



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 28, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TMP-26420 - APPLICANT: TRIPLE FIVE NEVADA
DEVELOPMENT - OWNER: GREAT MALL OF LAS VEGAS, LLC

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-10126), Special Use Permit (SUP-11444) and Major Modification (MOD-11449).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. 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.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions (CC&R), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements (DPMR) as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

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6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. The Final Map for this site shall be labeled as a Merger and Resubdivision.
8. A Petition of Vacation, such as VAC-23080, for the existing portions of Deer Springs Way in conflict with this map, shall record immediately prior to the Final Map for this site and the Final Map shall dedicate the area needed for the realignment of Deer Springs Way as approved in the Traffic Impact Analysis.
9. Submit a Petition of Vacation for all public rights-of-way, including Doe Brook Trail and the public roadway, sewer and drainage easements existing per Document No. 940719:01436, No. 17, in conflict with this site. The vacation shall record prior to the recordation of this Final Map.
10. Dedicate 20 feet of rightofway for Oso Blanca Road adjacent to this site for a total frontage road width of 90 feet in accordance with Town Center Frontage Road standards.
11. The alignment of Grand Montecito Parkway depicted on this map shall coincide with the right-of-way dedicated by 20071211:04194. All abutting public street right-of-way widths and design details shall be in accordance with approved offsite civil improvement plans.
12. Construct full width street improvements for Grand Montecito Parkway, to be completed in accordance with SDR10126 as amended by ROC23482. Construct full width improvements meeting Town Center Standards, including appropriate transition paving, on Oso Blanca Road and Deer Springs Way prior to recordation of this map. All work on Oso Blanca Road Shall be approved by the Nevada Department of Transportation. Coordinate with the City Engineer to determine construction requirements for Deer Springs Way and Doe Brook Trail prior to submittal of a Final Map for this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system and extend all required underground utilities, such as electrical, telephone, etc., located within public rights -of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
13. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

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14. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

15. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:
 - I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.
 - II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.

16. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.

17. All subdivided parcels comprising this commercial subdivision shall provide perpetual inter site common drainage rights across all existing and future parcel limits and a note to this effect shall appear on the Final Map for this site.

18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Final Map, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

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19. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivisionrelated construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Tentative Map for a two lot residential/commercial mixed-use subdivision on 64.97 acres, located adjacent to the north side of Deer Springs Way, 1350 feet east of Durango Drive. A Site Development Plan Review (SDR-10126) for a proposed 1,575,000 gross square foot mixed use regional mall with 900 residential units was approved by the City Council on July 12, 2006.

The submitted Tentative Map conforms to the approved Site Development Plan Review (SDR-10126), therefore, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1964	A-0003-64
07/20/94	The City Council approved a Reclassification of zoning (Z-0052-94) on this property. Planning Commission recommended approval.
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest, including the subject site. The Planning Commission and staff recommended approval.
11/07/01	The City Council approved the Town Center Development Standards Manual, which designated the subject site as MS-TC (Main Street Mixed Use Town Center).
03/06/02	The City Council approved a Development Agreement (DA-0002-01) between the City of Las Vegas and Montecito Town Center, LLC to establish standards for the 172-acre area within the Centennial Hills Town Center known as Montecito Town Center. The Planning Commission and staff recommended approval.
12/19/02	The Planning Commission approved a request for a Tentative (TMP-1246) at Montecito Town Center East, for a 2 lot commercial subdivision on 40.22 acres on the west side of Durango Drive between Dorrell Lane.
04/07/04	The City Council approved a Major Modification (MOD-3735) to the Montecito Development Agreement to add 10 acres to the plan at the southeast corner of Deer Springs Way and Grand Montecito Parkway. Also approved were a Special Use Permit (SUP-3503) for a gated subdivision with private streets and a Site Development Plan Review (SDR-3505) for a proposed 96-lot single-family residential development on the 10-acre site. This site is directly south of the subject property.

