

*City of Las Vegas***AGENDA MEMO - PLANNING**

PLANNING COMMISSION MEETING DATE: MAY 14, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: WOLF T.H., LLC - OWNER: JAMES R MARSH

**** STAFF RECOMMENDATION ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
MOD-48831	Staff recommends DENIAL.	N/A

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting to amend the Town Center Special Land Use Designation on 3.96 acres adjacent to the southwest corner of Deer springs Way and Durango Drive from the UC-TC (Urban Center Mixed Use – Town Center) land use district to the GC-TC (General Commercial – Town Center) land use district. There are no development plans proposed at this time and the parcel has not been rezoned into the Town Center Special Land Use District. Staff recommends denial of this request, as there is no change in growth or development indicators to warrant the need for a change to the (Urban Center Mixed Use – Town Center) land use district.

ISSUES

- The applicant has not submitted any development plans for the subject site at this time.
- The increased commercial intensity that is allowed within the proposed GC-TC (General Commercial – Town Center) would not be compatible with the residential developments to the west. The current UC-TC (Urban Center Mixed Use – Town Center) land use district provides an adequate development and land use buffer.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
01/17/01	The City Council approved a petition to Annex (A-0003-99) property generally located west of El Capitan Way and east of Hualapai Way, between Grand Teton Drive and Rome Avenue. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
10/10/97	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses associated with the subject site.	

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<i>Pre-Application Meeting</i>	
03/12/13	A pre-application meeting was held with the applicant’s representative and staff to discuss the submittal requirements for a proposed Major Modification to the Town Center Land Use Map. The applicant was informed that a Rezoning request will be required prior to, or at the time of, any proposed developments plan being submitted.

<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Field Check</i>	
04/09/13	A field check was conducted by staff and revealed that the subject site is currently undeveloped, and is adjoined by similar sized undeveloped parcels to the west and south.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.96

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
North	General Retail Store	GC-TC (General Commercial – Town Center)	T-C (Town Center)
South	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
East	Restaurant (with drive-through)	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
West	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)

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Master Plan Areas	Compliance
Town Center Master Plan	N
Special Purpose and Overlay Districts	Compliance
T-C (Town Center) District	N
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Town Center Development Standards Manual, the following standards apply:

Standard	Existing UC-TC	Proposed GC-TC
Min. Setbacks		
• Front	0 Feet	15 Feet
• Side	10 Feet	10 Feet
• Corner	15 Feet	15 Feet
• Rear	20 Feet	20 Feet
Max. Building Height	3 Stories	2 Stories

ANALYSIS

The 3.96-acre site is currently designated UC-TC (Urban Center Mixed Use – Town Center) by the Town Center Land Use Map, but has not been rezoned into the Town Center Special Land Use District, as is required per 19.10.060. The intent of the existing Urban Center Mixed Use land use district is to enable development with imaginative site and building design and maximize the use of the property. These developments should have a compatible mixture of land uses and encourage employment opportunities and the provision of goods and services to the Centennial Hills area of the City.

The applicant requests that the subject parcel be redesignated to the GC-TC (General Commercial – Town Center) land use district. The General Commercial – Town Center land use district allows all types of retail, automotive service, office and other general business uses of a more intense commercial character.

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The development standards for both districts are somewhat similar; however, the Urban Center Mixed Use land use district has a build-to-line front setback, and allows up to 12 stories with a Special Use Permit adjacent to Durango Drive. If approved, the General Commercial land use district will require a suburban development pattern consisting of a 15-foot front yard setback and a two story high limit. The Urban Center Mixed Use land use district is moderately restrictive in commercial uses when compared with General Commercial land use district. For example, motor vehicle sales are conditionally allowed in the General Commercial land use district; and restaurants with drive-throughs, secondhand dealers, service stations, and swap meets are allowed with approval of a Special Use Permit, but are not allowed in the Urban Center Mixed Use land use district. These uses normally include characteristics that are not generally compatible with the residential neighborhoods to the west without significant transition.

Objective B of the Centennial Hills Sector Plan seeks to: *“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.”* The proposed Major Modification to the General Commercial land use district will allow for increased commercial intensity at a closer proximity to the single family, detached uses to the west where the current Urban Center Mixed Use land use district serves as a buffer between the disparate uses. Therefore, staff recommends denial of this request.

FINDINGS (MOD-48831)

In order to approve the Major Modification application, pursuant to Town Center Development Standards Manual (A)(3)(B) and Title 19.16.090, the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

The proposed modification does not meet the objectives and policies outlined in the Centennial Hills Sector Plan. The request to modify the Town Center Special Land Use Designation from UC-TC (Urban Center Mixed Use – Town Center) to GC-TC (General Commercial – Town Center) disrupts 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 rezoning will be compatible with the surrounding land uses and zoning districts.

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The applicant has not proposed any development or uses on this site to determine the precise compatibility with the surrounding uses at this time. As such, staff must make the findings off of the most intense uses allowed within the proposed zoning district. The existing land uses to the east, west, and south of this development are designated UC-TC (Urban Center Mixed Use – Town Center). The Town Center Development Standards prohibits more intense commercial uses, such as automobile related uses within the UC-TC (Urban Center – Town Center) special land use designation.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

The applicant has not proposed any development or change in use at this time necessitating the need for the modification of the UC-TC (Urban Center Mixed Use – Town Center) land use district to the GC-TC (General Commercial – Town Center) land use district. Staff finds that the existing UC-TC (Urban Center Mixed Use – Town Center) land use district will best serve the future needs for commercial and service uses while providing an adequate buffer for the residential developments to the west.

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 is adjacent to Durango Drive, which is designated as a 120-foot wide Town Center Parkway Arterial, and Deer Springs Way, which is designated as an 80-foot wide Town Center Arterial. No plans have been submitted showing site access to either Durango Drive or Deer Springs Way at this time.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 25

NOTICES MAILED 330

APPROVALS 1

PROTESTS 0