



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 4, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MOD-27044 - APPLICANT/OWNER: HITT W. DOUGLAS FAMILY TRUST

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0-1/rt vote) recommends APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Modification of the Town Center Land Use Plan from UC-TC (Urban Center Mixed Use - Town Center) to GC-TC (General Commercial - Town Center) Special Land Use Designation on 5.1 acres at the northwest corner of Durango Drive and Deer Springs Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/13/03	The City Council approved a Rezoning (ZON-1620) of the subject property from U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan designation] to T-C (Town Center), a Special Use Permit (SUP-1569) for a 6,622 square- foot Tavern on a portion of the subject property, and a Site Development Plan Review (SDR-1741) for a proposed 6,622 square foot Tavern on a portion of the subject site. The Planning Commission recommended approval and staff recommended denial.
06/15/05	The City Council approved a request for a Site Development Plan Review (SDR-6317) for a proposed Mixed-Use Development consisting of two 24-story towers containing 474 residential units and 144,200 square feet of commercial space of which 102,744 square feet is office space, and Special Use Permits (SUP-6323, SUP-6326, and SUP-6330) for a proposed 5,200 square-foot tavern, a proposed 7,256 square-foot supper club, and a proposed mixed use development in excess of 12 stories respectively on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive. The Planning Commission and staff recommended approval.
07/11/07	The City Council denied Extension of Time (EOT-22312, EOT-22313, EOT-22314, EOT-22315) requests for Site Development Plan Review (SDR-6317) for a proposed Mixed-Use Development consisting of two 24-story towers containing 474 residential units and 144,200 square feet of commercial space of which 102,744 square feet is office space, and Special Use Permits (SUP-6323, SUP-6326, and SUP-6330) for a proposed 5,200 square-foot tavern, a proposed 7,256 square-foot supper club, and a proposed mixed use development in excess of 12 stories respectively on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive.
05/08/08	The Planning Commission recommended approval of companion items SUP-27046, SUP-27047, SUP-27048, SUP-27049 and SDR-27051 concurrently with this application. The Planning Commission voted 5-0-1/rt to recommend APPROVAL (PC Agenda Item #14/jm).

<i>Related Building Permits/Business Licenses</i>	
01/30/07	A Code Enforcement case (#49914) was opened for an illegal subdivision sign. The case was closed on 04/04/07.
01/30/07	A Code Enforcement case (#49915) was opened for an illegal subdivision sign. The case was closed on 03/21/07.
01/30/07	A Code Enforcement case (#49916) was opened for an illegal subdivision sign. The case was closed on 03/23/07.
01/30/07	A Code Enforcement case (#49917) was opened for an illegal subdivision sign. The case was closed on 03/21/07.
01/30/07	A Code Enforcement case (#49918) was opened for an illegal subdivision sign. The case was closed on 03/07/07.
01/30/07	A Code Enforcement case (#49919) was opened for an illegal subdivision sign. The case was closed on 03/07/07.
01/30/07	A Code Enforcement case (#49920) was opened for an illegal subdivision sign. The case was closed on 03/07/07.
01/30/07	A Code Enforcement case (#49922) was opened for an illegal subdivision sign. The case was closed on 03/21/07.
01/30/07	A Code Enforcement case (#49923) was opened for an illegal subdivision sign. The case was closed on 04/30/07.
<i>Pre-Application Meeting</i>	
02/13/08	A pre-application meeting was held and elements of this application were discussed. In addition to this application, a Site Development Plan Review and several Special Use Permit applications were discussed. A list was provided detailing the Waivers from Town Center Development Standards that the applicant needed to request. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
03/11/08	A neighborhood meeting was held on Tuesday, March 11, 2008 at 6:45 p.m. at the Centennial Hills Community Center located at 6601 North Buffalo Drive, Las Vegas, NV. Applicant gave a brief presentation, described changes, and explained office building would not be built at same time as other uses. Also might consider a hotel in the future.
05/06/08	A second neighborhood meeting is scheduled to be held on Tuesday, May 6, 2008 at 6:45 p.m. at the Centennial Hills Community Center located at 6601 North Buffalo Drive, Las Vegas, NV.
<i>Field Check</i>	
03/04/08	A field check was made on site. The site is currently undeveloped and non-graded with desert vegetation.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	5.1

