



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 24, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-27292 - APPLICANT: GRAND CENTRAL SOUTH PARTNERS, LLC - OWNER: UNION PACIFIC RAILROAD COMPANY, ET AL

**** 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 A-O (Airport Overlay) District.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0100-97), Special Use Permit (SUP-27291), and Site Development Plan Review (SDR-27290) shall be required.
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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 700-foot high hotel tower within the A-O (Airport Overlay) District at the northeast corner of Grand Central Parkway and Charleston Boulevard . The overlay district limits height for the subject parcels to a maximum of 200 feet.

The subject proposal meets the provisions of Title 19.06.080 for the approval of a building height in excess of the 200-foot height limitation established for this area. The scale of the proposed development is compatible with the surrounding area and is in keeping with the goals and objectives as outlined in the Downtown Centennial Plan Parkway Center District and the General Plan; therefore, approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/23/98	The City Council approved a Rezoning (Z-0100-97) to reclassify 223 acres of property, including the subject parcel, from M (Industrial) to P-D (Planned Development) for mixed use projects. This rezoning created what would later be known as Parkway Center. Planning Commission and staff recommended approval.
10/05/04	The Parkway Center Architecture Review Committee (PC-ARC) recommended approval of a proposed mixed-use development in Parkway Center to include 413 residential units and 35,435 square feet of commercial space and requested waivers on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway.
12/15/04	The City Council approved a Site Development Plan Review (SDR-5179) for a proposed 35-story mixed-use development in Parkway Center to include 413 residential units and 35,435 square feet of commercial space on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway. The Planning Commission and staff recommended approval.
01/27/05	The Planning Commission approved a Tentative Map (TMP-5806) for a proposed 414-unit mixed-use subdivision on 3.23 acres adjacent to the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway. Staff recommended approval.
11/16/05	The City Council approved a Vacation (VAC-9074) of a portion of an existing drainage easement generally located at the northeast corner of Grand Central Parkway and Iron Horse Court. The Planning Commission and staff recommended approval.

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12/12/05	Staff administratively sent an action letter regarding a request for a Final Map Technical Review (FMP-10090) for a proposed 405-unit mixed-use subdivision on 3.23 acres adjacent to the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway. The mylars for this map have not been submitted nor has the map recorded as of 03/25/08.
01/27/07	The Planning Commission approval of the Tentative Map (TMP-5806) for the proposed 414-unit mixed-use subdivision expired.
02/21/07	The City Council approved a request for an Extension of Time (EOT-18770) of an approved Site Development Plan Review (SDR-5179) that allowed a 35 story mixed-use development in Parkway Center to include 413 residential units and 35,435 square feet of commercial space on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway.
08/15/07	The City Council approval of an Extension of Time (EOT-18770) for an approved Site Development Plan Review (SDR-5179) that allowed a 35-story mixed-use development in Parkway Center expired.
04/24/08	Companion items for a Special Use Permit (SUP-27291), Vacation (VAC-27293), and Site Development Plan Review (SDR-27290) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
05/26/05	A building permit application, plan check C-0122-05, was submitted for the site. This was for a plan check review for construction of the mixed-use development. No permit was issued and the plan check was voided by the Building and Safety Department on 08/07/06, due to inactivity, and destroyed 01/16/08.
03/15/05	A building permit application, plan check L-1051-05, was submitted for the site. This was for a plan check review for on-site improvements and a temporary sales trailer at 1023 Iron Horse Court. The permits (05003765 and 05003766) were approved by Planning and Development on 06/03/05 and issued by the Building and Safety Department on 06/06/05. The permit (05003766) for the on-site improvements expired 12/03/05 and the permit (05003765) for the temporary sales trailer expired on 01/07/06.
06/07/05	A building permit application, plan check L-1360-05, was submitted for the site. This was for a plan check review for a sign permit at 1003 Iron Horse Court. This permit (05004350) was approved by Planning and Development the same day and issued by the Building and Safety Department on 06/22/05.
10/24/05	A permit application, plan check L-CIVIL-10021, was submitted for the site. This was for an express plan check review of the civil improvement plans for the development. Mylars have not been submitted for final signature as of 03/25/08 and the application has been marked as expired.
<i>Pre-Application Meeting</i>	
02/22/08	A pre-application meeting was held, where submittal requirements and elements of this application were discussed. Specifically, the need for a reversionary map, drainage and traffic studies and the vacation of Iron Horse Court were discussed.

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Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Field Check	
03/21/08	The Department of Planning and Development conducted a site visit that found that this is mostly an undeveloped site. There is one fully developed parcel that has an occupied building adjacent the Union Pacific sign tower and a fair amount of surface parking. There is a small surface parking lot on the adjacent parcel to the west. There are various real estate signs on the site including signage for the previous project which has expired.

Details of Application Request	
Site Area	
Gross Acres	15.4
Net Acres	12.54

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped / Highway Access Circle	MXU (Mixed Use)	PD (Planned Development)
North	Government Facilities	PF (Public Facility)	C-V (Civic)
South	Commercial Development	MXU (Mixed Use)	M (Industrial)
East	Railroad Warehouses	LI/R (Light Industry/Research)	M (Industrial)
West	Shopping Mall Parking	MXU (Mixed Use)	PD (Planned Development)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Downtown Centennial Plan	X		N *
Redevelopment Plan Area	X		Y
Special Districts/Zones			
Special Purpose and Overlay Districts			
PD (Planned Development) District	X		Y
A-O (Airport Overlay) District (200 Feet)	X		N **
Live/Work Overlay 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

