



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: DECEMBER 20, 2023

DEPARTMENT: COMMUNITY DEVELOPMENT

**ITEM DESCRIPTION: APPLICANT: FUYI PROPERTIES, LLC - OWNER: SIEGEL
SUNSET LLC, ET AL**

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0288-ZON1	Staff recommends APPROVAL.	
23-0288-SUP1	Staff recommends DENIAL, if approved subject to conditions:	23-0288-ZON1 23-0288-SUP2
23-0288-SUP2	Staff recommends DENIAL, if approved subject to conditions:	23-0288-ZON1 23-0288-SDR1
23-0288-VAC1	Staff recommends DENIAL, if approved subject to conditions:	23-0288-ZON1
23-0288-SDR1	Staff recommends DENIAL, if approved subject to conditions:	23-0288-ZON1 23-0288-SUP1 23-0288-SUP2 23-0288-VAC1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

NOTICES MAILED

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

23-0288-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Automobile Rental use.
2. Approval of Rezoning (23-0288-ZON1) and conformance to the Conditions of Approval for Special Use Permit (23-0288-SUP2), Petition to Vacate (23-0288-VAC1), and Site Development Plan Review (23-0288-SDR1) shall be required, if approved.
3. 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.
4. 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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for a building permit, as well as submitted as part of any business license application.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

7. No sales, display, or storage of rental vehicles shall take place in the public right-of-way.

23-0288-SUP2 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Mixed-Use.
2. Approval of Rezoning (23-0288-ZON1) and] Approval of and conformance to the Conditions of Approval for Special Use Permit (23-0288-SUP1), Petition to Vacate (23-0288-VAC1), and Site Development Plan Review (23-0288-SDR1) shall be required, if approved.
3. 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.
4. 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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for a building permit, as well as submitted as part of any business license application.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0288-VAC1 CONDITIONS

1. The limits of this Petition of Vacation shall be approximately the southern 220' portion of a north-south running public alleyway generally located between 1st Street and Casino Center Boulevard, and between Coolidge Avenue and Hoover Avenue.
2. The Order of Vacation shall be recorded prior to or concurrently with the recordation of a map or issuance of a permit for this site, whichever may occur first.
3. Dedicate appropriate right-of-way for the proposed eastern leg of the alley as depicted on the site plan for 23-0288-SDR1 to replace the southern portion prior to or concurrent with the recordation of an Order of Vacation.

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4. Provide a sewer relocation plan acceptable to the City of Las Vegas Public Work Sanitary Sewer Engineering prior to the recordation of the Order of Vacation.
5. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties so that an un-maintained “no-man’s land” area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by 23-0288-SDR1 may be used to satisfy this requirement provided that it addresses the area to be vacated.
7. The Order of Vacation shall reserve easements for the facilities of all City of Las Vegas Franchise Holders unless written verifiable letters of consent without reservation are received prior to recordation.
8. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
9. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
10. All development shall be in conformance with code requirements and design standards of all City Departments.

11. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Title 19. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
12. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Director of Community Development, then approval will terminate and a new petition must be submitted.

23-0288-SDR1 CONDITIONS

Planning

1. Approval of Rezoning (23-0288-ZON1) and conformance to the Conditions of Approval for Special Use Permit (23-0288-SUP1), Special Use Permit (23-0288-SUP2), Petition to Vacate (23-0288-VAC1), and Site Development Plan Review (23-0288-SDR1) 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 11/02/23, except as amended by conditions herein.
4. Prior to the submittal of a building permit application, the applicant shall receive a letter from Republic Services to coordinate trash pickup for the subject site.
5. A Waiver from Appendix F Interim Downtown Las Vegas Development Standards is hereby approved, to allow no articulated roofline where such is required.

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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 Building and Safety Division.
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 Interim Downtown Las Vegas Development Standards, unless approved by a separate Waiver.
10. A revised site plan shall be submitted to and approved by the Department of Community Development, prior to the time application is made *for a building permit*, to reflect the changes herein.
11. 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, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede the visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - Landscaping shall be in compliance with the streetscape standards listed in the Appendix F Interim Downtown Las Vegas Standards for all adjacent streets (Coolidge Avenue, Casino Center Boulevard, and 1st Street).
12. A Comprehensive Construction Staging Plan shall be submitted to the Department of Community Development 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.

