



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SUP-13891 - APPLICANT: STRATORISE, LLC/AZTEC INTERNATIONAL - OWNER: GEOSUMMIT, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 6, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (4-2/ds/bg-1/rt vote) recommends DENIAL and staff recommends APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.06.080 for a project in the Airport Overlay District.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-13897), and Site Development Plan Review (SDR-13899).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. Clark County Department of Aviation approval is necessary prior to issuance of any building permits, with no change in flight patterns.
5. All City Code requirements and design standards of all City departments must be satisfied.

****STAFF REPORT****

APPLICANT REQUEST

This is a request for a Special Use Permit for a 517-foot tall building where 200 feet is the maximum height allowed in the McCarren Airport Overlay District located at 1431 South Las Vegas Boulevard. A related Site Development Plan Review (SDR-13899) and Special Use Permit (SUP-13897) will be considered concurrently.

EXECUTIVE SUMMARY

This project has a rather unique ground floor design in that the driveway is circular and off set to the right of the tower structure off of Las Vegas Boulevard. This permits two primary entrances into the tower, one directly off of Las Vegas Boulevard and one directly off of the driveway. The retail space is found directly on the Las Vegas Boulevard frontage with its own entrance. This tower features six levels of parking, an amenity floor and then the residential units on the upper levels.

BACKGROUND INFORMATION

A) Related Actions

- 06/21/06 There is no land use or zoning history on file for this parcel. Records show that the current zoning is C-2 (General Commercial).
- 08/10/06 The Planning Commission recommended denial of companion items SU-13897 and SDR-13899 concurrently with this application.
- 08/10/06 The Planning Commission voted 4-2/ds/bg-1/rt to recommend DENIAL (PC Agenda Item #36/yk).

B) Pre-Application Meeting

- 05/16/06 A pre-application meeting was held where it was discussed that a Site Development Plan Review and two Special Use Permits would be required to move this project forward. The need for three waivers of the Downtown Centennial Plan was also noted.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application, nor was one held. However, the applicant has met with the President of the Historic John S. Park Neighborhood regarding this project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.50 acres
Net Acres: 1.30 acres

B) Existing Land Use

Subject Property: Vacant lot/Wedding Chapel
North: Vacant lot
South: Vacant lot
East: Residential duplexes
West: Retail/bar/restaurant

C) Planned Land Use

Subject Property: C (Commercial Use)
North: C (Commercial Use)
South: C (Commercial Use)
East: C (Commercial Use)
West: C (Commercial Use)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: R-2 (Medium Density Residential)
West: C-2 (General Commercial)

E) General Plan Compliance

The Las Vegas Redevelopment Plan designates the parcels C (Commercial), which permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
<i>Special Area Plan</i>	X	
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District	X	
Las Vegas Boulevard Scenic Byway	X	
Trails		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

ANALYSIS

Downtown Centennial Plan

The parcel is located within the Downtown South district, which encourages major mixed-use residential projects. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional streetscape and architectural requirements are applicable. This proposed project is generally consistent with the goals and objectives of the Downtown Centennial Plan.

Redevelopment Plan Area

This parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Commercial land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Trails

This development is not adjacent to any Transportation, Recreation, or Urban Trails.

Scenic Byway Overlay District

This project is within the Las Vegas Boulevard Scenic Byway Overlay District which requires all signage to have at least 75% exposed neon. No signage is being considered with this application.

INTERAGENCY ISSUES

No issues have been raised to date.

PROJECT DESCRIPTION

The tower will front on Las Vegas Boulevard with the primary tower being located above a six-story parking garage. The amenity deck is located on the 7th floor and features a spa, outside pool and deck, a clubhouse and lounge for residents use.

- **Use**

Mixed-Uses are permitted in the C-2 (General Commercial) zoning district with a Special Use Permit. The development will include a total of 421 new residential units and 1,190 square feet of new commercial space.

The applicant has notified the FAA regional office and the Clark County Department of Aviation of this application in accordance with the requirements of the Airport Overlay District.

- **Conditions**

The development is subject to the following conditions:

19.06.080 A-O AIRPORT OVERLAY DISTRICT

- Aviation Easement

The issuance of a building permit for construction on property within the Airport Overlay District may be conditioned upon the property owners signing of an aviation easement.

- Planning Commission Review and Approval

Except as provided in Section 19.06.080(E), any new construction or alteration of any existing structure on a parcel located within the Airport Overlay District must first be approved by the Planning Commission if such construction or alteration exceeds any of the following height standards:

- (1) Two hundred feet above the ground level at its site;

- Special Use Permit

- (1) Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this Section may apply to the Planning Commission for a Special Use Permit. The Special Use Permit application shall be processed in accordance with the Special Use Permit procedures set forth in Section 19.18.060, except that:

- (a) The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application prior to the time of submission; and
 - (b) Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.

- (2) Notwithstanding the preceding provisions of this Section, no Special Use Permit shall be granted that would allow the establishment or creation of an obstruction or permit a non-conforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this Section or any amendment thereto.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 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 design of this mixed-use tower will be a positive addition to the Downtown South District of the Downtown Centennial Plan. The high density developments in the area allow this project to blend in without any negative effects to the surrounding area.

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

The location of this project on Las Vegas Boulevard is similar to other high-density projects being proposed along this roadway.

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.

This project is located on Las Vegas Boulevard that is adequate to handle vehicular traffic for this project. A fully development mass transit system along Las Vegas Boulevard will serve the project as well.

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.

Approval of the Special Use Permit is consistent with the General Plan, and will not compromise public health, safety, or welfare.

PLANNING COMMISSION ACTION

There were five speakers; three opposed and two in favor.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 231 by City Clerk

APPROVALS 0

PROTESTS 0