

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: AUGUST 9, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: BARNET LIBERMAN - OWNER: LEAH PROPERTY, LLC, ET AL

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-41599	Staff recommends DENIAL, if approved subject to conditions:	
SDR-41829	Staff recommends DENIAL, if approved subject to conditions:	SUP-41599

**** CONDITIONS ****

SUP-41599 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Mixed-Use use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-41829) shall be required.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. 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.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

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

SDR-41829 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-41599) shall be required, if approved.
2. Site Development Plan Review (SDR-20492) shall be expunged upon final approval.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan and landscape plan, date stamped 08/03/11 and building elevations, date stamped 05/16/11 and 08/03/11, except as amended by conditions herein.
5. A Waiver from Downtown Centennial Plan Section VII.D is no longer needed. Per a letter from the applicant dated 08/03/11, the streetscape shall comply with all Downtown Centennial Plan standards.
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 04/28/11. 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.

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9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: conformance with all Downtown Centennial Plan streetscape standards, including the replacement of Mediterranean Fan Palms along Casino Center Boulevard with Deglet-Noor Date Palms or similar at 30-foot intervals.
10. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
11. All utilities shall comply with the provisions of the Las Vegas Downtown Centennial Plan.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site, except as amended by Conditions of Approval herein.
14. Landscape and maintain all unimproved rights-of-way, if any, on Casino Center Boulevard and Coolidge Avenue adjacent to this site. All private improvements and landscaping 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.
15. Submit an Encroachment Agreement for landscaping and private improvements, if any, in the Coolidge Avenue and Casino Center Boulevard public rights-of-way prior to the issuance of permits for these improvements. 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 property 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 improvements 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.

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16. Prior to the approval of Construction drawings for this site, sign a Covenant Running with Land agreement for the possible future undergrounding of all existing overhead utility lines adjacent to this site not placed underground per requirements of the Downtown Centennial Plan. The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City prior to the issuance of building permits for this site.
17. This site shall connect to the public sewer line located in Coolidge Avenue.
18. Prior to the submittal of construction drawings for this site, 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.
19. 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 site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor 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.
20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is currently vacant with the exception of a licensed retail establishment and multi-family dwelling at the southern end. The site is entitled for a proposed 120-foot tall, 1,500-space automated parking garage with 12,000 gross square feet of ground floor commercial space. This entitlement has not yet been exercised; instead, the applicant proposes to construct a 16-story Mixed-Use development on the site with 330 for-rent multi-family residential units and 16,000 square feet of ground floor commercial space. Attached to this development will be a 120-foot tall, 390-space automated parking garage. Streetscape will be provided in compliance with Downtown Centennial Plan requirements. The site as designed is unsuitable to accommodate the uses proposed, as it does not allow for loading of vehicles away from street frontages. This project is therefore not compatible with the surrounding development and staff recommends denial. If denied, the existing entitlements will still apply as long as they remain active.

ISSUES

- Mixed-Use developments within 18b The Las Vegas Arts District are permitted with approval of a Special Use Permit. A Special Use Permit is therefore required for the subject site.
- A Waiver of Downtown Centennial Plan Streetscape Standards is required to allow the use of Mediterranean Fan Palms at 20-foot intervals where Deglet-Noor Date Palms at 30-foot intervals are required along Casino Center Boulevard. The applicant has agreed to comply with the Arts District streetscape standards, and therefore the waiver is no longer necessary.
- If approved, the previously approved Site Development Plan Review (SDR-20492) on the subject site will be expunged as a condition of approval.
- A mapping action will be necessary to consolidate the existing legal lots underlying the subject site prior to issuance of building permits.
- Approval of an encroachment agreement is required that would allow storefront awnings and trellises to project into the right-of-way.
- Loading/unloading for the commercial development is proposed to occur from the adjacent right-of-way. Although the Downtown Centennial Plan does not require onsite loading spaces, staff does not support loading from the street, as adequate loading could be provided from the rear alley but is not accommodated in the project design.

