



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MAY 14, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-48856	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SDR-48856 CONDITIONS

Planning

1. The previous Site Development Plan Review approval (SDR-42987) on a portion of this site shall be expunged upon final approval of this request.
2. 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.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 04/15/13, and the color and materials board date stamped 03/28/13, except as amended by conditions herein.
4. 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.
6. All proposed signage shall be reviewed and approved by the Downtown Design Review Committee prior to the issuance of sign permits. All new signs requiring a Variance shall also be reviewed by the Planning Commission.

Conditions Page Two
May 14, 2013 - Planning Commission Meeting

7. 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. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
- Provide five (5) additional date palms along Casino Center Boulevard adjacent to Building 1 as required by the Downtown Centennial Plan. All date palms along Casino Center Boulevard and 4th Street shall be located within an amenity zone that allows for an unobstructed 10-foot sidewalk adjacent to the building.
8. A Comprehensive Construction Staging Plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
9. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Dedicate a 10-foot radius on the northeast corner of Stewart Avenue and Casino Center Boulevard, unless otherwise allowed by the City Engineer, prior to the issuance of any permits.
12. In accordance with code requirements of Title 13.56, remove all substandard improvements, if any, and replace with new improvements meeting Downtown Centennial 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
13. A Petition of Vacation to vacate the existing dedicated bus turnout on Stewart Avenue shall be submitted and acted upon prior to the submittal of construction drawings, the issuance of any building permits, or the recordation of a map for this site, whichever may occur first. If the Petition of Vacation is not approved, this Site Plan shall be void and a new Site Plan shall be submitted respecting the existing dedication.

Conditions Page Three
May 14, 2013 - Planning Commission Meeting

14. Landscape and maintain all unimproved rights-of-way, if any, 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.
15. Submit an Encroachment Agreement for landscaping and private improvements in the public right-of-way adjacent to this site prior to this 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. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (229-4836).
16. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Casino Center/4th Street Improvement Project" and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
17. Abandon any existing sewer mains in 4th Street that will not be utilized with this project concurrent with onsite development.
18. 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. 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. The Traffic Impact Analysis required with SDR-48857 may be used to satisfy this condition, if it includes this development.

Conditions Page Four
May 14, 2013 - Planning Commission Meeting

19. 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, submittal of any construction drawings or the submittal of a Map subdividing this site, 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. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first.

Staff Report Page One
May 14, 2013 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing a pedestrian-oriented retail and conference center complex consisting of three new buildings surrounding the historic U.S. Post Office building (informally referred to as the Mob Museum) between U.S. 95 and Stewart Avenue. The subject site consists of two land parcels: the western parcel is currently developed with a former Transit Passenger Facility, while the east parcel is undeveloped. Proposed Buildings 1 and 2 will contain 64,000 square feet of retail and restaurant uses and a covered courtyard area, while Building 3 will contain 16,000 square feet of retail on the ground floor and 24,000 square feet of conference facilities on the second level. A new six-story parking structure is proposed along Casino Center Boulevard to the north of Building 1, which will accommodate vehicles on Levels 2 through 7. Surface parking for employees will be provided on Level 1. A portion of the parking garage is intended to supplement parking demand for the offsite conference facilities proposed across Stewart Avenue at 220 North Casino Center Boulevard (SDR-48857).

Future development of a plaza area around the perimeter of the adjacent Mob Museum parcel is planned, but is not part of this request and is subject to change.

The proposal is in conformance with Downtown Centennial Plan requirements, is compatible with surrounding development and will provide retail opportunities in Downtown. Staff therefore recommends approval with conditions. If denied, a modified design and a new Site Development Plan Review would have to be submitted under separate review.

ISSUES

- The previous land use entitlement (SDR-42987) for this site will be expunged upon final approval of this Site Development Plan Review (SDR-48856) request.
- No waivers are requested; however, several deficiencies in the submitted plans pertaining to the streetscape standards are addressed through a condition of approval.
- All proposed signage will require a separate review and approval by the Downtown Design Review Committee prior to the issuance of permits for signage.

Staff Report Page Two
May 14, 2013 - Planning Commission Meeting

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/12/85	The Planning Commission approved a request for a Civic Review (CV-0002-85) for the purpose of establishing a Transit Passenger Facility (Downtown Transportation Center) on property generally located at Mesquite Avenue and Casino Center Boulevard. Staff recommended approval.
09/25/97	Department of Planning staff approved a Minor Site Development Plan Review (SD-0016-97) for a proposed 2,581 square-foot expansion of the existing 9,300 square-foot Downtown Transportation Center at 300 North Casino Center Boulevard.
11/17/10	The City Council approved a General Plan Amendment (GPA-39192) to change the land use designation of the subject site (APNs 139-34-501-004 and 008) from PF (Public Facilities) to MXU (Mixed Use) as part of a larger request on the south side of U.S. 95, east of Casino Center Boulevard. The Planning Commission and staff recommended approval.
	The City Council approved a Rezoning (ZON-39193) from C-V (Civic) to C-2 (General Commercial) on 4.07 acres located south of U.S. 95, east of Casino Center Boulevard. The Planning Commission and staff recommended approval.
01/18/12	The City Council approved a Site Development Plan Review (SDR-42987) for a proposed retail area and plaza on 2.83 acres at 300 North Casino Center Boulevard. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
07/01/47	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
c. 1987	The Downtown Transportation Center was constructed at 300 North Casino Center Boulevard.
11/12/98	A building permit (#98022323) was issued for a 7,076 square-foot remodel of the Downtown Transportation Center at 300 North Casino Center Boulevard. A final inspection was approved on 09/09/99.

