



City of Las Vegas

Agenda Item No.: 79.

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: SEPTEMBER 12, 2017

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD ACTING

☐ Consent ☒ Discussion

SUBJECT:

TXT-66412 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on Ordinance to remove and replace the Downtown Centennial Plan with the Interim Downtown Las Vegas Urban Form Standards and amend LVMC Title 19 as applicable, and ordinance for other related matters. Staff recommends APPROVAL.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Proposed Amendments and Staff Report
2. Exhibit A - Figure 1 - Vision 2045 Downtown Las Vegas Masterplan Districts Map
3. Exhibit B - Interim Downtown Las Vegas Urban Form Standards
4. Exhibit C - Figure 2 - Areas within the Downtown Las Vegas Overlay
5. Submitted at Meeting - PowerPoint Presentation by Staff

Motion made by CHRISTINA ROUSH to Hold in abeyance to 10/10/2017

Passed For: 6; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0

DONNA TOUSSAINT, CEDRIC CREAR, VICKI QUINN, TRINITY HAVEN
SCHLOTTMAN, CHRISTINA ROUSH, LOUIS DE SALVIO; (Against-SAM CHERRY);
(Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR SCHLOTTMAN called this matter forward to be heard after Item 78, which was also called forward after Item 6, and declared the Public Hearing open.

MICHAEL HOWE, Urban Design Coordinator, and LORENZO MASTINO, Planner I, shared in making a PowerPoint presentation, a copy of which was submitted for the record. MR. HOWE commented that one year ago the City approved the Vision 2045 Downtown Las Vegas Master Plan, which includes an expansion to grow the downtown plan area. As such, gaps were observed to Title 19 that needed to be addressed, which is what TXT-66412 accomplishes. One of the two objectives is to bring the expanded Downtown Master Plan development standards in

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line with the Vision 2045 Downtown Las Vegas Master Plan. This will be accomplished in part by removing and replacing the Downtown Centennial Plan, given that it only covers a portion of the updated Master Plan, including the Medical, Historic Westside and Founders Districts, which currently fall under Title 19. This created an issue in the suburban code that includes development standards that do not meet the vision and goals of the new Master Plan. The updated standards and processes, etc., will remain consistent with the old Downtown Centennial Master Plan, but will allow a gateway into new expansion areas by providing an avenue for streamline development. This means a developer can propose a development in spirit with the Master Plan and staff can have a way to navigate how to apply the development standards to the proposed project. The second objective will set the framework for adoption of Urban Form Zoning Districts, which are a component of the Urban Form Code, which was one of the priorities in the Downtown Master Plan.

MR. HOWE continued with a PowerPoint slide regarding the Method for the Interim Downtown Las Vegas Urban Form Standards, which fall in line with the customary Downtown Centennial Master Plan, while adding key language in TXT-66412 to indicate how to navigate through the Medical, Founders and Historic Westside Districts as new projects start coming in.

MR. MASTINO showed the map slide of the PowerPoint depicting the boundaries of the new Downtown Overlay area which is significantly larger. He pointed out that the language update in TXT-66412 reduces the area in which sexually oriented businesses are allowed to operate. The update also replaces the reference to the Downtown Centennial Plan with references to the Interim Downtown Las Vegas Urban Form Standards. He showed and explained the map of the expanded boundaries in Areas 1, 2 and 3. Given that the Downtown Centennial Plan was adopted 17 years ago, there were significant changes in Area 1. Area 2 includes areas in downtown that fall under and will remain under Title 19. Parts of Area 3 will have assigned Urban Form Zoning standards, which is the mechanism through which special areas in the future can be included.

Additional overall changes consist of maps and graphics for certain standards, as well as consolidation of the existing Downtown Centennial Plan Overlay standards specific to each district into one set of standards for all of Area 1, which is the core of the downtown.

The new waiver process is valid for older areas in the Downtown Las Vegas Overlay that will further the goals of the Downtown Master Plan. The text and graphics related to the different districts were updated and some of the language regarding outdoor dining was consolidated as well. The Downtown Alley Design Guidebook in the Alley Section was added to the Plan. Other changes include shade trees being placed at 20-foot intervals.

MR. MASTINO concluded with reading the Next Steps slide, which will require City Council approval of the Interim Downtown Las Vegas Urban Form Standards by ordinance.

