



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 21, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-27291 - APPLICANT: GRAND CENTRAL SOUTH PARTNERS, LLC - OWNER: UNION PACIFIC RAILROAD COMPANY, ET AL

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04 for a Hotel Lounge Bar use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0100-97), Special Use Permit (SUP-27292) 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. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. 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 Hotel Lounge Bar within a proposed 61-story hotel located at the northeast corner of Grand Central Parkway and Charleston Boulevard. This request would allow the proposed hotel to serve alcoholic beverages only at tables and booths located within the lounge bar area of the hotel, within a pool area, or within hotel rooms as incidental to room service in the PD (Planned Development) zoning district.

The justification letter indicates that the applicant intends to utilize the full allotment of seats allowed for this type of use as it is appropriate for a hotel of this size. Located within a 6,000 square foot space, seating is available for approximately 75 customers. No additional on-site parking is required for this use. The proposed hotel development meets the Title 19 requirements for a Hotel Lounge Bar use; therefore, staff recommends approval of this request.

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.

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	The Planning Commission recommended approval of companion items SUP-27292, VAC-27293 and SDR-27290 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #50/rts).
<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

- * 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. A Special Use Permit (SUP-27292) 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

Pursuant to Title 19.04 and 19.10, the following parking standards apply:*

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Hotel	2,500 Rooms	1 Space / Guest Room	2,470 Spaces	30 Spaces			
Hotel Lounge Bar	6,000 SF	No added spaces	---	---			
Restaurant	16,000 SF						
Waiting/Seating		1 Space / 50 SF	---	---			
Back of House		1 Space / 200 SF	---	---			
General Retail, Other Than Listed	11,100 SF	1 Space / 175 SF	61 Spaces	3 Spaces			
Convention Center	260,000 SF	1 Space / 2,000 SF **	125 Spaces	5 Spaces			

Sub-TOTAL			2,656 Spaces	38 Spaces	1,092 Spaces	22 Spaces	Y *
TOTAL (including handicap)			2,694 Spaces		1,114 Spaces		Y *
Loading Spaces	293,100 SF	3 Spaces at 50,000 SF + 1 Space for each added 100,000 SF	6 Spaces		6 Spaces (Truck Dock Spaces)		Y

* Per Title 19.06.060 properties within the Downtown Centennial Plan area are exempt from the automatic application of standard parking requirements.

** Title 19 does not contain a conference center calculation for parking; however, a standard for conference centers was listed in a previous version of the Parkway Center portion of the Downtown Centennial Plan, which required 0.5 spaces per 1,000 square feet of gross floor area. An equivalent calculation to the 0.5 spaces per 1,000 square feet of gross floor area, one space per 2,000 square feet of gross floor area, is utilized to calculate the parking requirement for the portion of the proposed development designated as a Convention use.

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.

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. A Special Use Permit (SUP-27292) has been submitted pursuant to Title 19.06.080 and if approved would grant relief from the height limitation.

In accordance with Title 19.04.010, operational requirements for a Hotel Lounge Bar include: 1) Alcoholic beverages are served and consumed only at tables and booths located within the lounge bar area of the hotel, within a pool area, or within hotel rooms as incident to room service; 2) Persons are not permitted to purchase or obtain alcoholic beverages directly from such lounge bar; 3) No other business, trade, profession or entertainment that requires a license under Title 6 is conducted or performed in the lounge bar area; and 4) The maximum available customer seating in the lounge bar area does not exceed 75 seats.

Minimum Requirements of Approval for a Hotel Lounge Bar use in a PD (Planned Development) zoning district are:

1. No hotel lounge bar business use shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children or City park.
2. Except as otherwise provided in Requirement 3 below, the minimum distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed hotel lounge bar which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed hotel lounge bar. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term property line refers to property lines of fee interest parcels and does not include the property line of:
 - a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

3. In the case of a proposed hotel lounge bar located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line from the nearest property line of the existing use to the nearest portion of the structure in which the hotel lounge bar will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for a hotel lounge bar which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirement in Requirement 1 does not apply to an establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.
- *6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

Pursuant to Title 19.04, the following minimum separation requirements apply to the subject proposal: a Hotel Lounge Bar use may not be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City Park. The proposed hotel will be located within an industrial, commercial, and governmental services area of the city. The proposed Hotel Lounge Bar use is greater than 400 feet from any of the protected uses. Therefore, it meets the minimum distance separation requirement.

This special use permit has been submitted in conjunction with a Special Use Permit (SUP-27292) to allow a building height of 700 feet in the A-O (Airport Overlay) District, 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 proposed Hotel Lounge Bar use meets the minimum requirements of approval per Title 19.04. Therefore, 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:

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 project is compatible with the General Plan designation and the proposed use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

The proposed Hotel Lounge Bar use will be located within a 2,500-room hotel on a site previously approved for development of this intensity. There is not evidence of a physical constraint to the proposed use on the subject site.

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.

Approval of this special use permit should not compromise public health, safety, or welfare as the proposed Hotel Lounge Bar use will be subject to regular inspections.

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

The proposed Hotel Lounge Bar use in conjunction with the proposed 2,500-room hotel complies with the conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 90 by City Clerk

APPROVALS 2

PROTESTS 0