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- The approved parking garage was planned to accommodate 1,500 vehicles in connection with this site and the site at Fourth Street and Charleston Boulevard approved through SDR-20502. By this proposal, capacity has been reduced to 390 vehicles. If proposed changes to SDR-20502 (through Site Development Plan Review SDR-41600) are not made that would increase parking capacity on that site, the number of residential units the garage would service would increase from 1,100 to 1,430 and the commercial floor area would increase from 70,000 square feet to 74,000 square feet while maintaining only 390 parking spaces.
- Signage for developments within the Arts District is to be reviewed by Department of Planning staff as part of the Site Development Plan Review pursuant to the Downtown Centennial Plan. Signage locations and dimensions are included on the submitted elevations.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/16/64	The City Council approved a Rezoning (Z-0100-64) of approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road to the north, Las Vegas Boulevard to the east and Charleston Boulevard to the south, from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial).
09/23/04	The Planning Commission approved a Site Development Plan Review (SDR-4999) for a proposed five-story Mixed Use Development with 86 residential units and 22,100 square feet of commercial floor area adjacent to the north side of Coolidge Avenue between Casino Center Boulevard and Third Street. Staff recommended approval. The approval expired 09/23/06.
04/19/06	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-11632) to include the Casino Center Boulevard/Third Street Connector as an 80-foot Secondary Collector. The Planning Commission and staff recommended approval.
05/16/07	The City Council approved a Rezoning (ZON-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial) and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission and staff recommended approval.
	The City Council approved a Special Use Permit (SUP-20519) for a 12-story Mixed Use Development including 58,000 square feet of commercial space and 1,100 residential condominium units at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission and staff recommended approval.
	The City Council approved a Petition to Vacate (VAC-20522) a 20-foot service alley and access easement generally located east of Third Street, commencing approximately 137 feet south of the southeast corner of Charleston Boulevard and Third Street. The Planning Commission and staff recommended approval. The approval expired 05/16/08.

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05/16/07	The City Council approved a Site Development Plan Review (SDR-20492) for a 120-foot-high, 1,500-space parking structure with 12,000 square feet of ground floor commercial space on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue. The Planning Commission and staff recommended approval.
	The City Council approved a Site Development Plan Review (SDR-20502) for a 12-story Mixed Use Development including 58,000 square feet of commercial space and 1,100 residential condominium units on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission and staff recommended approval.
06/20/07	A Code Enforcement case (54633) was processed for a vacant lot that was being used as a parking lot at 927 South Casino Center Boulevard. The case was closed by Code Enforcement on 07/10/07.
03/24/09	Code Enforcement processed a case (76026) for a Dangerous Building at 931 South Casino Center Boulevard. The case was closed by Code Enforcement on 06/30/09.
04/15/09	The City Council approved an Extension of Time (EOT-33725) of a previously approved Rezoning (SDR-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial) and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. Staff recommended approval.
	The City Council approved an Extension of Time (EOT-33724) of a previously approved Special Use Permit (SUP-20519) for a 12-story Mixed Use Development including 58,000 square feet of commercial space and 1,100 residential condominium units at the southwest corner of Charleston Boulevard and Fourth Street. Staff recommended approval.
	The City Council approved an Extension of Time (EOT-33723) of a previously approved Site Development Plan Review (SDR-20492) for a 120-foot-high, 1,500-space parking structure with 12,000 square feet of ground floor commercial space on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue. Staff recommended approval.
	The City Council approved an Extension of Time (EOT-33726) of a previously approved Site Development Plan Review (SDR-20502) for a 12-story Mixed-Use development including 58,000 square feet of commercial space and 1,100 residential condominium units on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. Staff recommended approval.
05/28/09	Department of Planning staff approved a Minor Amendment (SDR-34113) of a previously approved Site Development Plan Review (SDR-20502) to relocate service access and reduce the floor area of the storage and mechanical building on property located at the southwest corner of Charleston Boulevard and Fourth Street.

