



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**CITY COUNCIL MEETING DATE: APRIL 5, 2023**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT: INVESTAR USA - OWNER: EL WALKER, LLC, ET AL**

---

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>22-0592-WVR1</b>	Staff recommends APPROVAL.	
<b>22-0592-ZON1</b>	Staff recommends APPROVAL.	22-0592-WVR1
<b>22-0592-SUP1</b>	Staff recommends DENIAL, if approved subject to conditions:	22-0592-WVR 22-0592-ZON1
<b>22-0592-SDR1</b>	Staff recommends DENIAL, if approved subject to conditions:	22-0592-WVR 22-0592-ZON1 22-0592-SUP1

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 38

**NOTICES MAILED** 248 (by City Clerk)

**PROTESTS** 20 - 22-0592-WVR1  
21 - 22-0592-ZON1, 22-0592-SUP1, 22-0592-SDR1

**APPROVALS** 7 - 22-0592-WVR1  
8 - 22-0592-ZON1, 22-0592-SUP1, 22-0592-SDR1

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

---

---

**22-0592-SUP1 CONDITIONS**

---

---

**Planning**

1. Approval of a Waiver (22-0592-WVR1) and Rezoning (22-0592-ZON1), and approval of and conformance to the Conditions of Approval for Site Development Plan Review (22-0592-SDR1) 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, as well as submitted as part of any business license application.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

---

---

**22-0592-SDR1 CONDITIONS**

---

---

**Planning**

1. 36-inch box shade trees shall be planted every 15 feet along the south property line.
2. Approval of a Waiver (22-0592-WVR1) and Rezoning (22-0592-ZON1), and approval of and conformance to the Conditions of Approval for Special Use Permit (22-0592-SUP1) shall be required, if approved.
3. 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.

**Conditions Page Two**  
**April 5, 2023 - City Council Meeting**

4. All development shall be in conformance with the site plan and landscape plan date stamped 02/13/23 and building elevations, date stamped 10/20/22, except as amended by conditions herein.
5. Pursuant to Title 19 Appendix F Area 2 Development Standards, a Waiver from Title 19.08.040 is hereby approved, to allow a residential adjacency proximity slope setback of 82 feet where 213 feet is required, and matching setback of two feet where 20 feet is required.
6. Pursuant to Title 19 Appendix F Area 2 Development Standards, a Waiver from Title 19.08.070 is hereby approved, to allow a two-foot front yard and corner side yard setback where 10 feet is required and a four-foot rear yard setback where 20 feet is required; lot coverage of 86 percent where 50 percent is the maximum allowed; zero-foot perimeter landscape buffers along the north and west property lines where 15 feet is required; and zero-foot perimeter landscape buffers along the south property line where eight feet is required.
7. Pursuant to Title 19 Appendix F Area 2 Development Standards, a Waiver from Title 19.12.070 is hereby approved, to allow 73 parking spaces where 167 spaces are required.
8. 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.
9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
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 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 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.

**Conditions Page Three**  
**April 5, 2023 - City Council Meeting**

13. A Comprehensive Construction Staging Plan shall be submitted to the Department of Planning 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.
14. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

16. Dedicate a 10-foot radius at the southeast corner of Eighth Street and Bonneville Avenue prior to the issuance of permits for this site.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, and replace with new improvements meeting Downtown Masterplan Plan Standards included upgraded street lighting concurrent with development of this site, except as amended by conditions herein. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
18. Coordinate public sewer connection with the Department of Public Works. If utilizing one of the existing private sewer lateral connections, 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 will need to be a minimum 6-inch diameter for commercial development per DCSWCS 2.3.2B.
19. Landscape and maintain all unimproved right-of-way adjacent to this site. 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.

