

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-36190 - APPLICANT/OWNER: CORESTONE, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to the Conditions of approval for Site Development Plan Review (SDR32544), Site Development Plan Review (SDR-29021), Site Development Plan Review (SDR-15035), Special Use Permit (SUP-15038), Special Use Permit (SUP15039), Vacation (VAC-26443) and Waiver (WVR-26441).
2. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 09/25/09, except as amended by conditions herein.
3. 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.

Public Works

4. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-15035, SDR-29021 and all other subsequent site-related actions.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Amendment to an approved Site Development Plan Review (SDR-29021) to allow a reduction in building area, setbacks and overall height of an approved Urban Lounge on 0.13 acres at 123 East Charleston Boulevard. No new Waivers of the Downtown Centennial Plan are being requested as a part of the subject application. The proposed Major Amendment to the approved Site Development Plan Review is in keeping with the revitalization and continued enhancement of the Downtown Centennial Plan 18b Las Vegas Arts District and the on-going development in the area; therefore, staff is recommending approval of the request. If denied, a new Site Development Plan Review would be required to address any further changes.

ISSUES

- The subject Major Amendment is needed since the applicant is reducing the building area, setbacks and overall height.
- The related Development Standards, Landscape and Buffer Standards, Streetscape Standards, Parking and Waivers were approved as a part of Site Development Plan Review (SDR-32544, SDR-29021 and SDR-15035).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
01/08/03	The City Council approved a request for a Special Use Permit (SUP-1146) for a Restaurant Service Bar located at 103 E. Charleston Boulevard. The Planning Commission and staff recommended approval on 12/05/02.
05/11/06	A deed was recorded for a change of ownership.
09/20/06	The City Council approved a request for a Site Development Plan Review (SDR-15035) for a proposed 4,930 square-foot Urban Lounge and Waivers of Downtown Centennial Streetscape and Build-To-Line Standards; Special Use Permit (SUP-15038) for a proposed General Business-Related Gaming Establishment and Special Use Permit (SUP-15039) for a proposed Urban Lounge on 0.13 acres at 103-123 East Charleston Boulevard. The Planning Commission and staff recommended approval on 08/24/06.
05/21/08	The City Council approved a request for an Encroachment Agreement (ENCR-26070) for portions of a building to be constructed into the Boulder Avenue public right-of way for approximately 23.5 feet. The encroachment will include (but not be limited to): stairs, handicap ramp, light gauge steel stud wall, planter wall, and a patio. If this portion of Boulder Avenue is vacated by the City of Las Vegas this encroachment will become null and void upon recordation of the vacation with the Clark County Records office.

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06/04/08	The City Council approved a request for a Waiver (WVR-26441) of Title 18.12.130 to allow First Street to terminate in a dead end street where a cul-de-sac is required at the southeast corner of First Street and Boulder Avenue. A Vacation (VAC-26443) was also approved to Vacate Boulder Avenue between First Street and Casino Center Boulevard, the alley generally located at the northwest corner of Boulder Avenue and Casino Center Boulevard, and a portion of the west side of Casino Center Boulevard located between Coolidge Avenue and Boulder Avenue. The Planning Commission recommended denial, but staff recommended approval on 03/27/08.
08/28/08	The Planning Commission approved a Site Development Plan Review (SDR-29021) for a Major Amendment to an approved Site Development Plan Review (SDR-15035) to modify the building elevations and placement of a proposed Urban Lounge on 0.13 acres at 123 East Charleston Boulevard.
01/22/09	The Planning Commission approved a Major Amendment to an approved Site Development Plan Review (SDR-32544) to an approved Site Development Plan Review (SDR-29021) to add a pedestrian plaza with a Waiver of the Downtown Centennial Plan Streetscape Standards on 0.70 acres at 123 East Charleston Boulevard. Staff recommended approval of the request.
<i>Related Building Permits/Business Licenses</i>	
There are no Building Permits or Business Licenses that apply to the subject site.	
<i>Pre-Application Meeting</i>	
09/24/09	A pre-application meeting was held on the indicated date. The following items were discussed at the meeting: • Staff discussed the reduction of overall square-footage, building height and setbacks for a proposed Urban Lounge. • Staff indicated that a Major Amendment to an approved Site Development Plan Review would be needed. • No additional Waivers of Downtown Centennial Plan Requirements were requested.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Field Check</i>	
09/28/09	A field check was completed on the indicated date. The following items were noted: • The subject site is a parking lot. • Adjacent to the site is the existing Paymons restaurant and Casino Center future Bus Rapid Transit Route (BRT).

