

*City of Las Vegas*

**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**CITY COUNCIL MEETING DATE: JULY 19, 2023**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT: TBC-THE BORING COMPANY - OWNER: CITY OF LAS VEGAS**

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

| <b>CASE NUMBER</b> | <b>RECOMMENDATION</b>                             | <b>REQUIRED FOR APPROVAL</b> |
|--------------------|---|------------------------------|
| 21-0178-SUP1       | Staff recommends APPROVAL, subject to conditions: |                              |

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**      n/a

**NOTICES MAILED**      News Paper Notification Only

**PROTESTS**      0

**APPROVALS**      0

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

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**21-0178-SUP1 CONDITIONS**

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**Planning**

1. Conformance to the approved conditions for Special Use Permit (20-0204-SUP1) shall be required except as amended herein.
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 Building and Safety Division.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for a 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.

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

**PROJECT DESCRIPTION**

The applicant is requesting a Major Amendment to a previously approved Special Use Permit (21-0178-SUP1) to expand the Monorail (tunnel) use underneath additional right-of-ways.

**ISSUES**

- In December 2020, the City Council approved a Special Use Permit (20-0204-SUP1) for a proposed Monorail (Tunnel) use with a Waiver to allow entitlement consideration prior to licensing and operational agreement approval generally located beneath the rights-of-way of Las Vegas Boulevard from Sahara Avenue to Ogden Avenue, Ogden Avenue from Las Vegas Boulevard to Main Street, and Main Street from Ogden Avenue to Las Vegas Boulevard.
  - In June 2022, the City Council approved a Monorail Agreement between the City of Las Vegas and TBC-The Boring Company (TBC) to grant TBC the right to install and operate a monorail within the City of Las Vegas.
- The proposed underground transportation system is part of a larger network that will connect Downtown Las Vegas to the greater resort corridor (the Strip) and many other major destinations in the vicinity.
- The Monorail use as defined by Title 19.12 specifies that the systems used to transport passengers are not technology specific. The proposed underground transportation system has been classified as a Monorail use.
- Since the initial Special Use Permit approval, one station for this transportation system was approved administratively by staff in October 2022 through Site Development Plan Review (22-0349-SDR1).

**ANALYSIS**

In December 2020, the City Council approved a Special Use Permit (20-0204-SUP1) for a proposed Monorail (Tunnel) as part of its proposed Vegas Loop project. The proposal is part of a larger underground transportation system that will ultimately connect Downtown Las Vegas to the greater resort corridor (the Strip) as well as major destinations within the Las Vegas Valley such as the University of Nevada Las Vegas main campus, Harry Reid International Airport, and Allegiant Stadium. It is expected that fare-paying passengers will be transported underground between various destinations in autonomous electric vehicles.

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The project is located predominantly under City of Las Vegas right-of-ways. A station plan was provided; however, all station locations are conceptual and final locations will be determined in the future through Site Development Plan Reviews. The general concepts for the station types include above-ground, subsurface, and open-air station types. Stations will be subject to the appropriate design review prior to permitting and construction. Since the initial Special Use Permit approval, one station for this transportation system was approved administratively by staff in October 2022 through Site Development Plan Review (22-0349-SDR1).

| <b>Affected Public Right-of-Way</b> | <b>From</b>                              | <b>To</b>                     |
|-------------------------------------|--|-------------------------------|
| 4th Street                          | U.S. Highway 95                          | Las Vegas Boulevard           |
| Bonneville Avenue                   | Main Street                              | Martin L. King Boulevard      |
| Bridger Avenue                      | Main Street                              | Las Vegas Boulevard           |
| Charleston Boulevard                | Martin L. King Boulevard                 | Las Vegas Boulevard           |
| Commerce Street                     | Main Street                              | Oakey Boulevard               |
| Desert Inn Road                     | Interstate 15                            | Valley View Boulevard         |
| Grand Central Parkway               | City Parkway                             | Bonneville Avenue             |
| Main Street                         | Ogden Avenue                             | U.S. Highway 95               |
| Martin L. King Boulevard            | Bonneville Avenue                        | Interstate 15/Oakey Boulevard |
| Ogden Avenue                        | Main Street                              | City Parkway                  |
| Paradise Road                       | Sahara Avenue                            | St. Louis Avenue              |
| Rancho Drive                        | Interstate 15/Palace Station             | Desert Inn Road               |
| Robin Leach Lane                    | World Market Center                      | The Smith Center              |
| Sahara Avenue                       | Valley View Boulevard                    | Commercial Center             |
| St. Louis Avenue                    | Paradise Road                            | Las Vegas Boulevard           |
| Valley View Boulevard               | Desert Inn Road                          | Sahara Avenue                 |
| Wyoming Avenue/Oakey Boulevard      | Martin L. King Boulevard                 | Las Vegas Boulevard           |
| Interstate 15                       | Martin L. King Boulevard/Oakey Boulevard | Rancho Drive/Palace Station   |
| U.S. Highway 95                     | 4th Street                               | Main Street                   |

