

*City of Las Vegas*

**AGENDA MEMO - PLANNING**

**CITY COUNCIL MEETING DATE: DECEMBER 21, 2022**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT: TYLER MARWITZ - OWNER: SCG, LLC**

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>22-0351-SDR1</b>	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      20

**NOTICES MAILED**                      162 (by City Clerk)

**PROTESTS**                                      3

**APPROVALS**                                      0

**\*\* CONDITIONS \*\***

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**22-0351-SDR1 CONDITIONS**

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**Planning**

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/19/22, except as amended by conditions herein.
3. A trash enclosure shall be constructed with a roof or trellis and a gate in accordance with Title 19.
4. Waivers from 19.06.120 are hereby approved, to allow a three-foot front yard setback where 10 feet is required, a five-foot rear yard setback where 20 feet is required, a three-foot right-of-way landscape buffer where 10 feet is required adjacent to Bonanza Road, and a five-foot interior lot line landscape buffer where six feet is required.
5. A Waiver from 19.12.070 is hereby approved, to allow five parking spaces where 10 are required along interior lot lines.
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. 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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9. 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.
10. 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.
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. Dedicate the appropriate right-of-way on Bonanza Road for a total half-street width of 50-feet on Bonanza Road adjacent to this site (approximately 10 feet) prior to the issuance of any permits.
14. 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. Grant any Pedestrian Access Easement needed to complete this requirement.
15. Coordinate sewer connection at a size, depth, and location acceptable to CLV Public Works Sanitary Sewer Section. There is a point of connection to the east within the alley. Utilize the existing private lateral or alternatively connect with new 6-inch private lateral.
16. 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.
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**

The applicant is proposing to develop an eight-unit, one-bedroom apartment building at the intersection of Bonanza Road and 7th Street. The site is currently undeveloped.

**ISSUES**

- The applicant is requesting a Site Development Plan Review for a three-story, eight-unit multi-family development with Waivers of parking, setback, and perimeter landscape buffer requirements. Staff supports this request.

**ANALYSIS**

The subject site is located on the south side of Bonanza Road, in between 7<sup>th</sup> Street and 9<sup>th</sup> Street, approximately 350 feet north of US-95/Great Basin Highway. Surrounding uses include duplexes, triplexes, and single-family detached homes. A Las Vegas Metropolitan Police Department substation lies directly to the north of the site. Bonanza Road is a four lane Primary Arterial as classified by the Master Plan of Streets and Highways.

The parcel is zoned R-4 (High Density Residential) with MXU (Mixed Use) General Plan land use. According to Title 19, the R-4 District “is intended to allow for the development of high density multi-family units within the downtown urban core and in other high intensity areas suitable for high density residential development.” MXU is a legacy general plan category and may phase into another land use category that supports transit oriented development, mixed-use development, and Form-Based Code zoning.

The proposal includes a three-story, multi-family rental development consisting of eight 450 to 525 square foot one-bedroom units. The development features two small outdoor recreation areas and five covered parking spaces, one being handicap van accessible. Two of the parking spaces back onto the alley on the east side of the site. Though the project does not meet setback and perimeter landscape buffer standards, they are providing the required number of perimeter buffer trees.

The building features a frame and stucco construction type, with exterior stairways and unit access via shared balconies on the second and third stories. The walls around the recreation areas are stucco over concrete block. The façade colors are varying shades of neutral brown tones. The north elevation does feature two points of articulation where a color change also occurs.

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At 44 dwelling units per acre, the proposed development is more intense than existing surrounding development. However, the site is located in the Cashman District, as established by the Vision 2045 Downtown Master Plan, which aims to bring infill of diverse housing products and to “bring density to the area”. In addition to these general goals, per the 2045 Vision Plan the City aims to draw 1,004 new dwelling units along with 1,550,000 square feet of commercial, employment-oriented, and civic and institutional building area to the Cashman District.

