



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 11, 2018
 DEPARTMENT: PLANNING
 ITEM DESCRIPTION: APPLICANT: LVMC DEVELOPMENT, LLC - OWNER: CITY OF LAS VEGAS

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SDR-74816	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 36

NOTICES MAILED 520

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

SDR-74816 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 10/23/18, except as amended by conditions herein.
3. The following Waivers from Title 19 Appendix F Development Standards are hereby approved:
 - a. To allow a five-foot amenity zone and a 7-foot wide sidewalk along a portion of Transit Station Street.
 - b. To allow zero percent of the first story façade to be located at the property line adjacent to the entirety of Transit Station Street (south and east property lines).
 - c. To allow a loading dock and trash enclosure located at the Transit Station Street frontage and to allow them to be partially screened from public view.
 - d. To allow above ground utility vaults along the frontage of Transit Station Street. Utilities shall not encroach into the public sidewalk.
 - e. To allow more than 10 feet of blank expressionless walls along the Transit Station Street and 1st Street frontages.
 - f. To allow no arcades, awnings or canopies on the ground floor along the Transit Station Street and 1st Street frontages.
4. Coordinate with the Department of Planning at the time of civil/building plan submittal to discuss options to mitigate the visual impacts of any above ground utility vaults.
5. A minor deviation from Title 19 Appendix F Development Standards is hereby approved to allow approximately 73 percent of the building façade along 1st Street to be located within two feet of the property line.

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6. All mechanical equipment shall be screened per Title 19 Appendix F Development Standards.
7. 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.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
9. 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.
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. Please coordinate with the Department of Planning at the time of building plan submittal do discuss the appropriate species of street trees to be utilized.
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. The applicant shall coordinate with the Post Entitlement Approval Conference (PEAC) team at (702) 229-6853 to coordinate preliminary building and civil plan reviews for this project.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Unless otherwise allowed by the City Engineer, dedicate a 10-foot radius on the northeast corner of Bonneville Avenue and First Street, a 10-foot radius at the southeast corner of Clark Avenue and First Street, and a 10-foot radius at the southwest corner of Clark Avenue and Transit Station Street prior to the issuance of any permits.

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15. Unless otherwise allowed by the City Engineer, construct sidewalk improvements on Clark Avenue and Transit Station Street meeting Downtown Masterplan Standards concurrent with development of this site.
16. Correct all American's with Disabilities Act (ADA) deficiencies on the sidewalks and remove all unused driveways adjacent to this site in accordance with code requirements of Title 13.56.040, if any, to the satisfaction of the City Engineer concurrent with development of this site.
17. Connect to the 24-inch public sewer in Clark Avenue at a depth and location acceptable to the Sanitary Sewer Section of the Department of Public Works concurrent with development.
18. 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.
19. 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, whichever may occur first. 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.
20. 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 request is for a 138,943 square-foot government facility at the southeast corner of Clark Avenue and 1st Street. The proposed building will be utilized as the Municipal Court for the City of Las Vegas.

ISSUES

- The Site Development Plan Review request is for a 138,943 square-foot government building for use as the City of Las Vegas Municipal Court. Staff recommends approval of the request.
- Six waivers from Title 19 Appendix F development standards have been requested and are discussed in detail within this report. Staff recommends approval of all waiver requests.
- A minor deviation from standards has been requested to allow approximately 73 percent of the building façade along 1st Street to be located within two feet of the property line where 70 percent of the building façade is required to be located at the property line. Staff recommends approval of the minor deviation request.

ANALYSIS

The request is for a 138,943 square-foot government facility at the southeast corner of Clark Avenue and 1st Street. The proposed building will be utilized as the City of Las Vegas Municipal Court and it is expected that it will meet LEED Silver requirements. The subject site is located within the Civic and Business District of the 2045 Downtown Master Plan and the Downtown Las Vegas Overlay District (DTLV-O). The site is within Area 1 of the DTLV-O, and Title 19 Appendix F development standards apply.

The floor plans indicate a below grade parking garage, and five above grade floors that will be utilized for courtrooms, office space, and other court related functions. Thirty-five secure parking spaces will be provided for court personnel on the basement level. Title 19 Appendix F development standards do not require the automatic application of parking standards; however, 463 spaces would typically be required for a similar development outside of the DTLV-O. While no public parking is being provided, it is expected that

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court visitors will utilize either surrounding on-street parking spaces, or the City Hall Parking Garage located on Main Street. In addition, the site is located in close proximity to the Bonneville Transit Center, which allows for easy access for those using public transit. The secure parking garage will receive access via a drive from 1st Street.

Title 19 Appendix F development standards require that 70 percent of the first story façade align along the front and corner side property lines. While the main entrance to the building is located on Clark Avenue, Title 19 dictates that the front yard of the site be designated by the narrowest portion of the site fronting a public street. The physical “front” of the building is located adjacent to Clark Avenue and adheres Appendix F front yard build-to requirements; however, the unique shape of the site results in this area being designated as the rear yard, so the build-to requirements do not apply at this location. The southern portion of the site located along Transit Station Street is considered the front yard, even though it is the physical “rear” of the building.

