



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: OCTOBER 16, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: COUNTY OF CLARK (PUBLIC WORKS)

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0390-SDR1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 151

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0390-SDR1 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 07/18/24, except as amended by conditions herein.
3. A Waiver from Title 19.09 is hereby approved, to allow to allow a common yard frontage where such is not allowed.
4. A Waiver from Title 19.09 is hereby approved, to allow a 293-foot flex mid-rise main body depth where 200 feet is the maximum allowed
5. A Waiver from Title 19.09 is hereby approved, to allow the sidewalk to not be extended into the facade zone meeting the building.
6. A Pre-Entitlement Exception from Title 19.09 is hereby approved, to allow a 77.1 percent building façade alignment where 80 percent is the minimum required.
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 Building and Safety Division.
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. All utility or mechanical equipment shall comply with the provisions of the Interim Downtown Las Vegas Development Standards, unless approved by a separate Waiver.

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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 visibility of any traffic control device.
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.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. In accordance with code requirements of Title 13.56 and Section 2.2 of the City's Vision Zero Action Plan, remove all substandard offsite improvements and unused driveway cuts, if any, and replace with new improvements meeting Public Right-of-Way Accessibility Guidelines (PROWAG) to the satisfaction of the City Engineer concurrent with development of this site. Grant Pedestrian Access Easement(s) if necessary to comply with this requirement. All existing paving damaged or removed by this development shall be restored at its original location, width and depth concurrent with development of this site.
15. 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 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.
16. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the Maryland Bus Rapid transit Project (MWA773) and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
17. 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.

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18. A Traffic Impact Analysis related to gated queueing 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. 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.
19. Queues for the parking garage shall not extend into the public right-of-way as a result of the operations on this site.
20. 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 development of this site.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to develop a five-story parking garage on 1.82 acres at the southeast corner of Wellness Way and Tonopah Drive.

ISSUES

- The subject site is within the confinements of the Vision 2045 Downtown Las Vegas Master Plan (Medical District) [Area 3].
- The following Waivers of the Title 19.09 Form-Based Code Development standards are requested:
 - A Waiver of Title 19.09 is requested to allow a common yard frontage where such is not allowed. Staff supports this request.
 - A Waiver of Title 19.09 is requested to allow a 293-foot flex mid-rise main body depth where 200 feet is the maximum allowed. Staff supports this request.
 - A Waiver of Title 19.09 is requested to allow the sidewalk to not be extended into the facade zone meeting the building. Staff supports this request.
 - A Pre-Entitlement Exception of Title 19.09 is requested to allow a 77.1 percent building façade alignment where 80 percent is the minimum required. Staff supports this request.
- The subject site is located in Redevelopment Area - Expansion Area.

ANALYSIS

Adopted by the City Council in June 2016, the Vision 2045 Downtown Las Vegas Master Plan (Downtown Master Plan) is the policy document that provides an overall vision, policy direction, and implementation strategy in support of the ongoing recovery and revitalization in Downtown Las Vegas. The Downtown Master Plan envisions and encourages downtown Las Vegas to achieve a compact, vibrant urban environment, with a focus on higher-density mixed-use development around transit hubs and activity nodes. The Master Plan is intended to enable an energetic, urban way of life and a high-quality physical environment for locals and visitors alike.

Adopted under the requirements of the Las Vegas Municipal Code and other applicable laws, the Title 19.09 Form-Based Code establishes the new form-based standards for the area of the City included within the Downtown Las Vegas Overlay (DTLV-O). Eventually, the Form-Based Code will be applied to each of the twelve Downtown Districts within the Downtown Las Vegas Overlay District.

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The subject site is located within the Medical District of Downtown Las Vegas. With proximity to the core as a significant employment node, the Las Vegas Medical District (LVMD) shows great potential for driving the medical-oriented economy while complementing other districts of Downtown. The subject site is located in a T6-UG-L (T6 Urban General - Limited) transect zone. This transect zone intends to provide a vibrant, compact, high-intensity walkable urban environment that can accommodate a variety of building types with active pedestrian street facades and a diverse range of uses supported by active ground floor frontages on multiple streets. Parking is typically provided in multi-story garages, which if placed next to a street frontage, are lined with active retail/service uses. Specialized uses, such as hospitals and large medical offices and facilities, are accommodated in a limited Sub-Zone. This transect zone is governed by Title 19.09 which regulates the form-based code development standards. For the subject site, both Wellness Way and Tonopah Drive are considered to be the primary street frontages based on the hierarchy of roadways and building orientation.