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13. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & R's.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. In accordance with Section 2.2 of the City's Vision Zero Action Plan, the sidewalk adjacent to this site shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with the development of this site. Grant any Pedestrian Access Easement needed to complete this requirement.
16. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to the submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-6594 or emailed at ece@lasvegasnevada.gov.
17. Coordinate sewer connection at a size, depth, and location acceptable to the Sanitary Sewer Engineering Section of the Department of Public Works.
18. 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.
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. The Traffic Impact Analysis shall also include a pedestrian circulation/access plan, in accordance with Section 2.2 of the City's Vision Zero Action Plan, to identify nearby pedestrian attractors and recommend measures to accommodate pedestrians, such as but not limited to pedestrian access, crosswalk, pedestrian-activated flashers, and temporary sidewalks. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. 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.

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20. The geometric design of the driveways on Casino Center Boulevard shall meet the approval of the City Traffic Engineer.
21. Queues for the site shall not extend into the public right-of-way as a result of the pick-up and drop-off operations on this site.
22. The applicant shall submit a letter that documents operations related to the use of public rights-of-way adjacent to this site. The letter shall include the proposed delivery routes, commercial loading zones, and anything to be handled through the alleys. Additionally, the letter shall identify nearby parking opportunities for customers and employees. If traffic concerns arise from the operation of this site, the applicant shall remedy such concerns, to the satisfaction of the City Traffic Engineer within 60 days of written notice from the City. This requirement may be addressed through the required Traffic Impact Analysis.
23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with the development of this site. The drainage study required by 23-0288-VAC1 may be used to satisfy this requirement.

Fire & Rescue

24. 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.
25. Applicant shall provide a fire protection report that will be required prior to submittal of Civil or Building permit Plans. Approval of the Civil or Building permit plans will not be allowed until Fire Protection report approval.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to develop an eight-story, mixed-use development consisting of 114 condominium units, 214 hotel residence rooms, and 31,644 square feet of commercial area on 1.37 acres at the northwest corner of Coolidge Avenue and Casino Center Boulevard

ISSUES

- The subject site is within the confinements of the Vision 2045 Downtown Las Vegas Master Plan (18b Arts District) [Area 1].
- A Rezoning (23-0288-ZON1) is requested from C-1 (Limited Commercial) and C-M (Commercial/Industrial) to C-2 (General Commercial). Staff recommends approval.
- A Special Use Permit (23-0288-SUP1) is requested for a proposed Automobile Rental use. Staff recommends denial.
- A Special Use Permit (23-0288-SUP2) is requested for a proposed Mixed-Use development. Staff recommends denial.
- A Petition to Vacate (23-0288-ZON1) is requested to vacate the southern portion of a public alleyway generally located between 1st Street and Casino Center Boulevard. Staff recommends denial.
- A Site Development Plan Review (23-0288-SDR1) is requested to develop an eight-story, mixed-use development consisting of 114 condominium units, 214 hotel residence rooms, and 31,644 square feet of commercial area. Staff recommends denial.
 - As part of the proposed development, nine parking spaces are provided where 211 are required based on the size and scale of the proposed development. While the parking requirements are not automatically applied to development projects within Area 1 of the Downtown Las Vegas Overlay, the provided parking represents a 95 percent deficiency in typically required parking spaces.
 - A Waiver is requested of the Appendix F Interim Downtown Las Vegas Development Standards to allow no articulated roofline where such is required. Staff does not support the request.

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ANALYSIS

On December 6, 2017, the City Council adopted the City's Vision 2045 Downtown Las Vegas Master Plan, which established the vision and goals for 12 Downtown Districts. This includes the subject site, which is located within the 18b Arts District. Operating as one of the primary employment centers of the region, the Civic and Business District features courthouses, legal, and other professional services that cluster in the core creating a significant critical mass of daytime activities. The Civic and Business District maintains a relatively strong civic center as it is home to various government facilities, businesses, and professional offices. New opportunities to add density to the area and promote compact transit-oriented development.