Along the front yard and corner-side yard adjacent to Transit Station Street, zero percent of the building façade is located on the property line where 70 percent is the minimum required. Waivers have been requested to provide relief from build-to requirements along the entirety of Transit Station Street (south and east property lines). The provided setbacks along the corner side yard adjacent to Transit Station Street (east property line) will allow for the installation of additional streetscape improvements. The provided setback within the front yard adjacent to Transit Station Street (south property line) will allow for loading zones, trash enclosure, and a designated on-site utility location. The narrowness of the subject site creates site development constraints and other unique circumstances, and staff recommends approval of the waiver requests.

Along 1st Street, approximately 12 percent of the building face is located at the property line, and 61 percent of the building face is setback less than two feet from the property line, which totals 73 percent of the building face within two feet of the property line. Title 19 allows for a minor deviation from the build-to requirements if 70 percent of the building face is proposed to be setback less than five feet from the property line. This deviation is minor in nature and does not have a material effect on the subject site, and staff approves approval of the request.

At the southern end of the subject site, there is a proposed loading zone, utility yard, and trash enclosure. The proposed loading zone has been screened from view to an extent, but portions of it are still in public view. A waiver has been requested to allow the loading dock to be located at the Transit Station Street frontage and be unscreened from public view. The site plan depicts a designated on-site utility area, which will permit the location of utilities interior to the site and out of the right-of-way. The location is lightly screened with landscaping, but is generally in public view from the adjacent street frontage.

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A waiver has been requested to permit above ground utilities, and a condition has been included to ensure that the applicant work with staff at the permitting stage to determine the best screening options for any above ground utility enclosures. The proposed trash enclosure will be roofed and enclosed as required by Title 19, but it will be located at the Transit Station Street frontage. Due to the unique circumstances associated with the narrow subject site and its location adjacent to multiple street frontages, staff recommends approval of all waiver requests.

Title 19 Appendix F standards require the installation of streetscape improvements consisting of a five-foot landscaped amenity zone and a 10-foot unobstructed sidewalk adjacent to all street frontages. The landscape plan and provided street cross sections depict a streetscape design that meets or exceeds minimum standards on Clark Avenue, 1st Street and the southern portion of the site adjacent to Transit Station Street. Along portions of Transit Station Street adjacent to the east property line, the cross sections indicate a five-foot amenity zone and a seven-foot sidewalk, which does not meet the minimum requirements. A waiver has been requested to allow relief from streetscape requirements along this street frontage. Staff recommends approval of the waiver as the narrowness of the subject site and limited area available for development makes the installation of the full streetscape improvements impractical along this street frontage. Thirty six-inch box Chinese Pistache trees are shown planted 20 feet on-center within all amenity zones as required by Title 19. Interior to the site, numerous five-gallon shrubs are depicted adjacent to all sides of the building.

The building elevations depict an aesthetically pleasing 76-foot structure with architectural features such as ornamental curtain walls and elevation variations that provide visual interest. Exterior materials consist of glazing, painted panels, and limestone tile. Waivers have been requested to allow no awnings or arcades on the ground level of the building, and to allow more than 10 feet of blank walls along the 1st Street and Transit Station Street frontages. These architectural requirements are typically intended for commercial development, and are generally not applicable for a governmental facility. Staff recommends approval of the waiver requests.

This project will add approximately 3,117 trips per day on Clark Avenue, 1st Street, Bonneville Avenue and Casino Center Boulevard. Currently, Clark Avenue is at about 10 percent of capacity, 1st Street is at about 15 percent of capacity, Bonneville Avenue is at about 28 percent of capacity, and Casino Center Boulevard is at about 12 percent of capacity. With this project, Clark Avenue is expected to be at about 21 percent of capacity, 1st Street to be at about 39 percent of capacity, Bonneville Avenue to be at about 38 percent of capacity and Casino Center Boulevard to be at about 21 percent of capacity. Based on Peak Hour use, this development will add into the area roughly 461 additional cars, or about fifteen every two minutes.

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The proposed municipal courthouse is located in close proximity to other civic uses such as the Regional Justice Center, the Bonneville Transit Center, the United States Federal Court, and City Hall. The proposed courthouse is aesthetically pleasing, furthers the goals of the Civic and Business District of the 2045 Downtown Master Plan, and it is consistent with the vision for this area of downtown Las Vegas. Staff recommends approval of the request and all associated waivers.

FINDINGS (SDR-74816)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission must affirm the following:

1. The proposed development is compatible with adjacent development and development in the area;

The proposed government facility is compatible with adjacent development and development in the area.