The 1.82-acre subject site is an existing 216-space parking lot located at the southeast corner of Wellness Way and Tonopah Drive. The applicant is proposing to redevelop the subject site with a proposed five-story parking garage development. The proposed development is categorized as a Flex Mid-Rise building type with Common Yard street frontage on both roadways.

Common Yards are not an allowed frontage type in the T6-UG-L (T6 Urban General - Limited) transect zoning district, as this transect aims for more urban street frontages. The common yard is primarily used in neighborhood (residential) based transect zones. A parking garage development does not have the same frontage considerations as a typical building as building entry is from stairwells in the corners of the building with the rest of the façade along amenity zone landscaping. As such, a Waiver of Title 19.09 is requested allowing deviation from this standard.

The Parking Facility use is defined as “a lot or structure developed for public or private parking as a primary use of the subject site on which it is located. This use does not include any ancillary lot or structure provided in conjunction with a primary use in order to meet minimum required parking standards.” Parking Facilities are a permitted use in the T6-UG-L (T6 Urban General - Limited) transect zoning district and supported by the Vision 2045 Downtown Las Vegas Master Plan promoting a “park-once” strategy, minimizing land resources devoted to surface parking. The floor plan shows a total of 800 total parking spaces with 20 being ADA accessible throughout the five story development. The parking garage will not only create 584 additional parking spaces (a 270 percent increase) at the subject site, but will also help combat the heat island effect created from the existing large surface parking lot.

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Under Title 19.09, when adjacent to primary and secondary frontages, parking structures shall have ground level retail, office and/or a restaurant space incorporated into the design of the structure. When not provided, ground level façade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department. As an alternative to this, the proposed parking garage development has created an activate façade street frontage by providing thorough landscaping to enhancing the pedestrian walking experience.

The building elevations demonstrate a five-story, 57-foot tall mid-rise building primarily comprised of a variety of materials. The building primarily consists of CMU blocks, painted concreted, and perforated metal. 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 24-inch Desert Willow, Palo Brea, Willow Pittosporum, and Texas Mountain Laurel throughout the subject site. All of which are included on the Southern Nevada Regional Planting Coalition list as well the Medical District specific amenity zone tree palette and appropriate for a desert climate.

The subject site is located in the Medical District. The plan for existing and future land use recognizes that land supply will reduce over time and it is necessary to shift to a strategy of infill and redevelopment. The subject site is adjacent to Wellness Way, a right-of-way currently under design and reconfiguration as part of the Maryland Bus Rapid Transit (BRT) line. The Vision 2045 Downtown Master Plan indicates that this transit line is a strategic priority for the Medical District, strengthening the linkage to the Downtown core and surrounding areas like the University of Nevada - Las Vegas main campus and Harry Reid International Airport. As such, Condition of Approval 16, has been added for the proposed development to coordinate with the City Engineer's Office.

As the proposed development supports goals and policies identified in the Vision 2045 Downtown Master Plan, staff finds that the proposed development can be harmonious and compatible with the surrounding area and therefore recommends approval, subject to conditions.

FINDINGS (24-0390-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;**

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The proposed parking garage development is compatible with the adjacent development within the surrounding area of the subject site. The garage follows a “park-once” development strategy, minimizing land resources devoted to surface parking. The proposed parking garage development has created an activate façade street frontage by providing thorough landscaping enhancing the pedestrian walking experience to adjacent development in the surrounding area.

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

The proposed parking garage development helps further goals, objectives, and guiding principles identified in the Vision 2045 Downtown Master Plan such as the “park-once” development strategy and mitigating the heat island effect.

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

Site access is provided by Wellness Way and Tonopah Drive; each 60-foot are adequate in size to serve the scale of the proposed development. Under the Title 19.09 Thoroughfare Standards, Wellness Way is categorized as a commercial street whereas Tonopah Drive is categorized as a minor neighborhood street. For development purposes, both roadways are categorized as Primary Thoroughfares.

