



**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: NOVEMBER 29, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-25060 - APPLICANT: HERITAGE NEVADA VIII, LLC -**

**OWNER: CITY PARKWAY V, INC.**

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

**STAFF RECOMMENDATION:**      **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. Conformance to the conditions for Site Development Plan Review (SDR-25059) if approved.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

This is a request for a Special Use Permit for a proposed 800-foot high mixed-use development in the Airport Overlay District at the southwest corner of Grand Central Parkway and City Parkway. The overlay district limits height for the parcel to a maximum of 175 feet.

The applicant has provided proof of submittal of a Directors Permit application from the Clark County Department of Aviation, as required by Title 19 in accordance with the standards for the Airport Overlay District. Staff finds the application in conformance with code requirements, and recommends approval of the request.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>             |                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 01/03/07                                                                              | The Union Park Design Standards manual (TXT-16302) was adopted by City Council, which establishes the development standards for the site and the Union Park Design Review Committee (UP-DRC). The Planning Commission recommended approval of the document on 5 October 2006.                                                |
| 10/19/07                                                                              | The UP-DRC recommended approval of the proposed development, subject to conditions. The conditions of the UP-DRC have been incorporated into the conditions of approval.                                                                                                                                                     |
| 11/29/07                                                                              | The Planning Commission will consider an associated Site Development Plan Review (SDR-25059) application for the subject site.                                                                                                                                                                                               |
| <b><i>Related Building Permits/Business Licenses</i></b>                              |                                                                                                                                                                                                                                                                                                                              |
| No applicable permits or licenses have been issued relative to this development site. |                                                                                                                                                                                                                                                                                                                              |
| <b><i>Pre-Application Meeting</i></b>                                                 |                                                                                                                                                                                                                                                                                                                              |
| 09/25/07                                                                              | At the pre-application conference, it was noted that the project would require an approval letter from the UP-DRC prior to acceptance of the application package. It was also noted that the development site was within the Airport Overlay District, and that a separate Special Use Permit application would be required. |
| <b><i>Neighborhood Meeting</i></b>                                                    |                                                                                                                                                                                                                                                                                                                              |
| A neighborhood meeting was not held, nor was one required.                            |                                                                                                                                                                                                                                                                                                                              |
| <b><i>Details of Application Request</i></b>                                          |                                                                                                                                                                                                                                                                                                                              |
| <b><i>Site Area</i></b>                                                               |                                                                                                                                                                                                                                                                                                                              |
| Net Acres                                                                             | 53.6 acres (actual development site is approximately 5.9 acres)                                                                                                                                                                                                                                                              |

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| <b>Surrounding Property</b> | <b>Existing Land Use</b>                      | <b>Planned Land Use</b> | <b>Existing Zoning</b>   |
|-----------------------------|-----------------------------------------------|-------------------------|--------------------------|
| Subject Property            | Undeveloped                                   | MXU (Mixed-Use)         | PD (Planned Development) |
| North                       | Office Use<br>Retail Use                      | MXU (Mixed-Use)         | PD (Planned Development) |
| South                       | Undeveloped                                   | MXU (Mixed-Use)         | PD (Planned Development) |
| East                        | Undeveloped                                   | MXU (Mixed-Use)         | PD (Planned Development) |
| West                        | Furniture Mart<br>(Temporary tent facilities) | MXU (Mixed-Use)         | PD (Planned Development) |

| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
|---------------------------------------------------|-------------------|------------------|--------------------------|
| <b>Special Area Plan</b>                          |                   |                  |                          |
| Downtown Centennial Plan                          | X                 |                  | Y                        |
| PD (Planned Development) District                 | X                 |                  | Y                        |
| Redevelopment Plan Area                           | X                 |                  | Y                        |
| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
| <b>Special Purpose and Overlay Districts</b>      |                   |                  |                          |
| PD (Planned Development) District                 | X                 |                  | Y                        |
| Downtown Overlay District                         | X                 |                  | Y                        |
| G-O (Gaming Enterprise Overlay) District          | X                 |                  | Y                        |
| A-O (Airport Overlay) District                    | X                 |                  | Y                        |
| <b>Trails</b>                                     |                   | X                | N/A                      |
| <b>Development Impact Notification Assessment</b> | X                 |                  | Y                        |
| <b>Project of Regional Significance</b>           | X                 |                  | Y*                       |

\*A DINA/PRS form was submitted with the master site plan (SDR-16267) for the Union Park development. A copy of the form is included in the case file for reference.

## **DEVELOPMENT STANDARDS**

*In accordance with the Union Park Design Standards, the following development standards shall apply:*

| <b><i>Standard</i></b> | <b><i>Required/Allowed</i></b>      | <b><i>Provided</i></b> | <b><i>Compliance</i></b> |
|------------------------|-------------------------------------|------------------------|--------------------------|
| Min. Lot Size          | N/A                                 | Approx.<br>5.9 acres   | N/A                      |
| Min. Setbacks          | Not to exceed 10<br>along frontages | *5                     | Y                        |

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|                      |                                       |             |     |
|----------------------|---------------------------------------|-------------|-----|
| Max. Lot Coverage    | N/A                                   | Approx. 95% | N/A |
| Max. Building Height | N/A                                   | 800         | N/A |
| Trash Enclosure      | Not visible from public rights-of-way | Interior    | Y   |
| Mech. Equipment      | Screened                              | Screened    | Y   |

\*Setback exceeded for plazas and entrances; however, the design complies with the requirement for the majority of the street walls to align with the back of sidewalk.

## ANALYSIS

The proposed development includes a single 800-foot high tower, with a ten-story parking structure and three-story retail complex. As the tower exceeds the 175-foot height limit imposed by the adopted Airport Overlay maps, approval of a Special Use Permit is required. The applicant has approval from the Federal Aviation Administration (FAA), and has provided proof of submittal for Directors Permit from the Clark County Department of Aviation. Approval from both agencies is necessary prior to the issuance of a building permit. The approvals are necessary to assess impact to existing flight patterns and to prevent changes that would impact existing residential neighborhoods to the west of the subject site.

The uses proposed for the site are consistent with the list of uses permitted by the Union Park Design Standards. The proposed development is generally consistent with the Union Park standards, as noted in the accompanying Site Development Plan Review (SDR-25059) report.

## 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 proposed uses are compatible with the surrounding land uses, and those uses projected by the General Plan.

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

The subject site is physically suitable for the intensity of use proposed by the applicant.

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- 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 and highway facilities are generally adequate to serve the proposed development; the site is located adjacent to a proposed on a BRT (Bus Rapid Transit) station, which will assist in mitigating the traffic impact.

- 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.**

Provided that there are no impacts to existing flight routes and patterns, approval of this Special Use Permit will not compromise public health, safety or welfare.

- 5. The use meets all of the applicable conditions per Title 19.04.**

The applicant has provided documentation that a Directors Permit application has been submitted to the Clark County Department of Aviation in accordance with the requirements of Title 19. Full approval will be required before the issuance of a building permit.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 21

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 85

**APPROVALS** 1

**PROTESTS** 0