The subject site is a 1.51-acre site located on the north side of Coolidge Avenue between 1st Street and Casino Center Boulevard. Currently, an alleyway runs through the site. The site is currently underutilized, as there are no business licenses currently issued for the site. On the western side of the alley, the site is zoned C-M (Commercial/Industrial) with the eastern side zoned C-1 (Limited Commercial). The applicant is proposing to develop an eight-story, mixed-use development consisting of 114 condominium units, 214 hotel residence rooms, and 31,644 square feet of commercial area at the subject site. To accommodate the proposed development, the applicant is proposing to Rezone the subject site from C-1 and C-M to C-2 (General Commercial).

Rezoning

The proposed C-2 (General Commercial) zoning district is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office, and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 District is also appropriate along commercial corridors. The requested C-2 zoning district is consistent with the site's Mixed-Use land use designation. The applicant proposes to rezone the subject site to C-2 in order to allow a Mixed-Use development as such is not permitted in any industrial zoning district.

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Phased over time, each of the twelve downtown districts will be administered by a distinct set of standards to be adopted as either Form-Based Zoning Districts or Special Area Plans following the completion of a context-based plan for land use and development. In the interim, the 18b Arts District is a district that was originally created as part of the Downtown Centennial Plan and is within Area 1, with development standards currently governed by Appendix F, Interim Downtown Las Vegas Development Standards and Title 19. Any deviation from the development standards found in Appendix F requires a Waiver with the associate Site Development Plan Review. The requested C-2 (General Commercial) zoning district is in compliance with the goals and objectives of the Vision 2045 Downtown Las Vegas Master Plan supporting mixed-use development in the interim until the site is rezoned to a form-based code transect.

Special Use Permit - Automobile Rental

Automobile Rental is a conditional land use in the C-2 (Limited Commercial) zoning district. The Automobile Rental use is defined as “A facility for the rental of new or used automobiles or other passenger vehicles. For purposes of the limitations of this Title on outside storage, vehicles kept on a lot for rental purposes are not considered to be outside storage.” The Minimum Special Use Permit Requirements for this use include:

1. The minimum site area designated for rental services shall be 25,000 square feet.

The applicant has requested a Special Use Permit to allow Automobile Rental services in conjunction with the proposed hotel. As such, the constrictions of the use will be predominately located at the front desk and thereby less than the 25,000-square-foot requirement.

2. The installation and use of an outside public address or bell system is prohibited.

The proposed use meets this requirement as the subject site’s primary land use is a mixed-use development and hotel. Automobile Rental services would be offered to guests and residents as a complimentary accessory service only.

3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.

The proposed use meets this requirement as the subject site’s primary land use is a proposed hotel and mixed-use residential. Automobile Rental services would be offered to guests and residents as a complimentary accessory service only. Rental vehicles will not be serviced on the subject sites.

4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.

The proposed use meets this requirement as the subject site's primary land use is a proposed hotel and mixed-use residential. Automobile Rental services would be offered to guests and residents as a complimentary accessory service only. No lighting is proposed in association with the proposed Automobile Rental use.

Based on the size and scale of the overall development plan proposal, the proposed mixed use development would further diminish available parking as nine spaces are provided where 200 are required. As such staff is unable to support the Special Use Permit and therefore recommends denial of the application.

Special Use Permit - Mixed-Use

Mixed-use is a conditional land use in the C-1 (Limited Commercial) zoning district. Mixed-use is defined as "The vertical integration of residential uses and commercial or civic uses within a single building or a single development, where the uses share pedestrian access, vehicular access, parking functions, or any combination thereof." The Minimum Special Use Permit Requirements for this use include:

1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts are permitted as conditional uses within a C-1 or C-2 Zoning District.

This requirement is met, as the proposed Multi-Family Residential component of the building is permitted as of right in both the R-3 and R-4 Zoning Districts.

2. Commercial uses or civic uses shall at a minimum be located at the ground level fronting the primary public rights-of-way and may extend beyond the ground floor. The principal entryway to access those uses, whether individually or collectively, shall be directly accessed from and oriented to the public sidewalk.

This requirement is met, as the submitted floor plan depicts the first floor featuring 16,344 square feet of commercial spaces all with direct access to the public sidewalk.