Additionally, the Title 19.09 Form Based Code identifies Wellness Way as a Special Transit Alignment Thoroughfare, which is currently under design and reconfiguration as part of the Maryland Bus Rapid Transit (BRT) line. The Vision 2045 Downtown Master Plan, indicates that this transit line is a strategic priority for the Medical District, strengthening the linkage to the Downtown core and surrounding areas like the University of Nevada - Las Vegas main campus and Harry Reid International Airport. As such, Condition of Approval 16, has been added for the proposed development to coordinate with the City Engineer’s Office.

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

The proposed building and landscape materials are appropriate for a desert climate and the city. All provided landscaping is included on the Southern Nevada Regional Planting Coalition list as well the Medical District specific amenity zone tree palette and are appropriate for a desert climate.

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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;**

Building elevations and design characteristics are not unsightly or obnoxious in appearance and create an orderly and aesthetically pleasing environment. The building primarily consists of CMU blocks, painted concreted, and perforated metal. 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.

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

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>	
02/21/96	The City Council approved a Rezoning (Z-0003-96) from R-E (Residence Estates) to C-V (Civic) for a public parking lot at the subject site. The Planning Commission recommended approval.
06/17/20	The City Council approved a General Plan Amendment (GPA-78218) to amend portions of the Southeast Sector Land Use Map of the General Plan from L (Low Density Residential), O (Office) and SC (Service Commercial) to FBC (Form-Based Code) on approximately 40 acres in the Las Vegas Medical District generally located south of Charleston Boulevard, east of Rancho Drive. The Planning Commission and Staff recommended approval.
	The City Council approved a Rezoning (ZON-78219) from C-1 (Limited Commercial), C-D (Designed Commercial), O (Office), P-R (Professional Office and Parking), R-1 (Single Family Residential) and R-E (Residence Estates) to T4-C (T4 Corridor), T5-C (T5 Corridor), T5-Ms (T5 Main Street), T3-N (T3 Neighborhood) on approximately 40 acres in the Las Vegas Medical District generally located south of Charleston Boulevard, east of Rancho Drive. The Planning Commission and Staff recommended approval.

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
09/10/24	The Planning Commission voted (6-0-1) to recommend APPROVAL on the following Land Use Entitlement project request FOR A PROPOSED FIVE-STORY PARKING GARAGE WITH WAIVERS OF TITLE 19.09 FORM-BASED CODE DEVELOPMENT STANDARDS on 1.82 acres at the southeast corner of Wellness Way and Tonopah Drive (APNs 139-33-410-001, 009, 018, and 029), T6-UG-L (T6 Urban General - Limited) Zone, Ward 1 (Knudsen).

<i>Most Recent Change of Ownership</i>	
11/10/97	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
There are no related building permits or business licenses associated with the subject site.	

<i>Pre-Application Meeting</i>	
07/17/24	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Site Development Plan Review pertaining to a proposed parking garage development at the subject site.

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

<i>Field Check</i>	
08/15/24	A routine filed check was conducted at the subject site; staff found an existing parking lot with nothing noted of concern.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.82

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Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Parking Lot	FBC (Form Based Code)	T6-UGL (T6 Urban General - Limited)
North	Restaurant Office, Medical or Dental		
South	Office, Medical or Dental		
East	Hospital		T6-UG (T6 Urban General)
West	Non-Profit General Personal Service Animal Hospital, Clinic, or Shelter Financial Institution, General		

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Downtown Las Vegas	Y
Vision 2045 Downtown Las Vegas Master Plan: Las Vegas Medical District	Y
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District (175 Feet)	Y
DTLV-O (Downtown Las Vegas Overlay) District - Area 3	Y
LW-O (Live/Work Overlay) District	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area - Expansion Area	Y
Interlocal Agreement	N/A
Project of Significant Impact	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.09, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Table D. Building Types			
Building Type Flex Mid-Rise	Main Body Width: 100% of lot Max	91.6%	Y
	Main Body Depth: 200 Feet Max	293 Feet	N*
	Secondary Wing Width: 75 Feet	N/A	Y
	Secondary Wing Depth: 100 Feet	N/A	Y
Access Standards	Pedestrian access to the building must be from the thoroughfare or courtyard.		Y

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Pursuant to Title 19.09, the following standards apply: (continued)

