



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: AUGUST 14, 2018

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: BRIDALVEIL, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SDR-73885	Staff recommends DENIAL, if approved subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 34

NOTICES MAILED 463

PROTESTS 2

APPROVALS 0

**** CONDITIONS ****

SDR-73885 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, landscape plan, and building elevations, date stamped 08/01/18, except as amended by conditions herein.
3. A Waiver from Downtown Las Vegas Overlay architectural design development standards is hereby approved, to allow no arcades, awnings or canopies on the ground level of the development.
4. A Waiver from Downtown Las Vegas Overlay setback development standards is hereby approved, to allow the proposed structure to align with 60 percent of the corner yard property line where 70 percent is the minimum allowed.
5. A Waiver from Downtown Las Vegas Overlay development standards is hereby approved, to allow a six-foot tall front yard wall where five feet is the maximum allowed and to allow a 11-foot perimeter wall where eight feet is the maximum allowed.
6. 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.
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
8. 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.
9. All utility or mechanical equipment shall comply with the provisions of the Downtown Centennial Plan, unless approved by a separate Waiver.

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10. 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.
11. 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.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Las Vegas Boulevard adjacent to this site and dedicate a 10-foot radius on the northeast corner of Las Vegas Boulevard South and Hoover Avenue prior to the issuance of any permits.
14. Correct all American's with Disabilities Act (ADA) deficiencies, if any, on the sidewalk along Las Vegas Boulevard South and Hoover Avenue adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site.
15. Landscape and maintain all unimproved right-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 Las Vegas Boulevard South and Hoover Avenue rights-of-way, if any, prior to the 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 within the public right-of-way at the applicant's expense pursuant to the 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).

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17. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the City of Las Vegas Capital Projects Management "Las Vegas Boulevard Improvement Project, Stewart Avenue to Sahara Avenue" project, and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

18. 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, whichever may occur first. Provide and improve all drainage ways as recommended.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 3,692 square-foot Wedding Chapel building at 827 South Las Vegas Boulevard.

ISSUES

- The subject property is located within the Civic & Business District – Area 1 and is subject to the development standards outlined in the Interim Downtown Las Vegas Development Standards (Appendix F).
- Within Civic & Business District of the Downtown Las Vegas Overlay, a Wedding Chapel land use is permitted in the C-2 (General Commercial) zoning district.
- A Waiver of architectural design development standards has been requested to allow no arcades, awnings or canopies on the ground level of the development.
- A Waiver has been requested to allow the proposed structure to align with 60 percent of the corner yard property line where 70 percent is the minimum allowed. Staff does not support this request.
- A Waiver has been requested to allow a six-foot tall front yard wall where five feet is the maximum allowed and to allow a 11-foot perimeter wall where eight feet is the maximum allowed. Staff does not support this request.

ANALYSIS

This project is located on the northeast corner of Las Vegas Boulevard and Hoover Avenue in the Downtown Las Vegas Overlay – Civic & Business District. The applicant proposes to construct a one-story 3,692 square-foot wedding chapel, with an associated front entry courtyard and permanent parking lot area. The subject site has a zoning designation of C-2 (General Commercial), which allows the proposed Wedding Chapel as a permitted land use.

The overall site consists of one 0.24 acre parcel. Vehicular access is provided via Hoover Avenue on the southern perimeter of the subject site, which provides ingress and egress to a permanent parking lot on the rear of the building which is screened by a combination of landscaping and ornamental fencing. The primary pedestrian access to the building is located on the eastern perimeter of the site through a front entry courtyard adjacent to the parking lot area.

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Per the submitted Site Plan there are portions of the building façade which are approximately three feet to five feet from the corner property line on the south perimeter of the structure, which is approximately 60% of the overall building façade. Minor deviations from this requirement, not to exceed a distance of five (5) feet from the property line, are allowed and will be reviewed by Staff on a case-by-case basis upon verification of special and unique conditions applicable to a specific lot or structures. The applicant has requested a waiver of Downtown Las Vegas Overlay architectural corner side yard setback development standards to allow this deviation

The submitted site plan indicates the proposed development will provide eight parking spaces, including one van-accessible ADA parking space in the rear of the site, which meets Title 19.12 parking requirements for a Wedding Chapel with a proposed 713 square-foot assembly area. Per Appendix F Interim Downtown Las Vegas Permanent Parking Lot development standards 10 square feet of interior parking lot landscaping is required per parking space. The submitted drawings indicate that seven parking lot spaces, excluding the one provided van-accessible ADA parking space will be covered parking spaces located behind a nine-foot sliding wrought iron gate, so no permanent parking lot landscaping is required for those seven spaces. However, approximately 80 square feet of landscaping has been provided adjacent to the van-accessible parking space adjacent to Hoover Avenue, which meet permanent parking lot landscaping requirements.

