



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: DECEMBER 4, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION:

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0560-EOT1	Staff recommends APPROVAL, subject to conditions:	
24-0560-EOT2	Staff recommends APPROVAL, subject to conditions:	24-0560-EOT1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED N/A

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0560-EOT1 CONDITIONS

Planning

1. This approval shall expire on 10/19/26 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Petition to Vacate (22-0395-VAC1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

24-0560-EOT2 CONDITIONS

Planning

1. This approval shall expire on 10/19/26 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Site Development Plan Review (22-0395-SDR1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
December 4, 2024 - City Council Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for the first Extension of Time to a previously approved Petition to Vacate (22-0395-VAC1) and Site Development Plan Review (22-0395-SDR1) allowing a seven-story, 200-unit multi-family development on 1.12 acres at the southwest corner of Alta Drive and Tonopah Lane.

ISSUES

- In October 2022, the City Council approved the following land use entitlement projects:
 - A Petition to Vacate (22-0395-VAC1) to vacate a portion of Alta Drive public right-of-way.
 - A Site Development Plan Review (22-0395-SDR1) for a proposed seven-story, 200-unit multi-family development with Waivers of the title 19.09 Form-Based Code Development Standards.
 - Pursuant to Conditions of Approval Eight (8) of Petition to Vacate (22-0395-VAC1) and Two (2) of Site Development Plan Review (22-0395-SDR1), the approval shall be void two years from the date of final approval, unless exercised or filed for an Extension of Time.
- This is the first request for Extensions of Time that were received on 10/15/24.

ANALYSIS

This is the first request for an Extension of Time for a previously approved Petition to Vacate (22-0395-VAC1) and Site Development Plan Review (22-0395-SDR1). Pursuant to the approved Conditions of Approval, both applications were given a two-year approval period, unless the applications were exercised or Extensions of Time were filed.

In the submitted justification letter, the applicant states that the Extensions of Time are due mainly to a reconfiguration in the design of the proposed development. The applicant intends to incorporate 30 additional residential units and additional parking through a subterranean parking garage; these revisions will require a separate forthcoming amendment to the approved Site Development Plan Review (22-0395-SDR1). Additionally, the applicant states in the justification letter that they are working to meet various Conditions of Approval in conjunction with the development of the site.

Since the approval in October 2022, a Code Enforcement Case (CE23-00605) was reported on 01/30/23 for a boarded building with code violations at 2021 Alta Drive.

Staff Report Page Two
December 4, 2024 - City Council Meeting

Subsequently, on 02/01/23, a Building Permit (R23-01296) was issued for the demolition of this property. As such, the code enforcement case was resolved on 02/08/23.

FINDINGS (24-0560-EOT1) - PETITION TO VACATE (22-0395-VAC1)

Pursuant to Title 19.16.080, Vacations shall not be recorded until all applicable City code requirements and design standards have been met. This Extension of Time request does not jeopardize the public health, safety, or welfare; therefore staff recommends approval of an additional two-year approval extension.

FINDINGS (24-0560-EOT2) - SITE DEVELOPMENT PLAN REVIEW (22-0395-SDR1)

Pursuant to Title 19.16.100, Site Development Plan Reviews are deemed exercised upon the issuance of a building permit for the structure on site. In December 2022, a Civil Improvement Plan (L22-02732) and a Building Permit (C22-04757) were submitted for the approved development; however, neither of these permits have been issued yet. Since no building permits have been issued, an Extension of Time is necessary. This Extension of Time request does not jeopardize the public health, safety, or welfare; therefore staff recommends approval of an additional two-year approval extension. If these Extension of Time requests are denied, the land entitlements will have expired on 10/19/24.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
09/01/99	The City Council approved a Variance (V-0054-99) to allow four proposed parking spaces where seven are required and to provide zero handicap spaces where one is required in conjunction with a proposed residential conversion to an office at 511 South Tonopah Drive. The Board of Zoning Adjustment recommended approval.
06/19/02	The City Council approved a Major Modification (Z-0020-97(33)) to the Las Vegas Medical District Neighborhood Plan to update and revise the Plan document, as part of the City's General Plan for the area bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin L. King Boulevard to the east and Rancho Drive to the west. The Planning Commission recommended approval.