Standard	Required/Allowed	Provided	Compliance
Table E. Building Placement			
Setback Distance (Front) [Wellness Way]	5 Feet Minimum 10 Feet Maximum	10 Feet	Y
Setback Distance (Front) [Tonopah Drive]	5 Feet Minimum 10 Feet Maximum	10 Feet	Y
Setback Distance (Interior Side)	0 Feet Minimum 10 Feet Maximum	9 Feet	Y
Setback Distance (Rear)	0 Feet Minimum	24 Feet	Y
Building Façade (Front) [Wellness Way]	80% Minimum	83.2%	Y
Building Façade (Front) [Tonopah Drive]	80% Minimum	77.7%	N**
Miscellaneous	Sidewalk must be extended into the facade zone to meet the building.		N*
Table F. Building Form Standards			
Building Height	1 Story Minimum 14 Stories Maximum	5 Stories	Y
Floor-to-Ceiling (Ground)	13 Feet Minimum	13 Feet	Y
Floor-to-Ceiling (Upper)	9 Feet Minimum	10 Feet	Y
Footprint – Lot Coverage	90% Maximum	80%	Y
Depth – Gross Floor Space	20 Feet Minimum	N/A	Y
Table G. Frontages			
Frontage 1 [Wellness Way]	Arcade Forecourt Gallery Shopfront Terrace	Common Yard	N*
Frontage 2 [Tonopah Drive]		Common Yard	N*
Pedestrian Access	The primary building entrance must be located to face a primary thoroughfare or be connected to a primary thoroughfare through an Open Space type consistent with Section 19.09.080		Y
Table H. Encroachments into the Façade Zone			
Encroachment Type	N/A	N/A	Y
Table I. Use Types			
Parking Facility			Permitted
Table J. Parking Standards			
Two-Way Parking Driveway Width	32 Feet Minimum 34 Feet Maximum	34 Feet	Y

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Pursuant to Title 19.09, the following standards apply: (continued)

Standard	Required/Allowed	Provided	Compliance
Table K. Required Street Trees			
Amenity Zone Tree Planting	Desert Willow	Desert Willow	Y
	Palo Brea		
	Willow Pittosporum		
	Thornless Hybrid Mesquite	Palo Brea	Y
	Thornless Honey Mesquite		
	Canby Oak	Willow	
	Escarpment Oak	Pittosporum	Y
	Monterrey Oak		
	Shumard Oak	Texas	
	Texas Mountain Laurel	Mountain Laurel	Y
	Cedar Elm		
Table L. Open Space			
For parking garages, open space shall be provided at the rate of one square foot per stall	800 SF	7,389	Y

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Wellness Way	Collector Street	Master Plan of Streets and Highways Map	60	Y
	Primary Thoroughfare	Title 19.09		Y
	Commercial Street	Title 19.09		Y
	Special Transit Alignment	Title 19.09		Y
Tonopah Drive	Collector Street	Master Plan of Streets and Highways Map	60	Y
	Primary Thoroughfare	Title 19.09		Y
	Minor Neighborhood Street	Title 19.09		Y
Hasting Avenue	Local Street	Title 13	N/A*	Y

**This roadway is a private right-of-way.*

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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	
Parking Facility	0	1 space, designated as employee-only parking, for each employee on the largest shift.	0				
TOTAL SPACES REQUIRED (unweighted)			0				
TOTAL SPACES REQUIRED (weighted requirement; see below)			0				
Regular and Handicap Spaces Required			0	0	780	20	Y
Downtown Form Based Code Parking Standards - Title 19.09.100.G							
Parking Standards Low Load - Zone 1			Between 30% and 60%		N/A		N/A
Bicycle Parking Requirements			N/A		N/A		Y

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.

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Waivers		
Requirement	Request	Staff Recommendation
A private frontage type shall be provided in compliance with Title 19.09.070.	To allow a common yard frontage where such is not allowed.	Approval
The flex mid-rise main body building depth is a maximum of 200 feet in the T6-UG-L transect zone.	To allow a 293-foot flex mid-rise main body depth where 200 feet is the maximum allowed.	Approval
The sidewalk must be extended into the facade zone to meet the building.	To allow the sidewalk to not be extended into the facade zone meeting the building.	Approval

Pre-Entitlement Exceptions		
Requirement	Request	Staff Recommendation
The primary building shall be aligned within a minimum of 80 percent of the façade zone for the frontage street.	To allow a 77.1 percent building façade alignment where 80 percent is the minimum required.	Approval

Las Vegas Valley Water District (LVVWD)		
Comments:		
Civil plans will need to be submitted to the Las Vegas Valley Water District (LVVWD). The existing domestic service and/or fire protection may not be adequate.		