The proposal is subject to Appendix F Interim Development Standards for Area 2, which allows for deviations of all Title 19 development standards “that supports the City’s goals as expressed in the Vision 2045 Downtown Las Vegas Masterplan and the districts’ goals and descriptions as per Chapter II” of Appendix F. Such deviations “may only be granted by the City Council” in the form of Waivers. Staff finds that the proposed deviations from Title 19 development requirements are necessary to achieve the stated goals as expressed in the Vision 2045 Downtown Las Vegas Masterplan. Due to the irregular shape of the site, and the need to provide some parking, as well as provide more density per the Masterplan’s goals, deviations to setback requirements were necessary. Reduced parking is also deemed to be a necessary deviation due to the space restrictions on the site. There is an RTC bus stop on either side of Bonanza Road within approximately 200 feet of the site that compensates for the reduced parking. Form-Based Code land use and transect zoning is forthcoming to this area, and the parking requirements for those districts are crafted to allow 30-70 percent of regular Title 19 requirements. This project meets 50 percent of Title 19 parking requirements. Staff therefore recommends approval of the requested Site Development Plan Review with Waivers of Title 19 development standards.

**FINDINGS (22-0351-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 compatible and harmonious with the surrounding uses on East Bonanza Road, and is supported by the General Plan.

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

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The proposed development is consistent with the General Plan, Title 19, and the Vision 2045 Downtown Las Vegas Masterplan. The development requires multiple Waivers, which are supported by the Vision 2045 Downtown Las Vegas Masterplan.

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

The property is served directly by Bonanza Road, which is classified as a Primary Arterial with a 100-foot right-of-way width by the Master Plan of Streets and Highways. The street has sufficient capacity to serve the proposed use.

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

Both building and landscape materials, consisting of a standard frame and stucco construction style with neutral brown tones, are appropriate for the area and 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 feature a modern architectural design with a painted stucco façade. The building features some articulation in the walls and roofline with open balconies on the south elevation of the building. The building features a flat roof. The building designs are not unsightly, undesirable, or obnoxious in appearance. The building elevations are harmonious and compatible with development in the area.

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

The proposed development is subject to building permit review and regular inspections during construction to ensure the public health, safety and general welfare are protected.

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### BACKGROUND INFORMATION

<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i></b>	
11/18/04	A Code Enforcement complaint (#CE-23866) was processed for illegal dumping at 524 North 7 <sup>th</sup> Street. The case was resolved on 12/03/04
08/03/05	A Code Enforcement complaint (#CE-33250) was processed for illegal dumping, debris, and high weeds at 524 North 7th Street. The case was resolved on 08/23/05.
05/17/06	The City Council approved an Ordinance (Ord. #5830) to amend the Downtown Area Land Use designations.
04/02/10	A Code Enforcement complaint (#CE-88441) was processed for overgrown vegetation at 524 North 7th Street. The case was resolved on 04/28/10.
03/02/20	A Code Enforcement complaint (#CE-01098) was processed for illegal dumping at 524 North 7th Street. The case was resolved on 03/17/20.
11/15/22	The Planning Commission voted (6-0) to recommend APPROVAL on a request FOR A PROPOSED THREE-STORY, EIGHT-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS AREA 2 DEVELOPMENT STANDARDS on 0.18 acres at 524 North 7th Street (APN 139-34-512-042), R-4 (High Density Residential) Zone, Ward 5 (Crear)

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

<b><i>Pre-Application Meeting</i></b>	
06/21/22	Staff held a meeting with the applicants to discuss the code requirements for a Site Development Review for an 8-unit multi-family development.