Streetscapes in conformance with the Interim Downtown Las Vegas Streetscape Standards have been provided along Las Vegas Boulevard. The submitted drawings indicate that a seven-foot, five-inch wide area adjacent to Las Vegas Boulevard will be dedicated to the City for future streetscape improvements. This proposed dedication will provide the required 15-foot wide streetscape, with a ten-foot sidewalk and five-foot amenity zone. However, on Hoover Avenue streetscape development standards have not been met with regard to the required 10-foot width of the sidewalk and five-foot width of the amenity zone area. The submitted drawings indicate that the streetscape will be a total of 12 feet, 11 inches; with a 3.91-foot wide amenity zone and nine-foot wide sidewalk. However, the subject site qualifies as a partial block frontage as outlined in the Interim Downtown Las Vegas Development Standards Threshold document, which indicates any streetscape not implemented due to existing conditions will require a Covenant Running with Land to obtain property owner's consent for future improvements, including the required alleyway treatments. Staff has included a condition of approval requiring the covenant.

The submitted landscape plan indicates that two 25-foot tall Mexican Fan palm trees at 30-foot intervals will be provided along Las Vegas Boulevard with three 36" box Chilean Mesquite trees provided along Hoover Avenue at 20-foot intervals, which meets the Interim Downtown Las Vegas Development Standards.

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The submitted drawings depict a one-story, 44.16-foot tall wedding chapel structure measured to the top of the steeple. The building elevations indicate the building will be constructed with a grey cement board building facade with metal roof shingles. The proposed building elevations have been designed with articulated roof lines. However, the applicant has requested a waiver of architectural design development standards to allow no arcades, awnings or canopies on the ground level of the development.

In addition, the submitted drawings indicate that a six-foot tall wall has been proposed along a portion the front property line adjacent to Las Vegas Boulevard, where five feet is the maximum allowed in the front yard area. Also, on the southern and eastern perimeter of the site adjacent to Hoover Avenue and the alleyway the wall height increases to 9 feet and 10 feet, two-inches respectively, where eight feet is the maximum allowed. The applicant has requested a waiver to allow a six-foot tall front yard wall where five feet is the maximum allowed and to allow a 11-foot perimeter wall where eight feet is the maximum allowed.

As the proposed development is inconsistent with Downtown Las Vegas Overlay development standards pertaining to the architectural design, setbacks and wall height staff recommends denial of the proposed Site Development Plan Review request.

FINDINGS (SDR-73885)

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;

The proposed wedding chapel development is not compatible with the adjacent commercial developments in the area as evidenced by the required waivers of the Downtown Las Vegas Overlay development standards pertaining to architectural design, setbacks and wall height.

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

The proposed wedding chapel development does not comply with established Downtown Las Vegas Overlay development standards pertaining to architectural design, setbacks and wall height as evidenced by the requested waivers.

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

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Site access is provided from Hoover Avenue, a 80-foot Major Collector and Las Vegas Boulevard a 80-foot Primary Arterial Street as designated in the Master Plan of Streets and Highways. These streets are sufficient in size to accommodate the needs of the proposed use.

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

The building will be constructed with a grey cement board building facade with metal roof shingles, which are appropriate for this area of the city.

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 have been designed with articulated roof lines. However, the proposed development requires waivers or architectural design development standards to allow no arcades, awnings or canopies on the ground level of the development. Staff does not support the requested architectural design waiver.

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 measures will be taken to protect the health, safety and general welfare.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
05/21/14	The City Council approved Text Amendment (TXT-52502) to amend LVMC Chapter 19.12 related to Permitted Uses and Chapter 19.18 related to Definitions and Measures to add Medical Marijuana Dispensaries, Facilities for the Production of Edible Marijuana Products or Marijuana Infused Products and Marijuana Cultivation Facilities as permissible uses by adding zoning district applicability, descriptions and definitions for these activities as they are contemplated by SB 374 of the Nevada Revised Statues and to provide for other related matters. Ordinance No. 6321.

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Related Relevant City Actions by Planning, Fire, Bldg., etc	
06/04/14	The City Council approved Text Amendment (TXT-52502) to amend Las Vegas Municipal Code Title 6 to implement licensing regulations related to facilities for the production of edible marijuana products or marijuana-infused products, medical marijuana dispensaries, medical marijuana cultivation facilities, and independent testing laboratories, collectively referred to as medical marijuana establishments, in conformance with the intent of SB 374 of the 2013 session of the Nevada Legislature and to provide for other related matters. Ordinance 6324.
09/16/14	The Downtown Design Review Committee reviewed the building elevations and signage for the proposed Medical Marijuana Dispensary.
10/29/14	The City Council denied a request for a Special Use Permit (SUP-55316) for a proposed 4,250 square-foot Medical Marijuana Dispensary at 827 South Las Vegas Boulevard, Suite A. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
09/29/17	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
1951	The existing building was constructed.

