



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: OCTOBER 19, 2022

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: 551 G A HOLDINGS, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
22-0360-SDR1	Staff recommends DENIAL, if approved subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 678 (by City Clerk)

PROTESTS 0

APPROVALS 3

**** CONDITIONS ****

22-0360-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 and building elevations, date stamped 07/18/22, except as amended by conditions herein.
3. A Waiver from the Downtown Las Vegas Overlay Area 1 Architectural design standards is hereby approved, to allow extensions of more than 10 feet of blank, expressionless walls at the street level where such is prohibited.
4. A Waiver from the Downtown Las Vegas Overlay Area 1 Architectural design standards is hereby approved, to allow no articulated roofline where such is required.
5. Coordinate with the Office of Cultural Affairs regarding the proposed mural artwork to be located on the building façade.
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 Department of Building and Safety.
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.

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10. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, 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.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Per Title 13.12.090, dedicate a 10-foot radius corner at the southwest corner of Gass Avenue and 6th Street prior to the approval of construction drawings for this site such that all public sidewalks are within the public right-of-way.
14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting Downtown Masterplan Plan Standards (Title 19 Appendix F) concurrent with development of this site. 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 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 702-229-2338 or emailed at ece@lasvegasnevada.gov.
16. Prior to the submittal of construction drawings for this site, submit a pedestrian circulation 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 recommendation of the approved pedestrian circulation plan.

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17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits [or the submittal of a map for this site], whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a project request for a proposed 19,536 square-foot Mixed-Use development including 3,220 square feet of commercial/office space and 86 multi-family residential units on 0.48 acres at the southwest corner of Gass Avenue and 6th Street.

ISSUES

- A Mixed Use development is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Conditional Use Permit.
- While parking requirements are not automatically applied, this development is nearly 74 percent deficient in parking spaces that would be required for a similar development proposed outside Area 1 of the Downtown Las Vegas Overlay.
- A condition of approval has been added requiring a future mapping action in order to consolidate the lots.
- A Waiver is requested of the Downtown Las Vegas Overlay Area 1 Architectural design standards to allow extensions of more than 10 feet of blank, expressionless walls at the street level where such is prohibited. Staff does not support the request.
- A Waiver is requested of the Downtown Las Vegas Overlay Area 1 Architectural design standards to allow no articulated roofline where such is required. Staff does not support the request.

ANALYSIS

The subject 0.48-acre site consists of three abutting lots, zoned C-1 (Limited Commercial). It is located within Area 1 (Civic & Business District) of the Downtown Master Plan Area and subject to Title 19 Appendix F Interim Downtown Las Vegas Development Standards. The applicant proposes to develop the subject site with a five-story, 62-foot tall, 19,536 square-foot Mixed Use development including 3,220 square feet of commercial/office space and 86 multi-family residential units.

Title 19 defines a Mixed-Use use 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.” It is listed as a Conditional Use for the C-1 (Limited Commercial) zoning district.

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The Conditional Use Regulations are listed as follow:

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 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 pan depicts the first floor featuring commercial uses 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.

This requirement is met, as the submitted floor plan depicts the proposed residential units located on floors all above the ground level.

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 requirement is met, as the submitted plan depicts parking within a garage area which will be screened from right-of-way.

The submitted plans depict an 62-foot tall, 19,536 square-foot building with covered parking on the ground level. The development is proposed to be access via an alley off Gass Avenue, an 80-foot Collector Street. Retail and office spaces are depicted on the ground level facing 6th Street and Gass Avenue, with direct access to and from the public sidewalk. Floors two through five will provide 86 one-bedroom residential units. Additional amenities such as a meeting/common space areas are located on the second level and will be exclusively for the residents.

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Appendix F of the Interim Downtown Las Vegas Masterplan calls out specific architectural design and site planning standards for 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 and having extensions of more than 10 feet of blank, expressionless walls at the street level. Staff does not support the Waivers of design standards. The applicant will be required to a Covenant Running With Land agreement for future installation of the required offsite improvements per DTLV-O Area 1 Streetscape Standards as the property occupies less than 50 percent of the block frontage.

A total of 33 parking spaces are proposed within the ground level of the building and will be screened from view along 6th Street with decorative perforated metal screens. While parking requirements are not automatically applied within Area 1 of the Downtown Las Vegas Overlay, this proposed development is approximately 74 percent deficient in required parking spaces. The applicant proposes to provide 33 spaces where 124 spaces would be required for a comparable project in another location of the City. Per the submitted justification letter, the applicant states that public transportation and adjacent street parking within the area allows for additional parking and ease of access to the building for both residents and visitors. Staff finds that the parking deficiency is too high to adequately serve the needs of the proposed development.

The Clark County School District commented, "Rancho High School was over capacity for the 2021-2022 school year. It was at 128.34 percent of program capacity. An estimated 24 students are anticipated should this proposed development be approved."

While the 2045 Downtown Las Vegas Master Plan (Civic & Business 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 Site Development Plan Review (22-0360-SDR1). If approved, it will be subject to conditions.

FINDINGS (22-0360-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 development is not compatible with the adjacent development in the 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;

The subject site can be accessed from 6th Street and Gass Avenue, both 80-foot Collector Streets which are adequate in size to service the needs of the proposed development. However, the surrounding neighborhood will be impacted by the deficiency of onsite parking spaces.

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

The proposed building materials are appropriate for the area and City. No new landscaping is proposed at this time.

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. Appendix F of the Interim Downtown Las Vegas Masterplan calls out specific architectural design and site planning standards for 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 and having extensions of more than 10 feet of blank, expressionless walls at the street level. 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.