Staff Report Page Three
December 4, 2024 - City Council Meeting

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc. (cont.)</i>	
01/12/06	The Planning Commission approved a Site Development Plan Review (SDR-10108) for the conversion of a residence to a professional office and a Waiver of side setbacks, perimeter landscaping, and landscape buffering requirements on 0.32 acres at 2016 Hamilton Street. Staff recommended approval.
07/21/16	A Code Enforcement Case (CE-168936) was reported for high vegetation and debris at the northeastern corner of Hamilton Lane and Tonopah Drive. The case was resolved on 09/08/16
11/01/18	A Code Enforcement Case (CE-194342) was reported for high vegetation at the northeastern corner of Hamilton Lane and Tonopah Drive. The case was resolved on 01/10/19.
12/05/18	The City Council approved a General Plan Amendment (GPA-73548) to amend portions of the Southeast Sector Land Use Map of the General Plan from C (Commercial), LI/R (Light Industry/Research), LVMD (Las Vegas Medical District), M (Medium Density Residential), MXU (Mixed Use) and SC (Service Commercial) to FBC (Form-Based Code) on approximately 307 acres in the Las Vegas Medical District generally located south of U.S. Highway 95, west of Interstate 15, north of Charleston Boulevard, and east of Rancho Drive. The Planning Commission and Staff recommended approval.
01/16/19	The City Council approved a Rezoning (ZON-73549) from C-1 (Limited Commercial), M (Industrial), PD (Planned Development), R-5 (Apartment), and R-PD19 (Residential Planned Development - 19 Units per Acre) to T4-C (T4 Corridor), T5-C (T5 Corridor), T5-MS (T5 Main Street), T5-M (T5 Maker), T5- N (T5 Neighborhood), T6-UG (T6 Urban General) and T6-UG-L (T6 Urban General Limited) on approximately 307.00 acres in the Las Vegas Medical District generally located south of U.S. Highway 95, west of Interstate 15, north of Charleston Boulevard, and east of Rancho Drive. The Planning Commission and Staff recommended approval.
07/08/19	A Code Enforcement Case (CE19-00956) was reported for a building without a proper building permit, fire damages, debris, high vegetation, and deemed an overall public nuisance at 511 South Tonopah Drive. The case was resolved on 07/26/19.
07/12/21	A Code Enforcement Case (CE21-02912) was reported for excess waste and litter, outdoor storage materials, and disabled vehicles at 2021 Alta Drive. The case was resolved on 10/05/21.
03/16/22	A Code Enforcement Case (CE22-01351) was reported for overgrown trees obstructing the sidewalk at 2016 Hamilton Lane. The case is open.

Staff Report Page Four
December 4, 2024 - City Council Meeting

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc. (cont.)</i>	
06/30/22	A Code Enforcement Case (CE22-03309) was reported for overgrown trees and refuse obstructing the right-of-way at the northeastern corner of Hamilton Lane and Tonopah Drive. The case is open.
08/11/22	A Code Enforcement Case (CE22-04422) was opened for excessive trash, debris, and overgrown vegetation impeding the sidewalk at 511 South Tonopah Drive. The case is open.
10/19/22	The City Council approved a Petition to Vacate (22-0395-VAC1) to vacate a portion of Alta Drive public right-of-way. The Planning Commission and staff recommended approval.
	The City Council approved a Site Development Plan Review (22-0395-SDR1) for a proposed seven-story, 200-unit multi-family development with Waivers of the title 19.09 Form-Based Code Development Standards on 1.12 acres at the southwest corner of Alta Drive and Tonopah Lane. The Planning Commission and staff recommended approval.
01/30/23	A Code Enforcement Case (CE23-00605) was reported for a boarded building with code violations at 2021 Alta Drive. The case was resolved on 02/08/23.

<i>Most Recent Change of Ownership</i>	
06/01/22	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
03/13/19	A Building Permit (R23-01296) was issued for a demolition at 2016 Hamilton Lane.
12/01/22	A Civil Improvement Plan (L22-02732) is currently under review for off-site improvements pertaining to a proposed 200-unit apartment building at the southeast corner of Alta Drive and Tonopah Drive. The permit is open pending the outcome of these Extension of Time requests.
12/07/22	A Building Permit (C22-04757) is currently under review for a seven-story multi-family residential building at the northeast corner of Hamilton Lane and Tonopah Drive. The permit is open pending the outcome of these Extension of Time requests.
02/01/23	A Building Permit (R23-01298) was issued for a residential demolition at 2025 Alta Drive.
	A Building Permit (R23-01296) was issued for a residential demolition at 2021 Alta Drive.