Pre-Application Meeting	
06/11/18	A Pre-Application meeting was conducted with the applicant to review the application materials and submittal requirements for a Site Development Plan Review for a proposed wedding chapel development.

Neighborhood Meeting	
A Neighborhood meeting was not required, nor was one held.	

Field Check	
07/03/18	Staff conducted a routine site visit and found the subject site to be currently developed with a well maintained commercial structure.

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Details of Application Request	
Site Area	
Net Acres	0.24

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Wedding Chapel/Banquet Facility	MXU (Mixed Use)	C-2 (General Commercial)
North	Office, Other than Listed	MXU (Mixed Use)	C-2 (General Commercial)
South	Parking Lot	MXU (Mixed Use)	C-2 (General Commercial)
East	Undeveloped	MXU (Mixed Use)	C-1 (Limited Commercial)
West	Office, Other than Listed	MXU (Mixed Use)	C-2 (General Commercial)

Master and Neighborhood Plan Areas	Compliance
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	Compliance
DLV-O (Downtown Las Vegas Overlay) District – Area 1 (Civic and Business District)	*N
LW-O (Live/Work Overlay) District	Y
SB-O (Las Vegas Boulevard Scenic Byway Overlay) District	Y
Other Plans or Special Requirements	Compliance
Trails	Y
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

* The applicant has requested waivers of Downtown Las Vegas Overlay architectural design, corner side yard setback and to allow a six-foot tall front yard wall where five feet is the maximum allowed and to allow a 11-foot perimeter wall where eight feet is the maximum allowed.

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DEVELOPMENT STANDARDS

Pursuant to Interim Downtown Las Vegas Development Standards, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks <ul style="list-style-type: none"> • Front • Corner Side • Side (North) • Rear 	70% along Property Line 70% along Property Line N/A N/A	100% 60% 0 Feet 69 Feet	*Y **N Y Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	By Condition

* Per the submitted Site Plan there are portions of the building façade which are approximately three feet from the front property line on the southwest perimeter of the structure. Minor deviations from this requirement, not to exceed a distance of five (5) feet from the property line, are allowed and will be reviewed by Staff on a case-by-case basis upon verification of special and unique conditions applicable to a specific lot or structures.

** Per the submitted Site Plan there are portions of the building façade which are approximately three feet to five feet from the corner property line on the south perimeter of the structure, which is approximately 60% of the overall building façade. Minor deviations from this requirement, not to exceed a distance of five (5) feet from the property line, are allowed and will be reviewed by Staff on a case-by-case basis upon verification of special and unique conditions applicable to a specific lot or structures.

Pursuant to Title 19.08.080, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Max. Wall/Fence Heights <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	5 Feet 8 Feet 8 Feet 8 Feet	6 Feet 9 Feet 9 Feet 10.16 Feet	*N *N *N *N

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Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Las Vegas Boulevard	Primary Arterial	Master Plan of Streets & Highways	80	Y
Hoover Avenue	Collector Street	Master Plan of Streets & Highways	80	Y

Pursuant to the Interim Downtown Las Vegas Development Standards, the following is required:

Streetscape Standards	Required	Provided	Compliance
Hoover Street (east/west street)	5' amenity zone	3.91' amenity zone	*Y
	10' sidewalk	9' sidewalk	*Y
	Sidewalk amenities	Not indicated	By condition
	Street trees 36" box shade at 20' intervals	Three 36" box shade trees	Y
Las Vegas Boulevard (north/south street)	5' amenity zone	5' amenity zone	Y
	10' sidewalk	10' sidewalk	Y
	Sidewalk amenities	Not indicated	By condition
	Deglet-Noor Date Palms or similar type palms, 25 feet tall at 30' intervals	Two 25-foot tall Mexican Fam Palm trees at 30' interval	Y

**Per the Interim Downtown Las Vegas Development Standards (Appendix F) - Threshold Document the subject site qualifies as a partial block frontage any streetscape not implemented due to existing conditions will require a Covenant Running with Land to obtain property owner's consent for future improvements.*

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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
Wedding Chapel	3,692 SF (713 SF assembly area)	1:150 SF of principal assembly space	5				
TOTAL SPACES REQUIRED			5		8		Y
Regular and Handicap Spaces Required			4	1	7	1	Y

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.

Waivers		
Requirement	Request	Staff Recommendation
70% of the first story façade shall align along the corner property line	To allow 60% of the corner side building façade to align with the property line where 70% is required.	Denial
The use of arcades, awnings and canopies on the ground floor of a building is required unless waived by City Council.	To allow no arcades, awnings or canopies on the ground level of the development.	Denial
In the front yard area a wall/fences are limited to a maximum of five feet with a two-foot solid base; with perimeter walls limited to eight feet in height.	To allow a six-foot tall front yard wall where five feet is the maximum allowed and to allow a 11-foot perimeter wall where eight feet is the maximum allowed.	Denial