

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6505 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: BLALOCK FAMILY TRUST & MARC PROPERTY, LLC - Request for a Special Use Permit FOR A PROPOSED MIXED USE DEVELOPMENT adjacent to the northwest corner of First Street and Bonneville Avenue (APNs 139-34-311-017 through 022), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted at meeting - Protest letter packet and Citizens Objection packet by John Enomoto, Joan Huey Kane, Vicki Ham and Jeanne Ham Peto for Item 140 [SUP-6505] and Item 141 [SDR-6503] filed under Item 140 [SUP-6505]
6. Passed out at meeting but not submitted for the record - Graphic booklet of LiveWork Project by JMA Architecture Studios for Item 140 [SUP-6505] and Item 141 [SDR-6503] filed under Item 140 [SUP-6505]

MOTIONS:

TARKANIAN - APPROVED subject to conditions and an additional condition as record for the record as follows:

- Coordinate with the City Engineer's office to discuss the Bonneville Avenue/Clark Avenue couplet project to determine impacts to this site plan prior to the submittal of a map for this site or the submittal of any construction drawings. If the applicant proposes to realignment the Bonneville/Clark couplet connector, the applicant shall dedicate or obtain dedication of all necessary rights-of-way to realign the proposed First Street connector prior to the submittal of any construction drawings or the submittal of a map for this site that would incorporate such proposal.

- UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing for Item 140 [SUP-6505] and Item 141 [SDR-6503] open.

COUNCILMAN REESE read a protest letter from the adjacent property owners and submitted it for the

Submitted at Planning Commission

Date 10/8/09 Item 6

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MINUTES - continued:

record.

GREG BORGEL, 300 South Fourth Street, appeared on behalf of the applicant. This is one block of an overall downtown development covering five blocks. The development is substantially consistent with mixed use goals of the City outlined in the Centennial Plan. The project is recommended for approval by both the Planning Commission and staff. Left for final determination is the one-way couplets to connect Clark and Bonneville via either First Street or the alleyway. However, this residential project with a commercial component is prepared to go forward independent of that determination. The intent is to rent a substantial portion of the units, although they will be built to condominium standard. This project will assist in resolving the major difficulty with the lack of comparable rentals downtown. That will provide all developers with a key to future financing for similar projects, drawing residential uses downtown.

JOHN ENOMOTO, 523 South Main Street, JOAN HUEY KANE, VICKI HAM and JEANNE HAM PETO read statements and reviewed a submitted presentation packet. They outlined additional concerns with the dimensions of the property, potholes in the unimproved alley, high tension wires, potential redevelopment in the area, siting of the monorail and other mass transportation facilities, traffic impacts, revisions to the plan during the process and a lack of consideration for long-term and life-long property owners in the area.

MAYOR GOODMAN assured MR. ENOMOTO that the process has been conducted in the open. CITY MANAGER SELBY confirmed that the Council action took place more than a year ago based on a consultant's report involving one-way couplets that included this location. MARGO WHEELER, Director of Planning and Development, clarified that the couplet issue was part of and addressed during the debate prior to adoption of the Downtown Centennial Plan in 2000. COUNCILWOMAN TARKANIAN stressed that the couplet alignment that would take a portion of the land owned by the concerned property owner has been addressed by the developer.

MS. KANE stated that there had been no notification regarding the realignment. As property owners, they only found out because of a comment made by MR. BORGEL. They opposed several alternatives proposed. While the efforts of the City are appreciated, they are concerned that the acceptable option supported by the developer may change again. She and her fellow property owners will accept written stipulation from MR. MITCHELL. The issue of the high power lines are still under negotiation with Nevada Power. MAYOR GOODMAN advised MS. KANE to keep her discussion to the application on the agenda and not stray to the couplet or other area issues. MS. KANE explained that the concern identified by COUNCILWOMAN TARKANIAN on the property owners' behalf is not with the size of the building, but the impact of the appearance of the project.

STEVEN "CAPTAIN TRUTH" DEMPSEY urged MS. PETO to research the Supreme Court ruling on Leto. He expressed concern that that ruling allows a board to take away private property and the country is going in the wrong direction. MAYOR GOODMAN responded that the Council has a policy that the City will not take from private owner and give to private owner, regardless of the court rulings that doing so is an appropriate vehicle for redevelopment.

MR. BORGEL requested the Council make its determination based solely on the project itself. It will

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MINUTES - continued:

be built regardless of the placement of the couplets and MR. MITCHELL has stipulated that there will be no opposition to locating the one-way couplet in a manner not to impact the other property owners. However, MR. MITCHELL does not make that ultimate determination, the City does. The developer will accommodate the City by providing those parts of the project property necessary as part of the overall development.