3. Residential uses shall not be permitted on the ground floor fronting on primary public rights-of-way, but may be located at or above the second level of the building. Residential uses may be located on the ground floor of any building or portion thereof that is located at the interior of the development site and does not front on an arterial or collector street.

23-0288 [ZON1, SUP1, SUP2, SDR1, AND VAC1]

This requirement is met, as the submitted floor plan depicts the proposed residential units located on floors all above the ground level. Residential units for the southern tower are located on floors three through eight.

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4. Surface parking lots shall be located to the side or the rear of the principal building(s) on the site, and shall be screened from view of the adjacent rights-of-way by the principal building(s) or a landscape buffer in conformance with the requirements of LVMC Chapter 19.08. Parking structures shall not be located along the street frontages of the development site, but shall be screened from view of the adjacent rights-of-way by the principal building(s).

This condition is not met and therefore Special Use Permit (23-0288-SUP2) is required. Nine parking spaces are located on the southern perimeter of the building at ground level adjacent to Coolidge Avenue and are not screened from right-of-way by the principal building(s) or a landscape.

Based on the size and scale of the overall development plan proposal and the deficiency of provided parking, staff is unable to support the Special Use Permit and therefore recommends denial of the application.

Petition to Vacate

The applicant is proposing to reconfigure nine existing parcels into a single lot. In doing so, the applicant is proposing to Vacate and reconfigure a portion of the public alleyway between 1st Street and Casino Center Boulevard toward Coolidge Avenue. The alleyway is reconfigured to be curved toward Casino Center Boulevard. Due to the untraditional reconfiguration of the alleyway Staff recommends denial of the Petition to Vacate due to the unorthodox configuration of the alley bending at a 90-degree angle toward Casino Center Boulevard.

Site Development Plan Review

The submitted floor plan shows the buildings broken down by floor. The northern mixed-use building features the hotel component of the proposed development; whereas the southern mixed-use building features the 114-unit condominium complex. For the northern hotel building, the first floor consists of two restaurant spaces, 3,995 square feet of retail space, and the Automobile Rental use; the second-floor amenities for hotel guests, the rest of the building floors three through eight consist of the 214 hotel room units.

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The southern condominium mixed-use building the first floor consists of 4,969 square feet of retail space, a commercial kitchen, a nine-parking space garage, and the lobby for the condominium complex; the second floor of 15,300 square feet of office space, and the rest of the building floors three through eight consists of the condominium units. Each floor features 10 studio units, five one-bedroom units, and four two-bedroom units totaling 60 studio units, 30 one-bedroom units, and 24 two-bedroom units. Altogether, the site has a density of 83.2 dwelling units per acre.

Mixed-Use developments are subjected to an alternative parking standard based on each of the provided use's demands during peak operating times. For comparison, by being located in a medium zone, the Form-Based Code reduction reduces the peak parking demand to a minimum of 211 total parking spaces. The floor plan shows the proposed development providing nine parking spaces with three additional spaces exclusively for the requested Automobile Rental use. This represents a 95 percent reduction or a shortcoming of 202 spaces. Projects located within the Downtown Las Vegas Overlay District (Area 1) are not subject to the automatic application of parking requirements. Alternative transportation options are provided through nearby on-street parking and bus stops. While these parking standards can be waived through Downtown Las Vegas Area 1, the parking demand in the 18b Arts District has become a concern as this downtown district continues to redevelop. For instance, the major development sites south and east of the subject site have a 63.6% parking deficiency. With the approval of this proposed development, the three sites would combine for an 81.4% parking deficiency. The continual lack of provided parking places further demand on the surrounding area and ultimately, the need for public subsidy, where this is the developer's responsibility for development.

The building elevations demonstrate two, 86-foot tall mixed-use mid-rise buildings primarily comprised of glass and concrete. The building is accented by mesh and metal panels. All sides of the proposed building are coherently designed and treated with a consistent level of detailing and finish in compliance with Title 19.08.