Staff Report Page Five
December 4, 2024 - City Council Meeting

Pre-Application Meeting

A pre-application meeting was not required, nor was one held.

Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.

Field Check

11/06/24

A routine field check was conducted at the subject site; nothing was noted of concern.

Details of Application Request**Site Area**

Net Acres	1.12
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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	FBC (Form-Based Code)	T5-N (T5 Neighborhood)
North	Vacant		
South	Right-of-Way	ML (Medium Low Density Residential)	R-1 (Single Family Residential)
East	Residential, Single Family	FBC (Form-Based Code)	T5-N (T5 Neighborhood)
West	Office, Other than Listed		
	Vacant		

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

Staff Report Page Six
December 4, 2024 - City Council Meeting

<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Alta Drive Constructed Pedestrian Path)	Y
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 Building	Main Body Width: 100% of Lot Max	93%	Y
	Main Body Depth: 175 Feet Max	133 Feet	Y
	Secondary Wing Width: 60 Feet Max	N/A	Y
	Secondary Wing Depth: 60 Feet Max	N/A	Y
Access Standards	Pedestrian access to the building must be from the thoroughfare or courtyard.		Y
Table E. Building Placement			
Setback Distance (Front)	5 Feet Minimum 15 Feet Maximum	1-Foot	Y*
Setback Distance (Corner Side)	5 Feet Minimum 20 Feet Maximum	4 Feet	Y****
Setback Distance (Interior Side)	0 Feet Minimum 30 Feet Maximum	3 Feet	Y
Setback Distance (Rear)	5 Feet Minimum	5 Feet	Y
Building Façade (Front) [Alta Drive]	65% Minimum	93%	Y
Building Façade (Side) [Tonopah Drive]	50% Minimum	95%	Y
Building Façade (Side) [Hamilton Lane]	50% Minimum	89%	Y
Miscellaneous	Where building elevations include balconies or windows, a minimum of 10 feet setback distance from the balcony or window edge to the property side and rear lot line is required.		Y*

Staff Report Page Seven
December 4, 2024 - City Council Meeting

Table F. Building Form Standards			
Building Height	2 Stories Minimum 5 Stories Maximum	7 Stories	Y
Floor-to-Ceiling (Ground)	13 Feet Minimum	9 Feet	Y***
Floor-to-Ceiling (Upper)	8 Feet Minimum	10 Feet	Y
Footprint – Lot Coverage	85% Maximum	85.4 %	Y****
Depth – Gross Floor Space	20 Feet Minimum	37 Feet	Y
Table G. Frontages			
Frontage 1 [Alta Drive]	Arcade Common Yard Dooryard Forecourt Gallery Shopfront Stoop Terrace	Shopfront	Y
Frontage 2 [Tonopah Drive]		Shopfront	Y
Frontage 3 [Hamilton Lane]		Shopfront	Y
Pedestrian Access			Y
Table H. Encroachments into the Façade Zone			
Encroachment Type (Shopfront: awning, balcony, bay window, projecting shade structure)	Front: 10 Feet Corner: 10 Feet	N/A N/A	Y
Table I. Use Types			
Residential, Multi-Family			Permitted
Table J. Parking Standards			
Setback from Lot	N/A	N/A	Y
Parking Driveway Width [Two-Way]	32 Feet Minimum 34 Feet Maximum	20 Feet	Y*

Staff Report Page Eight
December 4, 2024 - City Council Meeting

Table K. Required Street Trees			
Amenity Zone Tree Planting [ROW <81]	Desert Willow Palo Brea Willow Pittosporum Thornless Hybrid Mesquite Thornless Honey Mesquite Canby Oak Escarpment Oak Monterrey Oak Shumard Oak Texas Mountain Laurel Cedar Elm	Texas Mountain Laurel	Y
Amenity Zone Tree Planting [ROW ≥81]	Carob Palo Brea Willow Pittosporum Thornless Hybrid Mesquite Thornless Honey Mesquite Canby Oak Escarpment Oak Monterrey Oak Shumard Oak Cedar Elm Fruitless Olive	Cedar Elm	Y
Table L. Open Space			
Miscellaneous	20 Feet Minimum Width	23 Feet	Y
	20 Feet Minimum Depth	39 Feet	Y
	100 SF Minimum	1,175 SF	Y