**Conditions Page Four**  
**April 5, 2023 - City Council Meeting**

20. Submit a License Agreement for landscaping and private improvements in the Eighth Street and Bonneville Avenue public rights-of-way, prior to the issuance of permits for these improvements. If requested by the City, the applicant shall remove property within the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right-of-way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (229-4836).
21. 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.
22. 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, whichever may occur first. Provide and improve all drainage ways as recommended.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is proposing to construct a six-story, 113-unit multi-family residential development at the southeast corner of Bonneville Avenue and 8th Street. The site is currently vacant except for an existing single family dwelling at 613 South 8th Street that would be demolished as part of this project.

**ISSUES**

- A revised landscape plan was submitted date stamped 01/17/23 that conforms to the condition imposed by the Planning Commission to provide 36-inch box shade trees at 15-foot intervals along the south property line. A second revision date stamped 02/13/23 reduces the size of the proposed dog run area along the south property line to align with the abutting parking lot to the south.
- The Planning Commission requested that the applicant hold a neighborhood meeting prior to the City Council hearing for this item. A meeting was scheduled for February 7, 2023 at City Hall Training Room #3.
- Assessor's Parcel Number 139-34-810-122 is currently zoned R-1 (Single Family Residential) and is 50 feet in width. The applicant requests to rezone this parcel to C-1 (Limited Commercial), which requires a minimum lot width of 100 feet. The parcel cannot be rezoned without prior approval of a Waiver to allow a 50-foot wide lot in the C-1 zoning district. Staff recommends approval of the Waiver.
- Multi-Family Residential is a conditional use in the C-1 (Limited Commercial) zoning district. The project cannot satisfy Conditional Use Regulation 1, which stipulates that the use is permitted only in conjunction with a mixed-use development. A Special Use Permit is therefore required pursuant to Title 19.12.040. Staff recommends denial of this request.
- Waivers of Title 19 development standards pursuant to Title 19 Appendix F for Area 2 are requested from minimum building setback, maximum lot coverage, residential adjacency setback, perimeter landscape buffer and minimum parking standards. Staff recommends denial of the Waiver requests.
- The single-family dwelling at 613 South 8th Street is located in a designated federal historic area. If these actions are approved, this property will need to be documented prior to demolition.
- A condition of approval will require a mapping action to consolidate the lots that make up the subject site, as the proposed building will span multiple lots created by previous mapping actions.

**Staff Report Page Two**  
**April 5, 2023 - City Council Meeting**

## **ANALYSIS**

The subject parcel is included in the Vision 2045 Downtown Las Vegas Master Plan within the Founders District. The Founders District is an area that contains primarily historic residential dwellings, many of which have converted to professional office space. This transition is expected to continue, as traditional suburban-type residential uses become less suited for an area containing collector streets on each block and an expanding market evolves toward development of higher density mixed-use projects near major transit corridors. The project is located along a current transit corridor on Bonneville Avenue Parkway and within close proximity of a future conceptual transit hub at Charleston Boulevard and Maryland Parkway as envisioned by the Downtown Las Vegas Master Plan. Midrise apartment dwellings are encouraged in this district, but primarily on and near Charleston Boulevard.

The site is located within the Downtown Las Vegas Overlay District (DTLV-O) Area 2, which is the expanded area of Downtown that is neither zoned for form-based codes nor part of the original Downtown Centennial Plan area. Development that does not conform to Title 19 standards but which meets the intent of the Downtown Master Plan may be presented as a Waiver as part of the Site Development Plan Review. As proposed, Waivers are requested from the following standards:

- Minimum building setbacks in the C-1 zoning district
- Maximum lot coverage in the C-1 zoning district
- Minimum residential adjacency setback from a protected residential property to the west
- Perimeter landscape buffer width in the C-1 zoning district
- Minimum number of parking spaces
- Minimum lot width in the C-1 zoning district (further discussed below)

