



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 19, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-30257 - APPLICANT/OWNER: WMC II ASSOCIATES, LLC AND WMC V PHASE 3, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a project in the Airport Overlay District.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-29870) and Site Development Plan Review (SDR-23606) except as amended by conditions herein, if approved.
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 301-foot high building (Phase IV) within the World Market Center. The proposed building is located in the A-O (Airport Overlay) District adjacent to the southwest corner of Grand Central Parkway and Discovery Drive. The A-O (Airport Overlay) District limits the height for subject parcels to a maximum height of 175 feet.

The subject proposal meets the provisions of Title 19.06.080 for the approval of a building height in excess of the 175-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 and Title 19 requirements. Therefore, staff is recommending approval of the subject Special Use Permit.

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 PD (Planned Development) for this site as a part of an action on a 222 acre site including the subject site. The approval was subject to conditions; including a requirement that a Master Development Plan and Development Standards be approved by the Planning Commission in conjunction with the submittal of a Site Development Plan Review for any part of the larger site. The Planning Commission and staff recommended approval of the request.
07/05/00	The City Council approved the Las Vegas Downtown Centennial Plan. The subject site is within the area designated as the Parkway Center.
02/07/01	The City Council approved a Required Review [Z-0100-97(2)] of 13 existing Off-Premise Advertising (Billboard) Signs on the larger site including the subject parcel. The Planning Commission and staff recommended approval of the request.
05/16/01	The City Council approved a Site Development Plan Review [Z-0100-97(3)] for a proposed 1,000,000 square-foot commercial development on 36.11 acres at the northeast corner of the intersection of Bonneville Avenue and Grand Central Parkway. The Planning Commission and staff recommended approval of the request.
04/03/02	The City Council approved a Required Review [Z-0100-97(7)] of 12 existing Off-Premise Advertising (Billboard) Sign on a larger site including the subject parcel, subject to a one-year review. The Planning Commission recommended approval of the request.

05/21/03	The City Council approved a Required Review (RQR-1974) of 12 Off-Premise Advertising (Billboard) Signs on a larger site including; the subject parcel. The Planning Commission and staff recommended approval of the request.
10/06/04	The City Council approved a request for a Site Development Plan Review (SDR-4841) for a 345,670 square-foot temporary exhibit space on the subject site. The Planning Commission and staff recommended approval of the request.
04/20/05	The City Council approved a Required Review (RQR-6003) of one Off-Premise Advertising (Billboard) Signs on a larger site including the subject site. The Planning Commission and staff recommended approval of the request.
05/18/05	The City Council approved a Review of Condition (ROC-6466) number six of an approved Site Development Plan Review (SDR-4841) to allow required landscaping to be installed in phases where an overall landscaping plan was required for an approved 345,670 square-foot exhibit space on 30.2 acres at 495 S. Grand Central Parkway.
05/18/05	The City Council approved a Review of Condition (ROC-6467) number seven of an approved Site Development Plan Review [Z-0100-97(3)] to change the location of the required trail for an approved 1,000,000 square-foot commercial development on 36.11 acres at 495 South Grand Central Parkway.
06/15/05	The City Council approved a Master Sign Plan (MSP-6344) for signage of the World Market Center. The Planning Commission and staff recommended approval of the request.
07/06/05	The City Council approved a Site Development Plan Review (SDR-6593) for a 1,619,219 square-foot Phase II commercial center. The Parkway Center Architecture Review Committee (PC-ARC) recommended approval of the request.
01/12/06	The Planning Commission approved a Site Development Plan Review (SDR-10427) for a four-level, 2,175 space parking garage. Staff recommended approval of the request.
06/07/06	The City Council approved a Site Development Plan Review (SDR-12636) for a 2,097,925 square-foot Phase III commercial building. The Planning Commission recommended approval of the request.
06/07/06	The City Council approved a Review of Condition (ROC-13357) to remove a condition that required that the Off-Premise Advertising (Billboard) Signs on the subject site be removed prior to the issuance of a Certificate of Occupancy for the Phase II building. Signs B and C were still required to be removed, all others were required to be reviewed at a later date. Staff recommended denial of the request.