MIKE GANSON, John S. Park Neighborhood resident, said the residential communities should be made walkable, and the John S. Park Neighborhood should be considered.

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BRUCE SOARES, Las Vegas resident, questioned potential plans for West Las Vegas, which he feels has a lot of underutilized land. MR. HOWE answered that one of the key concepts is to identify the existing landmarks and build the code around them. Since there are so many developable lots and key landmarks, it would be more appropriate to build the code around the neighborhoods, streets and sidewalks in place, and to recognize all future development follows the context of the existing neighborhood. In essence, future development will follow in the spirit of the existing neighborhood.

Regarding the area bounded by Washington Avenue, Main Street, Owens Avenue and A Street, MR. SOARES mentioned that it is not historical but is available, yet very little development action seems to be taking place in the area and is mostly being used by squatters.

COMMISSIONER CHERRY thanked staff for the presentation and said this is needed to help the transition to the final plan. He questioned Section 14 regarding sexually oriented businesses, and MR. HOWE replied that the standards currently in the Downtown Centennial Plan will remain but as part of Area 1, because the Downtown Centennial Plan is being removed. He indicated to COMMISSIONER CHERRY that enlargement of sexually oriented businesses will not be permitted in Area 1, just like it was not permitted in the Downtown Centennial Plan. ROBERT SUMMERFIELD, Acting Planning Director, clarified that there are two exceptions to the sexually oriented businesses land use that will allow for expansion, enlargement or alteration. A nude show and an adult emporium, if within the Downtown Centennial Plan boundary and not considered conforming uses, are allowed to expand, and the businesses on an existing parcel can be modified. New language was added to Area 1 in order to continue to confine alteration of nonconforming sexually oriented businesses.

COMMISSIONER CHERRY was confused and recalled an application that was not allowed to come forward for expansion until there was an ordinance change. MR. SUMMERFIELD explained that an ordinance to allow alterations of adult emporiums was adopted within the last 60 days. Prior to that, an application could not even be submitted. The nude shows ordinance allowing modifications has been in place for about two years. These ordinances are part of Title 19.

CHAIR SCHLOTTMAN discussed with MR. SUMMERFIELD that the new language does not allow more than what was previously approved by the City Council. The complete context of the respective code section does now allow any more than what is currently allowed. This presentation only addresses the way the boundary is changing for inclusion to Area 1. The language could not be stricken, and this section had to be added, regardless of the ordinance that was adopted, because the names and boundaries are changing, and the current overlay is being eliminated. The respective code section will include the new language for enforcement purposes.

COMMISSIONER ROUSH was concerned about not having the opportunity to review the document and all the changes. She was not happy about some sexually oriented businesses being allowed to expand. With 53 pages of changes, she would be more comfortable if this matter were held in abeyance. These are huge changes to the way the Planning Commissioners are used to

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looking at zoning and planning and includes more of an architectural system. COMMISSIONER QUINN agreed with COMMISSIONER ROUSH, adding that she did not have the opportunity to even review the agenda until Monday, 9/11/2017, due to her accident. She did not feel prepared to vote on this matter.

COMMISSIONER CREAR understood the concept, but he would appreciate more specifics on how it ties into plans for specific areas and how it will affect certain communities, in particular the West Las Vegas community.

MR. HOWE clarified that this is only a preliminary step to address the existing Centennial Plan and the expansion of the new areas that fall under Title 19. There are no Urban Form Zoning regulations being introduced at this time. The areas that do not fall in the Centennial Plan are under Title 19 and staying consistent with the standards. He explained that if a development project is in compliance with Title 19 in the Cashman, Founders or Medical Districts, more than likely it does not support the Vision 2045 Downtown Master Plan, which is a more driven code. The Interim Downtown Las Vegas Urban Form Standards keeps the Centennial Plan as it exists and allows a waiver avenue for those areas in Title 19 instead of having to obtain variances. It does not introduce new driven code, which will enter a separate process.