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- * Waivers of the build-to-line requirement and streetscape standards, as required by the Downtown Centennial - Parkway Center Site Planning Standards, have been requested as a part of the Site Development Plan Review (SDR-27290) that, if approved, would grant relief from these standards.
- ** The proposed height of the hotel tower, 700 feet, exceeds the height limitation of 200 feet for this area established by the North Las Vegas Airport Overlay Map portion of the A-O (Airport Overlay) District. This request has been submitted pursuant to Title 19.06.080 and if approved would grant relief from the height limitation.
- *** Pursuant to Ordinance No. 5227, the project under review outlines a project that meets the threshold that defines a Project of Significant Impact as outlined in the ordinance for a development in excess of 300 units designated for tourist accommodations. The applicant has prepared and submitted, as part of the overall project submittal, an impact report as required by the Ordinance for referral to affected agencies. As of 04/10/08, comments have been received from the Regional Transportation Commission (RTC) and the Clark County School District. The RTC concerns and proposed conditions have been incorporated into the Public Works portion of the conditions of approval for the companion Site Development Plan Review (SDR-27290).

DEVELOPMENT STANDARDS

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Centennial Plan addresses certain site development standards, which are detailed below:

Pursuant to the Downtown Centennial Plan, the following development standards apply to the subject proposal:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	n/a	12.54 acres	n/a
Min. Lot Width	n/a	≈ 240 Feet	n/a
Min. Setbacks			
• Front	0 Feet	20 Feet	N *
• Side	n/a	10 Feet	n/a
• Corner Side	0 Feet	20 Feet	N *
• Rear	n/a	52 Feet	n/a
Build-to Line	70% of frontage line	20 Feet	N *
Max. Lot Coverage	Up to 100%	26%	Y
Max. Building Height	n/a	700 Feet	n/a
Trash Enclosure		Internal to Loading Area	
	Screened		Y
Mech. Equipment	Screened	Screened	Y

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- * The proposed structure does not comply with the minimum build-to-line requirement as the building is not situated directly at the front or corner side property lines as required by the Downtown Centennial - Parkway Center Site Planning Standards. Waivers have been requested as part of the Site Development Plan Review (SDR-27290) that, if approved, would allow the hotel to be set back 20 feet from the front and corner side build-to-line.

ANALYSIS

The subject site is located within the boundaries of the Las Vegas Redevelopment Plan Area Map of the Southeast Sector Plan of the General Plan, and is designated as MXU (Mixed Use). This category allows for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories. The existing and future intended uses are permissible under the MXU (Mixed Use) designation.

The zoning of the subject parcels is PD (Planned Development) and is covered under the Downtown Centennial Plan Parkway Center district. The existing and future uses intended for this location are permissible in Parkway Center district which is compatible with the PD (Planned Development) zoning district and the MXU (Mixed Use) General Plan designation.

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Plan Area, with a MXU (Mixed Use) land use designation. The proposed uses are in conformance with Redevelopment Plan policies that encourage innovative, mixed use projects in this area of the City. The proposed development is in compliance with the MXU (Mixed Use) designation.

The project site is within the Live/Work Overlay district. The proposed hotel development will offer employment and tourist amenities on-site, but no residential housing. The project does not include any live/work units as outlined in Title 19.06.130.

The parcels that make up this project site are within the Las Vegas Downtown Centennial Plan boundaries, and are located in the Parkway Center district. This district encompasses a large part of the former Union Pacific railroad yards and once was the center of Las Vegas industrial area. It is poised to become the heart of the expanded downtown urban area and is anticipated to be developed for a variety of uses, including non-gaming hotels, retail, high-rise condominiums, apartments, and a medical complex along with other mixed-use projects. Further, this district is expected to have pedestrian linkages to Fremont Street Experience and the Office Core, effectively functioning as a natural extension of the existing downtown to enhance the businesses that already exist there. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

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The site is within the North Las Vegas Airport Overlay Map portion of the A-O (Airport Overlay) District. The proposed height of the hotel tower, 700 feet, exceeds the height limitation of 200 feet for this area. This request has been submitted pursuant to Title 19.06.080 and if approved would grant relief from the height limitation.

Pursuant to Title 19.06.080, the provisions for a Special Use Permit to exceed the height limitation in the 175-foot limitation zone of the A-O (Airport Overlay) District are:

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 subchapter 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 Subchapter 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 subchapter, no Special Use Permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this subchapter or any amendment thereto

This special use permit has been submitted in conjunction with a Special Use Permit (SUP-27291) to allow a Hotel Lounge Bar use, a Vacation (VAC-27293) to vacate Iron Horse Court and various easements, and a Site Development Plan Review (SDR-27290) for a proposed 61-story hotel development including a 2,500-room hotel, a 260,000 square-foot convention facility, and 11,100 square feet of commercial uses.

The request to exceed the A-O (Airport Overlay) District height of 200 feet is appropriate in this area provided all necessary approvals from the Federal Aviation Administration and Clark County Department of Aviation are obtained per Title 19.06.080. Due to the compatibility of this development with the surrounding present and future area development, and the furthering of the goal of the Downtown Centennial Plan for the Parkway Center District, staff is recommending approval of this Special Use Permit.

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:

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- 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 hotel and ancillary commercial uses can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses, and those future uses as 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 type and intensity of uses proposed by the applicant.

- 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.**

Site access is provided from Grand Central Parkway, a 125-foot Parkway Arterial. This street will provide adequate access to and from the subject property.

- 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.**

This Special Use Permit is required as a provision of Title 19.06.080 and has no applicable conditions under Title 19.04. Pursuant to Title 19.06.080, a Directors Permit application must be approved by the Clark County Department of Aviation prior to the issuance of a building permit.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 92

APPROVALS 3

PROTESTS 0