



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 17, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-28538 - APPLICANT: RAPINDER CHIMA - OWNER:
PICHAT AND SAMAN POJANSOMBOON, ET AL

**** CONDITIONS ****

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Modification 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 on 7.97 acres at the southwest corner of Durango Drive and Farm Road.

The proposed 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 SC-TC (Service Commercial Town Center) to GC-TC (General Commercial Town Center) disturbs the compatible balances of land uses emphasized in the Centennial Hills Sector Plan. Since the inception of the Centennial Hills Sector Plan, the amount of land designated SC-TC (Service Commercial) in Town Center has decreased 41 percent since 1999 while the amount of GC-TC (General Commercial) designated land has increased 14 percent. The amount of land designated SC-TC (Service Commercial) and GC-TC (General Commercial) is almost equal. Growth factors indicate that there is a lack of SC-TC (Service Commercial); therefore, the Major Modification request of the Town Center Land Use Plan is not appropriate for this area.

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) to T-C (Town Center) on the subject property as part of a larger request.
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.
08/14/08	The Planning Commission recommended approval of companion items VAR-28540, SUP-28542, SUP-28544, SUP-28545, SUP-28547, SUP-28712, SUP-28713, SUP-28868, VAC-28548 and SDR-28535 concurrently with this application. The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #23/jm).
<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.
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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.

Pre-Application Meeting

03/20/08	A pre-application meeting was held and elements of this application were discussed. In addition to this application, a Major Modification 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.
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Neighborhood Meeting

07/01/08	<p>A neighborhood meeting was held on Tuesday, July 1, 2008 at 5:30 p.m. at the YMCA Club in the CLV Community Resource Room located at 6601 North Buffalo Drive. There were 29 members of the public, seven representatives of the applicant and two city staff were present.</p> <p>The applicant and one of the proposed tenants offered a presentation on the proposed development. Members of the public raised the following questions and concerns:</p> <ul style="list-style-type: none"> * Concerns were raised regarding the height of the hotel building (the applicant explained that the building would be approximately 55 to 60 feet in height). Some members of the public requested that the height be reduced to three stories, and stated that five-story buildings were inappropriate in that area (the east side of the freeway). * Several concerns were expressed regarding traffic flow and the amount of traffic generated by the development. The applicant noted that the traffic study for the project had already been completed, and was being reviewed by city staff. Specific concerns were raised about northbound traffic coming out of the development onto Farm Road, potential increases in traffic on Tule Springs, construction traffic on eastbound Farm Road, and whether or not a traffic light could be installed at the entrance to the development. * One member of the public stated that the hotel use was inappropriate for the site; others questioned the viability of the hotel based on the proximity of the Santa Fe Hotel/Casino and the new hotel/casino at the Kyle Canyon development. * Questions were raised relative to the other tenants proposed for the site and the ability of the developer to lease the retail space based on current market conditions. * Concerns were raised regarding the carwash and any buffers that would be provided to screen the use, and whether the use was necessary. * Questions were raised regarding impacts to the homes that are proposed abutting the site in the Village of Centennial Springs development.
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	* Concerns were raised relative to the signage proposed for the site; the applicant stated that they would comply with the Town Center requirements.
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Field Check	
07/01/08	A field check was made on site. The site is currently an undeveloped property that is juxtaposed between two major streets. To the south of this property is a mixed-use development under construction and across Farm Road to the north is a large shopping center.

Details of Application Request	
Site Area	
Gross Acres	7.97

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

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
T-C Town Center District	X		N*

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Trails	X		Y**
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

**Multiple Waivers of the Town Center Development Standards have been requested as part of the companion Site Development Plan Review (SDR-28535).*

***A Multi-Use Transportation Trail is required adjacent to this site on Farm Road. The proposal adheres to Exhibit 1 of the Transportation Trails Element of The Las Vegas 2020 Master Plan.*

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 SC-TC (Service Commercial Town Center). The Service Commercial District allows low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public/quasi-public uses.

The applicant requests that the three parcels that make up the subject 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, SC-TC (Service Commercial Town Center), does not provide for a Liquor Establishment (Tavern) unless it is part of a development with an aggregate acreage exceeding 50 acres. The applicant is applying for a Liquor Establishment (Tavern) Special Use Permit (SUP-28542) and a Gaming Establishment Restricted License Special Use Permit (SUP-28712).

- **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.

As of June 2008, the Future Land Use for Town Center demonstrates a change since first adopted in 1999. The Centennial Hills Sector Plan envisioned approximately 451.96 acres of SC-TC (Service Commercial Town Center) Special Land Use designated property and 172.89 acres of GC-TC (General Commercial Town Center) Special Land Use designated property. Currently, there are 263.29 acres of SC-TC (Service Commercial Town Center), a decrease of 188.67 acres and 201.48 acres of GC-TC, an increase of 28.59 acres. The distribution of acres has decreased from a 2.61 SC-TC to GC-TC ratio to a 1.30 SC-TC to GC-TC ratio.

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 SC-TC (Service Commercial 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 SC-TC (Service Commercial Town Center) and SX-TC (Suburban Mixed Use Town Center), which allows low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. The General Commercial District allows all types of retail, service, office and other general business uses of a more intense commercial character. The applicant is proposing a land 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.

Since the inception of the Centennial Hills Sector Plan, the amount of land designated SC-TC (Service Commercial) in Town Center has decreased 41 percent since 1999 while the amount of GC-TC (General Commercial) designated land has increased 14 percent. The amount of land designated SC-TC (Service Commercial) and GC-TC (General Commercial) is almost equal. Growth factors indicate that there is a lack of SC-TC (Service Commercial); therefore, the Major Modification of the Town Center Land Use Plan is not appropriate for this area.

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 100-foot wide Primary Arterial by the Town Center Street Classification Map Six, and accesses Farm Road, which is designated as an 80-foot wide Arterial/Secondary Collector. Farm Road is the only street that the property takes access from and will provide adequate service for the proposed project.

PLANNING COMMISSION ACTION

There were three speakers in opposition at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 508 by City Clerk

APPROVALS 4

PROTESTS 19