The Monorail use is permitted with the approval of a Special Use Permit within all zoning districts with the exception of the R-TH (Single-Family Attached) district. There are no R-TH (Single-Family Attached) zoning districts in conflict with the proposed transportation system. The Monorail use is defined as “A nontechnology specific system used to transport passengers, including any system on a fixed land route installed and operated on an extensive fixed guideway or rail, and including a monorail as defined in NRS Chapter 705. This use does not include a system to transport passengers between two end-points with no intermediate stops, or a monorail that functions only as a part of a

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theme park or permanent exhibition under LVMC Chapter 6.81.” The Monorail use specifies that the system used to transport passengers is not technology specific; therefore, the proposed underground tunnel network meets the intent of the Monorail use.

The Vision 2045 Downtown Las Vegas Master Plan encourages the implementation of transportation systems that can move people with higher efficiency and lower economic and environmental costs. As the proposed development supports goals within this Plan, staff finds that the expanded transportation system will be harmonious and compatible with the surrounding area and therefore recommends approval, subject to conditions.

**FINDINGS (21-0178-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 expanded transportation system will be located underground and therefore can be conducted in a manner that is harmonious and compatible with existing land uses. Future stations will be subject to design review through Site Development Plan Review applications to ensure that they are compatible with surrounding land uses.

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

The land over the expanded tunnel route is physically suitable for the intensity of the proposed underground transportation system.

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.**

The existing street and highway facilities are adequate in size to meet the requirements of the proposed underground transportation system.

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.**

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Approval of this Major Amendment will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan. In addition, Goal 4 of the 2045 Downtown Master Plan encourages the implementation of transportation systems that can move people with higher efficiency and lower economic and environmental costs.

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

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

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b> |  |
|---|--|
| 12/16/20  | The City Council approved a Special Use Permit (20-0204-SUP1) for a proposed Monorail (Tunnel) use with a Waiver to allow entitlement consideration prior to licensing and operational agreement approval generally located beneath the rights-of-way of Las Vegas Boulevard from Sahara Avenue to Ogden Avenue, Ogden Avenue from Las Vegas Boulevard to Main Street, and Main Street from Ogden Avenue to Las Vegas Boulevard. The Planning Commission and Staff recommend approval. |
| 05/18/22  | The City Council approved a Resolution (R-22-2022) setting a public hearing for June 1, 2022 on the advisability of entering into a Monorail Agreement to grant TBC - The Boring Company the right to install and operate a monorail in the City.  |
| 06/15/22  | The City Council approved a Monorail Agreement between the City of Las Vegas and TBC-The Boring Company (TBC) to grant TBC the right to install and operate a monorail in the City.  |
| 10/15/22  | Staff administratively approved a Site Development Plan Review (22- 0349-SDR1) for a proposed station on 8.90 acres at 2000 South Las Vegas Boulevard and 1850 South Main Street.  |
| 01/04/23  | The City Council approved the first two-year Extension of Time (22-0652-EOT1) for a previously approved Special Use Permit (20-0204-SUP1) for a proposed Monorail (Tunnel) use generally located beneath the rights-of-way of Las Vegas Boulevard from Sahara Avenue to Ogden Avenue, Ogden Avenue from Las Vegas Boulevard to Main Street, and Main Street from Ogden Avenue to Las Vegas Boulevard. Staff recommended approval.  |

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b> |  |
|---|--|
| 06/13/23  | The Planning Commission voted (5-1-0) to recommend APPROVAL of a request for a Major Amendment to a previously approved Special Use Permit (20-0204-SUP1) TO EXPAND A PROPOSED MONORAIL (TUNNEL) USE generally located beneath the rights-of-way of 4th Street, Bonneville Avenue, Desert Inn Road, Grand Central Parkway, Main Street, Martin L. King Boulevard, Ogden Avenue, Paradise Road, Rancho Drive, Robin Leach Lane, Sahara Avenue, St. Louis Avenue, Interstate 15, and U.S. Highway 95, Wards 1, 3 and 5 (Knudsen, Diaz, and Crear). |

| <b><i>Related Building Permits/Business Licenses</i></b> |   |
|--|---|
| 01/25/23   | A Building Permit (C23-00281) is currently being processed for an underground tunnel connecting The Strat to The Plaza generally located at 2000 South Las Vegas Boulevard. |

| <b><i>Pre-Application Meeting</i></b>                         |  |
|---|--|
| A pre-application meeting was not required, nor was one held. |  |