The site consists of a parcel at the southeast corner of Bonneville Avenue and 8th Street that was rezoned to C-1 in 2019 in favor of a proposed three-story commercial and residential development and the adjoining parcel to the south (APN 139-34-810-122), which is zoned R-1. Approval of this development expired in 2021. The applicant is requesting to rezone Assessor's Parcel Number 139-34-810-122 in order to allow all parcels to be uniformly zoned in favor of the proposed six-story multi-family residential development. As the proposed building would encompass both parcels, a mapping action to combine the underlying lots will be required. However, a Rezoning action to C-1 on APN 139-34-810-122 cannot be approved on its own, as it will not meet the minimum required lot width standard of the C-1 zoning district. Currently the site is legally nonconforming with respect to the R-1 lot width requirement. Therefore, a Waiver (as the site is located within Area 2 of the DTLV-O) must first be submitted and approved prior to action on the proposed Rezoning request.

**Staff Report Page Three**  
**April 5, 2023 - City Council Meeting**

Part of the Founders District development strategy is to take advantage of redevelopment opportunities in this area that will deemphasize the need for automobiles and create a transit-oriented, walkable character. Approval of the lot width Waiver will allow for flexibility of future development in conformance with code requirements for the C-1 zoning district, which staff supports. The C-1 zoning district allows for a range of low to medium intensity personal services, commercial and office uses, as well as multi-family residential uses with or without a commercial component. These uses are compatible with the existing professional office uses on surrounding parcels. As there are still several single-family dwellings on R-1 zoned parcels, development in the C-1 district should be sensitive to less intensive areas. Bonneville Avenue is classified as a Major Collector street, which is appropriate for limited commercial uses. Staff therefore recommends approval of the proposed Rezoning to C-1 (Limited Commercial).

Sidewalks and amenity zones with new trees and shrubs are provided within public right-of-way in Bonneville Avenue and 8th Street. If approved, the Department of Public Works will require approval of a License Agreement for installation and maintenance of all private improvements in the public right-of-way as a condition of approval. At the Planning Commission meeting of January 10, 2023, a condition was added to provide 36-inch box shade trees at 15-foot intervals along the south property line within the dog run open space area. Staff received plans date stamped 01/17/23 showing 36-inch box Chinese Pistache trees spaced 15 feet apart in conformance with the condition. These are the only onsite trees provided. Some five-gallon shrubs are provided onsite near the building edge along the north and west sides.

The parking provided, although less than what Title 19 requires, will be adequate for this area, given proximity to bus routes and the growing number of amenities within walking distance.

The Multi-Family Residential use is defined by Title 19.18 as “a structure used or designed as a residence for three or more families or households living independently of each other.” Multi-Family Residential is a conditional use in the C-1 (Limited Commercial) zoning district. This project cannot satisfy Conditional Use Regulation 1, which stipulates that the use is permitted only in conjunction with a mixed-use development. A Special Use Permit is therefore required pursuant to Title 19.12.040. Staff supports Title 19 requirements for mixed-use commercial and residential development in this area as directed by the Vision 2045 Downtown Master Plan, and therefore recommends denial of the Special Use Permit.

The first and second levels of the project would consist primarily of garage parking with several two-story lofts facing 8th Street. The remaining floors would contain 107 studio, one-bedroom and two-bedroom multi-family residential units.



**Staff Report Page Four**  
**April 5, 2023 - City Council Meeting**

Remote controlled gated access is from rear alley with entrance on the south portion of the east side of the building and exit on the north portion of the east side. Circulation within the parking garage is logical and would not affect traffic in this area.

According to the Traffic Engineering Section of the Department of Public Works, this project is projected to add approximately 615 vehicle trips per day on Bonneville Avenue, 8th Street and 6th Street. Currently, Bonneville Avenue is at about five percent of capacity and 6th Street is at about 11 percent of capacity. With this project, Bonneville Avenue is expected to be at about six percent of capacity and 6th Street to be at about 15 percent of capacity. Counts are not available for 8th Street, but it is believed to be under capacity.

