



AGENDA MEMO

CITY COUNCIL MEETING OF: JULY 15, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-34339 - APPLICANT: C2 LOFTS - OWNER: TRINITY PEAK I, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Mixed-Use.
2. Conformance to the conditions for Rezoning (Z-0087-98) and Site Development Plan Review (SDR-21608).
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. 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 Mixed-Use development with a Waiver to allow a non-residential use to front along the interior drive instead of the primary public right-of-way at the northeast corner of Trinity Peak Drive and Buffalo Drive. A previously approved Special Use Permit (SUP-9436) for a proposed Mixed-Use development with an identical Waiver was approved for the subject site on 12/21/05; however, it was not exercised, and expired on 12/21/07. An approved Site Development Plan Review (SDR-21608) for a Mixed-Use development consisting of 436 residential units and 57,772 square feet of commercial space remains active on the subject property. As this request is consistent with the approved Site Development Plan Review, and the request for the Waiver allows the commercial uses to be fully integrated into the multi-building site rather than being restricted to the Buffalo Drive frontage, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
02/22/99	The City Council approved a General Plan Amendment (GPA-0047-98) from SC (Service Commercial) to LI/R (Light Industry/Research) and a Rezoning (Z008798) from C-1 (Limited Commercial) to C-PB (Planned Business Park) for this site as part of a larger request for the entire Las Vegas Technology Center expansion area. The Planning Commission and staff recommended approval of these requests.
11/17/99	The City Council approved a Development Standard Review and Master Plan Review [Z-0087-98(1) and Z-0066-87(4)] for the Las Vegas Technology Center Phase II. The Planning Commission recommended and staff recommended approval of these requests.
06/19/03	A change of ownership was recorded for APN 138-15-310-035.
09/08/05	The Las Vegas Technology Center II Architectural Review Committee approved the proposed project, subject to Council approval (Meeting 1).
12/21/05	The City Council approved a Site Development Plan Review (SDR-9439) for a proposed Mixed-Use development (SDR-9439) consisting of 558 residential units and 52,000 square feet of commercial space with a Waiver of the building placement requirement and a Special Use Permit (SUP-9436) for a Mixed-Use development with a Waiver to allow a non-residential use to front along the interior drive instead of the primary public right-of-way at the northeast corner of Buffalo Drive and Trinity Peak Drive. The Planning Commission and staff recommended approval of these requests.

02/23/06	The Planning Commission approved a request for a Tentative Map (TMP-10550) for a 562-unit Mixed-Use development on 21.2 acres at the northeast corner of Buffalo Drive and Trinity Peak Drive. Staff recommended approval of this request. The map was never exercised and expired 02/23/08.
05/31/06	A change of ownership was recorded for APNs 138-15-310-031 and 034.
04/11/07	The Las Vegas Technology Center II Architectural Review Committee approved the proposed project, subject to Council approval (Meeting 2).
05/10/07	The Planning and Development Department approved a request for a Minor Amendment (SDR-21608) to an approved Site Development Plan Review (SDR-9439) for a proposed Mixed-Use development consisting of 436 residential units and 57,772 square feet of commercial space on 21.2 acres at the northeast corner of Buffalo Drive and Trinity Peak Drive.
08/09/07	The Planning Commission approved a Tentative Map (TMP-22581) for a 436-unit Mixed-Use development on 21.2 acres at the northeast corner of Buffalo Drive and Trinity Peak Drive. Staff recommended approval of this request.
06/11/09	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #38/dc).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses associated with this application.	
<i>Pre-Application Meeting</i>	
09/24/08	A pre-application meeting was held with the applicant where the following was discussed: • The submittal requirements for a Special Use Permit for a Mixed-Use development. • A Project of Regional Significance is required to be completed for this submittal.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
05/07/09	A field check was performed at the subject property with the following observations: • The subject properties are located within the Las Vegas Technology Center Phase 2. • There is existing landscaping along Buffalo with a significant power line utility easement running overhead. • There are existing curb cuts that are located approximately where the submitted plans show. • There is a slight increase in grade westwards towards the existing single family housing.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	21.21

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped [Proposed Mixed-Use Development (SDR-21608)]	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
North	City of Las Vegas West Service Center	PF (Public Facilities)	C-V (Civic)
South	Office	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
East	Office	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
West	Single-Family Residences	ML (Medium Low Density Residential)	R-PD5 (Residential Planned Development 5 Units per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Las Vegas Technology Center	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (175 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Waivers		
Requirement	Request	Staff Recommendation
The nonresidential use shall be located at ground level fronting the primary public right-of-way, and the primary entryway to that use shall be directly from and oriented to a street	To allow a nonresidential use to front along the interior drive	Approval

ANALYSIS

This is a request for a Special Use Permit for a proposed Mixed-Use development with a Waiver to allow a non-residential use to front along the interior drive instead of the primary public right-of-way at the northeast corner of Trinity Peak Drive and Buffalo Drive. The subject site is currently entitled for a development consisting of 436 residential units and 57,772 square feet of commercial space, and had previously obtained a Special Use Permit (SUP-9436) to allow Mixed-Use development, which expired 12/21/07.

This request is consistent with the approved Site Development Plan Review (SDR-21608) for the site and is identical to the previously approved Special Use Permit (SUP-9436). Approval of the Waiver requested will allow the commercial portion of the development to be fully integrated into all areas of the multi-building development, rather than placing commercial uses solely within the buildings which front Buffalo Drive. As the requested Special Use Permit is consistent with the approved Site Development Plan Review and the Waiver requested will allow the commercial uses to be located throughout the proposed development, staff recommends approval of this request.

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 design of the development adequately separates the commercial and residential components by restricting commercial uses to the ground level of the proposed buildings and residential uses to the upper floors, and will not significantly impact adjacent land uses.

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

The subject site is appropriate for the proposed Mixed-Use development. The property is physically suitable for the uses and scale of development proposed for the 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.**

Adequate site access is provided from Buffalo Drive, a 100-foot Primary Arterial, Peak Drive, an 80-foot Secondary Collector, and Trinity Peak Drive and Fire Mesa Drive, both 60-foot Local Streets, according to the Master Plan of Streets and Highways.

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 will not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

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

The proposed Mixed-Use development does not meet all of the applicable conditions per Title 19.04 as the applicant has requested a Waiver to allow a non-residential use to front along the interior drive instead of the primary public right-of-way. Staff can support the Waiver request as it creates a fully integrated and usable Mixed-Use neighborhood by placing commercial uses throughout the proposed development.

PLANNING COMMISSION ACTION

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 318 by City Clerk

APPROVALS 0

PROTESTS 0