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.13 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Lot	C (Commercial)	C-2 (General Commercial)
North	Parking Lot	MXU (Mixed Use)	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
South	Retail	C (Commercial)	C-2 (General Commercial)
East	Undeveloped, proposed to be a mixed-use development; Site Development Plan Review (SDR-9888) and Extension of Time (EOT-25786)	C (Commercial)	C-2 (General Commercial)
West	Restaurant	C (Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
Downtown Centennial Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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DEVELOPMENT STANDARDS

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Centennial Plan addresses certain site development standards, which are detailed below:

Pursuant to the Downtown Centennial Plan, the following development standards apply to the subject proposal:

Standard	Required/Allowed	Provided
Min. Lot Size	N/A	0.13 acres
Min. Lot Width	100 feet	60 feet
Min. Setbacks • Front (Boulder Avenue) • Side (West property line) • Corner (Casino Center Boulevard) • Rear (Charleston Boulevard)	Zero Feet Zero Feet Zero Feet Zero Feet	Zero Feet Zero Feet 2.75 Feet 1.2 Feet
Build-to-Line • Front (Bonneville Avenue) • Side (west property line) • Corner (Casino Center Boulevard) • Rear (Charleston Boulevard)	70% of frontage line 70% of frontage line 70% of frontage line 70% of frontage line	Varies Varies Varies Varies
Max. Lot Coverage	Up to 100%	35%
Max. Building Height	N/A	27.5 Feet

Pursuant to the Downtown Centennial Plan, the following landscape and buffer standards apply:

Landscaping and Open Space Standards			
Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	Zero Trees	Zero Trees
Buffer:			
Min. Trees			
(Front: Boulder Avenue)	1 Tree/ 20 Linear Feet	3 Trees	2 Trees
(Side: west property line)	1 Tree/ 20 Linear Feet	4 Trees	Zero Trees
(Corner: Casino Center Boulevard)	1 Tree/ 20 Linear Feet	3 Trees	2 Trees
(Rear: Charleston Boulevard)	1 Tree/ 20 Linear Feet	3 Trees	2 Trees
TOTAL		13 Trees	6 Trees
Min. Zone Width	N/A		1-Foot
Wall Height	8 Feet		8 Feet

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Pursuant to the Downtown Centennial Plan, the following streetscape standards apply:

Streetscape Standards	Required	Provided
East/West Street (Boulder Avenue)	1 Shade Tree @ 20 O.C. Maximum (min. 36 box) 3 Shade Trees	1 Shade Tree @ 20 O.C. Maximum (min. 36 box) 2 Shade Trees
East/West Street (Charleston Boulevard)	1 Shade Tree @ 20 O.C. Maximum (min. 36 box) 3 Shade Trees	1 Shade Tree @ 20 O.C. Maximum (min. 36 box) 2 Shade Trees
North/South Street (Casino Center Boulevard)	1 Palm Tree @ 30 O.C. Maximum (min. 25 height) 2 Palm Trees	1 Palm Tree @ 30 O.C. Maximum (min. 25 height) 0 Palm Trees
Right-Of-Way Improvements	Sidewalk and Amenity Zones (Per Graphics 5, 11 & 12 of the Downtown Centennial Plan)	5 sidewalk along Casino Center Boulevard and Boulder Avenue and a 10 wide sidewalk along Charleston Boulevard. 1 amenity zone along Charleston Boulevard, 3 along Casino Center Boulevard and 0 along Boulder Avenue

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

Parking Requirement - Downtown						
Use	Gross Floor Area or Number of Units	Base Parking Requirement			Provided	
		Parking Ratio	Parking		Parking	
			Regular	Handi-capped	Regular	Handi-capped
Urban Lounge	4,274 SF	1 Space /50 SF of GFA	86	4	Zero	Zero
TOTAL (including handicap)	4,274 SF		90		Zero	

<i>Waivers Approved as a part of SDR-15035</i>	
Requirement	Request
To provide a five-foot amenity zone and a ten-foot wide sidewalk per Graphic 11 of the Downtown Centennial Plan	To allow a five-foot wide sidewalk along Casino Center Boulevard, a five-foot wide sidewalk along Boulder Avenue and a 10-foot wide sidewalk along Charleston Boulevard.
To provide a five-foot amenity zone and a ten-foot wide sidewalk per Graphic 11 of the Downtown Centennial Plan	To allow a one-foot wide landscape amenity area along Charleston Boulevard, a three-foot wide landscape amenity area along Casino Center Boulevard and no landscape amenity area along Boulder Avenue.