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

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| <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   | Y                 |
| Appendix F Interim Downtown Las Vegas Development Standards                            | Y                 |
| <b>Special Area and Overlay Districts</b>  | <b>Compliance</b> |
| A-O (Airport Overlay) District (Varying from 140 to 200 Feet in portions of the route) | Y                 |
| C-V (Civic) District   | Y                 |
| DC-O (Downtown Casino Overlay) District  | Y                 |
| DTLV-O (Downtown Las Vegas Overlay) District – Area 1 (18b Arts District)              | Y                 |
| DTLV-O (Downtown Las Vegas Overlay) District – Area 2 (Cashman District)               | Y                 |
| DTLV-O (Downtown Las Vegas Overlay) District – Area 1 (Civic & Business District)      | Y                 |
| DTLV-O (Downtown Las Vegas Overlay) District – Area 1 (Design District)                | Y                 |
| DTLV-O (Downtown Las Vegas Overlay) District – Area 3 (Fremont East District)          | Y                 |
| DTLV-O (Downtown Las Vegas Overlay) District – Area 1 (Gateway District)               | Y                 |
| DTLV-O (Downtown Las Vegas Overlay) District – Area 1 (Resort & Casino District)       | Y                 |
| DTLV-O (Downtown Las Vegas Overlay) District – Area 1 (Market & Corridor District)     | Y                 |
| DTLV-O (Downtown Las Vegas Overlay) District – Area 3 (Medical District)               | Y                 |
| DTLV-O (Downtown Las Vegas Overlay) District – Area 3 (Symphony Park District)         | Y                 |
| DE-O (Downtown Entertainment Overlay) District   | Y                 |
| G-O (Gaming Enterprise Overlay) District   | Y                 |
| HD-O (Historic Designation Overlay) District   | Y                 |
| LW-O (Live/Work Overlay) District  | Y                 |
| PD (Planned Development) District  | Y                 |
| SB-O (Las Vegas Boulevard Scenic Byway Overlay) District                               | Y                 |
| <b>Other Plans or Special Requirements</b>   | <b>Compliance</b> |
| Trails   | N/A               |
| Las Vegas Redevelopment Plan Area – Area 1, 2, and Expansion Area                      | Y                 |
| Interlocal Agreement   | N/A               |
| Project of Significant Impact  | N/A               |
| Project of Regional Significance   | N/A               |

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| <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> |
|--------------------------------|---|---|-----------------------------------|---------------------------------------|
| 4th Street                     | Local Street                                  | Title 13                                | 65                                | Y                                     |
| Bonneville Avenue              | Primary Arterial                              | Master Plan of Streets and Highways Map | 100                               | Y                                     |
| Bridger Avenue                 | Collector Street                              | Master Plan of Streets and Highways Map | 80                                | Y                                     |
| Charleston Boulevard           | Primary Arterial                              | Master Plan of Streets and Highways Map | 100                               | Y                                     |
| Commerce Street                | Collector Street                              | Master Plan of Streets and Highways Map | 45                                | Y                                     |
|                                | Collector Street                              | Master Plan of Streets and Highways Map | 80                                | Y                                     |
| Desert Inn Road                | Collector Street                              | Master Plan of Streets and Highways Map | 80                                | Y                                     |
| Grand Central Parkway          | Primary Arterial                              | Master Plan of Streets and Highways Map | 120                               | Y                                     |
| Main Street                    | Primary Arterial                              | Master Plan of Streets and Highways Map | 100                               | Y                                     |
| Martin L. King Boulevard       | Major Street                                  | Title 13                                | 75                                | Y                                     |
|                                | Primary Arterial                              | Master Plan of Streets and Highways Map | 100                               | Y                                     |
| Ogden Avenue                   | Primary Arterial                              | Master Plan of Streets and Highways Map | 100                               | Y                                     |
| Paradise Road                  | Primary Arterial                              | Master Plan of Streets and Highways Map | 100                               | Y                                     |
| Rancho Drive                   | Collector Street                              | Title 13                                | 45                                | Y                                     |
| Robin Leach Lane               | Collector Street                              | Master Plan of Streets and Highways Map | 60                                | Y                                     |
| Sahara Avenue                  | Primary Arterial                              | Master Plan of Streets and Highways Map | 100                               | Y                                     |
| St. Louis Avenue               | Primary Arterial                              | Master Plan of Streets and Highways Map | 100                               | Y                                     |
| Valley View Boulevard          | Collector Street                              | Master Plan of Streets and Highways Map | 80                                | Y                                     |
| Wyoming Avenue/Oakey Boulevard | Collector Street                              | Master Plan of Streets and Highways Map | 80                                | Y                                     |
| Interstate 15                  | Freeway/ Expressway                           | Master Plan of Streets and Highways Map | 150+                              | Y                                     |
| U.S. Highway 95                | Freeway/ Expressway                           | Master Plan of Streets and Highways Map | 150+                              | Y                                     |