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

With approval of the requested waivers, the proposed development will be consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards.

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

Site access and circulation does not negatively impact adjacent roadways or neighborhood traffic.

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

With the approval of the requested waivers, the building and landscape materials will be appropriate for the area and for 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;

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The building elevations are not unsightly or obnoxious in appearance, and are harmonious and compatible with development in the area.

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

The site will be subject to building and licensing inspections and appropriate measures will be taken to secure and protect the public health, safety and general welfare.

BACKGROUND INFORMATION

<i>Most Recent Change of Ownership</i>	
10/04/18	A deed was recorded for a change in ownership.

<i>Pre-Application Meeting</i>	
10/18/18	A pre application was held, and issues discussed included the following: <ul style="list-style-type: none"> • General Submittal Requirements • Required waivers • Mitigation of visual impacts resulting from the location of the loading dock, trash enclosure and utility location. • Required streetscape

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

<i>Field Check</i>	
11/01/18	The subject site is currently undeveloped.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.98

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Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	C (Commercial)	C-2 (General Commercial)
North	Government Facility	PF (Public Facilities)	C-V (Civic)
South	Government Facility	C (Commercial)	C-2 (General Commercial)
East	Restaurant Multi-Family Office	C (Commercial)	C-2 (General Commercial)
West	Undeveloped	C (Commercial)	C-2 (General Commercial)

Master and Neighborhood Plan Areas	Compliance
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District	Y
DTLV-O (Downtown Las Vegas Overlay) District	Y
LW-O (Live/Work 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

DEVELOPMENT STANDARDS

Pursuant to Title 19 Appendix F standards, the following standards apply:

Standard	Required	Provided	Compliance
Min. Setbacks			
• Front (Transit Station St.)	0 Feet	33 Feet	N*
• Corner (Transit Station St.)	0 Feet	16 Feet	N*
• Corner (1 st Street)	0 Feet	10 Feet	N**
• Rear (Clark Ave)	N/A Feet	0 Feet	Y

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Standard	Required	Provided	Compliance
Max. Building Height	N/A	76 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

*Waiver has been requested to provide relief from this requirement.

**Minor Deviation has been requested to provide relief from this requirement.

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
1 st Street	Collector	Title 13	80'	Y
Transit Station Street	Collector	Planned Streets and Highways Map	45'	Y
Clark Avenue	Collector	Planned Streets and Highways Map	80'	Y

Streetscape Standards	Required	Provided	Compliance
1 st Street	Five-foot amenity zone and a 10-foot wide sidewalk planted with 36-inch box trees 20 feet on-center	Five-foot amenity zone and a 10-foot wide sidewalk planted with 36-inch box trees 20 feet on-center	Y
Transit Station Street	Five-foot amenity zone and a 10-foot wide sidewalk planted with 36-inch box trees 20 feet on-center	Five-foot amenity zone and a seven-foot wide sidewalk planted with 36-inch box trees 20 feet on-center	N*
Clark Avenue	Five-foot amenity zone and a 10-foot wide sidewalk planted with 36-inch box trees 20 feet on-center	Five-foot amenity zone and a 11-foot wide sidewalk planted with 36-inch box trees 20 feet on-center	Y

*Waiver has been requested to provide relief from this requirement.

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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
Government Facility	138,943 SF	1 per 300SF	463				
TOTAL SPACES REQUIRED			463			N	
Regular and Handicap Spaces Required			454	9		N	
Loading Spaces			4	-	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.

Waivers		
Requirement	Request	Staff Recommendation
Five-foot amenity zone and a 10-foot wide sidewalk	Five-foot amenity zone and a 7-foot wide sidewalk	Approval
70 percent of the first story façade align along Transit Station Street	Zero Percent of the first story façade align along Transit Station Street	Approval
Service areas and loading docks shall not be located at frontage lines. All auto-related facilities (working bays, storage, trash enclosures, etc.) shall orient away and be screened from public view	To allow a loading dock and trash enclosure located at the Transit Station Street frontage and not screened from public view.	Approval
Utility vaults shall be located underground for all new developments. Ideally, these will be incorporated within the building footprint. In no case shall they be located along the street frontage of the project.	To allow above ground utilities vaults along the frontage of Transit Station Street.	Approval

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Waivers		
Requirement	Request	Staff Recommendation
Extensions of more than 10 feet of blank, expressionless walls at the street level shall be prohibited.	To allow more than 10 feet of blank expressionless walls along the Transit Station Street and 1 st Street frontages	Approval
The use of arcades, awnings and canopies on the ground floor of a building is required	To allow no arcades, awnings or canopies on the ground floor along the Transit Station Street and 1 st Street frontages	Approval

Minor Deviation		
Requirement	Request	Staff Recommendation
Corner Side: 70 percent of the first story façade shall align along the front property line; 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	To allow approximately 73 percent of the building façade along 1 st Street to be located within two feet of the property line	Approval