Development of the site is subject to building permit review and inspection, thereby protecting the public health, safety and general welfare.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
07/07/10	The City Council approved Special Use Permit (SUP-37937) for a proposed 1,807 square-foot Bailbond service use at 800 south 6th street. The Planning Commission and Staff recommended approval.
11/07/18	The City Council approved Site Development Plan Review (SDR-73908) for a proposed five-story mixed use development consisting of 1,389 square feet of commercial floor area and 27 multi-family residential units, with waivers of Downtown Las Vegas Overlay Architectural Standards on 0.16 acres at 808 South 6th Street. The Planning Commission and Staff recommended approval.
09/13/22	The Planning Commission (7-0 vote) recommends approval on a Land Use Entitlement project request FOR A PROPOSED FIVE-STORY, 62-FOOT TALL, 19,536 SQUARE-FOOT MIXED-USE DEVELOPMENT, INCLUDING 86 RESIDENTIAL UNITS, 2,491 SQUARE FEET OF COMMERCIAL SPACE AND 729 SQUARE FEET OF OFFICE SPACE WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS AREA 1 DEVELOPMENT STANDARDS on 0.48 acres at the southwest corner of Gass Avenue and 6th Street (APNs 139-34-410-194 through 196), C-1 (Limited Commercial) Zone, Ward 3 (Diaz)

<i>Most Recent Change of Ownership</i>	
05/27/21	A deed was recorded for a change in ownership. (139-34-410-194)
08/31/21	A deed was recorded for a change in ownership. (139-34-410-195)
03/14/22	A deed was recorded for a change in ownership. (139-34-410-196)

<i>Related Building Permits/Business Licenses</i>	
1935	The existing building at 808 South 6th Street was constructed.
Pre-1991	A business license (P50-01604) was issued for a law firm at 808 South 6th Street. The license was marked out of business on 12/28/16.
12/16/93	A building permit (#93212302) was issued for two 12-foot by 14-foot storage sheds at 808 South 6th Street. A final inspection was completed 02/24/94.
05/26/22	A building permit (#C22-02087) was issued for the demo and removal of building and foundations. The permit was finalized on 07/15/22.

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Pre-Application Meeting	
06/27/22	A pre-application meeting was held with the applicant to discuss submittal requirements for a Site Development Plan Review for a mixed-use development.

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

Field Check	
08/04/22	Staff conducted a routine field check and found a vacant lot surrounded by fencing. No issues were noted.

Details of Application Request	
Site Area	
Net Acres	0.48

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Office, Other Than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
South	Office, Other Than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
East	Office, Other Than Listed	C (Commercial)	R-4 (High Density Residential)
			P-R (Professional Office and Parking)
West	Mixed Use	MXU (Mixed Use)	C-2 (General Commercial)

Master and Neighborhood Plan Areas	Compliance
2050 Master Plan: Downtown Las Vegas Area	Y
Special Area and Overlay Districts	Compliance
DTLV-O (Downtown Las Vegas Overlay) District – Area 1	Y
LW-O (Live/Work Overlay) District	Y

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<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 and Title 19 Appendix F (Downtown Las Vegas Overlay District Development Standards), the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks <ul style="list-style-type: none"> • Front/Corner • Side • Rear 	70% alignment along PL 0 Feet 0 Feet	100% alignment 0 Feet 6 Feet	Y
Max. Building Height	N/A	62 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment/ Utilities	Screened, within building footprint	Screened, within building footprint	Y

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
6th Street	Collector	Master Plan of Streets and Highways Map	80	Y
Gass Avenue	Collector	Master Plan of Streets and Highways Map	80	Y

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Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential (Studio and One Bedroom Units)	86	1.25 per unit	108				

Use	Gross Floor Area or Number of Units	Base Parking Requirement		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Residential Guest Spaces		1 per 6 units	15				
General Retail Store, Other Than Listed	2,491 SF	1 per 175 SF	15				
Office, Other than Listed	729 SF	1 per 300 SF	3				
TOTAL SPACES REQUIRED			141		33		N*
Regular and Handicap Spaces Required			136	5	31	2	N*

*Projects located within the Downtown Las Vegas Overlay - Area 1 are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.

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Mixed-Use Parking Analysis

Pursuant to Title 19.12 and 19.18, Mixed-use developments may utilize alternative parking requirements based on a time-based percentage of comparable Title 19.12 parking standards. The time period with the highest total parking requirement for all associated uses becomes the mixed-use parking standard for the development. The alternative mixed-use parking requirement for this site is 124 parking spaces.

Overall Parking Requirement					
	Required Parking		Provided Parking		Compliance
	Regular	Handicapped	Regular	Handicapped	
Required Parking	124		33		N*
Regular and Handicap Spaces Required	119	5	31	2	N*
Percent Deviation	74%				

*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 Parking Analysis							
General Land Use Classification	Gross Floor Area or Number of Units	Mid-7am	Required parking	7am-6pm	Required Parking	6pm-Mid	Required Parking
WEEKDAY							
Residential	86 one-bedroom/studio units @ 1.25 spaces per unit 1 guest space per every 6 units	100%	123	55%	68	85%	105
General Retail Store, Other Than Listed	2,491 SF	0%	0	100%	15	80%	12
Office, Other than Listed	729 SF	5%	1	100%	3	5%	1
Total			124		86		118

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WEEKEND							
General Land Use Classification	Parking Ratio	Mid-7am	Required parking	7am-6pm	Required Parking	6pm-Mid	Required Parking
Residential	86 one-bedroom/studio units @ 1.25 spaces per unit 1 guest space per every 6 units	100%	123	65%	80	75%	93
General Retail Store, Other Than Listed	2,491 SF	0%	0	100%	15	60%	27
Office, Other than Listed	729 SF	0%	0	60%	2	10%	1
Total			123		97		121

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