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10/21/04	The Planning Commission advised the applicant to resubmit as a Major Modification the request for a General Plan Amendment (GPA-5200) to amend a portion of the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan from: MS-TC (Main Street Mixed Use - Town Center) to: GC-TC (General Commercial - Town Center) on 55.74 acres adjacent to the northeast corner of Deer Springs Way and Riley street.
12/01/04	The City Council approved a Major Modification (MOD-5497) of the Town Center Land Use Plan to change the land use designation from MS-TC (Main Street Mixed Use Town Center) to GC-TC (General Commercial Town Center) on 24.91 acres adjacent to the northwest corner of Deer Springs Way and U.S. Highway 95. The Planning Commission and staff recommended approval.
06/01/05	A request to amend the Master Plan of Streets and Highways (MSH-6024) to realign a portion of grand Montecito Parkway between Dorrell Lane and Deer Springs was Withdrawn Without Prejudice at the City Council meeting. The Planning Commission Recommended denial.
05/25/06	The Planning Commission, at the applicants request, abeyed this item and a related Major Modification (MOD-11449) of the Town Center Land Use Plan to change the land use designation from GC-TC (General Commercial Town Center) to UC-TC (Urban Center Mixed Use Town Center); a Variance (VAR-13505) to allow 15 percent open space where a minimum of 20 percent is required; and a Site Development Plan Review (SDR-10126) for a proposed mixed-use development on the subject site to the 06/07/06 Planning Commission meeting. The applicant required additional time to discuss and resolve access and traffic issues with the Department of Public Works.
06/07/06	The City Council approved a General Plan Amendment (GPA-12273) to amend Map 2 and Map 6 of the Transportation Trails Element of the Las Vegas 2020 Master Plan to delete one Transportation Trail Alignment and revise two other alignments from Transportation Trails to Pedestrian Paths. The Planning Commission and staff recommended approval.

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<p>07/12/06</p>	<p>The City Council approved with amended conditions Site Development Plan Review (SDR-10126) related to Major Modification (MOD-11449) and Special Use Permit (SUP-11444) for a proposed 1,575,000 gross square-foot mixed-use regional mall with 900 residential units and waivers of main transition zone, Town Center core and Town Center urban zone building height, step back and build-to-line requirements; and to allow 15.4 percent open space where 20 percent is the minimum amount of open space required in Town Center portion of the project on 49.82 acres at the northeast corner of Grand Montecito Parkway and Deer Springs Way, T-C (Town Center) zone [proposed: UC-TC (Urban Center Mixed Use - Town Center) special land use designation]. Note: the application has been amended from a waiver of the Town Center urban zone to a waiver of the Town Center edge zone building height, step back and build-to-line requirements; to remove the waiver to allow a reduction in open space and to add a waiver of town center setback requirements. The Planning Commission recommended denial and staff recommended approval.</p>
<p>07/12/06</p>	<p>The City Council approved a request for a Special Use Permit (SUP-11444) with amended conditions to allow a development in excess of twelve stories and a Wavier from the 330-foot distance separation requirement from single family residences on 49.82 acres adjacent to the northeast corner of Deer Springs Way and Grand Montecito Parkway. The Planning Commission recommended denial and staff recommended approval.</p>
<p>07/12/06</p>	<p>The City Council approved a request for a Major Modification (MOD-11449) of the Town Center Development Plan to change the land use designation From: GC-TC (General Commercial) To: UC-TC (Urban Center Mixed Use) on 49.82 acres adjacent to the northeast corner of Deer Springs Way and Grand Montecito Parkway. Note: the application has been amended to change APN 125-20-201-001 to APN 125-21-201-001 and to amend total acreage to 24.91 acres. The Planning Commission and staff recommended approval.</p>
<p>07/12/06</p>	<p>The City Council approved a request for a Variance (VAR-13505) to allow 15 percent open space where a minimum of 20 percent open space is required on 49.82 acres adjacent to the northeast corner of Deer Springs Way and Grand Montecito Parkway (Note: the application has been amended to change the total acreage to 24.91 acres.) Planning Commission recommended approval and staff recommended denial.</p>

