Supporting Documentation
4. Photos - VAR-39122 and SDR-39121
5. Justification Letter - VAR-39122 and SDR-39121
6. Support Postcard - VAR-39122 and SDR-39121
7. Recordation Notices of City Council Action and Conditions of Approval VAR-39122 and
 SDR-39121
8. Backup referenced from the October 21, 2010 Planning Commission Meeting for VAR-39122
 and SDR-39121

Motion made by GARY REESE to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

RICKI Y. BARLOW, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN
 D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None);
 (Excused-LOIS TARKANIAN)

CITY COUNCIL MEETING OF: DECEMBER 1, 2010

NOTE: COUNCILMAN WOLFSON stated he owns property within the notification area and, on the advice of ASSISTANT CITY ATTORNEY BRYAN SCOTT, he disclosed that the action taken would not affect his property any greater or lesser than anyone else's, so he would vote.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 48 and 49.

ATTORNEY JAY BROWN, 520 South 4th Street, and SCOTT BROWN, Architect, DesignCell Architecture, were present. ATTORNEY BROWN stated that the building has been beautifully designed. The only remaining concern is the historic "Pop" Squires house. The applicant unsuccessfully worked with the Historic Preservation Commission on relocating the house because it is cost prohibitive. As such, the applicant worked with the City and the Historic Preservation Commission on an additional condition for Item 49, which was read by MARGO WHEELER, Director of Planning and Development.

MR. BROWN described the architecture, which resembles that of a building in Philadelphia. It was designed in accordance with the Centennial Plan, and there will be ample landscaping. He described the entryway, where a bronze plaque will be placed, and the atrium, where "Pop" Squires house pictures will be placed. Although historic in resemblance to fit the neighborhood, the building will be state-of-the-art inside.

ROBERT EGLET, on behalf of EVAPS, LLC, explained for COUNCILMAN WOLFSON that EVAPS are the initials for Eglet, Vannah, Adams, Prince and Schwartz. The building is completely owner occupied with four law firms and a private investigator firm. Each tenant will own a percentage of the building. The plan is to bring a ceiling from a historic mansion in Pennsylvania that is being demolished. The conference room will be made available to outside groups.

ANTHONY HODGES, Las Vegas resident, stated that this development is an indication that the local economy is recovering.

TEDDY RUSSELL recommended approval of what he considers to be a great project.

COUNCILMAN REESE thanked BOB STOLDAL for his input on this historic property and agreed that it would be cost prohibitive to remove the Squire house. This building will be an asset to the area.

MAYOR GOODMAN added that this is a great addition to the heart of the City without any cost to the City.

MAYOR GOODMAN declared the Public Hearing closed for Items 48 and 49.



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON

LOIS TARKANIAN

STEVEN D. ROSS

RICKI Y. BARLOW

STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

December 16, 2010

Mr. Robert T. Eglet
EVAPS, LLC
400 South Furth Street, Suite #600
Las Vegas, Nevada 89101

RE: SDR-39121 – SITE DEVELOPMENT PLAN REVIEW
RELATED TO VAR-39122
CITY COUNCIL MEETING OF DECEMBER 1, 2010

Dear Mr. Eglet:

The City Council at a regular meeting held December 1, 2010, APPROVED the request for a Site Development Plan Review FOR A PROPOSED FIVE-STORY, 120-FOOT TALL, 55,132 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER WIDTH REQUIREMENTS TO ALLOW ZERO-FOOT BUFFERS WHERE 15 FEET IS REQUIRED ON THE NORTH AND EAST PERIMETERS AND EIGHT FEET IS REQUIRED ON THE SOUTH AND WEST PERIMETERS on 0.65 acres at 400 South 7th Street (APNs 139-34-710-030, 031, 032, 033), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on December 2, 2010. This approval is subject to:

Added Condition

- A. The owner shall fund the digitizing of the historic Las Vegas Age newspaper for online accessibility. The Historic Preservation Commission shall provide assistance and/or guidance to facilitate the completion of this task. The owner shall fund an interpretive bronze plaque and other interpretive elements to be placed at the exterior and within the interior of the new building. The Historic Preservation Commission will approve the language and images for interpretive elements. The owner and the Historic Preservation Commission shall work with interested parties to salvage significant architectural elements from both buildings to be demolished, 408 and 400 South 7th. The Historic Preservation Commission will approve a salvage plan. The total cost of all actions is not to exceed \$25,000.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-39122) shall be required, 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.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

FM-0044-08-08

Printed with environmentally friendly soy ink. A small recycling symbol consisting of three chasing arrows forming a triangle.

3. All development shall be in conformance with the site plan and landscape plan date stamped 08/09/2010, and building elevations date stamped 09/01/2010, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow a zero-foot landscape buffer where an eight-foot buffer is required along the west and south property lines and to allow a zero-foot landscape buffer where a 15-foot buffer is required along the east and north property lines.
5. The Reversionary Parcel Map (PMP-38638) shall be completed and recorded prior to the issuance of any building permits.
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 08/09/2010. 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 Building and Safety Department.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
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. 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.

Mr. Robert T. Eglet
SDR-39121 – Page Three
December 16, 2010

14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Dedicate a ten-foot radius at the southwest corner of 7th Street and Chef Andre Rochat Place.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards 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.
17. Landscape and maintain all unimproved rights-of-way on 7th Street and Chef Andre Rochat Place 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.
18. Submit an Encroachment Agreement for all landscaping and private improvements, including the proposed balconies, located in the 7th Street and Chef Andre Rochat Place public rights-of-way adjacent to this site prior to issuance of permits for this site.
19. Site development to comply with all applicable conditions of approval for ZON-15045 and all other site-related actions.

Sincerely,



Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk



M. Margo Wheeler, AICP
Director
Planning and Development Department

cc: Mr. Scott Brown
DesignCell Architecture
10777 West Twain Avenue, Suite #125
Las Vegas, Nevada 89135