The Clark County School District (CCSD) has commented on the impact future development might have on the three levels of schools in the area. CCSD projects that approximately 31 additional primary and secondary school students would be generated by the proposed development on this site. According to CCSD, Hollingsworth Elementary School and Martin Middle School are each under capacity for the 2022-23 school year. Rancho High School is about 31 percent over capacity.

Title 19.08.040.B states that “buildings should be compatible with the scale of development allowed by the applicable land uses for the surrounding area as established at the time of application and should be sited and designed to provide a sensitive transition to nearby, less intensive areas.” In addition, “Projects on the edges of zoning districts should be developed in a manner that minimizes the adverse impacts resulting from incongruous height, bulk and scale of large buildings. Alternatives to mitigate such impacts include, but are not limited to, siting and design, additional building setbacks or stepping back of upper floors, and the actual physical reduction of the height, bulk and scale of a project.” At present, the area around this site consists of small offices converted from single family dwellings, most of which are one story in height. A few single-family dwellings also remain. Staff has determined that the height and scale of the proposed development is out of character with that of the surrounding development in this neighborhood, particularly in the area south of Bonneville Avenue and that few, if any, mitigating measures have been considered to ease the impact that this development will have on the existing development in this area.

The proposed multi-family residential development requires multiple Waivers of Title 19 (pursuant to Appendix F Area 2 requirements) that are primarily needed to offset the larger size and scale of the project. Although commercial zoning of the site is appropriate, the development as proposed is not compatible with the character of the surrounding neighborhood. Staff therefore recommends denial of the Special Use Permit and Site Development Plan Review, with conditions if approved.

### **FINDINGS (22-0592-WVR1)**

The property at 613 South 8th Street is legally nonconforming with respect to the R-1 (Single Family Residential) lot width requirement and currently cannot be redeveloped to any commercial development standards, as this site is not yet subject to a form-based code. In order to enable future development flexibility that meets the goals of the Vision 2045 Downtown Las Vegas Master Plan, it is appropriate to be able to combine this parcel with adjacent parcels to create coherent planned developments. Staff recommends approval of the requested lot width Waiver.

### **FINDINGS (22-0592-ZON1)**

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

**1. The proposal conforms to the General Plan.**

The proposed C-1 (Limited Commercial) zoning district conforms to the existing MXU (Mixed Use) General Plan designation on the subject site, which includes typical service commercial uses. However, the southernmost parcel (Assessor's Parcel Number 139-34-810-122) does not meet the minimum lot width required for lots in the C-1 zoning district. Therefore, unless a Waiver of this standard is first approved, no action can be taken on this Rezoning request.

**2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

The C-1 zoning district allows for a range of low to medium intensity personal services, commercial and office uses, as well as multi-family residential uses with or without a commercial component. These uses are compatible with the existing office uses on surrounding parcels zoned P-R (Professional Office and Parking). One property on the west side of 8th Street remains zoned R-1 (Single Family Residential) but is surrounded by low-intensity office development. If approved, proposed buildings taller than 15 feet on this site will be subject to residential adjacency standards as a result of the remaining protected use in that location.

**3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

A large majority of parcels within the Founders District already contain a commercial use or are zoned for commercial uses. In the future, the Founders District is expected to include mixed-use residential and commercial uses with amenities including close proximity to public transit. The subject site is located adjacent to property that is located along a Major Collector Street as classified by the city's Master Plan of Streets and Highways. This circumstance is appropriate for C-1 (Limited Commercial) zoning. If approved, the entire east side of 8th Street would be zoned to allow commercial uses.

**4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

Access to the subject site is from 8th Street, designated as a Major Collector Street. Secondary access is provided from a 20-foot rear alley. 8th street is currently 60 feet wide with no near-term plans for expansion. Current facilities are adequate to meet access requirements for the proposed C-1 zoning district.

**FINDINGS (22-0592-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 Multi-Family Residential use can be conducted in a manner that is harmonious and compatible with adjacent commercial and residential development; however, the design of this development is too large in scale for this neighborhood.