The landscape plan depicts 60-inch Southern Live Oaks located within the plaza area between the two buildings; the landscape plan does not depict any street trees shown on any adjacent streetscapes. Pursuant to the Appendix F Interim Downtown Las Vegas Development Standards, streetscape and planting materials are specified for all streets within Downtown Area 1. For instance, on Coolidge Avenue, an east-west street, drought-tolerant shade trees shall be 36-inch box trees at 20-foot intervals. Casino Center Boulevard north of Charleston Boulevard, shall be designed thematically with Deglet-Noor Date Palms or similar type palms as the primary landscape element; said trees shall be 25 feet or greater in height and be spaced at 30-foot increments. Lastly, on 1st Street, a north-south street, drought-tolerant shade trees shall be 36-inch box trees at 20 feet. As these elements are not depicted on the landscape plan, a Condition of Approval 10 has been added to ensure compliance with this standard.

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While the 2045 Downtown Las Vegas Master Plan (18b Arts District) encourages Mixed Use developments, the development as proposed will not be harmonious or compatible with the existing development in the surrounding area. This is evidenced by the significant deficiency in proposed parking. There is not an adequate amount of alternative off-site parking options within the immediate vicinity of the subject site. Therefore, staff recommends denial of all requested entitlements. If approved, the Special Use Permits, Petition to Vacate, and the Site Development Plan Review will be subject to conditions.

City of Las Vegas 2050 Master Plan

The subject site is located within the Master Plan 2050 designated area of Downtown Las Vegas which is the City's civic, commercial, and cultural hub. Located in the center of the Las Vegas Valley, encompassing the original 1905 Clark's townsite, it functions as a primary regional center of Southern Nevada together with the Las Vegas Strip. Centered along Fremont Street, Downtown is the original home to local gaming and tourism. It continues to attract visitors looking for a historic and authentic Las Vegas experience. The Downtown of Tomorrow is envisioned as a vibrant and livable urban environment and will continue to "Reinvent the Legend" through the complete implementation of the Vision 2045 Downtown Las Vegas Masterplan.

Vision 2045 Downtown Las Vegas Master Plan

The subject site is located within the 18b Arts District of the Vision 2045 Downtown Las Vegas Master Plan. The 18B Las Vegas Arts District is the creative heart of the city. The local stores, art galleries, and artists in residence are compelling and memorable elements of Downtown.

FINDINGS (23-0288-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

If approved, the proposed C-2 (General Commercial) zoning district would conform to the site's existing MXU (Mixed Use) land use designation.

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2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

The C-2 (General Commercial) zoning district is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office, and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium-density residential development and may be used as a buffer between retail and industrial uses. The C-2 District is also appropriate along commercial corridors.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

As depicted in the Vision 2045 Downtown Las Vegas Master Plan, mixed-use developments providing additional housing are encouraged within the 18b Arts District to meet the current and emerging market demand for housing. Rezoning the subject site to the C-2 (General Commercial) zoning district is suitable for allowing mixed-use developments until such time that the site is suitable for form-based code.

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

Site access is provided by Coolidge Avenue, Casino Center Boulevard, and 1st Street, all 80-foot collector streets which are adequate in size to meet the needs of the proposed C-2 (General Commercial) zoning district.

FINDINGS (23-0288-SUP1) - Automobile Rental

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The proposed Automobile Rental use would be located within a mixed-use development and hotel serving as an amenity for residents and guests. As the proposed development is overdeveloped as evidenced by the requested parking deviation, staff finds the use to be too intensive for the subject site with the surrounding area.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

The proposed Automobile Rental use would be located within a mixed-use development serving as an amenity for guests.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

Site access is provided by Coolidge Avenue, Casino Center Boulevard, and 1st Street, all 80-foot collector streets.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

If approved, the site will be subject to licensing and inspection, thus protecting the public, health, safety, and general welfare.

5. **The use meets all of the applicable conditions per Title 19.12.**

The proposed use fails to meet the Minimum Conditional Use Regulation requiring at least 25,000 square feet; therefore, a Special Use Permit is requested.

FINDINGS (23-0288-SUP2) - Mixed Use

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

As the proposed development is overdeveloped as evidenced by the requested parking deviation, staff finds the use to be too intensive for the subject site with the surrounding area.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

The proposed Mixed-Use development is overdeveloped as evidenced by the parking deficiency. As such, the subject site is not physically suited for an intense Mixed-Use development of this size and scale.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

Site access is provided by Coolidge Avenue, Casino Center Boulevard, and 1st Street, all 80-foot collector streets.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

Operation of activities on the site will be subject to review and approval of business licenses, which will also require regular inspections in order to uphold the public health, safety, and general welfare.