06/07/06	The City Council approved a Required Review (RQR-11403) of eight Off-Premise Advertising (Billboard) Signs on a larger site including the subject parcel. This approval required the removal of Signs B on APN 139-33-610-014 and C on APN C 139-33-511-005 to be removed within 60 days. Further, it required Signs C and D on APN 139-33-511-005 to be removed prior to the issuance of permits for Phase III parking structure. The Planning Commission and staff recommended approval of the request.
06/07/06	The City Council approved a Required Review (RQR-12065) of one Off-Premise Advertising (Billboard) Sign on one of the subject parcels. The Planning Commission and staff recommended approval of the request.
06/07/06	The City Council approved a Special Use Permit (SUP-12635) for a 305-foot tall building within the North Las Vegas Airport portion of the A-O (Airport Overlay) District on parcel within the World Market site. The Planning Commission and staff recommended approval of the request
09/07/06	Staff Administratively approved a Minor Amendment (SDR-16509) to an approved Site Development Plan Review (SDR-12636) for a reduction in the commercial square-footage and revisions to the parking requirements for a commercial development.
10/18/06	The City Council approved an amended Master Sign Plan (MSP-15823) to include; Phase II of the World Market Center development. The Planning Commission and staff recommended approval of the request.
08/15/07	The City Council approved a Required Review (RQR-21496) of on Off-Premise Advertising (Billboard) Sign on one of the subject parcels. A condition of approval requires that the sign be removed prior to the issuance of building permits for any new development on the site. The Planning Commission and staff recommended approval of the request.
09/05/07	The City Council approved a Required Review (RQR-21345) of multiple Off-Premise Advertising (Billboard) Signs on a larger site including; the subject site. The Planning Commission and staff recommended approval of the request.
10/17/07	The City Council approved a Site Development Plan Review (SDR-23606) for a proposed 2,495,091 square-foot commercial center with a Waiver of the Downtown Centennial Plan Build-to-Line standard to allow a 206-foot front setback and the expansion of an approved parking garage on 19.18 acres adjacent to the southwest corner of Grand Central Parkway and Discovery Drive and a 2,306 space temporary parking lot on 18.11 acres adjacent to the northwest corner of Grand Central Parkway and Discovery Drive. The Planning Commission and staff recommended approval of the request.

10/23/08	<p>The Planning Commission recommended approval of companion item SDR-29870 concurrently with this application.</p> <p>The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #46/bts).</p>
Related Building Permits/Business Licenses	
09/15/06	A Building Permit (#C-0474-06) was issued for the parking structure on the subject site. The permit was finalized on 01/29/07.
10/05/07	A Business License (#T26-00413) was issued for a temporary event operator at 455 S. Grand Central Parkway. The license was marked out on 12/13/07.
01/29/08	A Business License (#M18-04259) was issued for a management or consulting service at 455 S. Grand Central Parkway
06/06/08	A Business License (#F07-02004) was issued for a furniture store at 455 S. Grand Central Parkway.
06/06/08	A Business License (#F07-02005) was issued for a furniture store at 455 S. Grand Central Parkway.
08/11/08	A Business License (#C09-00192) was issued for a convention operator with exhibitors at 455 S. Grand Central Parkway. The license was marked out on 08/26/08.
09/12/08	A Building Permit (#07000376) was issued for a Temporary Certificate of Occupancy at 455 S. Grand Central Parkway. The Certificate of Occupancy will expire on 10/13/08 unless it is renewed.
09/22/08	A Business License (#F07-02016) was issued for a furniture store at 455 S. Grand Central Parkway.
Pre-Application Meeting	
10/23/08	A pre-application meeting was held on the indicated date. The applicant indicated the areas for the proposed reduction in square-footage to the Phase IV building. The applicant was advised on the requirements for the subject Special Use Permit and the associated Site Development Plan Review.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Field Check	
09/12/08	A field check indicated the existing World Market Center including; Phase I, II and III. Streetscape exists along Grand Central Parkway. Phase IV will remove the majority of the existing surface parking area south of Discovery Drive. The site inspection also indicated the proposed location of the Phase IV building, parking garage addition, and the new elevator tower.