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09/05/07	The City Council approved a request for a Review of Condition (ROC-23482) of Condition Number 24 of an approved Site Development Plan Review (SDR-10126) which required the applicant to construct full width improvements for Grand Montecito Parkway, to be completed within 12 months of approval of this site by the Las Vegas City Council, unless an extension to this time frame is approved by the city engineer to now require that the applicant shall construct full width improvements for grand Montecito Parkway, to be completed within 21 months on 49.82 acres at the northeast corner of Grand Montecito Parkway and Deer Springs Way.
09/19/07	The City Council approved a petition to Vacate (VAC-23079) a portion of Grand Montecito Parkway between Wittig Avenue and Deer Springs Way. Planning Commission recommended and staff recommended approval.
09/19/07	The City Council approved a petition to Vacate (VAC-23080) a portion of Deer Springs Way west of Doe Brook Trail.

Related Building Permits/Business Licenses

No Building Permits or Business Licenses have been issued for the subject site.

Pre-Application Meeting

01/02/08	This Tentative Map is to create a two lot commercial subdivision. Related entitlements will need Extensions of Time (SDR-10126, SUP-11444, VAR-13505). An approved Review of Condition (ROC-23482) requires full width improvements on Grand Montecito Parkway to be completed within 21 months. Vacations are needed for ROW around subject parcel. Public Works noted a portion of the Deer Springs alignment may need a name change.
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Neighborhood Meeting

A neighborhood meeting is not required for this application.

Field Check

01/27/08	This undeveloped property is located behind Centennial Springs Hospital. Dirt, rocks and building debris are being dumped on the south side of the parcel adjacent to Deer Springs.
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Details of Application Request

Site Area

Gross Acres	64.97
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center) MS-TC (Main Street Mixed Use-Town Center)	T-C (Town Center)
North	Public Park (Mountain Ridge Park)	PF-TC (Public Facilities - Town Center)	T-C (Town Center)
South	Single Family Dwellings	MS-TC (Main Street Mixed Use - Town Center)	T-C (Town Center)
East	Osa Blanca Rd / Hwy 95	ROW (Right-of-Way)	ROW (Right-of-Way)
West	Hospital / Apartments	MS-TC (Main Street Mixed Use-Town Center)	T-C (Town Center)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
T-C (Town Center) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment	X		Y
Project of Regional Significance		X	N/A

Town Center

The site is located within the Town Center Master Plan. The east portion of the site consisting of 22.38 acres is within the Town Center area and designated UC-TC (Urban Center Mixed Use Town Center). The intent of the land use category is to enable development with imaginative site and building design and maximize the use of the property. This designation will allow high density residential and commercial uses on the same parcel and will permit flexibility in design. These developments should have a compatible mixture of land uses and encourage employment opportunities and the provision of goods and services to the Centennial Hills area of the City.

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The west 27.43 acres of the site is within the Montecito Plan area and has a land use designation of MS-TC (Main Street-Mixed Use-Town Center). This designation is intended to encourage a cohesive mix of inter-dependent uses, including leisure shopping and offices on the main floor with similar uses and/or medium to high density residential on the upper floor(s).

Development Impact Notice Assessment (DINA)

Based on traffic projections in the area the applicant was required to submit an environmental impact questionnaire for the Special Use Permit (SUP-11444). It was reviewed by various local and regional agencies and a summary of the comments received are included in the report for the Special Use Permit (SUP-11444).

ANALYSIS

A regional retail center development is planned for the property shown on the two lot Tentative Map. Approved for the site is a mixed-use development consisting of a regional shopping mall that includes office and retail, a theater complex, residential lofts, and enclosed recreational area; high-rise condominiums; and open space. The facility is accessed from two entrances at Deer Springs Way and three entrances at Grand Montecito Parkway.

