

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TMP-29652 - DURANGO AND FARM - APPLICANT:
RAPINDER CHIMA - OWNER: PICHAT AND SAMAN POJANASOMBOON, ET AL

**** 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-28535) and the Town Center Plan Development Standards, if approved.
3. Street names must be provided in accordance with the Citys Street Naming Regulations.
4. 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. The plan shall note that the Multi-Use recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. The basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof. 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.

TMP-29652 - Conditions Page Two
October 9, 2008 - Planning Commission Meeting

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

Public Works

6. Per Condition #13 of Site Development Plan Review SDR28535; A Petition of Vacation for all rightofway in conflict with this site, such as VAC28548; shall record prior to the recordation of a map or issuance of any permits, whichever may occur first.
7. Per Condition #13 of Petition of Vacation VAC28548; Provide proof that the Nevada Department of Transportation (NDOT) has determined that the existing rightofway is no longer needed to support the US95 access ramps, and has relinquished all access rights thereto. Such proof shall be provided prior to recordation of a Final Map for this site or the issuance of any permits overlying or abutting the area to be vacated.
8. 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.
8. 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.
9. 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.

TMP-29652 - Conditions Page Three
October 9, 2008 - Planning Commission Meeting

10. The submitted Drainage Plan and Technical Drainage Study must be 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.

11. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR28535, Petition of Vacation VAC28548 and all other subsequent siterelated actions.

12. 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 is a request for a Tentative Map for a four-lot commercial subdivision on 7.99 acres at the southwest corner of Farm Road and Durango Drive. This applicant is proposing a four-lot commercial subdivision with an approved Site Development Plan Review (SDR-28535) for the subject site. This approved Site Development Plan Review (SDR-28535) is for a 139-room five-story hotel and a 64,700 square-foot retail development with Waivers to allow a five-story building where two stories is the maximum height permitted, a 14-foot rear yard setback where a 20-foot setback is required and Town Center landscape finger requirements within the parking area. As this request is appropriate for the area and for Town Center, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) from U (Undeveloped), R-E (Residence Estates), R-PD7 (Residential Planned Development 7 Units per Acre), R-PD11 (Residential Planned Development 11 Units per Acre), R-PD13 (Residential Planned Development 13 Units per Acre), R-PD18 (Residential Planned Development 18 Units per Acre), R-CL (Single Family Compact-Lot), C-1 (Limited Commercial), C-2 (General Commercial), C-V (Civic) and P-D (Planned Development to T-C (Town Center) on the subject property as part of a larger request of 1,468 acres.
01/04/05	Code Enforcement cited (#24873) a vacant lot with trash and debris left from temporary Christmas tree sales. The case was closed on 01/20/05.
02/22/05	Code Enforcement cited (#26291) an illegal sign on the property. The case was closed on 02/24/05.
11/14/06	Code Enforcement cited (#47958) a vacant lot with trash and debris left from temporary pumpkin sales for Halloween. The case was closed on 11/21/06.

TMP-29652 - Staff Report Page Two
October 9, 2008 - Planning Commission Meeting

09/17/08	The City Council approved a Major Modification (MOD-28538) of the Town Center Land Use Plan from SC-TC (Service Commercial Town Center) to GC-TC (General Commercial Town Center) Special Land Use Designation, a Site Development Plan Review (SDR-28535) for a 139-room five-story hotel and a 64,700 square-foot retail development with Waivers to allow a five-story retail development where two stories is the maximum height permitted, a 14-foot rear yard setback where a 20-foot setback is required and Town Center Landscape finger requirements within the parking area, a Variance (VAR-28540) to allow a 60-foot setback where residential adjacency standards require 185 feet for a proposed 139-room five-story hotel, and Special Use Permits (SUP-28542, SUP-28544 thru 28547 and SUP-28712 thru SUP-28713) for a proposed 7,900 square-foot Liquor Establishment (Tavern), a 5,100 square-foot Convenience Store with Fuel Pumps with a Waiver to allow a zero-foot distance separation from a single-family detached dwelling where 330 feet is required, a 2,150 square-foot Restaurant (With Drive-Through), a 139-room five-story Hotel with a Waiver to allow a zero-foot distance separation from a single-family detached dwelling where 330 feet is required, a 2,400 square-foot car wash in conjunction with a proposed convenience store (with fuel pumps), a gaming establishment, restricted license in conjunction with a proposed 7,900 square-foot Liquor Establishment (Tavern) and a Gaming Establishment, restricted license in conjunction with a proposed 5,100 square-foot Convenience Store (With Fuel Pumps) respectively on 7.97 acres at the southwest corner of Durango Drive and Farm Road. The Planning Commission
<i>Related Building Permits/Business Licenses</i>	
09/23/05	A Temporary Commercial Permit (#4597) was issued for a pumpkin sales lot at the southwest corner of Farm Road and Durango Drive.
11/14/05	A Temporary Commercial Permit (#10307) was issued for a Christmas tree sales lot at the southwest corner of Farm Road and Durango Drive.
09/25/06	A Temporary Commercial Permit (#17097) was issued for a Christmas tree sales lot at the southwest corner of Farm Road and Durango Drive.
09/17/07	A Temporary Commercial Permit (#24612) was issued for a Christmas tree sales lot at the southwest corner of Farm Road and Durango Drive.
<i>Pre-Application Meeting</i>	
07/02/08	A pre-application meeting with the applicant to discuss the requirements of submitting a Tentative Map application for a four-lot commercial subdivision at the subject site.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
09/02/08	A field check was performed by staff at the subject property. The site is currently undeveloped with a natural desert condition. Additionally, a few political signs are on this property in view of the Durango Drive and Farm Road.

