

**AGENDA MEMO - PLANNING****CITY COUNCIL MEETING DATE: MARCH 1, 2023****DEPARTMENT: COMMUNITY DEVELOPMENT****ITEM DESCRIPTION: APPLICANT/OWNER: LIAM PROPERTIES, LLC SERIES 3****** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
22-0536-WVR1	Staff recommends DENIAL, if approved subject to conditions:	
22-0536-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ******NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 32**NOTICES MAILED** 320 (by City Clerk)**PROTESTS** 5**APPROVALS** 0

**** CONDITIONS ****

22-0536-WVR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (22-0536-SUP1) 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 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.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

22-0536-SUP1 CONDITIONS

Planning

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Conditions Page Two
March 1, 2023 - City Council Meeting

3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

5. If utilizing the existing sewer connection, the private lateral should be assessed to verify it is in adequate condition to be used. If a new tap is proposed, the new private lateral shall be a minimum 6-inch diameter for commercial development per DCSWCS 2.3.2B.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Special Use Permit request for a proposed Hotel use at 820 South 6th Street.

ISSUES

- A Hotel, Motel or Hotel Suites use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. Staff supports the request.
- A Waiver is requested to allow a five-foot tall solid perimeter wall within the front setback area where prohibited. As an alternative, Title 19.08 allows two feet of solid wall as a base, with three feet of open fencing such as wrought iron. Staff does not support the request as solid screen walls in the front yard of a commercial property is prohibited.

ANALYSIS

The subject site is zoned C-1 (Limited Commercial) and located within Area 1 of the Downtown Las Vegas Overlay Civic & Business District. It is subject to Appendix F Interim Downtown Las Vegas Development Standards. The surrounding area is predominantly comprised of office uses and a multi-family residential development. The applicant proposes to remodel an existing single-story office building at the subject site into a seven-unit motel at 820 South 6th Street. As the proposed scope of work includes only a change of use, interior remodel, façade rehab and minor site improvements, a Site Development Plan Review is not required.

Per Title 19, a Hotel, Motel or Hotel Suites use is defined as the following,

1. Hotel – A building or group of buildings whose main function is to provide rooms for temporary lodging where entrance to each room is gained from a completely enclosed area. A hotel may also contain restaurants, conference rooms and personal service shops. The phrase “temporary lodging” refers to a rental period with a normal duration of no more than 1 week.
2. Motel – A building or group of buildings whose main function is to provide rooms for temporary lodging, rooms which are directly accessible from an outdoor parking area. The phrase “temporary lodging” refers to a rental period with a normal duration of no more than 1 week.

Staff Report Page Two
March 1, 2023 - City Council Meeting

3. Hotel Suites – A facility offering temporary lodging accommodations to the general public in which rooms or suites may include kitchen facilities and sitting rooms in addition to the sleeping room. The phrase “temporary lodging” refers to a rental period with a normal duration of no more than 1 week.

There are no minimum Special Use Permit requirements listed for the Hotel, Motel or Hotel Suites use. The applicant adheres to this definition as facility is intended to be for temporary, transient lodging only and not for short-term residential rental. Staff finds the proposed use can be conducted in a compatible and harmonious manner with the existing development in the surrounding area. Therefore, staff recommends approval, subject to conditions.

A Waiver (22-0536-WVR1) is requested to allow a five-foot tall solid perimeter wall within the front setback area where such is prohibited. Title 19.08.040(G)(1) states, “no screen wall shall be built in the front yard of a commercial or industrial property.” In lieu of a solid screen wall in the front yard, Title 19.08.070 for the C-1 zoning district allows a solid two-foot base (typically concrete masonry units or CMU) with three feet of open fencing such as wrought iron atop of the CMU for a maximum height of five feet.

Per the submitted justification letter, new masonry walls at the perimeter are proposed to help provide visual and physical security. Staff does not support the request as solid walls in the front yard setback area are prone to negate traffic visibility and a pedestrian friendly environment. The solid surface also encourages easier access for fence hopping and provides a solid surface for potential graffiti. Staff finds constructing a five-foot tall wrought iron fence would provide the same security and not conducive for vandals and graffiti. The wrought iron also provides visibility for both pedestrian and vehicular traffic. Therefore, staff recommends denial of the Waiver request. If approved, it will be subject to conditions.