The mall area will be dominated by two large anchor retail stores. Retail areas will also include a Food Court, offices, a theater and an enclosed park within the remaining area designated as common area. Parking areas will be located along Deer Springs Way and Grand Montecito Parkway, as well as grade level entrances to two-story parking decks.

Two 15-story towers will be located along the north and east boundaries of the site and in two four-story extensions to the mall and will contain 900 condominium units. Each condominium tower has one subterranean parking level and five above-ground parking levels. As the towers are attached to the parking structures, the total height of the buildings is 21 stories. The towers are not adjacent to any residential area and are approximately 840 feet from the nearest single-family residential property. The four-story lofts are located above retail shops near the center of the project.

The perimeter of the development is to be heavily landscaped for screening along Deer Springs Way adjacent to existing residential development. A 15-foot buffer continues around the east and west sides of the project site, with a 10-foot buffer along the north side adjacent to Mountain Ridge Park. Eight pedestrian plazas similar to the Pedestrian Gateways described in the Town Center Development Standards Manual are located at various entry points to the site.

FINDINGS (TMP)

- **General information (Residential/Commercial)**

The subject site is currently zoned T-C (Town Center) with a GC-TC (Urban Center Mixed Use - Town Center) General Plan designation on the triangular east portion of the overall site and a MS-TC (Main Street Mixed Use - Town Center) designation on the west portion of the overall site. While these designations have been applied through the Centennial Hills Sector Plan of the General Plan and are reflected in the Town Center Development Standards Manual, the MS-TC land use designation is superseded by the Montecito Town Center Master Development Plan, which designates that area as a portion of the Montecito Town Center Mixed Use Commercial Area. Where the Montecito Town Center Land Use and Design Standards are silent, the Town Center Development Standards Manual applies. The Tentative Map complies with the Town Center Development Standards and Design Guidelines and City requirements. Staff is recommending approval.

- **Cross Section**

Cross sections of the proposed parent Tentative Map are for the major streets through the mixed-use regional mall and are generally in compliance with the approved development standards. Finished grade is shown in an east-west cross section indicating a 2.38 percent slope from Grand Montecito Parkway on the west to Oso Blanca on the east. The north-south cross section also proposes a 2.38 percent grade from the property line on the north, sloping south to Deer Spring road.

Perimeter and retaining walls for the project are not shown on the submitted plans. Any screening and / or retaining walls must meet the standard set forth in Section 19.12.075 of the Municipal Code. Cross sections depicting a natural slope of a parcel that will contain a screening wall is two percent or less, and a retaining wall is required, the maximum height of the retaining wall shall be four feet. The minimum height of the screening wall shall be six feet, with a maximum height of eight feet; and the total vertical plane of both walls shall not exceed ten feet, measured from the finished grade on the lower side of the wall to the top of the wall, with a maximum height of eight feet measured from the finished grade on the higher side of the wall to the top of the wall. If the natural slope is two percent or more the Design Standards allow a maximum exposed wall height of 12 feet (a six-foot retaining wall with a six-foot screen wall).

- **Trails**

There are no other trails adjacent to the proposed project, except as required by Town Center roadway standards.

•Special Conditions of Approval (from Zoning or SDPR)

From SDR-10126 (Approved 08/22/06)

A revised site plan shall be submitted to and approved by the Planning and Development and Public Works Departments, prior to the time application is made for a building permit, to reflect the changes herein. The revised plan shall also show an 80-foot width for Oso Blanca Road. The location of all trash enclosures shall be indicated. Four additional loading spaces shall be added in accordance with Title 19.10. If modification of the revised site plan constitutes a Major Amendment to an approved Site Plan, as detailed in Title 19.18.050(H), then the revised plan shall be processed in the same manner as a new Site Development Plan application.

A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department 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.

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.

Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC&Rs.

Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department 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.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

APPROVALS 0

PROTESTS 1