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

The subject site can accommodate a Multi-Family Residential use, but is not suitable for the particular design proposed.

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.**

Bonneville Avenue and 8th Street, both 80-foot Major Collector Streets as classified by the city's Master Plan of Streets and Highways, are adequate in size to meet the needs of the proposed Multi-Family Residential 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 use will be subject to business license requirements and routine inspection for compliance, thereby protecting the public health, safety and general welfare.

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

The Multi-Family Residential use is a conditional use in the C-1 (Limited Commercial) zoning district. Approval of a Special Use Permit is required pursuant to Title 19.12.040, as the use is only permitted in conjunction with a mixed-use development.

## **FINDINGS (22-0592-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 height of the proposed development is out of character with that of the surrounding development in this neighborhood, and the development is therefore incompatible.

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

The proposed multi-family residential development requires multiple Waivers of Title 19 (pursuant to Appendix F Area 2 requirements) that are not supported by staff.

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

Access to the site would be from the existing rear alley between 8th Street and 9th Street. Circulation within the parking garage is logical and would not affect traffic in this area.

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

The building and materials provided are typical for mid-rise buildings in this area. Landscape planting materials are drought-resistant and appropriate for this area.

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 submitted building elevations create an orderly and aesthetically pleasing environment and are varied in wall plane, materials, colors and architectural designs for visual interest. However, they indicate a height that is out of character with existing buildings on surrounding properties.

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.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i></b>	
10/16/19	The City Council approved a request for a Rezoning (ZON-76884) from R-4 (High Density Residential) and R-1 (Single Family Residential) to C-1 (Limited Commercial) on 0.48 acres at the southeast corner of Bonneville Avenue and 8th Street. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (SUP-76885) for a proposed Multi-Family Residential Use at the southeast corner of Bonneville Avenue and 8th Street. The Planning Commission and staff recommended approval. The approval expired 10/16/21.
	The City Council approved a request for a Site Development Plan Review (SDR-76886) for a proposed three-story tall, 18,600 square-foot commercial and residential development, including 2,675 square feet of office space with Waivers of Appendix F Interim Downtown Las Vegas Area 2 Development Standards on 0.48 acres at the southeast corner of Bonneville Avenue and 8th Street. The Planning Commission and staff recommended approval. The approval expired 10/16/21.
02/18/20	A Reversionary Final Map (FMP-76989) to revert six subdivided lots to acreage on 0.48 acres at the southeast corner of Bonneville Avenue and 8th Street was recorded.
12/13/22	The Planning Commission voted to abey requests for a Rezoning (22-0592-ZON1) from R-1 (Single Family Residential) to C-1 (Limited Commercial), Special Use Permit (SUP1) for a Multi-Family Residential use and Site Development Plan Review (SDR1) for a proposed six-story, 113-unit multi-family residential development with Waivers of Appendix F Interim Downtown Las Vegas Development Standards for Area 2 to the January 10, 2023 Planning Commission meeting at the applicant's request.