FINDINGS (22-0536-SUP1)

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 hotel use can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses.

Staff Report Page Three
March 1, 2023 - City Council Meeting

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

The subject site is physically suitable for a seven-unit hotel use.

- 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.**

Street access is provided by 6th Street, an 80-foot Collector Street which is adequate in size to accommodate the needs of a hotel use.

- 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.**

The proposed Hotel use will be subject to business license review to assure it will not compromise the public health, safety and welfare.

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

There are no minimum requirements associated with a Hotel, Motel or Hotel Suites Use in Title 19.

FINDINGS (22-0536-WVR1)

Staff does not support the request as solid walls in the front yard setback area are prone to negate traffic visibility and a pedestrian friendly environment. It also encourages easier access for fence hopping and potential graffiti. Therefore, staff recommends denial of the Waiver request. If approved, it will be subject to conditions.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
05/17/22	The Department of Community Development Code Enforcement Division opened Case #CE22-02477 for building graffiti. The case was resolved on 05/17/22.
12/13/22	<p>The Planning Commission voted (6-0) to recommend APPROVAL of the following Land Use Entitlement project requests on 0.16 acres at 820 South 6th Street (APN 139-34-410-198), C-1 (Limited Commercial) Zone, Ward 3 (Diaz).</p> <p>22-0536-WVR1 - WAIVER - TO ALLOW A FIVE-FOOT TALL SOLID PERIMETER WALL WITHIN THE FRONT SETBACK AREA WHERE FIVE FEET WITH A TWO-FOOT SOLID BASE IS THE MAXIMUM ALLOWED</p> <p>22-0536-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED HOTEL, MOTEL OR HOTEL SUITES USE</p>

<i>Most Recent Change of Ownership</i>	
09/24/21	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
04/24/63	A Building Permit (#019724) was issued for an office building [APN 139-34-410-198].
03/17/77	A Building Permit (#1438) was issued for an interior remodel [APN 139-34-410-198].
07/21/99	A Building Permit (#99014298) was issued for an office building at 820 South 6 th Street. The permit expired on 01/22/00.
	A Building Permit (#99014299) was issued for an office building at 820 South 6th Street. The permit expired on 01/22/00.

<i>Pre-Application Meeting</i>	
09/12/22	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Hotel use.

Staff Report Page Five
March 1, 2023 - City Council Meeting

<i>Neighborhood Meeting</i>

A neighborhood meeting was not required, nor was one held.
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<i>Field Check</i>

11/03/22	Staff conducted a routine field check and found an existing vacant office building secured by chain link fencing, which is a prohibited material within the City of Las Vegas. Staff was unable to locate a building permit for the chain link fencing securing the subject site. The proposed redevelopment of the site would eliminate the need for the chain link fencing. Otherwise, the applicant will need to obtain proper entitlements and building permits for the continued use of the chain link fencing to secure the site.
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<i>Details of Application Request</i>
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<i>Site Area</i>

Net Acres	0.16
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<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	Vacant	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Office, Other than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
South	Undeveloped	MXU (Mixed Use)	C-1 (Limited Commercial)
East	Office, Other than Listed	C (Commercial)	C-1 (Limited Commercial)
West	Office, Other than Listed	MXU (Mixed Use)	C-2 (General Commercial)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
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Las Vegas 2050 Master Plan Area: Downtown Las Vegas	Y
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<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
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DTLV-O (Downtown Las Vegas Overlay) District – Area 1	Y
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LW-O (Live/Work Overlay) District	Y
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Staff Report Page Six
March 1, 2023 - City Council Meeting

<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
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

DEVELOPMENT STANDARDS

<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>
6 TH Street	Collector	Master Plan of Streets and Highways Map	80	Y

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	
Hotel, Motel or Hotel Suites	7 units	One space per guest room	7				
TOTAL SPACES REQUIRED (unweighted)		7					
TOTAL SPACES REQUIRED (weighted requirement, see below)			3		3		Y
Regular and Handicap Spaces Required			2	1	2	1	Y
Downtown Form Based Code Parking Standards - Title 19.09.100.G							
Parking Standards Low Load – Zone 1			Between 30% and 60%		3-5		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.