5. **The use meets all of the applicable conditions per Title 19.12.**

With the approval of the requested Waiver, allowing the parking garage to be located in the front of the property and not screened by landscaping or a building, the use will meet all applicable conditions per Title 19.12.

FINDINGS (23-0288-VAC1)

The Department of Public Works has presented the following information concerning this request to this public street right-of-way:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
Uniform.
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability?
No.
- C. Does it appear that the vacation request involves only excess right-of-way?
No, vacating a portion of the alley and re-aligning to the east.

D. Does this vacation request coincide with the development plans of the adjacent parcels?

Yes, Site Development Plan Review (23-0288-SDR1).

E. Does this vacation request eliminate public street access to any abutting parcel?

No.

F. Does this vacation request result in a conflict with any existing City requirements?

No.

G. Does the Department of Public Works have an objection to this vacation request?

No.

FINDINGS (23-0288-SDR1)

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 development is not compatible with adjacent development in the surrounding area due to the significant deficiency in provided parking spaces.

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

The proposed development is not consistent with Appendix F Interim Downtown Las Vegas Standards as evidenced by the requested Waivers of the Downtown Las Vegas Overlay Area 1 Architectural Design standards.

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

Site access is provided by Coolidge Avenue, Casino Center Boulevard, and 1st Street, all 80-foot collector streets. While these streets are adequate in size to accommodate the proposed development, the deficiency in parking will create a burden with on- and off-street parking in the surrounding area.

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

The building elevations demonstrate two 87-foot tall, eight-story buildings primarily comprised of a variety of glass and concrete. All sides of the proposed building are coherently designed and treated with a consistent level of detailing and finish in compliance with Title 19.08.

The submitted landscape plan shows the amenity zone landscape materials consisting of 60-inch box southern live oak. All provided landscaping is included on the Southern Nevada Regional Planting Coalition list and are appropriate for a desert climate.

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 are not unsightly, undesirable or obnoxious. The Appendix F Interim Downtown Las Vegas Development Standards calls out specific architectural design and site planning standards for Downtown Area 1. Any requirement not met requires the approval of a Waiver. Per the submitted elevation plans, the proposed building does not adhere to architectural design requirements by not providing an articulated roofline. Staff does not support the Waivers of design standards.

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

If approved, the development of the site will be subject to building permit review and inspection, thereby protecting the health, safety, and general welfare of the public.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
12/16/64	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 the 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. The Planning Commission recommended approval.
09/11/19	A Code Enforcement Case (CE19-02647) was reported for homeless camping and living at the property at 916 South Casino Center Boulevard. The case was resolved on 09/23/19.
04/20/20	A Code Enforcement Case (CE20-02173) was reported for a possible open and accessible building at 922 South Casino Center Boulevard. The case was resolved on 05/19/20.
05/26/20	A Code Enforcement Case (CE20-02978) was reported for homeless vagrant squatters at 914 South Casino Center Boulevard. The case was resolved on 05/27/20.
06/04/20	A Code Enforcement Case (CE20-03276) was reported for a commercial building being lived in at 916 South Casino Center Boulevard. The case was resolved on 12/21/20.
06/04/20	A Code Enforcement Case (CE20-03277) was reported for homeless living inside a building and living in an RV camper in the parking lot of 922 South Casino Center Boulevard. The case was resolved on 12/21/20.
06/25/20	A Code Enforcement Case (CE21-03706) was reported for someone living in a commercial suite at 926 South Casino Boulevard, Unit A. The case was resolved on 06/29/20.
07/07/20	A Code Enforcement Case (CE20-03882) was reported for homeless camping in the rear yard at 926 South Casino Boulevard, Unit A. The case was resolved on 09/23/20.
08/11/21	A Code Enforcement Case (CE21-03411) was reported for garbage everywhere in Boulder Plaza at 924 South Las Vegas Boulevard. The case was resolved on 08/12/21.