<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i></b>	
01/10/23	<p>The Planning Commission voted (5-0-1) to recommend APPROVAL of the following Land Use Entitlement project requests on 0.64 acres at the southeast corner of Bonneville Avenue and 8th Street (APNs 139-34-801-016 and 139-34-810-122), C-1 (Limited Commercial) and R-1 (Single Family Residential) Zones, Ward 3 (Diaz).</p> <p>22-0592-WVR1 - WAIVER - TO ALLOW A 50-FOOT WIDE LOT WHERE 100 FEET IS REQUIRED IN THE C-1 (LIMITED COMMERCIAL) ZONE ON 0.16 ACRES AT 613 SOUTH 8TH STREET [APN 139-34-810-122]</p> <p>22-0592-ZON1 - REZONING - FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) ON 0.16 ACRES AT 613 SOUTH 8TH STREET [APN 139-34-810-122]</p> <p>22-0592-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED MULTI-FAMILY RESIDENTIAL USE</p> <p>22-0592-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED SIX-STORY, 113-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS FOR AREA 2</p>
02/15/23	<p>The City Council voted to abey to the 04/05/23 City Council meeting the following requests on 0.64 acres at the southeast corner of Bonneville Avenue and 8th Street (APNs 139-34-801-016 and 139-34-810-122), C-1 (Limited Commercial) and R-1 (Single Family Residential) Zones, Ward 3 (Diaz).</p> <p>22-0592-WVR1 - WAIVER - TO ALLOW A 50-FOOT WIDE LOT WHERE 100 FEET IS REQUIRED IN THE C-1 (LIMITED COMMERCIAL) ZONE ON 0.16 ACRES AT 613 SOUTH 8TH STREET [APN 139-34-810-122]</p> <p>22-0592-ZON1 - REZONING - FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) ON 0.16 ACRES AT 613 SOUTH 8TH STREET [APN 139-34-810-122]</p> <p>22-0592-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED MULTI-FAMILY RESIDENTIAL USE</p> <p>22-0592-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED SIX-STORY, 113-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS FOR AREA 2</p>

**Most Recent Change of Ownership**

07/17/15	A deed was recorded for a change in ownership on APN 139-34-801-027.
06/09/16	A deed was recorded for a change in ownership on APN 139-34-810-122.

**Related Building Permits/Business Licenses**

03/19/20	Application (PRC20-00024) was made for a plan check review for a three-story mixed use development with multi-family residential units and office space. The review was not completed and the application expired 02/16/21 without issuance of permits.
----------	---

**Pre-Application Meeting**

10/10/22	A pre-application meeting was held with the applicant to discuss submittal requirements for a proposed multi-family residential development. The need for multiple waivers of Downtown Overlay District Area 2 standards and a queuing analysis was discussed.
----------	--

**Neighborhood Meeting**

02/07/23	<p>A neighborhood meeting was not required for the requested applications; however, a voluntary neighborhood meeting was held at 5:30 p.m. in Las Vegas City Hall Training Rooms #3 and #4, 495 South Main Street, to discuss the project at the request of the Planning Commission. Three members of the ownership and development team, 20 members of the public, one Ward 3 staff member and one staff member of the Department of Community Development were in attendance.</p> <p>The majority in attendance were not in favor of the project as proposed (six stories, 113 units, 73 onsite parking spaces). Neighbor concerns with responses from the applicant included the following:</p> <ul style="list-style-type: none"> <li>• <i>Timeline for completion of the proposed building.</i> The applicant expects to pull permits by the end of 2023; construction is expected to take 13-15 months to complete.</li> <li>• <i>Rents.</i> One bedroom units are expected to rent for \$1400-\$1500 per month.</li> <li>• <i>Screening of mechanical units.</i> Mechanical units will be located on the roof and screened by a parapet.</li> </ul>
----------	--



<b>Neighborhood Meeting</b>	
02/07/23	<ul style="list-style-type: none"> <li>• <i>Reduction of onsite parking.</i> The development will provide 43% of the required number of spaces and a Waiver has been requested. Additional parking was added in the early planning stages. Applicant has determined this is a sufficient amount to accommodate residents and guests.</li> <li>• <i>Majority concerned about neighborhood onsite and on-street parking being used by residents and guests.</i> Based on past projects, only approximately 50% of tenants will have vehicles, and tenants will be limited to designated onsite spaces through their leases.</li> <li>• <i>Vehicular access during construction.</i> Full access to Bonneville, 8th and the alley will be provided during construction.</li> <li>• <i>Mitigation of possible noise and smells from the proposed dog run area.</i> The turf to be used for the dog run will be treated with a chemical that dissipates smells. Peak use of the dog run will be after working hours, so noise should not be a nuisance to nearby commercial properties during the day.</li> <li>• <i>Security of the property.</i> The property will be surveilled by 12 cameras at all key access points.</li> <li>• <i>Most feel that the proposed building is too tall compared to this neighborhood and introduction of this building would begin to change the special character of the area.</i> Could the building possibly be lowered or the parking be placed underground? Subterranean parking is very expensive due to costs of removing caliche from the ground. In addition, the land in this area is expensive, and greater density is needed for the project to be successful.</li> <li>• <i>City's master plan calls for mixed-use development in this area. Why are commercial uses not proposed on this site?</i> Applicant conducted a feasibility study, which did not support commercial uses at the present time. However, this could change in the future.</li> <li>• <i>Impact of development on Las Vegas Academy drop-off and pick-up traffic.</i> Applicant stated that the impact should be very low, as onsite parking will be provided for tenants.</li> <li>• <i>Renderings provided seem to misrepresent the area.</i> For example, the alley is not as wide as shown. The renderings are conceptual and not fully detailed.</li> </ul>