COUNCILWOMAN TARKANIAN commented on the difficulty with addressing certain issues based on the manner in which the application is agendaed. She confirmed with DEPUTY CITY ATTORNEY BRYAN SCOTT that it would be appropriate to request a letter confirmation of the commitment or stipulation made for the record. MR. BORGEL agreed that such a letter would be provided and reminded the Council that this developer will be back many times for the remainder of the five blocks of development.

BART ANDERSON, Public Works, read an amendment to Condition 14 for the related site development review plan in order to condition the stipulation made. MR. BORGEL questioned the dedication language as involving that land controlled by the developer. MR. ANDERSON explained that the developer is accepting responsibility to acquire the land needed should the developer wish to realign the couplet in a manner involving others' properties. MR. BORGEL concurred with the condition amendment. DEPUTY CITY ATTORNEY SCOTT added that the amended condition to the site development plan review should also be incorporated as a condition for the special use permit as well.

COUNCILMAN BROWN confirmed with MR. ANDERSON that Council action on the project would not limit the City or Regional Transportation Commission in designing future transportation with flexibility. CHARLES KAJKOWSKI, Public Works, added that the City is pursuing the First Street alignment, but does not object to the developer's proposal to utilize the alleyway so long as the developer can make it work.

MAYOR GOODMAN declared the Public Hearing for Item 140 [SUP-6505] and Item 141 [SDR-6503] closed.

(2:52 - 3:28)

4-473

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed-Use development.
2. Approval of and conformance to the Conditions of Approval for a Site Development Plan Review (SDR-6503), date stamped 04/12/05.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

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CITY COUNCIL MEETING OF: JULY 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6505

SDR-6503 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: BLALOCK FAMILY TRUST & MARC PROPERTY, LLC - Request for a Site Development Plan Review FOR A 25 STORY MIXED USE DEVELOPMENT TO INCLUDE 280 RESIDENTIAL UNITS AND 20,000 SQUARE FEET OF COMMERCIAL FLOORSPEACE AND WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEP-BACK AND BUILD-TO REQUIREMENTS on 1.20 acres adjacent to the northwest corner of First Street and Bonneville Avenue (APNs 139-34-311-017 through 022), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
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6. Passed out at meeting but not submitted for the record - Graphic booklet of LiveWork Project by JMA Architecture Studios for Item 140 [SUP-6505] and Item 141 [SDR-6503] filed under Item 140 [SUP-6505]

MOTIONS:

TARKANIAN - APPROVED subject to conditions and amending Condition 14 as follows:

14. Coordinate with the City Engineer's office to discuss the Bonneville Avenue/Clark Avenue couplet project to determine impacts to this site plan prior to the submittal of a map for this site or the submittal of any construction drawings. If the applicant proposes to realignment the Bonneville/Clark couplet connector, the applicant shall dedicate or obtain dedication of all necessary rights-of-way to realign the proposed First Street connector prior to the submittal of any construction drawings or the submittal of a map for this site that would incorporate such proposal.

- UNANIMOUS

MINUTES:

NOTE: See Item 140 [SUP-6505] for all related discussion.
(2:52 - 3:28)

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CONDITIONS - continued:

Public Works

14. Coordinate with the City Engineer's office to discuss the Bonneville Avenue/Clark Avenue couplet project to determine impacts to this site plan prior to the submittal of a map for this site or the submittal of any construction drawings.

15. Coordinate with the City Surveyor prior to the submittal of a Map for this site to determine mapping options; comply with the recommendations of the City Surveyor.

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

17. Landscape and maintain all unimproved rights-of-way, if any, on Bonneville Avenue and First Street adjacent to this site.

18. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Bonneville Avenue and First Street public right-of-way adjacent to this site prior to occupancy of this site.

19. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.

20. Extend public sewer in First Street to the southern edge of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

21. 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, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.

22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this

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MINUTES - continued:

4-473

CONDITIONS:

Planning and Development

1. Approval of an application for a Special Use Permit (SUP-6505) by the City Council.
2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped 04/12/05, except as amended by conditions herein. A color chart of the building's materials shall be submitted and approved by staff of the Department of Planning and Development prior to the issuance of a building permit.
4. Waivers shall be granted in the building step-back and build-to requirements.
5. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the following:
 - Handicapped spaces in the parking garage shall be assigned and reassigned to meet the individual needs of the residents and of customers to the commercial uses as the needs arise.
 - Proposed signage for the development.
6. The applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site prior to the submittal of a building permit. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. Landscaping and a permanent underground sprinkler system being installed as required and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems may result in legal action taken by the City of Las Vegas.)
8. A request for a Waiver in under-grounding utilities shall be denied.
9. All mechanical equipment shall be fully screened in views from the abutting streets.
10. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of the building.
13. All City code requirements and design standards of all City departments shall be satisfied.

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CONDITIONS - continued:

site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

23. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site prior to submittal of any construction drawings.

24. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.

25. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.