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
09/16/21	Code Enforcement Cases (CE21-04000 and CE21-04007) were reported for the storage of a Recreational Vehicle at 920 South 1 st Street. The case was resolved on 09/16/21.
05/10/22	The Planning Commission approved a Special Use Permit (22-0104-SUP1) for a proposed 28,000 square-foot Tavern-Limited Establishment use on 0.64 acres at 904, 912 and 916 South Casino Center Boulevard. Staff recommended approval.
	The Planning Commission approved a Site Development Plan Review (22-0104-SDR1) for a proposed 28,000 square-foot temporary Commercial recreation/amusement (outdoor) [mini-golf course] development concurrent with a previously approved Mixed-Use development on 0.64 acres at 904, 912 and 916 South Casino Center Boulevard. Staff recommended approval.
06/16/22	A Code Enforcement Case (CE22-03054) was reported for non-compliance with Republic Services payments at 900 to 932 Casino Center Boulevard. The case was resolved on 11/09/22.
10/19/22	The City Council approved a Site Development Plan Review (22-0299-SDR1) for a proposed temporary parking lot concurrent with a previously approved Mixed-Use development on 0.15 acres at the northwest corner of Coolidge Avenue and Casino Center Boulevard. The Planning Commission and staff recommended approval.
12/06/22	A Code Enforcement Case (CE22-06623) was reported for business storage that was not screened from the public view and an unpermitted shade structure at 917 South 1 st Street. The case was resolved on 02/14/23.
11/14/23	The Planning Commission votes (7-0) to RECOMMEND APPROVAL for a requests on 1.37 acres at the northwest corner of Coolidge Avenue and Casino Center Boulevard (APNs 139-34-401-010, 015 through 017, and 034 through 038), Ward 3 (Diaz)

<i>Most Recent Change of Ownership</i>	
12/29/22	A deed was recorded for a change in ownership [APNs 139-34-401-010, 015 through 017].
03/31/23	A deed was recorded for a change in ownership [APNs 139-34-410-034 through 038].

<i>Related Building Permits/Business Licenses</i>	
06/29/21	A Business License (G69-04458) was issued for an art and clothing store at 917 South 1 st Street. The license expired on 04/05/23.
09/09/21	A Business License (G69-04573) was issued for a photography studio at 917 South 1 st Street. The license expired on 01/18/23.
02/03/22	A Business License (G69-08034) was issued for photography services at 916 South Casino Center Boulevard. The license expired on 01/18/23.

<i>Pre-Application Meeting</i>	
06/07/23	A pre-application meeting was held with the applicant to discuss the submittal requirements for a proposed Mixed-Use Development.
09/13/23	A follow-up meeting was held with the applicant to discuss revised plans.
09/20/23	A follow-up meeting was held with the applicant to discuss revised plans regarding the alleyway, driveway, and radius dedication prior to the final submittal.

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

<i>Field Check</i>	
10/11/23	A routine field check was conducted of the subject site; nothing was noted of concern.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.51

<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	Undeveloped	MXU (Mixed Use)	C-M (Commercial/Industrial)
	Vacant		C-1 (Limited Commercial)
	Undeveloped		C-M (Commercial/Industrial)
North	Multi-Family Residential		C-2 (General Commercial)
South	Vacant Parking Lot		C-M (Commercial/Industrial)
East	Undeveloped		C-1 (Limited Commercial)
	Multi-Family Residential		C-2 (General Commercial)
West	Hotel, Motel or Hotel Suites		C-M (Commercial/Industrial)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Downtown Las Vegas	Y
Vision 2045 Downtown Las Vegas Master Plan: 18b Las Vegas Arts District	Y
Appendix F Interim Downtown Las Vegas Development Standards	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (200 Feet)	Y
DTLV-O (Downtown Las Vegas Overlay) District – Area 1	Y
LW-O (Live/Work Overlay) District	N/A
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Art Trail 1 st Street Constructed)	Y
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact	N/A
Project of Regional Significance	N/A

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DEVELOPMENT STANDARDS

Pursuant to the Appendix F Interim Downtown Las Vegas Development Standards and Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	65,775 SF	Y
Min. Lot Width	100 Feet	200 Feet	Y
Min. Setbacks			
• Front (Casino Center)	0 Feet (70% alignment)	0 Feet (75%)	Y
• Side	N/A	0 Feet	Y
• Corner (Coolidge Avenue)	0 Feet (70% alignment)	0 Feet (96%)	Y
• Rear (1 st Street)	N/A	13 Feet	Y
Min. Distance Between Buildings	N/A	38 Feet	Y
Max. Lot Coverage	Limited by Setbacks	70%	Y
Max. Building Height	200 Feet	87 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	By Condition	Y
Mech. Equipment	Screened	By Condition	Y