Staff Report Page Thirteen  
 April 5, 2023 - City Council Meeting

<b>Field Check</b>	
11/07/22	The site consists of vacant land and a single-family dwelling. The undeveloped area is enclosed by a temporary chain link fence and was relatively free of trash and debris, although there were scattered areas of weeds.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	0.64

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	Undeveloped	MXU (Mixed Use)	C-1 (Limited Commercial)
	Single Family, Detached		R-1 (Single Family Residential)
North	Office, Other Than Listed	MXU (Mixed Use)	P-O (Professional Office and Parking)
South	Office, Other Than Listed	MXU (Mixed Use)	P-O (Professional Office and Parking)

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
East	Office, Other Than Listed	MXU (Mixed Use)	P-O (Professional Office and Parking)
West	Office, Other Than Listed	MXU (Mixed Use)	P-O (Professional Office and Parking)
	Single Family, Detached		R-1 (Single Family Residential)

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: Downtown Las Vegas	Y
Vision 2045 Downtown Las Vegas Master Plan (Founders District)	Y
Las Vegas High School Neighborhood Plan	Y
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
DTLV-O (Downtown Las Vegas Overlay) District – Area 2	N
LW-O (Live/Work Overlay) District	Y
<b>Other Plans or Special Requirements</b>	<b>Compliance</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

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.08, the following standards apply:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	N/A	28,000 SF	N/A
Min. Lot Width	100 Feet	50 Feet	N*
Min. Setbacks			
• Front	10 Feet	2 Feet	N**
• Side	10 Feet	10 Feet	Y
• Corner	10 Feet	2 Feet	N**
• Rear	20 Feet	4 Feet	N**
Max. Lot Coverage	50 %	86 %	N**
Max. Building Height	Limited by residential adjacency	77 Feet	N**
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, gated within parking garage	Y
Mech. Equipment	Screened	Screened within parking garage	Y

\*A Waiver of Title 19.08.070 is required to allow a lot width of 50 feet prior to rezoning APN 139-34-810-122.

\*\*A Waiver of Title 19 is requested for relief from this standard. See Waiver table below.

Staff Report Page Fifteen  
April 5, 2023 - City Council Meeting

<b><i>Residential Adjacency Standards</i></b>	<b><i>Required/Allowed</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
3:1 proximity slope	213 Feet	82 Feet	N**
Adjacent development matching setback	20 Feet	2 Feet	N**
Trash Enclosure	50 Feet	190 Feet	Y

<b><i>Existing Zoning</i></b>	<b><i>Permitted Density</i></b>	<b><i>Units Allowed</i></b>
C-1 (Limited Commercial)	N/A	N/A
R-1 (Single Family Residential)	6.70 du/ac	1
<b><i>Proposed Zoning</i></b>	<b><i>Permitted Density</i></b>	<b><i>Units Allowed</i></b>
C-1 (Limited Commercial)	N/A	N/A
<b><i>Existing General Plan</i></b>	<b><i>Permitted Density</i></b>	<b><i>Units Allowed</i></b>
MXU (Mixed Use)	Limited only by residential adjacency	Unlimited