Staff Report Page Three
May 14, 2013 - Planning Commission Meeting

<i>Pre-Application Meeting</i>	
03/21/13	A pre-application meeting was held with the applicant, where requirements for submittal of two separate Site Development Plan Review applications were discussed. Two applications were deemed necessary, as each site is subject to different code standards. As the sites are located within the Downtown Centennial Plan Overlay District, many of the Title 19 standards, such as for parking and perimeter landscaping, are not automatically applied. The Historic Preservation Committee must review the portion of the proposal that encroaches into the Mob Museum parcel. As that site is operated by the National Park Service, the two entities will need to coordinate any development on this parcel.

<i>Neighborhood Meeting</i>
A neighborhood meeting is not required, nor was one held.

<i>Field Check</i>	
04/03/13	The east portion of the subject site is not developed. The west portion of the site contains a single-story building and structures previously used as a Transit Facility for bus transportation but which are currently vacant.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.46

<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	Transit Passenger Facility	MXU (Mixed Use)	C-2 (General Commercial)
	Undeveloped		
North	Right-of-Way	ROW (Right-of-Way)	ROW (Right-of-Way)
South	Parking Facility	C (Commercial)	C-2 (General Commercial)
	Hotel/Casino		
	Museum	PF (Public Facilities)	C-V (Civic)
East	Office, Other Than Listed	MXU (Mixed Use)	C-2 (General Commercial)
West	Hotel/Casino (ancillary parking lot)	C (Commercial)	C-2 (General Commercial)
	Museum	PF (Public Facilities)	C-V (Civic)

Staff Report Page Four
May 14, 2013 - Planning Commission Meeting

<i>Master Plan Areas</i>	<i>Compliance</i>
Downtown Centennial Plan	Y
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
Downtown Centennial Plan Overlay District (Downtown Gateway District)	Y
A-O (Airport Overlay) District (200 Feet)	Y
Live/Work Overlay District	N/A
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Cultural Corridor Trail)	Y
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

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

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks:			
Front	70% of first story façade to align along property line, including plazas	Bldgs 1 and 3 aligned along front property line (Bldg 2 has no frontage)	Y
Side	None	0 feet	Y
Corner Side	70% of first story façade to align along property line, including plazas	Bldgs 1 and 3 aligned along corner side property lines (Bldg 2 has no frontage)	Y
Rear	None	29 feet	Y
Max. Building Height	N/A	80 feet	N/A
Service Areas	Located away from frontage lines	Located at rear of Bldgs 1 and 3	Y
Mech. Equipment	Screened	Screened	Y
Utilities	Underground	Not provided	N

Staff Report Page Five
May 14, 2013 - Planning Commission Meeting

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

Landscaping and Open Space Standards			
Standards	Required	Provided	Compliance
LANDSCAPE BUFFER WIDTHS			
Min. Zone Width			
• North	0 Feet	0 Feet	Y
• South	0 Feet	0 Feet	Y
• East	0 Feet	0 Feet	Y
• West	10 Feet at parking structure	10 Feet	Y

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Stewart Avenue	Major Collector	Master Plan of Streets and Highways Map	80	Y
Casino Center Blvd.	Major Collector	Master Plan of Streets and Highways Map	80	Y

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

Streetscape Standards	Required	Provided	Compliance
Min. sidewalk width	10 feet	10 feet along Casino Center Blvd.	Y
		5 feet along Stewart Ave.	N
		10 feet along 4th St.	Y
Min. amenity zone width	5 feet	5 feet along Casino Center Blvd.	Y
		5 feet along Stewart Ave.	Y
		5 feet along 4th St.	Y
North-South streets (Major)	Deglet-Noor date palms or similar palms (25' BTH) at 30' intervals 11 trees along 4th Street 12 trees along Casino Center Blvd.	(11) Deglet-Noor date palms or similar (25' BTH) along 4th Street (7) Deglet-Noor date palms or similar (25' BTH) along Casino Center Blvd.	N

Staff Report Page Six
May 14, 2013 - Planning Commission Meeting

East-West streets	36" box drought-tolerant shade trees at 15-20' intervals 13 trees along Stewart Ave.	(14) 36" box Southern Live Oak along Stewart Ave.	Y
Right-of-way improvements	Light fixtures, trash receptacles, benches, tree wells	Only tree wells indicated	N

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	
Shopping Center	104,000 SF	1 space per 250 SF GFA	416				
TOTAL SPACES REQUIRED			416		473		N/A
Regular and Handicap Spaces Required			407	9	459	14	Y
Loading Spaces	104,000 SF	3 spaces, plus 1 additional per 100,000 SF over 50,000 SF	5		8		Y

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking and loading requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.