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07/01/09	The City Council approved a Special Use Permit (SUP-33590) for a Mixed Use Development on the east side of Third Street, approximately 160 feet south of Charleston Boulevard. The Planning Commission and staff recommended approval. The approval expired 07/01/11.
	The City Council approved a Site Development Plan Review (SDR-33587) for a proposed 16-story, 238-unit Mixed Use Development with 22,500 square feet of commercial space on 0.55 acres on the east side of Third Street, approximately 160 feet south of Charleston Boulevard. The Planning Commission and staff recommended approval. The approval expired 07/01/11.
04/21/11	Code Enforcement processed a case (100895) concerning the accumulation of trash and debris on a vacant lot and fence at 923 South Casino Center Boulevard. The case was closed by Code Enforcement on 04/26/11.
07/20/11	The City Council approved an Extension of Time (EOT-41596) of a previously approved Special Use Permit (SUP-20519) for a 12-story Mixed Use Development including 58,000 square feet of commercial space and 1,100 residential condominium units at the southwest corner of Charleston Boulevard and Fourth Street. Staff recommended approval .
	The City Council approved an Extension of Time (EOT-41597) of a previously approved Site Development Plan Review (SDR-20502) for a 12-story Mixed Use Development including 58,000 square feet of commercial space and 1,100 residential condominium units on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. Staff recommended approval .
	The City Council approved an Extension of Time (EOT-41595) of a previously approved Site Development Plan Review (SDR-20492) for a 120-foot-high, 1,500-space parking structure with 12,000 square feet of ground floor commercial space on 0.63 acres at the northeast corner of Casino Center Boulevard and Coolidge Avenue. Staff recommended approval .

Most Recent Change of Ownership

11/07/06	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

11/04/83	A business license (G04-01039) was issued for Porcelain Doll Sales at 931 South Casino Center Boulevard. The license is still active.
01/04/96	A building permit (#96000299) was issued for demolition of a building at 927 South Casino Center Boulevard. A final inspection was not completed and the permit expired 07/06/96.

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05/13/99	A building permit (#99009154) was issued for demolition of a shed/building at 923 South Casino Center Boulevard. A final inspection was not completed and the permit expired on 11/13/99.
01/23/04	A building permit (#04001651) was issued for demolition of a building at 919 South Casino Center Boulevard. A final inspection was not completed and the permit expired on 07/24/04.
01/23/04	A building permit (#04001649) was issued for demolition of a building at 923 South Casino Center Boulevard. A final inspection was not completed and the permit expired on 07/24/04.
01/23/04	A building permit (#04001650) was issued for demolition of a building at 927 South Casino Center Boulevard. A final inspection was not completed and the permit expired on 07/24/04.

<i>Pre-Application Meeting</i>	
04/21/11	A pre-application meeting was held with the applicant, in which items needed for submittal of a Special Use Permit and Site Development Plan Review were discussed. The major issues discussed included the following: • The two applications would be major amendments of the previously approved mixed use development at the southwest corner of Fourth Street and Charleston Boulevard, to which parking at the Casino Center site is tied. It was later decided to amend only Site B to allow for a reduction in onsite parking. • The applicant plans to apply for extensions of time on the previous entitlements on both sites. • No changes were planned to be made to the Aquarius site at Fourth Street and Charleston Boulevard. • A mapping action will be necessary to consolidate the legal lots underlying the Casino Center site prior to issuance of building permits. • Location(s) where loading/unloading of merchandise would occur • A traffic impact analysis will be required. • Right-of-way encroachments may be requested as part of the Site Development Plan Review. • A DINA is required for the combined sites.

Neighborhood Meeting

A neighborhood meeting is not required, nor was one held.

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<i>Field Check</i>	
06/02/11	A field check was conducted at the subject site. The following items were noted: - The existing structures on the site are enclosed by temporary chain link fencing. - The undeveloped portion of the site is free of trash and debris, and contains some weeds that have been controlled.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.64

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	General Retail Store	MXU (Mixed Use)	C-2 (General Commercial)
	Undeveloped		
North	Multi-Family Residential (Apartments)	MXU (Mixed Use)	C-2 (General Commercial)
South	Undeveloped	MXU (Mixed Use)	C-2 (General Commercial)
East	Undeveloped	MXU (Mixed Use)	C-2 (General Commercial)
	Office	MXU (Mixed Use)	C-2 (General Commercial)
	Multi-Family Residential (Apartments)	MXU (Mixed Use)	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
West	Undeveloped	MXU (Mixed Use)	C-2 (General Commercial)
	Office	MXU (Mixed Use)	C-2 (General Commercial)
	Multi-Family Residential (Apartments)	MXU (Mixed Use)	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)

