



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: AUGUST 14, 2018

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: JOSH EINHORN

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SDR-73908	Staff recommends APPROVAL, subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 671

PROTESTS 1

APPROVALS 0

**** CONDITIONS ****

SDR-73908 CONDITIONS

Planning

1. 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.
2. All development shall be in conformance with the site plan and building elevations, date stamped 07/30/18, except as amended by conditions herein.
3. Pursuant to Title 19 Downtown Las Vegas Overlay District Development Standards, a Waiver from Area 1 Architectural Design Standards is hereby approved to allow blank walls on the north and south elevations where expression lines and/or zones are required; to allow no arcades, awnings and canopies at the ground level where such are required; to not carry architectural details on all sides of the building where such is required; to not feature a continuous articulated cornice where such is required; and to not articulate the 6th Street entry where such is required.
4. Coordinate with the Office of Cultural Affairs to provide artwork (murals) on the north and south elevations of the proposed building.
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.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. 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.
8. All utility or mechanical equipment shall comply with the provisions of the Interim Downtown Las Vegas Development Standards, unless approved by a separate Waiver.

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9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. 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.
11. 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.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. In accordance with code requirements of Title 13.56, remove all unused driveways and substandard improvements on 6th Street and replace with new improvements meeting current Downtown Centennial Standards concurrent with development of this site, except as amended herein. 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.
14. Sewer cleanouts shall be located onsite.
15. Landscape and maintain all unimproved rights-of-way 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.
16. Submit a License Agreement for landscaping and private improvements in the 6th Street public right-of-way prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License 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

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terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right-of-way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).

17. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the "Downtown Pedestrian & Bicycle Improvements - 6th Street" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
18. Prior to the approval of Construction drawings for this site, sign a Covenant Running with Land agreement for the possible future installation of any off-site improvements per requirements of the Downtown Master Plan that are deferred by this action including undergrounding of all existing overhead utility lines adjacent to this site not placed underground with this development. 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.
19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing a mixed use development at 808 South 6th Street consisting of a five-story building that contains offices and parking on the first level and 27 for-rent one-bedroom multifamily apartments on Levels 2-5. The site currently contains a vacant office building.

ISSUES

- A Waiver of Downtown Las Vegas Overlay District (DTLV-O) Area 1 Development Standards is requested to allow blank walls on the north and south elevations where expression lines and/or zones are required; to allow no arcades, awnings and canopies at the ground level where such are required; to not carry architectural details on all sides of the building where such is required; to not feature a continuous articulated cornice where such is required; and to not articulate the 6th Street entry where such is required. Due to the unique location and design of the project, staff supports the Waiver request.
- A Reversionary Map or other appropriate mapping action is required to consolidate the two platted lots that make up this site prior to the issuance of a building permit for construction. A condition of approval has been added to address this issue.

ANALYSIS

Site development is subject to Area 1 Standards of the Downtown Las Vegas Overlay District (DTLV-O), which implements the goals and strategies of the Vision 2045 Downtown Las Vegas Masterplan. The site lies within the Civic & Business District, where it is envisioned that blighted and vacant properties be redeveloped with diverse housing products and office spaces. The goal for the urban environment is to transform this area into an activity center anchored by transit hubs with high density mixed use developments. The proposed development fulfills this goal, redeveloping a midblock property near Charleston Boulevard, a major transit corridor, into a mixed use development providing a new housing option for Downtown.

Mixed Use is a conditional use in the C-1 (Limited Commercial) zoning district. All Conditional Use Regulations can be met by the proposal. Office uses totaling 1,389 square feet are planned on the ground level with principal access to 6th Street. Rental apartments are proposed on Levels 2-5. Parking is proposed on the ground level with one way circulation from the rear alley to 6th Street.

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In order to encourage the development of a complex, visually interesting and urban walkable mixed-use environment and to encourage transit-oriented development as future transit routes and stations develop within the Downtown area, properties within Area 1 of the DTLV-O are exempt from the automatic application of the mandatory maximum building height, required building setback, maximum lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements in Title 19. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan. This project is considered "New Development" by the Area 1 Threshold Matrix in Title 19 Appendix F. As submitted, the plan meets C-1 building height requirements and DTLV-O setback and lot coverage requirements. As the site is located midblock, streetscape and underground utility requirements cannot be met at this time; the owner has agreed to sign a Covenant Running With Land agreement to defer these improvements to a future date.

The east and west elevations face the 6th Street and rear alley rights-of-way, respectively. The parcel width is legally nonconforming at 50 feet, and the adjacent parcel to the north contains a building that abuts the side property line. Given these physical challenges, the proposed building is designed as two narrow towers within which units face the interior and natural light comes from above. The second level then acts as a courtyard and patio between the two towers, which are connected by balconies on the east and west elevations. The building will cover the entire parcel.