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use)	T-C (Town Center District)
North	Condominiums	UC-TC (Urban Center Mixed Use)	T-C (Town Center District)
South	Undeveloped	UC-TC (Urban Center Mixed Use)	T-C (Town Center District)
East	Hospital	UC-TC (Urban Center Mixed Use)	T-C (Town Center District)
West	Proposed Office/Retail Development	UC-TC (Urban Center Mixed Use)	T-C (Town Center District)

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

**The applicant has requested multiple Waivers of Town Center Standards.*

ANALYSIS

- Land Use**

The subject property has a General Plan designation of TC (Town Center). This is intended to be the principal employment center for the northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; high-density residential uses; planned business, office and industrial parks; and recreational uses. The T-C (Town Center) District and the accompanying Town Center Development Standards Manual were adopted as part of Title 19 (Title 19.06.110), and changes to the text require a Text Amendment per Title 19.06. Changes to the map only may be made with an application for a Major

Modification such as this application under review, per the Town Center Development Standards Manual (A)(4)(B), by the procedures found in Title 19.18.040.

The subject site is currently designated UC-TC (Urban Center Town Center). The intent of the Urban Center Mixed Use District is to enable development with imaginative site and building design and maximize the use of the property. 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.

The applicant requests that the two parcels that make up the site be designated GC-TC (General Commercial Town Center). The General Commercial District allows all types of retail, service, office and other general business uses of a more intense commercial character. These uses will normally require a Special Use Permit and will commonly include limited outdoor display of product and lights or other characteristics not generally compatible with the adjoining residential areas without significant transition. Examples include new and used car sales, highway commercial uses such as hotels and motels, and tourist commercial uses such as resorts and recreational facilities. Local supporting land uses such as parks, other public recreational facilities, some schools and churches are also allowed in this district. The applicant justifies this request as the current designation, UC-TC (Urban Center Town Center), does not provide for a Restaurant with a Drive-through and does not allow for a Convenience Store with Fuel Pumps, which the applicant is applying for in this application.

- **Centennial Hills Sector Plan**

Objective B: Achieve a compatible balance of land uses standard throughout the Centennial Hills Town Center by providing appropriate and compatible locations for all land use categories.

Policy B1: Provide for a variety of commercial environments in the Centennial Hills Town Center Plan having distinct urban mixed uses and suburban character.

Program B1.1: Establish site design criteria for the Main Street and Urban Center Mixed Use Districts. These areas will contain commercial and office uses as well as higher density residential land uses which establish and maintain a respective distinct urban development life style. These districts must be protected from lower density residential uses.

FINDINGS

In order to approve the Major Modification application, pursuant to Town Center Development Standards Manual (A)(3)(B) and Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

The Modification of the Town Center Development Manual does not meet the objectives and policies outlined in the Centennial Hills Sector Plan. By requesting to modify the Town Center special land use designation from UC-TC (Urban Center Town Center) to GC-TC (General Commercial Town Center) disturbs the compatible balances of land uses emphasized in the Centennial Hills Sector Plan. Objective B states achieve a compatible balance of land uses standard throughout the Centennial Hills Town Center by providing appropriate and compatible locations for all land use categories.

2. The uses which would be allowed on the subject property by approving the major modification will be compatible with the surrounding land uses and zoning districts.

The existing land uses that surround this development are designated UC-TC (Urban Center Town Center). Town Center Development Standards prohibit Drive-Through Facility uses within the UC-TC (Urban Center Town Center) special land use designation. The applicant is proposing a use that is not compatible with the surrounding land uses; therefore staff recommends denial.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

The intent of the Urban Center Mixed Use District is to enable development with imaginative site and building design and maximize the use of the property. 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. The applicant has created a non-pedestrian friendly environment and a vehicular dependent commercial center saturated with Drive-Through Facilities.

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

The subject property fronts on Durango Drive, which is designed as a 120-foot wide Primary Arterial street on the Master Plan of Streets and Highways, and accesses Deer Springs Way, which is designated as an 80-foot wide Secondary Collector street. Access is also proposed to a local street along the north side of the property. Durango Drive and Deer Springs Way will provide adequate access to the development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 720 by Planning Department

APPROVALS 2

PROTESTS 24