ANALYSIS

The subject site is located within the Downtown Gateway sub-district of the Downtown Centennial Plan Overlay District. Pursuant to Title 19.10.110, the standard parking, landscaping, building height, lot coverage and setback requirements are not automatically applied. Additional standards specific to the Downtown Gateway District are required, including those for setbacks, streetscape, utilities, parking structures and signage. It is the applicant's intent to conform to these requirements; conditions of approval have been added to address several deficiencies in the plans as they relate to the standards.

Staff Report Page Seven
May 14, 2013 - Planning Commission Meeting

The Cultural Corridor Trail is designated by the Downtown Centennial Plan adjacent to this site along Stewart Avenue and Casino Center Boulevard. Conformance to the Downtown Gateway streetscape requirements will satisfy the requirements for the trail.

The proposed development is subject to and meets the requirements of the Airport Overlay District.

Existing conditions in the Stewart Avenue right-of-way include a five-foot sidewalk with a five-foot amenity zone containing trees planted along the eastern parcel. Because the proposed development does not encompass more than 50 percent of the block's frontage, any required streetscape improvements that are not proposed at this time will require a Covenant Running with Land Agreement for their future installation. This includes the addition of five feet of sidewalk area along Stewart Avenue and a possible pedestrian easement. Street furniture, lighting and utility requirements may also be deferred through a covenant.

The Downtown Centennial Plan requires five additional date palms to be added along Casino Center Boulevard adjacent to Building 1. By condition of approval, the landscape plan submitted for building permit must include these additional trees. Furthermore, the trees must be aligned within the amenity zone such that 10 feet of unobstructed sidewalk is provided between the trees and the proposed building.

The site is overparked, based on the proposed commercial uses. Although the proposed development is expected to generate some pedestrian traffic, it is designed primarily to accommodate auto traffic and provide overflow parking for additional conference facilities proposed by the applicant at 220 North Casino Center Boulevard (SDR-48857).

This project is deemed a Project of Significant Impact pursuant to Title 19.16.010(E), as it is expected to generate over 3,000 new vehicle trips per day on Stewart Avenue, Casino Center Boulevard and 4th Street. A Development Impact Notice and Assessment (DINA) of the possible impacts of the development to resources was circulated among various city departments and regional agencies for comment. No comments were received pertaining to this project. If this project is completed, the abutting streets will remain well below capacity based on a standard trip generation method.

The submitted plans indicate areas for future signage, which is not part of this review. All proposed signage will require review and approval by the Downtown Design Review Committee prior to the issuance of permits for signage. Any proposed signage determined not to be in conformance with Title 19.08 standards will also require a variance and a public hearing. Off-premise signage, if proposed, will require a Special Use Permit, subject to conformance with distance separation requirements.

Staff Report Page Eight
May 14, 2013 - Planning Commission Meeting

The proposed project fulfills Policy 1.3.2 of the Las Vegas 2020 Master Plan for reurbanization of the Downtown Area, specifically that “new retail and service commercial development be encouraged within Downtown to serve the emerging housing market. In particular, this development should be weighted towards restaurants, retail shops and service businesses intended to serve local residents as well as the tourist market.”

The proposed Shopping Center and conference facility is in conformance with Downtown Centennial Plan requirements, is compatible with surrounding development and will provide additional retail opportunities in Downtown. Staff therefore recommends approval with conditions.

FINDINGS (SDR-48856)

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 commercial uses proposed on this site are appropriate for the area, which includes primarily large hotels and offices.

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 in general conformance to the Downtown Centennial Plan, with the exception of several streetscape elements that are addressed as conditions of approval. This type of community-oriented development is encouraged by the Downtown Centennial Plan. Commercial uses are designated for this site by the General Plan.

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

Access to the site would be from Stewart Avenue and 4th Street. Circulation is two-way except for the 4th Street entrance. Vehicles may exit onto Casino Center Boulevard (right only) or Stewart Avenue. The proposed layout restricts traffic movements to the perimeter of the site and minimizes conflicts both within the site and with traffic on the adjacent streets.

Staff Report Page Nine
May 14, 2013 - Planning Commission Meeting

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

The proposed stucco, brick and fiberglass materials are similar to those used in other Downtown buildings and area appropriate for this project. Landscape materials conform to the preferred plant list of the Downtown Centennial Plan.

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 architectural features of the elevations are intended to be similar in appearance to the proposed façade improvements to the existing Binion's parking garage at 220 North Casino Center Boulevard, with a brick veneer that will also be compatible with the Mob Museum exterior. The elevations will create a pleasing environment.

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

The proposed development will be subject to permit review and inspection, thereby ensuring the public's health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

33

NOTICES MAILED 121

APPROVALS 1

PROTESTS 0