Details of Application Request	
Site Area	
Net Acres	19.9

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Trade Center/Wholesale and Retail Showroom (World Market Center) and Off Premise Advertising (Billboard) Signs	MXU (Mixed Use)	PD (Planned Development)
North	Trade Center/Wholesale and Retail Showroom (World Market Center)	MXU (Mixed Use)	PD (Planned Development)
South	Shopping Center	MXU (Mixed Use)	PD (Planned Development)
East	Undeveloped (Union Park)	MXU (Mixed Use)	PD (Planned Development)
West	ROW (Interstate 15)	ROW (Interstate 15)	ROW (Interstate 15)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan (Parkway Center District)	X		Y*
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District (Parkway Center District)	X		Y*
A-O (Airport Overlay) District (175 feet)	X		N**
Downtown Casino Overlay District	X		Y***
Trails	X		Y****
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment	X		Y*****
Project of Regional Significance	X		Y*****

Redevelopment Plan Area The subject site is located within the boundaries of the Las Vegas Redevelopment District. The proposed uses are in conformance with the Redevelopment Plan goals and policies.

***Downtown Overlay District** The subject site is located within the boundaries of the Downtown Overlay District. Specifically, the site is located within the Parkway Center District of the Downtown Centennial Plan. The site conforms to the Parkway Center District standards.

****Airport Overlay District** - The subject site is located within the 175-foot boundary of the Airport Overlay. The subject building exceeds the 175-foot height limit. The subject Special Use Permit will address the 301-foot tall building where 175 feet is the maximum allowed.

*****Downtown Casino Overlay** - The subject site is located within the boundaries of the Downtown Casino Overlay. The proposed building is for retail purposes and does not provide any gaming or related uses typically found within the Downtown Casino Overlay.

******Trails** A condition of approval of the original Site Development Plan Review [Z-0100-97(3)], required the applicant to provide a trail/landscaped buffer feature along the freeway corridor, which would connect to other regional trails planned for the area. The City Council approved a Review of Condition (ROC-6467), which allowed the applicant to construct the trail along the Bonneville Avenue and Grand Central Parkway frontages.

*******Development Impact Notification Assessment/Project of Regional Significance** - The project was deemed to be a Project of Significant Impact upon the original submittal of the Site Development Plan Review [Z-0100-97(3)] application for the overall site. The paperwork was submitted at that time, which addressed all phases of the World Market Center development. No additional documentation is required for the subject application.

DEVELOPMENT STANDARDS

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

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	19.91 ac.	N/A
Min. Lot Width	N/A	1,240 feet	N/A
Min. Setbacks			
• Front	N/A	263 feet	N/A
• Side	N/A	950 feet	N/A
• Corner	N/A	434 feet	N/A
• Rear	N/A	310 feet	N/A
Max. Lot Coverage	Up to 100%	76%	N/A
Max. Building Height	N/A	301 feet	N/A
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

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.

ANALYSIS

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 as follows:

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 (Federal Aviation Association) 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

The subject Special Use Permit has been submitted in conjunction with a related Site Development Plan Review (SDR-29870) for an 18-story, 1,162,255 square-foot commercial building and additional building height with a Waiver of the Downtown Centennial Plan Build-to-Line Standard to allow a 263-foot front setback. 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 and Title 19 requirements. Therefore, staff is recommending approval of the subject Special Use Permit.

FINDINGS

The following findings must be made for a Special Use Permit:

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 overall design of the Phase IV building compliments the current design of the existing buildings at the World Market Center and the surround area. The proposed expansion of the World Market Center is compatible with the Parkway Center District of the Downtown Centennial Plan.

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

The proposed Phase IV building of the World Market Center is adjacent to Interstate 15. The overall site is suitable for another building of this size and height. The Phase IV building is consistent with previous approvals at the World Market Center 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.

Principal access to the site is provided from Grand Central Parkway, a (125-foot) wide Primary Arterial as indicated on the Master Plan of Streets and Highways. Grand Central Parkway has sufficient capacity to accommodate the proposed use. Additional service driveways will be provided from Bonneville Avenue and Discovery Drive, which can also accommodate the traffic generated by the development.

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 the Special Use Permit is consistent with the General Plan, and will not compromise public health, safety, or welfare.

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

The proposed 301-foot tall building is located within the Airport Overlay District and meets all requirements pursuant to Title 19.04, as conditioned.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 31 by City Clerk

APPROVALS 0

PROTESTS 0