**In conjunction with Site Development Plan Review (22-0395-SDR1), the following Waivers of the Title 19.09 Form-Based Code Development Standards were approved.*

***An Attainable Housing Bonus of two additional stories is permitted in the T5-N (T5 Neighborhood) transect zone when 15 percent of the units on the additional stories are affordable units.*

****Only applicable for service or retail uses.*

*****In conjunction with Site Development Plan Review (22-0395-SDR1), the following Pre-Entitlement Exceptions of the Title 19.09 Form-Based Code Development Standards were approved administratively by the Department of Community Development.*

Staff Report Page Nine
December 4, 2024 - City Council Meeting

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Alta Drive	Primary Arterial	Master Plan of Streets and Highways Map	120	Y
	Primary Thoroughfare	Title 19.09		Y
	Special Transit Alignment			Y
	Avenue - Bike Emphasis			Y
Tonopah Drive	Collector Street	Master Plan of Streets and Highways Map	60	Y
	Primary Thoroughfare	Title 19.09		Y
	Commercial Street			Y
	Special Transit Alignment			Y
Hamilton Lane	Local Street	Title 13	45	Y
	Secondary Drive	Title 19.09		Y
	Minor Neighborhood Street			Y

Streetscape Standards	Required	Provided	Compliance
19.04.030 Commercial Neighborhood Street	A sidewalk width between six to 10 feet	To allow a four-foot-wide sidewalk on Tonopah Drive	N*
19.04.030 Commercial Neighborhood Street	An amenity zone width of five feet	To allow a four-foot-wide amenity zone on Tonopah Drive	N*

**In conjunction with Site Development Plan Review (22-0395-SDR1), Waivers of the Title 19.09 Form-Based Code Development Standards were approved.*

Staff Report Page Ten
December 4, 2024 - City Council Meeting

Parking Requirement - Downtown (Area 3)							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential - Studio or 1 Bedroom Units	179 Units	1.25 spaces per unit	224				
Multi-Family Residential - 2 Bedroom Units	21 Units	1.75 spaces per unit	37				
Multi-Family Residential - Guest Parking	200 Total Units	1 per every 6 total units	33				
TOTAL SPACES REQUIRED (unweighted)			294				
TOTAL SPACES REQUIRED (weighted requirement; see below)			118 to 206				
Regular and Handicap Spaces Required			190	6	190	6	Y
Downtown Form-Based Code Parking Standards - Title 19.09.100.G							
Parking Standards High Load - Zone 3			Between 40% and 70%		Minimum: 118 Maximum: 206		Y
Bicycle Parking Requirements			2 minimum, plus 1 per every 20 units		16		Y

Staff Report Page Eleven
December 4, 2024 - City Council Meeting

Waivers		
Requirement	Request	Staff Recommendation
The front yard setback shall be between a five-foot minimum to a 15-foot maximum in the T5-N transect zone.	To allow a one-foot front yard setback where five feet is the minimum required.	Approved
The corner side yard setback shall be between a five-foot minimum to a 20-foot maximum in the T5-N transect zone.	To allow a four-foot corner side yard setback where five feet is the minimum required.	Approved
A two-way parking access driveway shall be a minimum of 32 feet to a maximum of 34 feet.	To allow a 20-foot two-way driveway where 32 feet is the minimum allowed.	Approved
Where building elevations include balconies or windows, a minimum of 10 feet setback distance from the balcony or window edge to the property side and rear lot line is required.	To allow balconies and windows within 10 feet of the side and rear yard setbacks where such is not allowed.	Approved
For commercial neighborhood streets, a sidewalk width between six to 10 feet is required.	To allow a four-foot wide sidewalk on Tonopah Drive.	Approved
For commercial neighborhood streets, an amenity zone width of five feet is required.	To allow a four-foot wide amenity zone on Tonopah Drive.	Approved

Pre-Entitlement Exceptions		
Requirement	Request	Staff Recommendation
The corner side yard setback shall be between a five-foot minimum to a 20-foot maximum in the T5-N transect zone.	To allow a four-foot corner side yard setback where five feet is the minimum required.	Approved
The maximum lot coverage in the T5-N transect zone is 85 percent.	To allow an 85.4 percent lot coverage where 85 percent is the maximum allowed.	Approved