Access to the parking level is from the rear alley. Eight angled parking spaces are provided where 28 would normally be required for mixed use developments, a 71 percent deviation. The applicant contends that the project is located in close proximity to the Regional Transportation Center and implies that residents would primarily walk or take other forms of transit besides autos to get around the area. Staff supports this analysis. Bicycle racks are provided on the parking level to support alternative modes of transportation. Automatic roll up doors are provided at the entrance and exit for safety purposes.

The provided elevations require waivers of the DTLV-O Architectural Design Standards. This is primarily due to the orientation of the residential units toward the interior of the project and the presence of an existing building at the side property line on the parcel to the north. The design anticipates that the property to the south will also eventually be redeveloped with a building that abuts the subject property, making windows impractical. Balconies at the fifth floor will be recessed from the edge of the building and will not encroach onto other properties. In lieu of providing architectural details on the north and south elevations, the applicant will provide murals for visual interest. The east and west elevations will feature patterned facades with vertical, asymmetrical metal

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mesh elements on the towers. Awnings are not provided at ground level; instead, the entryway is recessed from the edge of the sidewalk. For these reasons, staff supports the requested waivers of Architectural Design Standards.

Las Vegas Valley Water District comments include the following: “The existing parcel is currently served by LVVWD but the service does not have the required backflow prevention per NAC 445A.67195. The existing site plan does not allow for adequate space onsite for the large above-ground backflow prevention assembly for domestic and/or fire service. The backflow prevention assembly cannot be placed below ground or in a room. Recommend revising the site plan to allow for adequate spacing. Civil and plumbing plans will need to be submitted to LVVWD for domestic meter sizing, fire flow availability and backflow installation. SNWA Regional Connection Fees will be assessed on a per unit basis and all fees will be due prior to civil plan approval or building permit issuance.” The applicant has addressed these issues with the Las Vegas Valley Water District and has revised the site plan to adjust the location of the backflow preventer.

A Reversionary Map or other appropriate mapping action is required to consolidate the two platted lots that make up this site prior to the issuance of a building permit for construction. A condition of approval addresses this issue.

The proposed mixed use development is appropriate for this area and is supported by the goals and opportunities documented by the Vision 20145 Downtown Las Vegas Masterplan. The requested Waivers are related to the aesthetics created by a narrow parcel and existing zero-lot line building to the north, and are supported by staff. Therefore, staff recommends approval, subject to conditions.

FINDINGS (SDR-73908)

In order to approve a Site Development Plan Review 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;

Although the site is located midblock amidst single-story buildings, the proposed five-story mixed use development anticipates multiple story development on the adjacent parcels over time. The project is located in an area where mixed use developments are encouraged near transit corridors, and is currently adjacent to commercial uses and vertical mixed use development.

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2.The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;

Waivers of Downtown Las Vegas Overlay District Area 1 Architectural Design Standards are requested, which staff supports. The project furthers development goals for the Civic & Business District as envisioned by the Vision 2045 Downtown Las Vegas Masterplan.

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

Ingress to the site is from the rear alley between 6th Street and Las Vegas Boulevard and is restricted by an automatic roll up door. Egress from the site is to 6th Street. Design of the access should not negatively impact traffic flow in the area.

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

Building materials include painted stucco facades, metal balcony railings and metallic mesh design elements that are appropriate for the Downtown area. As the building occupies the entire site, there is no onsite landscaping and no streetscape planned at this time.

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 provided building elevations do not carry architectural details or features on all sides or contain articulation at the street frontage or on the east and west sides. However, until buildings are eventually constructed on either side of the subject site, the facades will be covered by murals that will provide visual interest and an aesthetically pleasing environment.

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

Development of the site is subject to building permit review and inspection, thereby protecting the public health, safety and general welfare.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
There are no relevant City actions with regard to this site.	

<i>Most Recent Change of Ownership</i>	
03/30/18	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
1935	The existing building at 808 South 6th Street was constructed.
Pre-1991	A business license (P50-01604) was issued for a law firm at 808 South 6th Street. The license was marked out of business on 12/28/16.
12/16/93	A building permit (#93212302) was issued for two 12-foot by 14-foot storage sheds at 808 South 6th Street. A final inspection was completed 02/24/94.

<i>Pre-Application Meeting</i>	
06/12/18	A pre-application meeting was held with the applicant to discuss submittal requirements for a Site Development Plan Review for a mixed-use development.