CHAIR SCHLOTTMAN understood the concerns. He attended many meetings regarding the Urban Form Base Code, which takes away the uses. The design standards are closely aligned with the Downtown Centennial Plan. He liked that if a project complies with the Urban Form Standards it does not have to be considered by the Planning Commission and the City Council. However, he asked about parking screening requirements under Area 1, Parking and Related Standards. MR. HOWE explained that the requirements are not being eliminated but will require a waiver process. The Chair said he was under the impression they would not be required, stating that the required green fences are hideous and should not be required. MR. HOWE said although the language for the aforementioned specific design has been removed, there is still a requirement for screening. CHAIR SCHLOTTMAN asked why a screen is needed in downtown between the parking lot and a sidewalk if there is required landscaping, to which MR. HOWE replied that it is designed to provide a buffer and additional layers to soften the assumption of a car heading in the direction of a person.

CHAIR SCHLOTTMAN asked if this requirement could be eliminated and removed. MR. SUMMERFIELD said that any action by the Planning Commission is a recommendation to the City Council and had the discretion to act on this with modifications.

Regarding streetscape standards, CHAIR SCHLOTTMAN recommended not requiring date palm trees in areas where the goal is to create a pedestrian friendly environment, adding that shade trees would be a better fit. MR. SUMMERFIELD explained that this document is a transcription of the Centennial Plan with the intent of making a technical fix to address the fact that the Downtown Master Plan encompasses a larger area than the original Centennial Plan. Other than a few corrections, it is not the intent of Planning to make significant changes. As the individual districts are considered, all the aforementioned elements, such as fencing, screening,

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street trees, etc., will be addressed more specifically. This document serves as a bridge to get to where the City would like to be; it is not the final document, which will require the neighborhoods input. Nevertheless, any recommendations by the Planning Commission will be reviewed by staff.

CHAIR SCHLOTTMAN appreciated MR. SUMMERFIELD'S comments, but felt that the document includes a lot of changes and suggested discussing the individual districts before the Planning Commission. MR. SUMMERFIELD remarked that staff is working with the consultant to build the districts. The City Council has set the Medical District as the priority, followed by the Arts District, Fremont East and the Bonanza Corridor of the Historic Westside District, and staff is addressing these areas. Because there is ongoing development in these areas, staff is trying to address the needs of developers who want to build in compliance with the downtown vision but are not permitted under the rules. This document will address that and not hold developers back.

CHAIR SCHLOTTMAN appreciated staff's work. He was hoping certain requirements, such as Centennial fencing, would have been eliminated. However, he conceded that people might just have to obtain a waiver.

COMMISSIONER CHERRY verified with MR. SUMMERFIELD that this document essentially strikes the Downtown Centennial Plan and replaces it with a new name. MR. SUMMERFIELD added that the Downtown Centennial Plan is being replaced with a new overlay and the standards in Area 1, which is the Downtown Centennial Plan, will remain. There are minor adjustments in the standards, such as the parking lot screening requirements, will no longer require a fence but rather screening of surface parking areas against sidewalks, but not any substantive adjustments to sexually oriented businesses, only what was recently adopted in the ordinance.

COMMISSIONER ROUSH reiterated her concern with this enormous document that she regarded as an addition to the Downtown Centennial Plan. MR. SUMMERFIELD explained that the document includes the line adjustments that are needed in order to repeal the Downtown Centennial Plan. It is intended as a technical fix that replaces an outdated document with the same standards for Area 1 and provides additional guidance as to how to treat the expansion areas when there is development that does not conform to Title 19. A waiver would then have to be requested. COMMISSIONER ROUSH emphasized her confusion, despite 25 years of experience. Therefore, she reiterated her preference to hold this matter in abeyance. She did not feel comfortable having two concurrent codes.

MR. SUMMERFIELD asked MR. HOWE if holding this in abeyance would impact the timeline. MR. HOWE apologized for confusing the Commissioners. He said the document works independently, but at some point the overlay has to be fixed. The biggest hurdle is that any projects underway will have to proceed with variances for anything that does not meet the standard vision. He emphasized that it is an interim document to help get to a final plan. He was not opposed to holding this matter.

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COMMISSIONER CREAR agreed that there is a lot of confusion and felt the Commissioners should better understand the document before voting up or down. Without understanding the document, he would have to abstain. MR. SUMMERFIELD offered to set up briefings.

COMMISSIONER ROUSH motioned for denial and then realized she wanted to motion for abeyance.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