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70% of the first story façade shall align along the front and corner side property lines	To allow variations in the 70% build-to-line requirement.
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ANALYSIS

The applicant is requesting a Major Amendment to an approved Site Development Plan Review (SDR-29021) to allow a reduction in building area, setbacks and overall height of an approved Urban Lounge on 0.13 acres at 123 East Charleston Boulevard. A table has been included, which highlights the changes from the previously approved Site Development Plan Review (SDR-29021).

The proposed development conforms to the previously approved Site Development Plan Reviews (SDR-15035, SDR-29021 and SDR-32544) and requirements specified by the Downtown Centennial Plan and Title 19 requirements. Waivers were previously approved, as a part of Site Development Plan Review (SDR-15035) and Site Development Plan Review (SDR32544). The last Major Modification included three phases to the subject site. The new Site Development Plan Review depicts two phases, which included the following: Phase 1 included the building pad area and outdoor dinning and Phase 2 included streetscape treatment for the future Boulder Plaza project.

The proposed Major Amendment to the approved Site Development Plan Review is in keeping with the revitalization and continued enhancement of the Downtown Centennial Plan 18b Las Vegas Arts District and the on-going development in the area; therefore staff is recommending approval of the request.

- **Site Plan**

The site plan for the proposed Major Amendment to the approved Site Development Plan Review (SDR-29021) is generally in compliance with the standards of 18b The Las Vegas Arts District. The proposed modifications to the site are indicated below as they relate to the overall site plan.

Approved: SDR-29021	Proposed: SDR-36190
1st Floor: 2,482 SF 2nd Floor: 1,792 SF Total: 4,274 SF	1 st Floor: 2,453 SF 2 nd Floor: Removed Total: 2,453 SF
Building Height: 51 feet, 9 inches	Building Height: 27.5 Feet
Lot Coverage: 44%	Lot Coverage: 35%
Setbacks: Front (Boulder Avenue): Zero Feet Side (west property line): Zero Feet Corner (Casino Center Blvd): 2.9 Feet Rear (Charleston Blvd): 1.5 Feet	Setbacks: Front (Boulder Avenue): Zero Feet Side (west property line): Zero Feet Corner (Casino Center Blvd): 2.75 Feet Rear (Charleston Blvd): 1.2 Feet

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- **Waivers**

There are no new Waivers requested as a part of the subject Site Development Plan Review. Waivers were approved as a part of Site Development Plan Reviews (SDR-15035, SDR-29021 and SDR-32544).

- **Trails**

The proposed project is adjacent to two Urban Trails. These trails are the Boulder Plaza and the Tortoise Trails. There are no requirements of the property owner with respect to these trails.

- **Landscape Plan**

Waivers of the Downtown Centennial Plan Streetscape standards were approved as a part of Site Development Plan Review (SDR-15035).

- **Elevations/Floor Plan**

The previous Site Development Plan Review (SDR-29021) approved elevations for a two-story building with a height of 51.75 feet. The subject application proposes a reduction of height to a one-story building with an overall height of 27.5 feet. The building elevations continue to utilize an extensive amount of glass windows and various building materials.

The floor plans have also been reduced from a total square footage of 4,274 to 2,453, due to the removal of the second floor, which has also reduced the lot coverage from 44% to 35%. An exterior outdoor patio area is calculated at 2,158 square feet.

FINDINGS

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 Urban Lounge is compatible with the adjacent development and uses in the area, as it will allow for the successful revitalization and enhancement within the Downtown Centennial Plan - 18b The Las Vegas Arts District.

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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 project is consistent with the C (Commercial) designation of the General Plan, the zoning regulations of the existing C-2 (General Commercial) zoning district and the Downtown Centennial Plan 18b Arts Las Vegas Arts District design standards.

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

Pedestrian access to the site is from Boulder Avenue, an 80-foot wide right-of-way, which should be adequate to meet the needs of the proposed improvements and should not negatively impact the adjacent roadways. There is no vehicular access to the site as there is no on-site parking.

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

Building and landscape materials are appropriate for the area and the City, as proposed and previously approved.

- 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 will be harmonious and compatible with surrounding commercial properties, while providing site improvements that will not be unsightly, undesirable, or obnoxious in appearance.

- 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 City inspections during construction of the building as well routine business license inspections for any commercial activities.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 127

APPROVALS 2

PROTESTS 3