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

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	0.18

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<b><i>Surrounding Property</i></b>	<b><i>Existing Land Use Per Title 19.12</i></b>	<b><i>Planned or Special Land Use Designation</i></b>	<b><i>Existing Zoning District</i></b>
Subject Property	Undeveloped	MXU (Mixed Use)	R-4 (High Density Residential)
North	Las Vegas Metropolitan Police Station	PF (Public Facility)	C-V (Civic)

<b><i>Surrounding Property</i></b>	<b><i>Existing Land Use Per Title 19.12</i></b>	<b><i>Planned or Special Land Use Designation</i></b>	<b><i>Existing Zoning District</i></b>
North	Multi-Family Residential	MXU (Mixed Use)	C-2 (General Commercial)
South	Single Family, Detached	MXU (Mixed Use)	R-4 (High Density Residential)
	Multi-Family Residential	MXU (Mixed Use)	R-3 (Medium Density Residential)
East	Undeveloped	MXU (Mixed Use)	R-4 (High Density Residential)
West	Multi-Family Residential	MXU (Mixed Use)	R-3 (Medium Density Residential)

<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
Las Vegas 2050 Master Plan Area: Downtown	Y
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
Appendix F Interim Downtown Las Vegas Development Standards (Area 2)	Y
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

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## DEVELOPMENT STANDARDS

*Pursuant to 19.08.080, the following standards apply:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	7,000 SF	7,836 SF	Y
Min. Setbacks			
• Front	10 Feet	3 Feet	N*
• Corner Side	5 Feet	15 Feet	Y
• Rear	20 Feet	5 Feet	N*
Max. Lot Coverage	Unlimited	NA	NA
Max. Building Height	NA	35 Feet	NA
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

\*The applicants are requesting a Waiver of setback requirements. Per the Appendix F Interim Downtown Las Vegas Development standards, setbacks may be waived for projects within Area 2.

*Pursuant to 19.06.040, the following standards apply:*

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	8 Trees	8 Trees	Y
• South	1 Tree / 20 Linear Feet	6 Trees	7 Trees	Y
• East	1 Tree / 20 Linear Feet	1 Trees	1 Trees	Y
• West	1 Tree / 20 Linear Feet	2 Trees	2 Trees	Y
<b>TOTAL PERIMETER TREES</b>		<b>17 Trees</b>	<b>18 Trees</b>	<b>Y</b>
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	1 Trees	1 Trees	Y

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<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
<b>LANDSCAPE BUFFER WIDTHS</b>				
Min. Zone Width				
• North	10 Feet		3 Feet	N*
• South	6 Feet		5 Feet	N*
• East	6 Feet		15 Feet	Y
• West	10 Feet		12 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		Not Indicated	NA

\*The applicants are requesting a Waiver of landscape buffer requirements. Per the Appendix F Interim Downtown Las Vegas Development standards, landscaping standards may be waived for projects within Area 2.

**Pursuant to Title 19.08 and 19.12, the following parking standards apply:**

<b>Parking Requirement</b>							
<b>Use</b>	<b>Gross Floor Area or Number of Units</b>	<b>Required Parking Ratio</b>	<b>Required Parking</b>		<b>Provided Parking</b>		<b>Compliance</b>
			Regular	Handi-capped	Regular	Handi-capped	
			Multi-Family Residential	8 Units	1 Unit: 1.25 spaces	10	
<b>TOTAL SPACES REQUIRED</b>			10		5		N*
<b>Regular and Handicap Spaces Required</b>			9	1	4	1	N*

\*The applicants are requesting a Waiver of parking requirements. Per the Appendix F Interim Downtown Las Vegas Development standards, parking requirements may be waived for projects within Area 2.

<b>Street Name</b>	<b>Functional Classification of Street(s)</b>	<b>Governing Document</b>	<b>Actual Street Width (Feet)</b>	<b>Compliance with Street Section</b>
Bonanza Road	100 Foot Primary Arterial	Master Plan of Streets and Highways Map	95 Feet	N
7 <sup>th</sup> Street	Local Street	Title 13	80 Feet	Y

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<b>Waivers</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
10-foot front yard building setback	3-foot front yard building setback	Approval
20-foot rear yard building setback	5-foot rear yard building setback	Approval
10 parking spaces	5 parking spaces	Approval
10-foot landscape buffer adjacent to ROW	3 feet	Approval
6-foot landscape buffer for interior lot lines	5 feet	Approval