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<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Downtown Centennial Plan	X		N
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District (18b The Las Vegas Arts District)	X		N
Live/Work Overlay District	X		N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment	X		Y
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.06 and the Downtown Centennial Plan, the following standards apply to the proposal:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	28,000 SF	N/A
Min. Lot Width	N/A	140 Feet	N/A
Min. Setbacks			
• Front	N/A	0 Feet	N/A
• Side	N/A	0 Feet	N/A
• Corner	N/A	0 Feet	N/A
• Rear	N/A	0 Feet	N/A
Max. Lot Coverage	N/A	73 %	N/A
Max. Building Height	N/A	185 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Interior to building	Y
Mech. Equipment	Screened	Screened	Y

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

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<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Minimum sidewalk width	10 feet	10 feet	Y
Minimum amenity zone width	5 feet	5 feet	Y
Sidewalks	Corner ramps with patterned concrete	Corner ramps with patterned concrete	Y
Alleys	Stamped colored concrete at driveway	Stamped colored concrete at driveway	Y
Right-of-Way Improvements	Light fixtures, trash receptacles, benches, tree wells	Light fixtures, trash receptacles, benches, tree wells	Y
North-South Streets (Major)	Deglet-Noor Date Palms or similar (25' BTH) at 30' intervals	Mediterranean Fan Palms (25' BTH) at 20' intervals	N
East-West Streets	36" box drought-tolerant shade trees at 15-20' intervals	36" box Southern Live Oak at 20' intervals	Y

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store, Other Than Listed	16,000 SF	1 space/ 175 SF GFA	92				
Multi-Family Residential – Studio and 1 BR	315 units	1.25 spaces/ unit	394				
Multi-Family Residential – 2 BR	15 units	1.75 spaces/ unit	27				
Multi-Family Residential – Guest spaces	330 units	1 space/ 6 units	55				
TOTAL SPACES REQUIRED			568		390	N	
Regular and Handicap Spaces Required			564	4	390	0	N

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Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The project is adjacent to a bus rapid transit stop, and the applicant expects that this will reduce the number of vehicle trips to and from the site. This project is subject to the handicapped parking requirements of the Downtown Centennial Plan, which references Title 19 handicapped parking requirements. However, the parking facilities are automated, eliminating the need for physical handicap spaces at ground level.

<i>Sign Type</i>	<i>Provided</i>
Canopy: • Number • Area • Illumination	(1) sign on east elevation Maximum 24 SF Internal
Wall • Number • Area • Height • Illumination	(4) signs on south elevation, (4) signs on west elevation Maximum 72 SF Maximum 3 feet, attached to building at all points Internal

ANALYSIS

The proposed development is subject to Downtown Centennial Plan standards, and pursuant to Section VIII.A of the Plan, qualifies as a New Development. The proposed Mixed-Use development occupies exactly 50 percent of the block and is therefore not subject to full streetscape and utility requirements at this time; however, streetscape improvements have been proposed for the site. This site is located within the Live/Work Overlay district. The proposed development will offer employment and housing options onsite, but no live/work units as described by Title 19.10.170 are provided. The site is also within the boundaries of the Las Vegas Redevelopment Area; the proposed uses are in conformance with Redevelopment Plan policies that encourage innovative, mixed use projects in this area. As part of 18b The Las Vegas Arts District, a Mixed-Use development is a permitted use with approval of a Special Use Permit. Signage for development within the Arts District is subject to staff review as part of the Site Development Plan Review process.

The site as proposed is in compliance with Downtown Centennial Plan standards with the exception of streetscape along Casino Center Boulevard. The proposed Mediterranean Fan Palms shown on the submitted plans are not an acceptable substitute for the Deglet-Noor Date Palms that the Plan requires along this street. Although they are proposed to be the required height, they do not have the same appearance and would alter the existing specific streetscape pattern intended for Casino Center Boulevard. The applicant has agreed to comply with Downtown Centennial Plan standards and will provide date palms at 30 feet on center on the technical landscape plan. The requested streetscape waiver will therefore not be necessary.

