



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: FOREST CITY COMMERCIAL DEVELOPMENT -

OWNER: PQ LAS VEGAS, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-37904	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37904 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Satellite Dish use.
2. Conformance to the approved conditions for Rezoning (ZON-30369) and Site Development Plan Review (SDR-31749).
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the Satellite Dishes. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.
5. These Conditions of Approval shall be affixed to the cover sheet of the plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow six Satellite Dishes, which will be located on the rooftop and unscreened from adjacent properties. They are approximately sixteen feet in diameter and eighteen feet high. The subject site is the location of the new 303,085 square-foot Las Vegas City Hall, which is under construction at the present time. The subject site contains three permitted construction trailers and various machines for demolition and excavation. Staff recommends approval of this request, as the proposed Satellite Dishes will allow the city to provide enhanced communication services to the community. If this request is denied, the proposed Satellite Dishes could not be installed. Alternatively, smaller dishes with limited capabilities and lower bandwidth could be installed.

ISSUES

- Satellite Dishes will be located on the rooftop without being screened to minimize the impact on other properties. Screening the dishes would result in limited or no reception of signals.
- The six Satellite Dishes will be eighteen feet in height and sixteen feet in diameter.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
04/04/07	The City Council approved a Vacation (VAC-19235) of the 20-foot north/south alley located within the subject block. The Planning Commission and staff recommended approval.
06/04/08	The Planning and Development Department approved an Extension of Time (EOT-27762) for a Petition to Vacate (VAC-19235) a 20-foot wide section of public right-of-way generally located south of Lewis Avenue, north of Clark Avenue, between Main Street and First Street.
11/19/08	The City Council approved a Rezoning (ZON-30369) for a portion of the subject property from C-M (Commercial/Industrial) to C-2 (General Commercial). The Planning Commission and staff recommended approval.

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01/21/09	The City Council approved a request for a Site Development Plan Review (SDR-31749) for a 303,085 square-foot office building with Waivers from the Downtown Centennial Plan Streetscape Requirements, Build-To line Requirements, and Aerial Encroachment Limitation on 4.2 acres at the northwest corner of South 1st Street and Clark Avenue (APNs 139-34-210-007 through 013, and 139-34-210-019 through 023). The Planning Commission and staff recommended approval.
05/14/09	The Planning and Development Department approved an Extension of Time (EOT-33932) for a Petition to Vacate (VAC-19235) a 20-foot wide section of public right-of-way generally located south of Lewis Avenue, north of Clark Avenue, between Main Street and First Street.
11/10/09	A Parcel Map (PMP-36248) Merger and Resubdivision for 2.71 acres located at the northeast corner of Main Street and Clark Avenue (APNs 139-34-210-007 through 013 and 019 through 023) was recorded on 11/10/09.

<i>Most Recent Change of Ownership</i>	
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12/10/09	A deed was recorded for a change in ownership.
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<i>Related Building Permits/Business Licenses</i>	
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12/18/09	A Building Permit (#142811) was issued 12/18/09 for new city hall building. The permit has not been finalized.
12/18/09	A Building Permit (#142812) was issued 12/18/09 for on-site construction. The permit has not been finalized.
02/04/10	A Building Permit (#155983) was issued 02/04/10 for a construction trailer. The permit was finalized 02/12/10.
02/04/10	A Building Permit (#155984) was issued 02/04/10 for a construction trailer. The permit was finalized 02/12/10.
02/04/10	A Building Permit (#155985) was issued 02/04/10 for a construction trailer. The permit was finalized 02/12/10.

<i>Pre-Application Meeting</i>	
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03/24/10	A pre application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed. Topics included: • Satellite Dishes cannot be properly screened from other properties. • Revise Justification letter to address the physical properties of the Satellite Dishes'.
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<i>Neighborhood Meeting</i>	
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A neighborhood meeting is not required, nor was one held.	
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Field Check	
04/22/10	The subject site is undergoing demolition and excavation in preparation for the construction phase.

Details of Application Request	
Site Area	
Net Acres	2.71

Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	City Hall	C (Commercial)	C-2 (General Commercial)
North	Service Station Use, Parking Lot Use	C (Commercial)	C-M (Commercial/Industrial); C-2 (General Commercial)
South	Auto Parts Use, Parking Lot Use	C (Commercial)	C-M (Commercial/Industrial); C-2 (General Commercial)
East	Custodial Institution Use, Parking Lot Use	PF (Public Facility)	C-V (Civic)
West	Parking Lot Use, Warehouse Use	C (Commercial)	C-M (Commercial/Industrial)

Master Plan Areas	Yes	No	Compliance
Master Plan Area			
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District (Office Core)	X		Y
A-O (Airport Overlay) District (200 feet)	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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ANALYSIS

This is a request for a Special Use Permit for six Satellite Dishes that are eighteen feet in height and sixteen feet in diameter. The proposed Dishes would be mounted on the rooftop of the new Las Vegas City Hall located at 495 South Main Street. Title 19.20.020 defines a Satellite Dish use as “a device which:

1. Incorporates a reflective surface that is solid, open mesh, or bar-configured;
2. Has the shape of a shallow dish, cone, horn, or cornucopia; and
3. Is used to receive electromagnetic signals.”

The proposed Satellite Dishes do not meet the Conditional Use Requirements set forth in (1) (b and c) in Title 19.04; therefore a Special Use Permit is required.

The subject property is located in the Downtown Centennial Plan Overlay District (Office Core) and will provide a start to revitalizing the downtown area. As the new city hall will be 7 stories tall and 151-foot in height, the height of the building will help to minimize the impact of the height and diameter of the dishes, as well as the lack of screening at street level. The addition of the six Satellite Dishes will have a minimal impact on the adjacent properties; therefore, staff recommends approval.

FINDINGS (SUP-37904)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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 proposed use is located in the Downtown Centennial Plan Overlay District (Office Core) and can be conducted in a manner that is harmonious and compatible with the existing land uses project by the General Plan.

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

The new city hall building will be physically suitable for the type and intensity of land use proposed by the six 18-foot tall Satellite Dishes with a maximum 16-foot in diameter. The dishes will be located on the roof top and the building height will help to minimize the impact of the Satellite Dishes.

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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.

The city hall will provide vehicular access from Lewis Avenue and 1st Street, both which are 80-foot rights-of-way. The proposed Satellite Dish use requires no additional parking required beyond that which is required for the principal use on site.

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 proposed Satellite Dish use will not jeopardize the public health, safety or welfare, as it will be subject to permit review and inspection prior to completion.

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

The proposed Satellite Dish use does not meet the conditions of Title 19.04.010., as they are unscreened and exceed the diameter and height requirements for conditional use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

19

NOTICES MAILED 59

APPROVALS 0

PROTESTS 0