



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 11, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: SHIPPING CONTAINERS, LLC - OWNER: 707 FREMONT, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-52716	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

SDR-52716 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-45945) shall be required, if approved.
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 01/23/14, except as amended by conditions herein.
4. A Waiver from Downtown Centennial Plan – Architectural Design Standards is hereby approved, to allow “no screening of mechanical equipment from street level and surrounding building views.
5. 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.

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6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

8. Site development to comply with all applicable conditions of approval for SDR-45945 and all other applicable site-related actions.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Amendment to approved Site Development Plan Review (SDR-45945) for a Waiver to allow no screening of mechanical equipment from street level and surrounding building views at 707 Fremont Street. The applicant is proposing to deviate from the Architectural Design Standards of the Downtown Centennial Plan-Fremont East District by providing no screening of mechanical equipment from street view and surrounding buildings. The subject site has several roof-mounted cooling units and wall mounted HVAC units that are not screened from view from street level and surrounding properties. Staff recommends Denial of this request, as the proposed amendment is self-imposed and does not meet the Architectural Design Standards found in the Downtown Centennial Plan- Fremont East District

ISSUES

- Individual roof-top mounted cooling units and wall mounted HVAC mechanical equipment are not screened from street level and surrounding building views per Downtown Centennial Plan – Fremont East District design requirements

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/10/1964	The City Council approved a Rezoning (Z-0100-64) 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) for approximately 230 Acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south.
10/17/12	The City Council approved a Special Use Permit (SUP-45948) for a proposed 56,000 square-foot Tavern-Limited use and Site Development Plan Review (SDR-45945) for a related commercial development with Waivers of the Downtown Centennial Plan Design Standards on 1.29 acres at 707 Fremont Street. The Planning Commission recommended approval and staff recommended denial.
10/17/12	The City Council approved a Variance to allow an eight-foot tall front yard fence where five feet is the maximum height allowed on 1.29-acres at 707 Fremont Street. The Planning Commission recommended approval with staff recommending denial.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/17/12	A Final Map (FMP-47008) for a reversion to acreage was recorded.
10/15/13	The Downtown Design Review Committee (ARC-51396) approved a signage design for an approved commercial development at 707 Fremont Street.
09/09/13	The Planning Department approved a Site Development Plan Review (SDR-51070) for a Minor Amendment to Site Development Plan Review (SDR-45945) for revisions to the internal play area equipment on 1.29 acres at 707 Fremont Street.

<i>Most Recent Change of Ownership</i>	
03/12/12	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
05/09/12	A demolition permit (#210660) was issued by the Building and Safety Department for the demolition and removal of a motel at 707 Fremont Street.
03/21/13	A Plan Check Application (#47780) has been issued for various building permits covering the proposed retail plaza, towers, onsite improvements, and fences.
04/09/13	Plan Check Application (#49039) has been issued for the additional means and methods for submitting building permits for the proposed rail road cars.
04/23/13	Plan Check Application (#48814) has been issued for the additional building permits covering the additional retail structures and components of the approved Site Development Plan SDR-45945.
08/29/13	Plan Check Application (#50773) has been requested for the internal interactive play area. This request is under review and has not been approved
11/25/13	Plan Check Application (#51780) has been issued for five tenant improvements.
01/14/14	Plan Check Application (#51976) has been issued for the alternate means and methods for submitting building permits for a proposed grease interceptor.

<i>Pre-Application Meeting</i>	
12/05/13	A pre-application meeting was held with the applicant's representative to discuss a potential waiver to the Downtown Centennial Plan – Fremont East District Architectural Design Standards. It was determined that request would require a Major Amendment to the approved Site Development Plan Review (SDR-45945) as the requested Waiver may only be granted by City Council per the Downtown Centennial Plan Waiver and Amendment Process.

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

Field Check	
01/30/2014	During a routing field check staff found a well maintained commercial site, free from debris or litter. Roof-mounted cooling units and wall mounted HVAC units were clearly visible from street view and surrounding buildings. Infrastructure (poles) for the screening of roof-mounted mechanical equipment appears to be in place, however no screening has been done.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.29

<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, Other Than Listed and Tavern-Limited	C (Commercial)	C-2 (General Commercial)
North	Motel	C (Commercial)	C-2 (General Commercial)
South	General Retail, Other Than Listed Multi-Family Residential	MXU (Mixed Use)	C-2 (General Commercial)
East	Undeveloped	C (Commercial)	C-2 (General Commercial)
West	Parking Lot General Retail, Other Than Listed	C (Commercial)	C-2 (General Commercial)

<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	Y
Downtown Entertainment Overlay District	Y
Live/Work Overlay District	Y

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<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	Y
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
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>
Mech. Equipment	Screened	Not-Screened	N

<i>Waivers</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
All mechanical equipment shall be screened from street level and surrounding building views.	To allow no screening of mechanical equipment from street view and from surrounding buildings	Denial

ANALYSIS

Per the Downtown Centennial Plan Waiver and Amendment process, “Waivers to the Design Standards contained within the Downtown Centennial Plan may only be granted by the City Council with clear and convincing evidence for demonstrating economic hardship or to further the City’s redevelopment efforts.” A Major Amendment to the approved Site Development Plan Review (SDR-45945) is required as the proposed change to the subject property does not meet Architectural Design Standards found in the Downtown Centennial Plan- Fremont East District which state, “All mechanical equipment shall be screened from street level and surrounding building views.”

The applicant is proposing to deviate from the Architectural Design Standards design standards of the Downtown Centennial Plan-Fremont East District by providing no screening of mechanical equipment from street view and surrounding buildings. The subject site has several roof-mounted cooling units and wall mounted HVAC units that are not screened from view.

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All proposed changes accompanying this request entail not screening mechanical equipment only. There are no proposed changes in land use, the development along the perimeter, site access or development intensity. Staff recommends Denial of this request, as the proposed amendment is self-imposed and does not meet the Architectural Design Standards found in the Downtown Centennial Plan- Fremont East District and will create a undesirable appearance that is not harmonious with surrounding developments in the area.

FINDINGS MAJOR AMENDMENT TO (SDR-45945)

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 amendments to the approved Site Development Plan Review are self-imposed and will alter the proposed entertainment and retail plaza, as approved. The proposed amendments consist of a non-screening of mechanical equipment which is not compatible with adjacent development.

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 amendments to Site Development Plan Review (SDR-45945) are not consistent with the Architectural Design Standards found in the Downtown Centennial Plan- Fremont East District, as approved.

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

There are no proposed changes to the site access or circulation affiliated with this request. The proposed amendments are limited to the non-screening of mechanical equipment at the site.

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

There are no proposed changes to the building and landscape materials affiliated with this request.

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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 non-screening of mechanical equipment from street view and surrounding buildings does not meet the Architectural Design for the Downtown Centennial Plan- Fremont East District and will create a undesirable appearance that is not harmonious with compatible development in the area.

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

The proposed development is subject to permit review and inspection; therefore appropriate measure will be taken to protect the health, safety, and general welfare of the public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED

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APPROVALS

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PROTESTS

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