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

<i>Field Check</i>	
07/03/18	The site contains a vacant professional office building with access from 6 th Street and a rear alley. There is no setback between this building and the adjacent building to the north.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.16

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<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	Office, Other Than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Office, Other Than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
South	Office, Other Than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
East	Office, Other Than Listed	C (Commercial)	R-4 (High Density Residential)
			P-R (Professional Office and Parking)
West	Mixed Use	MXU (Mixed Use)	C-2 (General Commercial)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
DTLV-O (Downtown Las Vegas Overlay) District – Area 1	Y
LW-O (Live/Work Overlay) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

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DEVELOPMENT STANDARDS

Pursuant to Title 19.08 and Title 19 Appendix F (Downtown Las Vegas Overlay District Development Standards), the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	7,000 SF	N/A
Min. Lot Width	100 Feet	50 Feet	N*
Min. Setbacks			
• Front	70% alignment along PL	100%	Y
• Side	0 Feet	0 Feet	Y
• Rear	0 Feet	0 Feet	Y
Max. Lot Coverage	N/A	100 %	N/A
Max. Building Height	N/A	5 Stories/74 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis (1 st level)	Y
Mech. Equipment/ Utilities	Screened, within building footprint	Screened (1 st level)	Y

*The subject parcel is legally nonconforming.

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
6th Street	Major Collector	Master Plan of Streets and Highways Map	60	N

Streetscape Standards	Required	Provided	Compliance
6 th Street (North-South Street)	10-foot sidewalk	Existing 15-foot sidewalk	Y
	5-foot amenity zone	No amenity zone	N*
	25-foot tall Deglet-Noor date palms or similar, spaced at 30-foot increments	No street trees	N*

*The property occupies less than 50% of the block frontage; the applicant will sign a Covenant Running With Land agreement for future installation of the required offsite improvements per DTLV-O Area 1 Streetscape Standards.

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Pursuant to Title 19.08 and 19.12, the following parking standards apply:

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	
Multi-Family Residential (Studio/1 BR)	27 units	1.25 spaces/unit	34				
Guest Spaces	27 units	1 space/6 units	5				
Office, Other Than Listed	1,389 SF	1 space per 300 SF GFA	5				
TOTAL SPACES REQUIRED			44		8		N
Regular and Handicap Spaces Required			42	2	7	1	N

Projects located within the Downtown Las Vegas Overlay - Area 1 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 applicant has the option of using the Mixed-Use Development Alternative Parking Requirement found in Table 2 of Title 19.18.030(D). As illustrated by the table below, fewer spaces are required using the alternative requirement than with standard Title 19.12 requirements.

Mixed Use Alternative	Parking Ratio	Mid-7am	Mid-7am	7am-6pm	7am-6pm	6pm-Mid	6pm-Mid
Office & Professional	1 space per 300 SF GFA	5%	0.23	100%	4.63	5%	0.23
Retail & Personal Services	1 space per 175 SF GFA	0%		100%		80%	
Residential	1.25 spaces per unit	100%	33.75	55%	18.56	85%	28.69
Residential – Guest Parking	1 space per 6 units	100%	4.50	55%	2.48	85%	3.83
Restaurant	1 space per 50 SF	50%		70%		100%	
Hotel	1 space per unit	100%		65%		90%	
Entertainment	1 space per 200 SF GFA	0%		70%		100%	

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Mixed Use Alternative	Parking Ratio	Mid-7am	Mid-7am	7am-6pm	7am-6pm	6pm-Mid	6pm-Mid
WEEKDAY			39		26		33
Office & Professional	1 space per 300 SF GFA	0%	0	60%	2.78	10%	0.46
Retail & Personal Services	1 space per 175 SF GFA	0%		100%		60%	
Residential	1.25 spaces per unit	100%	33.75	65%	21.94	75%	25.31
Residential – Guest Parking	1 space per 6 units	100%	4.50	65%	2.93	75%	3.38
Restaurant	1 space per 50 SF	45%		70%		100%	
Hotel	1 space per unit	100%		65%		80%	
Entertainment	1 space per 200 SF GFA	5%		70%		100%	
WEEKEND			39		28		30

At most, 39 spaces are required for the proposed development using this method.

Waivers		
Requirement	Request	Staff Recommendation
Extensions of more than 10' of blank, expressionless walls at the street level shall be prohibited	To allow blank, windowless walls on the north and south elevations of the building	Approval
Provision of arcades, awnings and canopies on the ground level	To allow no arcades, awnings and canopies	Approval
Architectural details shall be carried on all sides of the building	To allow no architectural details on the north and south sides of the building	Approval
Buildings shall feature a continuous articulated cornice on all sides	To allow articulation on the east and west sides of the building only	Approval
The main entry shall be articulated through changes in plane, colors and detailing	To allow no articulation at the 6 th Street entry	Approval