***Pursuant to Title 19.08, the following standards apply:***

<b><i>Landscaping and Open Space Standards</i></b>				
<b><i>Standards</i></b>	<b><i>Required</i></b>		<b><i>Provided</i></b>	<b><i>Compliance</i></b>
	<b><i>Ratio</i></b>	<b><i>Trees</i></b>		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	5 Trees	0 Trees	N*
• South	1 Tree / 20 Linear Feet	6 Trees	0 Trees	N*
• East	N/A	N/A	0 Trees	N/A
• West	1 Tree / 20 Linear Feet	5 Trees	0 Trees	N*
<b>TOTAL PERIMETER TREES</b>		<b>24 Trees</b>	<b>0 Trees</b>	<b>N*</b>
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	N/A	N/A (all spaces covered)	N/A
<b>LANDSCAPE BUFFER WIDTHS</b>				
Min. Zone Width				
• North	15 Feet		0-4 Feet	N**
• South	8 Feet		0 Feet	N**
• East	N/A		0 Feet	N/A
• West	15 Feet		0-4 Feet	N**
Wall Height	6 to 8 Feet Adjacent to Residential		6-foot CMU wall along south PL	N/A

**Staff Report Page Sixteen**  
**April 5, 2023 - City Council Meeting**

\*\*An Exception of Title 19 is not required for relief from this standard, as the applicant is requesting zero-foot perimeter buffers and no onsite trees are proposed.

\*\*A Waiver of Title 19 is requested for relief from this standard. See Waiver table below.

<b><i>Street Name</i></b>	<b><i>Functional Classification of Street(s)</i></b>	<b><i>Governing Document</i></b>	<b><i>Actual Street Width (Feet)</i></b>	<b><i>Compliance with Street Section</i></b>
Bonneville Ave	Major Collector	Master Plan of Streets and Highways Map	68	N*
8th St	Major Collector	Master Plan of Streets and Highways Map	60	N*

\*Except for a radius at the corner of the intersection, no new dedications of public right-of-way are required.

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

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	
Multi-Family Residential:							
1 bedroom/ studio/micro	101 units	1.25 spaces per unit	127				
2 bedrooms	12 units	1.75 spaces per unit	21				
Guest Parking	113 units	1 space per 6 units	19				
TOTAL SPACES REQUIRED (unweighted)			167				
TOTAL SPACES REQUIRED (weighted requirement, see below)			67-117		73		N*
Regular and Handicap Spaces Required			64-112	3-5	69	4	N*
Downtown Form Based Code Parking Standards - Title 19.09.100.G							
Parking Standards High Load – Zone 3			Between 40% and 70%		43%		Y

\*A Waiver of Title 19 is requested for relief from this standard. See Waiver table below.

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.

Staff Report Page Eighteen  
 April 5, 2023 - City Council Meeting

<b>Waivers</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
10-foot front yard building setback	To allow a 2-foot front yard setback	Denial
10-foot corner side yard building setback	To allow a 2-foot corner side yard setback	Denial
20-foot rear yard setback	To allow a 4-foot rear yard setback	Denial
Max. 50% lot coverage	To allow lot coverage of 86%	Denial
3:1 Residential adjacency proximity slope setback from protected property (min. 213 feet), and 20-foot setback from west property line matching required setback of protected property	To allow a proximity slope setback of 82 feet and matching setback of 2 feet	Denial
15-foot perimeter landscape buffers adjacent to right-of-way	To allow zero-foot perimeter landscape buffers along the north and west property lines	Denial
8-foot perimeter landscape buffers adjacent to interior lot lines	To allow a zero-foot perimeter landscape buffer along the south property line	Denial
167 parking spaces based on Title 19.12 requirements	To allow 73 parking spaces	Denial