Existing Zoning		Permitted Density	Units Allowed	
C-M (Commercial/Industrial)		N/A	N/A	
C-1 (Limited Commercial)		N/A	N/A	
Proposed Zoning		Permitted Density	Units Allowed	
C-2 (General Commercial)		N/A	7 du/ac provided	
Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Coolidge Avenue	Collector Street	Master Plan of Streets and Highways Map	80	Y
Casino Center Boulevard	Collector Street	Master Plan of Streets and Highways Map	80	Y
1 st Street	Collector Street	Master Plan of Streets and Highways Map	80	Y

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<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Coolidge Avenue	All east-west streets shall provide drought-tolerant shade trees as approved by staff and shall be 36-inch box trees at 20 feet intervals. Landscaped medians may provide either palm trees or shade trees.	Not Specified	By Condition
Casino Center Boulevard	Casino Center Boulevard north of Charleston Boulevard, shall be designed thematically with Deglet-Noor Date Palms or similar type palms as the primary landscape element; said trees shall be 25 feet or greater in height and be spaced at 30-foot increments.	Not Specified	By Condition
1 st Street	All other north-south streets shall provide drought-tolerant shade trees as approved by staff and shall be 36-inch box trees at 20 feet intervals. Landscaped medians may have either palm trees or shade trees.	Not Specified	By Condition

Parking Requirement - Downtown (Areas 1-3)							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Residential, Multi-Family - Studio or 1 Bedroom	90 Units	1.25 per unit	112.5				
Residential, Multi-Family - 2 Bedroom	24 Units	1.75 per unit	42				
Residential, Multi-Family - Guest Parking	114 Total Units	1 per every 6 units	19				
Hotel Residence	214 Units	1 per guest room	214				
Office, Other than Listed	15,300 SF	1 per 300 SF	51				
General Retail Store, Other Than Listed	8,964 SF	1 per 175 SF	51.2				
Restaurant	5,162 SF	1 per 50 SF public seating	103.2				
	2,218 SF	1 per 200 SF remaining	11.1				
TOTAL SPACES REQUIRED (unweighted)			604				
TOTAL SPACES REQUIRED (weighted requirement, see below)			211 393		9		N
Regular and Handicap Spaces Required			204	7	8	1	N
Downtown Form-Based Code Parking Standards - Title 19.09.100.G							
Parking Standards Medium Load – Zone 2			Between 35% and 65%		211 393		N

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Projects located within the Downtown Las Vegas Overlay District may be evaluated based on a weighted parking requirement as detailed in Title 19.09.100. This table compares the Title 19.12 parking requirements for this project with the weighted requirement in Title 19.09, but is not determinative of code conformance. 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.

Mixed-Use Alternative Parking Requirement							
Use	Gross Floor Area or Number of Units	Weekdays			Weekends		
		Mid – 7AM	7AM – 6PM	6PM – Mid	Mid – 7AM	7AM – 6PM	6PM - Mid
Office & Parking	15,300 SF	2.5	51	2.5	0	30.6	5.1
Retail & Professional Services	8,964 SF	0	51.2	40.9	0	51.2	30.7
Residential	114 Units	174	95.7	147.9	174	113.1	130.5
Restaurant	7,380 SF	57.2	80	114.3	51.4	80	114.3
Hotel	214 Guest Rooms	214	139.1	192.6	214	139.1	171.2
Total Spaces Required		448	417	499	440	414	452
Total Spaces Provided		9					

Waivers		
Requirement	Request	Staff Recommendation
An articulated roofline and/or an articulated cornice shall be designed as a major feature at or near the top of all new buildings and be continuous on all sides	To allow no articulated roofline.	Denial
Extensions of more than 10 feet of blank, expressionless walls at the street level shall be prohibited.	To allow extensions of more than 10 feet of blank, expressionless walls at the street level.	Denial