October 9, 2008 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	7.99

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	TC (Town Center)	T-C (Town Center) [SC -TC (Service Commercial Town Center)] Special Land Use Designation
North	Shopping Center	TC (Town Center)	T-C (Town Center) [SC -TC (Service Commercial Town Center) Special Land Use Designation
South	Single Family Residential, Retail, Condominiums, Mixed Use	TC (Town Center)	T-C (Town Center) [SX-TC (Suburban Mixed Use Town Center)] Special Land Use Designation
East	Shopping Center	TC (Town Center)	T-C (Town Center) [SC -TC (Service Commercial Town Center)] Special Land Use Designation
West	Undeveloped	TC (Town Center)	T-C (Town Center) [SC -TC (Service Commercial Town Center)] Special Land Use Designation

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

October 9, 2008 - Planning Commission Meeting

ANALYSIS

This is a request for a Tentative Map for a four-lot commercial subdivision on 7.99 acres at the southwest corner of Farm Road and Durango Drive. A previous Site Development Plan Review (SDR-28535) entitled this property with 64,700 square feet of retail space and a 139-room five-story hotel with Waivers to allow a five-story building where two stories is the maximum height permitted, a 14-foot rear yard setback where a 20-foot setback is required and Town Center landscape finger requirements within the parking area. This proposal for a four-lot commercial subdivision is similar to other projects found throughout the City of Las Vegas. As this request is appropriate for the area and for Town Center, staff recommends approval of this request.

FINDINGS

- General information

The subject site is designated GC-TC (General Commercial Town Center) within the Town Center Special Land Use Plan. 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 overall site currently consists of three parcels located on 7.99 acres on the southwest corner of Farm Road and Durango Drive. These parcels are comprised of currently undeveloped land, but will be developed as is seen by the recent approval of Site Development Plan Review (SDR-28535). This Site Development Plan Review (SDR-28535) will allow these parcels to develop into a 139-room five-story hotel and a 64,700 square-foot retail development.

- Cross Section

Pursuant to Section 18.08.110, cross sections have been submitted for the proposed Tentative Map. There is between a 15-foot gradual decline in the grade from east to west at the subject site. There is a natural slope between 1.25% and 2.00% depicted across this site.

The applicant is proposing no perimeter walls for the subject commercial subdivision.

October 9, 2008 - Planning Commission Meeting

•Trails

There is a proposed Multi-Use transportation trail located on the northeast portion of the subject site along Farm Road. This trail has been addressed as Condition Number 8 of the previously approved Site Development Plan Review (SDR-28535). This transportation trail will be provided with the development of the subject site.

•Special Conditions of Approval (SDR-28535)

- 4. A Waiver from Section B(5)(A)(3) of the Town Center Development Standards Manual is hereby approved, to allow a 14-foot setback where a 20-foot setback is required.
- 5. A Waiver from Section C(2)(A) of the Town Center Development Standards Manual is hereby approved to a five-story building where a two-story building is required.
- 6. A Waiver from Section C(2)(B) of the Town Center Development Standards Manual is hereby approved to allow two rows of parking not to be separated by a landscape planter equal to the length of the parking row.
- 7. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the changes herein: Handicapped parking spaces dimensions must be provided in accordance with LVMC Title 19.10 standards.
- 8. A Multi-Use Transportation Trail is required adjacent to this site on Farm Road. The design of the trail shall adhere to Exhibit 1 of the Transportation Trails Element of The Las Vegas 2020 Master Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

October 9, 2008 - Planning Commission Meeting

APPROVALS 0

PROTESTS 0