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The applicant indicates that no loading spaces will be provided for the commercial space, with the loading and unloading of service vehicles to occur on the street frontages. The existing alley access would provide a way to service the proposed building without impeding the primary rights-of-way; however, the proposed design does not accommodate loading and unloading from the rear.

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. A minimum of three spaces per 1,000 square feet of commercial floor area should be provided to maintain consistency with other downtown projects. The proposal would allow 60 parking spaces for 16,000 square feet of commercial space to meet this threshold, assuming one space per residential unit would be provided. Considering the opportunities for nearby public transportation (bus rapid transit) and onsite commercial services, the spaces provided should be sufficient. The Downtown Centennial Plan does not exempt applicants from providing handicap accessible parking for commercial uses. No handicap-accessible spaces are provided on the site because the automated garage eliminates this need; a lane is provided in front of the structure to allow handicapped patrons to be assisted in and out of their vehicles. Access to the proposed garage is from a two-way, 20-foot wide alley at midblock between Casino Center Boulevard and Third Street. Large vehicles could encounter difficulty navigating the alley if traffic develops, due to existing power poles located along the west side of the alley. Although integrated into the design of the overall development, the garage does not have frontage on any street.

The currently entitled 1,500-space garage on this site is intended to provide parking facilities for two approved Mixed-Use developments, both of which are located one block south at the southwest corner of Charleston Boulevard and Fourth Street. One set of entitlements has expired and therefore would reduce some demand for parking at this garage. The other set of entitlements has not been exercised, but an Extension of Time for that project was approved for two years by the City Council on 07/20/11. An amended Site Development Plan Review (SDR-41600) is also proposed for this secondary site (Site B in the table below) that will increase onsite parking. The following table summarizes development on the subject site (Site A) only if this request is approved and SDR-41600 is NOT approved:

	<i>Residential Units</i>	<i>Gross Retail Floor Area</i>	<i>Parking Spaces Provided</i>
Approved SDR-20492 (Site A)	Zero	12,000 SF	1,500
Approved SDR-20502 (Site B)	1,100	58,000 SF	22
Proposed SDR-41829 (Site A)	330	16,000 SF	390
TOTAL	1,430	74,000 SF	412
Change in Site A	+330 (30%)	+4,000 SF (5.7%)	-1,110 (-74%)

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The result of a SDR-41600 denial would be that Site B would remain dependent on Site A for parking facilities, and that parking would be greatly reduced from what was previously approved, despite a significant increase in combined residential units and modest increase in commercial space. Approval of Site A and the amended Site B would allow both sites to be independently parked.

Signage is designed as an integral element of the façade and is at an appropriate scale for pedestrians to identify individual storefronts along Casino Center Boulevard and Coolidge Avenue. A three-dimensional sign on a trellis in the alleyway identifies the parking structure, in keeping with the Arts District environment. All signs will be illuminated, but should have minimal impact on adjacent uses. Signage will be reviewed for consistency with applicable codes at the time of sign permit submittal.

Staff supports the mixed-use concept in this location at the proposed height and commercial intensity; however, it cannot support failure to accommodate off-street loading areas that accompany the proposed design. Therefore, denial is recommended of both the Special Use Permit and the Site Development Plan Review.

FINDINGS (SUP-41599)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The Mixed Use use as proposed cannot be conducted in a manner that is harmonious and compatible with surrounding land uses, since the proposed loading facilities are inadequate.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

The proposed site is ideal for a Mixed Use development; however, the design of the proposed project does not accommodate internal circulation of commercial service vehicles for loading and unloading.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

The two frontage streets are adequate in size for a mixed-use development; however, they are not appropriate for loading through the storefronts of the proposed commercial area. Existing utility poles narrow the available width of the existing alley.

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- 4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

Approval of a Special Use Permit for a Mixed-Use development is consistent with the Las Vegas 2020 Master Plan Policy 1.1.3, which encourages new market rate, multi-unit mixed-use residential development on vacant or underutilized sites, with ground floor commercial components included where appropriate. The public health, safety and welfare will be protected through permitting and inspection processes.

- 5. The use meets all of the applicable conditions per Title 19.12.**

The proposed Mixed-Use Development complies with all Title 19.12 minimum Special Use Permit requirements.

FINDINGS (SDR-41829)

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 Mixed-Use development is not compatible with adjacent and nearby development. It may create traffic conflicts along street frontages due to loading and unloading activities.

- 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 as depicted in the submitted plans is not in conformance with the Downtown Centennial Plan, as it requires a waiver of streetscape standards. However, the applicant has agreed to comply with these standards and no waiver is necessary. The project is therefore consistent with all plans and policies.

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

Traffic could be impeded by service vehicles loading the commercial storefronts on Casino Center Boulevard (a bus rapid transit route) and Coolidge Avenue. In addition, large vehicles could encounter difficulty navigating two-way traffic in the alley if traffic develops, due to power poles located along the west side of the alley.

Staff Report Page Thirteen
August 9, 2011 - Planning Commission Meeting

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

Building materials are appropriate for the Downtown area. The Mediterranean Fan Palms and spacing proposed, in lieu of Date Palms, are inappropriate for placement in the major north-south streets within the Arts District. However, the applicant has agreed to provide the required tree species and spacing on the technical landscape plan as a condition of approval.

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 design characteristics are compatible with development in the Downtown area.

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

Development is subject to permitting and inspections, thereby securing the public health, safety and welfare.

NOTICES MAILED 427

APPROVALS 1

PROTESTS 1

August 3, 2011

City of Las Vegas
Planning and Development Department
731 S. Fourth Street
Las Vegas, NV 89101

APN: 139-34-410-056, 057, 058, 059

Re:

- a. Site Development Review
- b. Special Use Permit

Architecture

Engineering

Planning

Interiors

Landscape

To Whom It May Concern:

We respectfully submit this application for a Site Development Review and Special Use Permit for the project "The Royale at Casino Center" at Coolidge and Casino Center. This is a mixed use project containing ground floor commercial and "for-rent" residences above the ground floor. These parcels are currently zoned C-2 and are in the Downtown Centennial Plan, as well as the Arts District

This project proposes to have 330 apartments and 16,000 sf of commercial and an automated parking structure which has 390 parking spaces.

Access to the automated parking structure will be off of the alley from Coolidge to Hoover. All commercial tenants will be serviced from the front doors. There is no rear service access for the commercial tenants.

Downtown Centennial Plan standards are being met by way of landscaping and required amenity zone and wide pedestrian sidewalks, as well as alley and street corner paving and upgrades. However, the owner will defer the underground installation of the power poles until the remainder of the block is developed.

We are proposing to install the code required Date Palms. The height of the palm trees will be per code at 25' and spaced at 30'-0" o.c.

With this application we are requesting an encroachment permit to allow for the awnings and trellises which compliment the façade and shelter storefront entrances to project out over the Right of way line.

Illuminated wall mounted signage is shown on the elevations, along with corresponding sizes and square footages.

The owners of this project will encourage all of its tenants to utilize and incorporate Green building strategies. For this project we will attempt to incorporate water and energy saving measures such as the utilization of occupancy sensors, drought tolerant landscaping, insulated windows, light colored paint and appropriately sized mechanical units. Also, the downtown location of this project encourages pedestrian usage which is enhanced by the proximity of the bus routes.

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aptusgroup.com

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DEVELOPMENT

The owner desires to provide much needed attainable rental housing within the downtown area of the city. To compliment the residential units will be ground floor commercial space. This residential and commercial development will be an asset to the city by helping to spur additional revitalization and reinforcing redevelopment in an area which has already begun a transformation.

We have made every attempt to try and follow City of Las Vegas Title 19 as well as the Centennial Plan as closely as possible in the design and layout of this site. Please join us in our attempt to bring much-needed high caliber product into downtown and to Las Vegas residents.

Respectfully Submitted,

A handwritten signature in black ink, reading "Kristen G. Neuman". The signature is fluid and cursive, with the first name "Kristen" and last name "Neuman" clearly legible.

Kristen G. Neuman, AIA
APTUS

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SDR-41829
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EAST ELEVATION

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